

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; amending s. 334.27, F.S.;  
78 | providing that certain authorities have full power to  
79 | conduct business, provide services, and take certain  
80 | actions beyond certain geographical boundaries;  
81 | requiring an interlocal agreement; creating s. 334.62,  
82 | F.S.; providing legislative findings; creating the  
83 | Florida Transportation Academy for a specified  
84 | purpose; authorizing the department to work with  
85 | certain entities to support, promote, and sustain  
86 | certain workforce development efforts; authorizing the  
87 | department to coordinate with specified entities for  
88 | certain purposes; amending s. 335.182, F.S.; revising  
89 | the definition of the term "significant change";  
90 | defining the term "modification of a connection";  
91 | amending s. 335.187, F.S.; revising the conditions  
92 | under which the department may modify or revoke a  
93 | permit; amending s. 337.027, F.S.; revising the  
94 | definition of the term "small business"; amending ss.  
95 | 337.11 and 337.251, F.S.; conforming provisions to  
96 | changes made by the act; amending s. 337.18, F.S.;  
97 | authorizing the department to require the amount of  
98 | certain bonds to be less than a certain price;  
99 | amending s. 337.401, F.S.; prohibiting counties and  
100 | municipalities from adopting certain rules and

101 regulations relating to permits for the installation  
 102 of a public sewer transmission line under certain  
 103 circumstances; amending s. 337.406, F.S.; providing an  
 104 exception to the prohibition of camping on any portion  
 105 of the right-of-way of the State Highway System;  
 106 amending s. 338.227, F.S.; conforming a provision to  
 107 changes made by the act; providing applicability;  
 108 amending s. 339.2816, F.S.; increasing the required  
 109 funding for the Small County Road Assistance Program;  
 110 amending s. 339.2818, F.S.; revising the definition of  
 111 the term "small county"; authorizing specified funding  
 112 to be used to fund the Small County Outreach Program;  
 113 amending s. 339.2821, F.S.; conforming provisions to  
 114 changes made by the act; amending s. 339.651, F.S.;  
 115 authorizing, rather than requiring, the department to  
 116 make certain funds available each year for certain  
 117 projects; removing a scheduled repeal; amending s.  
 118 341.051, F.S.; requiring the department to reallocate  
 119 certain funds under certain circumstances; amending s.  
 120 348.754, F.S.; conforming a provision to changes made  
 121 by the act; amending s. 349.03, F.S.; providing  
 122 appointment procedures for the governing body of the  
 123 Jacksonville Transportation Authority; providing  
 124 requirements for the authority; repealing ss.  
 125 316.0741, 331.351, 337.125, 337.135, 337.139,

126 339.0805, and 339.287, F.S., relating to high-  
127 occupancy-vehicle lanes; participation by women,  
128 minorities, and socially and economically  
129 disadvantaged business enterprises; notice  
130 requirements for socially and economically  
131 disadvantaged business enterprises; penalties for  
132 false representation of socially and economically  
133 disadvantaged business enterprises; awarding contracts  
134 to disadvantaged business enterprises; funds to be  
135 expended with certified disadvantaged business  
136 enterprises, the construction management development  
137 program, and the bond guarantee program; and  
138 infrastructure plan development for electric vehicle  
139 charging stations, respectively; amending ss. 110.205,  
140 322.27, 365.172, 379.2293, 493.6101, and 493.6403,  
141 F.S.; conforming cross-references; providing an  
142 effective date.

143  
144 Be It Enacted by the Legislature of the State of Florida:

145  
146 **Section 1. Subsections (2) through (6) of section 20.23,**  
147 **Florida Statutes, are renumbered as subsections (3) through (7),**  
148 **respectively, paragraph (d) of subsection (1), paragraphs (a),**  
149 **(b), and (g) of present subsection (2), and paragraph (b) of**  
150 **present subsection (3) are amended, and a new subsection (2) is**

151 **added to that section, to read:**

152       20.23 Department of Transportation.—There is created a  
153 Department of Transportation which shall be a decentralized  
154 agency.

155       (1)

156       (d) The secretary may appoint up to three assistant  
157 secretaries who shall serve as the Chief Operations Officer,  
158 Chief Finance and Administration Officer, and Chief Strategic  
159 Development Officer; be directly responsible to the secretary;  
160 and ~~who shall~~ perform such duties as are assigned by the  
161 secretary. The secretary may also appoint an Executive Director  
162 of Transportation Technology. These assistant secretaries and  
163 the Executive Director of Transportation Technology shall  
164 maintain their Senior Management Service status and are exempt  
165 from career service under s. 110.205(2). The secretary shall  
166 designate to an assistant secretary the duties related to  
167 enhancing economic prosperity, including, but not limited to,  
168 the responsibility of liaison with the head of economic  
169 development in the Executive Office of the Governor. Such  
170 assistant secretary shall be directly responsible for providing  
171 the Executive Office of the Governor with investment  
172 opportunities and transportation projects that expand the  
173 state's role as a global hub for trade and investment and  
174 enhance the supply chain system in the state to process,  
175 assemble, and ship goods to markets throughout the eastern

176 United States, Canada, the Caribbean, and Latin America. The  
177 secretary may delegate to any assistant secretary the authority  
178 to act in the absence of the secretary.

179 (2) The Legislature finds that the transportation industry  
180 is critical to the economic future of this state and that the  
181 competitiveness of the industry in this state depends upon the  
182 development and maintenance of a qualified workforce and  
183 cutting-edge research and innovation. The Legislature further  
184 finds that the transportation industry in this state has varied  
185 and complex workforce needs ranging from technical and  
186 mechanical training to continuing education opportunities for  
187 workers with advanced degrees and certifications. The timely  
188 need also exists for coordinated research and innovation efforts  
189 to promote emerging technologies and innovative construction  
190 methods and tools and to address alternative funding mechanisms.

191 (a) The Florida Transportation Research Institute (the  
192 Institute) is created as a consortium of higher education  
193 professionals to drive cutting-edge research, innovation,  
194 transformational technologies, and breakthrough solutions and to  
195 support workforce development efforts that contribute to this  
196 state's transportation system.

197 (b) The Institute shall report to the department and  
198 include membership from the University of Florida, Indian River  
199 State College, the University of Central Florida, and Florida  
200 International University.



201        (c) The department shall select a representative from one  
202 of the entities referenced in paragraph (b) to serve as the  
203 administrative lead for the Institute. The department shall  
204 assess the performance of the administrative lead periodically  
205 to ensure accountability and assess the attainment of  
206 performance expectations.

207        (d) The Institute may award grants in alignment with its  
208 mission of furthering research and innovation and supporting  
209 workforce development in this state to support the needs of the  
210 transportation industry. Such grants may be directed to member  
211 and nonmember institutions that have a proven expertise relevant  
212 to the grant, including not-for-profit organizations and  
213 institutions of higher education.

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

219        (f) The secretary shall appoint a member of the department  
220 to serve as the executive director of the Institute. The  
221 department shall coordinate with the entities referenced in  
222 paragraph (b) to adopt and approve additional policies  
223 establishing the Institute's executive committee and mission  
224 statement.

225        (g) The Institute shall submit an annual report to the

226 Office of the Secretary and the commission containing  
227 performance metrics, including, but not limited to, expenditures  
228 of appropriated funds provided by the department, ongoing and  
229 proposed research efforts, and the application and success of  
230 past research efforts.

231 (3)-(2)(a)1. The Florida Transportation Commission is  
232 hereby created and shall consist of nine members appointed by  
233 the Governor subject to confirmation by the Senate. Members of  
234 the commission shall serve terms of 4 years each.

235 2. Members shall be appointed in such a manner as to  
236 equitably represent all geographic areas of this the state. At  
237 least three members of the commission shall represent or have  
238 expertise in higher education, transportation, or workforce  
239 development ~~Each member must be a registered voter and a citizen~~  
240 ~~of the state. Each member of the commission must also possess~~  
241 ~~business managerial experience in the private sector.~~

242 3. A member of the commission shall represent the  
243 transportation needs of the state as a whole and may not  
244 subordinate the needs of the state to those of any particular  
245 area of the state.

246 4. The commission is assigned to the Office of the  
247 Secretary of the Department of Transportation for administrative  
248 and fiscal accountability purposes, but it shall otherwise  
249 function independently of the control and direction of the  
250 department.

251 (b) The commission shall:

252 1. Recommend major transportation policies for the  
253 Governor's approval and assure that approved policies and any  
254 revisions are properly executed.

255 2. Periodically review the status of the state  
256 transportation system, including highway, transit, rail,  
257 seaport, intermodal development, and aviation components of the  
258 system, and recommend improvements to the Governor and the  
259 Legislature.

260 3. Perform an in-depth evaluation of the annual department  
261 budget request, the Florida Transportation Plan, and the  
262 tentative work program for compliance with all applicable laws  
263 and established departmental policies. Except as specifically  
264 provided in s. 339.135(4)(c)2., (d), and (f), the commission may  
265 not consider individual construction projects but shall consider  
266 methods of accomplishing the goals of the department in the most  
267 effective, efficient, and businesslike manner.

268 4. Monitor the financial status of the department on a  
269 regular basis to assure that the department is managing revenue  
270 and bond proceeds responsibly and in accordance with law and  
271 established policy.

272 5. Monitor on at least a quarterly basis the efficiency,  
273 productivity, and management of the department using performance  
274 and production standards developed by the commission pursuant to  
275 s. 334.045.

276           6. Perform an in-depth evaluation of the factors causing  
277 disruption of project schedules in the adopted work program and  
278 recommend to the Governor and the Legislature methods to  
279 eliminate or reduce the disruptive effects of these factors.

280           7. Recommend to the Governor and the Legislature  
281 improvements to the department's organization in order to  
282 streamline and optimize the efficiency of the department. In  
283 reviewing the department's organization, the commission shall  
284 determine if the current district organizational structure is  
285 responsive to this state's changing economic and demographic  
286 development patterns. The report by the commission must be  
287 delivered to the Governor and the Legislature by December 15  
288 each year, as appropriate. The commission may retain experts as  
289 necessary to carry out this subparagraph, and the department  
290 shall pay the expenses of the experts.

291           8. Monitor the efficiency, productivity, and management of  
292 the agencies and authorities created under chapters 348 and 349;  
293 the Mid-Bay Bridge Authority re-created pursuant to chapter  
294 2000-411, Laws of Florida; ~~and~~ any authority formed under  
295 chapter 343; and any transit entity that is a recipient of  
296 funding from the department's public transit block grant program  
297 as created in s. 341.052. The commission shall also conduct  
298 periodic reviews of each agency's and authority's operations and  
299 budget, acquisition of property, management of revenue and bond  
300 proceeds, and compliance with applicable laws and generally

301 accepted accounting principles.

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

308 (4) ~~(3)~~

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

- 319 1. Administration.
- 320 2. Planning.
- 321 3. Supply chain and modal development.
- 322 4. Design.
- 323 5. Highway operations.
- 324 6. Right-of-way.
- 325 7. Toll operations.

- 326 8. Transportation technology.
- 327 9. Information technology ~~systems~~.
- 328 10. Motor carrier weight inspection.
- 329 11. Work program and budget.
- 330 12. Comptroller.
- 331 13. Construction.
- 332 14. Statewide corridors.
- 333 15. Maintenance.
- 334 16. Forecasting and performance.
- 335 17. Emergency management.
- 336 18. Safety.
- 337 19. Materials.
- 338 20. Infrastructure and innovation.
- 339 21. Permitting.
- 340 22. Traffic operations.
- 341 23. Operational technology.

342 **Section 2. Paragraph (b) of subsection (3) of section**  
 343 **311.07, Florida Statutes, is amended to read:**

344 311.07 Florida seaport transportation and economic  
 345 development funding.—

346 (3)

347 (b) Projects eligible for funding by grants under the  
 348 program are limited to the following port facilities or port  
 349 transportation projects:

- 350 1. Transportation facilities within the jurisdiction of

351 the port.

352       2. The dredging or deepening of channels, turning basins,  
353 or harbors.

354       3. The construction or rehabilitation of wharves, docks,  
355 structures, jetties, piers, storage facilities, cruise  
356 terminals, automated people mover systems, or any facilities  
357 necessary or useful in connection with any of the foregoing.

358       4. The acquisition of vessel tracking systems, container  
359 cranes, or other mechanized equipment used in the movement of  
360 cargo or passengers in international commerce.

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

362       6. The acquisition, improvement, enlargement, or extension  
363 of existing port facilities.

364       7. Environmental protection projects which are necessary  
365 because of requirements imposed by a state agency as a condition  
366 of a permit or other form of state approval; which are necessary  
367 for environmental mitigation required as a condition of a state,  
368 federal, or local environmental permit; which are necessary for  
369 the acquisition of spoil disposal sites and improvements to  
370 existing and future spoil sites; or which result from the  
371 funding of eligible projects listed in this paragraph.

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

375       9. Intermodal access projects.

376 10. Construction or rehabilitation of port facilities as  
377 defined in s. 315.02, excluding any park or recreational  
378 facilities, in ports listed in s. 311.09(1) with operating  
379 revenues of \$5 million or less, provided that such projects  
380 create economic development opportunities, capital improvements,  
381 and positive financial returns to such ports.

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

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

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

390 **Section 3. Subsections (1), (3), and (11) of section**  
391 **311.09, Florida Statutes, are amended to read:**

392 311.09 Florida Seaport Transportation and Economic  
393 Development Council.—

394 (1) The Florida Seaport Transportation and Economic  
395 Development Council is created within the Department of  
396 Transportation to support the growth of the seaports of this  
397 state through the review, development, and financing of port  
398 transportation and port facilities. The council is composed  
399 ~~consists~~ of the following 18 members: the port director, or the  
400 port director's designee, of each of the ports of Jacksonville,



401 Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port  
 402 Everglades, Miami, Port Manatee, St. Petersburg, Putnam County,  
 403 Tampa, Port St. Joe, Panama City, Pensacola, Key West, and  
 404 Fernandina; the secretary of the Department of Transportation or  
 405 his or her designee; and the secretary of the Department of  
 406 Commerce or his or her designee.

407 (3) The council shall prepare a 5-year Florida Seaport  
 408 Mission Plan defining the goals and objectives of the council  
 409 concerning the development of port facilities and an intermodal  
 410 transportation system consistent with the goals of the Florida  
 411 Transportation Plan developed pursuant to s. 339.155. The  
 412 Florida Seaport Mission Plan shall include specific  
 413 recommendations for the construction of transportation  
 414 facilities connecting any port to another transportation mode, the construction of transportation facilities connecting any  
 415 port to the space and aerospace industries, and ~~for~~ the  
 416 efficient, cost-effective development of transportation  
 417 facilities or port facilities for the purpose of enhancing  
 418 trade, promoting cargo flow, increasing cruise passenger  
 419 movements, increasing port revenues, and providing economic  
 420 benefits to this ~~the~~ state. The council shall develop a priority  
 421 list of projects based on these recommendations annually and  
 422 submit the list to the Department of Transportation. The council  
 423 shall update the 5-year Florida Seaport Mission Plan annually  
 424 and shall submit the plan no later than February 1 of each year  
 425

426 to the President of the Senate, the Speaker of the House of  
427 Representatives, the Department of Commerce, and the Department  
428 of Transportation. The council shall develop programs, based on  
429 an examination of existing programs in Florida and other states,  
430 for the training of ~~minorities~~ and secondary school students in  
431 job skills associated with employment opportunities in the  
432 maritime industry, and report on progress and recommendations  
433 for further action to the President of the Senate and the  
434 Speaker of the House of Representatives annually. Each member of  
435 the council shall submit semiannual reports to the Department of  
436 Transportation relating to seaport operations and their support  
437 of this state's economic competitiveness and supply chain. Each  
438 report must include information prescribed by the Department of  
439 Transportation, in consultation with the Department of Commerce,  
440 including, but, not limited to:

- 441 (a) Bulk break capacity.
- 442 (b) Liquid storage and capacity.
- 443 (c) Fuel storage and capacity.
- 444 (d) Container capacity.
- 445 (e) Supply chain disruptions.

446 (11) Members of the council shall serve without  
447 compensation but are entitled to receive reimbursement for per  
448 diem and travel expenses as provided in s. 112.061. The council  
449 may elect to provide an administrative staff to provide services  
450 to the council on matters relating to the Florida Seaport

451 Transportation and Economic Development Program and the council.  
 452 The cost for such administrative services shall be paid by all  
 453 ports that receive funding from the Florida Seaport  
 454 Transportation and Economic Development Program, based upon a  
 455 pro rata formula measured by each recipient's share of the funds  
 456 as compared to the total funds disbursed to all recipients  
 457 during the year. The share of costs for administrative services  
 458 shall be paid in its total amount by the recipient port upon  
 459 execution by the port and the Department of Transportation of a  
 460 joint participation agreement for each council-approved project,  
 461 and such payment is in addition to the matching funds required  
 462 to be paid by the recipient port. Except as otherwise exempted  
 463 by law, all moneys derived from the Florida Seaport  
 464 Transportation and Economic Development Program shall be  
 465 expended in accordance with ~~the provisions of~~ s. 287.057.  
 466 Seaports subject to competitive negotiation requirements of a  
 467 local governing body shall abide by ~~the provisions of~~ s.  
 468 287.055.

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

471 316.0745 Uniform signals and devices.—

472 (7) The Department of Transportation may, upon receipt and  
 473 investigation of reported noncompliance and after hearing  
 474 pursuant to 14 days' notice, direct the removal of any purported  
 475 traffic control device that fails to meet the requirements of

476 | this section, wherever the device is located and without regard  
 477 | to assigned responsibility under s. 316.1895. The public agency  
 478 | erecting or installing the same shall immediately bring it into  
 479 | compliance with the requirements of this section or remove said  
 480 | device or signal upon the direction of the Department of  
 481 | Transportation and may not, for a period of 5 years, install any  
 482 | replacement or new traffic control devices paid for in part or  
 483 | in full with revenues raised by the state unless written prior  
 484 | approval is received from the Department of Transportation. Any  
 485 | additional violation by a public body or official shall be cause  
 486 | for the withholding of state funds ~~for traffic control purposes~~  
 487 | until such public body or official demonstrates to the  
 488 | Department of Transportation that it is complying with this  
 489 | section.

490 |       **Section 5. Section 330.27, Florida Statutes, is amended to**  
 491 | **read:**

492 |       330.27 Definitions, ~~when used in ss. 330.29-330.39.~~ As  
 493 | used in ss. 330.29-330.39, the term:

494 |       (1) "Air ambulance operation" means a flight with a  
 495 | patient or medical personnel on board for the purpose of medical  
 496 | transportation.

497 |       (2) ~~(1)~~ "Aircraft" means a powered or unpowered machine or  
 498 | device capable of atmospheric flight, including, but not limited  
 499 | to, an airplane, autogyro, glider, gyrodyne, helicopter, lift  
 500 | and cruise, multicopter, paramotor, powered lift, seaplane,

501 tiltrotor, ultralight, or vectored thrust. The term does not  
 502 include ~~except~~ a parachute or other such device used primarily  
 503 as safety equipment.

504 (3)-(2) "Airport" means a specific an area of land or water  
 505 or a structure used for, or intended to be used for, landing and  
 506 takeoff of aircraft operations, which may include including  
 507 appurtenant areas, buildings, facilities, or rights-of-way  
 508 necessary to facilitate such use or intended use. The term  
 509 includes, but is not limited to, an airpark, airport,  
 510 gliderport, heliport, helistop, seaplane base, ultralight  
 511 flightpark, vertiport, or vertistop.

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

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

520 (6)-(3) "Department" means the Department of  
 521 Transportation.

522 (7)-(4) "Limited airport" means any airport limited  
 523 exclusively to the specific conditions stated on the site  
 524 approval order or license.

525 (8) "On-demand operation" means any scheduled passenger-

526 carrying operation for compensation or hire conducted by a  
527 person operating an aircraft with a frequency of operations of  
528 fewer than five round trips per week on at least one route  
529 between two or more points according to the published flight  
530 schedule.

531 (9)~~(5)~~ "Private airport" means an airport, publicly or  
532 privately owned, which is not open or available for use by the  
533 public, but may be made available to others by invitation of the  
534 owner or manager.

535 (10) "Private airport of public interest" means a private  
536 airport serving any of the following operations: air ambulance  
537 operation, commercial air tour operation, commuter operation,  
538 on-demand operation, public charter operation, scheduled  
539 operation, or supplemental operation.

540 (11)~~(6)~~ "Public airport" means an airport, publicly or  
541 privately owned, which is open for use by the public.

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

545 (13) "Scheduled operation" means any common carriage  
546 passenger-carrying operation for compensation or hire conducted  
547 by an air carrier or commercial operator for which the  
548 certificateholder or its representative offers in advance the  
549 departure location, departure time, and arrival location.

550 (14) "Supplemental operation" means any common carriage

551 operation for compensation or hire conducted with an aircraft  
552 for which the departure time, departure location, and arrival  
553 location are specifically negotiated with the customer or  
554 customer's representative.

555 (15)-(7) "Temporary airport" means an airport at which  
556 flight operations are conducted under visual flight rules  
557 established by the Federal Aviation Administration and which is  
558 used for less than 30 consecutive days with no more than 10  
559 operations per day.

560 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~  
561 ~~criteria established by part 103 of the Federal Aviation~~  
562 ~~Regulations.~~

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

566 330.30 Approval of airport sites; registration,  
567 certification, and licensure of airports.—

568 (2) LICENSES, CERTIFICATES, AND REGISTRATIONS;  
569 REQUIREMENTS, RENEWAL, REVOCATION.—

570 (a) Except as provided in subsection (3), the owner or  
571 lessee of an airport in this state shall have a public airport  
572 license, private airport registration, or temporary airport  
573 registration before the operation of aircraft to or from the  
574 airport. Application for a license or registration shall be made  
575 in a form and manner prescribed by the department.

576           1. For a public airport, upon granting site approval, the  
577 department shall issue a license after a final airport  
578 inspection finds that the airport is ~~to be~~ in compliance with  
579 all requirements for the license. The license may be subject to  
580 any reasonable conditions the department deems necessary to  
581 protect the public health, safety, or welfare.

582           2. For a private airport, upon granting site approval, the  
583 department shall provide controlled electronic access to the  
584 state aviation facility data system to permit the applicant to  
585 complete the registration process. Registration shall be  
586 completed upon self-certification by the registrant of  
587 operational and configuration data deemed necessary by the  
588 department.

589           3. For a temporary airport, the department must publish  
590 notice of receipt of a completed registration application in the  
591 next available publication of the Florida Administrative  
592 Register and may not approve a registration application less  
593 than 14 days after the date of publication of the notice. The  
594 department must approve or deny a registration application  
595 within 30 days after receipt of a completed application and must  
596 issue the temporary airport registration concurrent with the  
597 airport site approval. A completed registration application that  
598 is not approved or denied within 30 days after the department  
599 receives the completed application is considered approved and  
600 shall be issued, subject to such reasonable conditions as are



601 authorized by law. An applicant seeking to claim registration by  
602 default under this subparagraph must notify the agency clerk of  
603 the department, in writing, of the intent to rely upon the  
604 default registration provision of this subparagraph and may not  
605 take any action based upon the default registration until after  
606 receipt of such notice by the agency clerk.

607 4. A private airport of public interest as defined in s.  
608 330.27 must obtain a certificate from the department before  
609 allowing aircraft operations. The department shall issue a  
610 certificate after a final inspection finds that the private  
611 airport of public interest is in compliance with all of the  
612 requirements for a certificate. The certificate is subject to  
613 any reasonable conditions that the department deems necessary to  
614 protect the health, safety, or welfare of the public. A private  
615 airport that was engaged in operations associated with a private  
616 airport of public interest on or before July 1, 2025, may  
617 continue its operations but must obtain a certificate from the  
618 department before July 1, 2030.

619 (d)1. Each public airport license shall expire no later  
620 than 1 year after the effective date of the license, except that  
621 the expiration date of a license may be adjusted to provide a  
622 maximum license period of 18 months to facilitate airport  
623 inspections, recognize seasonal airport operations, or improve  
624 administrative efficiency.

625 2. Registration for private airports shall remain valid

626 provided specific elements of airport data, established by the  
627 department, are periodically recertified by the airport  
628 registrant. The ability to recertify private airport  
629 registration data shall be available at all times by electronic  
630 submittal. A private airport registration that has not been  
631 recertified in the 24-month period following the last  
632 certification shall expire, unless the registration period has  
633 been adjusted by the department for purposes of informing  
634 private airport owners of their registration responsibilities or  
635 promoting administrative efficiency. The expiration date of the  
636 current registration period will be clearly identifiable from  
637 the state aviation facility data system.

638 3. The effective date and expiration date shall be shown  
639 on public airport licenses. Upon receiving an application for  
640 renewal of an airport license in a form and manner prescribed by  
641 the department and receiving a favorable inspection report  
642 indicating compliance with all applicable requirements and  
643 conditions, the department shall renew the license, subject to  
644 any conditions deemed necessary to protect the public health,  
645 safety, or welfare.

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

648 5. If the renewal application for a public airport license  
649 has not been received by the department or no private airport  
650 registration recertification has been accomplished within 15

651 days after the date of expiration, the department may revoke the  
652 airport license or registration.

653 6. After initial registration, the department may issue a  
654 certificate to a private airport of public interest if the  
655 airport is in compliance with all of the requirements for a  
656 certificate after a final inspection of the private airport of  
657 public interest. The certificate is subject to any reasonable  
658 conditions that the department deems necessary to protect the  
659 health, safety, or welfare of the public. A certificate issued  
660 to a private airport of public interest expires 5 years after  
661 the effective date of the certificate.

662 (4) EXCEPTIONS.—Private airports with 10 or more based  
663 aircraft may request to be inspected and licensed by the  
664 department. Private airports licensed according to this  
665 subsection shall be considered private airports as defined in s.  
666 330.27 ~~s. 330.27(5)~~ in all other respects.

667 **Section 7. Section 331.371, Florida Statutes, is amended**  
668 **to read:**

669 331.371 Strategic space infrastructure investment.—

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

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

676 (b)~~(2)~~ Capital improvements that strategically position  
677 the state to maximize opportunities in international trade are  
678 achieved.~~†~~

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

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

683 (2) In consultation with the Department of Commerce and  
684 the Department of Environmental Protection, the Department of  
685 Transportation may fund wastewater projects, stormwater  
686 projects, water capacity projects, or projects associated with  
687 critical infrastructure facilities as defined in s. 692.201  
688 within or outside the jurisdictional boundary of a spaceport  
689 territory so long as the project supports aerospace or launch  
690 support facilities within an adjacent spaceport territory  
691 boundary. The Department of Transportation shall coordinate with  
692 the Department of Commerce and the Department of Environmental  
693 Protection in order to maximize and optimize available funding  
694 for such projects.

695 **Section 8. Section 332.003, Florida Statutes, is amended**  
696 **to read:**

697 332.003 Florida Airport Development and Accountability  
698 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be  
699 cited as the "Florida Airport Development and Accountability  
700 ~~Assistance~~ Act."

701           **Section 9. Section 332.005, Florida Statutes, is amended**  
 702 **to read:**

703           332.005 Restrictions on authority of Department of  
 704 Transportation.—

705           (1) This act specifically prohibits the Department of  
 706 Transportation from regulating commercial air carriers operating  
 707 within the state pursuant to federal authority and regulations;  
 708 from participating in or exercising control in the management  
 709 and operation of a sponsor's airport, except when officially  
 710 requested by the sponsor; or from expanding the design or  
 711 operational capability of the department in the area of airport  
 712 and aviation consultants' contract work, other than to provide  
 713 technical assistance as requested.

714           (2) Notwithstanding subsection (1), upon the declaration  
 715 of a state of emergency issued by the Governor in preparation  
 716 for or in response to a natural disaster, an airport as defined  
 717 in s. 332.004 must provide the department, at no cost, with the  
 718 opportunity to use any property not within the air navigation  
 719 facility as defined in s. 332.01(4) for the staging of equipment  
 720 and personnel to support emergency preparedness and response  
 721 operations.

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

724           332.006 Duties and responsibilities of the Department of  
 725 Transportation.—The Department of Transportation shall, within

726 the resources provided pursuant to chapter 216:

727 (7) Develop, promote, and distribute supporting  
728 information and educational services, including, but not limited  
729 to, educational services with a focus on retention and growth of  
730 the aviation industry workforce.

731 **Section 11. Paragraph (a) of subsection (7), subsection**  
732 **(8), and paragraph (b) of subsection (9) of section 332.007,**  
733 **Florida Statutes, are amended, and paragraph (c) is added to**  
734 **subsection (2) of that section, to read:**

735 332.007 Administration and financing of aviation and  
736 airport programs and projects; state plan.-

737 (2)

738 (c) Annually, each airport must submit to the department a  
739 comprehensive maintenance program report detailing the  
740 maintenance and inspection of such airport's infrastructure. At  
741 a minimum, the report must include a schedule of inspections,  
742 the locations being inspected, any probable cause for such  
743 inspection, a list of the airport's required needs, any remedial  
744 actions to be taken, and any required follow-up inspections and  
745 maintenance. For purposes of this paragraph, the term  
746 "maintenance" includes any preventive and regular or recurring  
747 work that is necessary to preserve the airport infrastructure in  
748 good condition. Timely maintenance and repair, including routine  
749 maintenance, rehabilitation, and upgrading, are essential for  
750 the safe operation of airport infrastructure. An airport must

751 retain all records of materials and equipment used for the  
752 airport's maintenance and repair work. If the department  
753 determines, based on the annual comprehensive maintenance  
754 program report, that there is evidence that an airport failed to  
755 perform routine maintenance, the department may withhold state  
756 funds for any of the airport's capital expansion projects until  
757 such airport corrects any deficiencies.

758 (7) Subject to the availability of appropriated funds in  
759 addition to aviation fuel tax revenues, the department may  
760 participate in the capital cost of eligible public airport and  
761 aviation discretionary capacity improvement projects. The annual  
762 legislative budget request shall be based on the funding  
763 required for discretionary capacity improvement projects in the  
764 aviation and airport work program.

765 (a) The department shall provide priority funding in  
766 support of:

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

770 ~~2.1.~~ Land acquisition which provides additional capacity  
771 at the qualifying international airport or at that airport's  
772 supplemental air carrier airport.

773 ~~3.2.~~ Runway and taxiway projects that add capacity or are  
774 necessary to accommodate technological changes in the aviation  
775 industry.

776 ~~4.3.~~ Airport access transportation projects that improve  
777 direct airport access and are approved by the airport sponsor.

778 ~~5.4.~~ International terminal projects that increase  
779 international gate capacity.

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

782 7. Emerging technology, workforce development projects,  
783 and projects that benefit the strategic intermodal system  
784 through intermodal connectivity.

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

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



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

804 **Section 12. Subsections (1), (2), and (5) of section**  
805 **332.0075, Florida Statutes, are amended to read:**

806 332.0075 Commercial service airports; transparency and  
807 accountability; penalty.—

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

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

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

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

819 (d) "Governing body" means the governing body of the  
820 county, municipality, or special district that operates a  
821 commercial service airport. The term includes an appointed board  
822 or oversight entity serving as the governing body on behalf of  
823 the county, municipality, or special district.

824 (2) Each governing body shall establish and maintain a  
825 website to post information relating to the operation of a

826 commercial service airport, and such information must remain on  
827 the website for at least 5 years or for as long as the  
828 information is actively in use by the entity. Information that  
829 must be posted on the governing body's website includes  
830 including:

831 (a) All published notices of meetings and published  
832 meeting agendas of the governing body.

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

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

841 (d) Copies of ~~A link to~~ the current Airport Master Plan  
842 and the immediately preceding Airport Master Plan for the  
843 commercial service airport and a link to the current Airport  
844 Master Plan on the commercial service airport's website.

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

848 (f) Any contract or contract amendment for the purchase of  
849 commodities or contractual services executed by or on behalf of  
850 the commercial service airport in excess of the threshold amount

851 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be  
852 posted no later than 7 business days after the commercial  
853 service airport executes the contract or contract amendment.  
854 However, a contract or contract amendment may not reveal  
855 information made confidential or exempt by law. Each commercial  
856 service airport must redact confidential or exempt information  
857 from each contract or contract amendment before posting a copy  
858 on its website.

859 (g) Position and rate information for each employee of the  
860 commercial service airport, including, at a minimum, the  
861 employee's position title, position description, and annual or  
862 hourly salary. This information must ~~shall~~ be updated quarterly  
863 ~~annually~~.

864 (5) (a) Each November 1, the governing body of each  
865 commercial service airport shall submit the following  
866 information to the department:

- 867 1. Its approved budget for the current fiscal year.
- 868 2. Any financial reports submitted to the Federal Aviation  
869 Administration during the previous calendar year.
- 870 3. A link to its website.
- 871 4. A statement, verified as provided in s. 92.525, that it  
872 has complied with part III of chapter 112, chapter 287, and this  
873 section.
- 874 5. The most recent copy of its strategic plan or plans.
- 875 6. Contracts related to financial awards received through

876 federally funded grant programs for the preceding year.

877 (b) The department shall review the information submitted  
878 by the governing body of the commercial service airport and  
879 posted on the airport's website to determine the accuracy of  
880 such information. Each January 15, the department shall submit  
881 to the Governor, the President of the Senate, and the Speaker of  
882 the House of Representatives a report summarizing commercial  
883 service airport compliance with this section.

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

886 1. Notify the department within 48 hours after receiving a  
887 communication or directive from a federal agency with respect to  
888 accommodating public health testing or the transfer of  
889 unauthorized aliens into this state.

890 2. Notify the department as soon as reasonably possible,  
891 but no later than 48 hours after discovery, of incidents  
892 including, but not limited to, those related to the safety of  
893 the public when traveling, potential breaches or security risks  
894 associated with cybersecurity, or other issues of statewide  
895 concern as defined by the department.

896 **Section 13. Section 332.15, Florida Statutes, is created**  
897 **to read:**

898 332.15 Advanced air mobility.—The Department of  
899 Transportation shall, within the resources provided pursuant to  
900 chapter 216:

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

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

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

909       (4) Work with the Department of Commerce to provide  
910 coordination and assistance for the development of a viable  
911 advanced air mobility system in this state and incorporate those  
912 plans in the statewide aviation system plan as required under s.  
913 332.006(1) in order to develop and identify the statewide  
914 corridors of need and opportunities for growth of the industry.

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

918       334.044 Powers and duties of the department.—The  
919 department shall have the following general powers and duties:

920       (5) To purchase, lease, or otherwise acquire property and  
921 materials, including the purchase of promotional items as part  
922 of public information and education campaigns for the promotion  
923 of environmental management, scenic highways, traffic and train  
924 safety awareness, ~~alternatives to single-occupant vehicle~~  
925 ~~travel~~, commercial motor vehicle safety, workforce development,

926 ~~electric vehicle use and charging stations, autonomous vehicles,~~  
927 ~~and context classification, design for electric vehicles and~~  
928 ~~autonomous vehicles; to purchase, lease, or otherwise acquire~~  
929 ~~equipment and supplies; and to sell, exchange, or otherwise~~  
930 ~~dispose of any property that is no longer needed by the~~  
931 ~~department.~~

932 (37) Notwithstanding s. 287.022 or s. 287.025, to enter  
933 into contracts for insurance that the department is  
934 contractually and legally obligated to provide directly from  
935 local, national, or international insurance companies.

936 (38) Notwithstanding s. 287.14, to purchase, lease, or  
937 acquire heavy equipment and motor vehicles for roadway  
938 operations and emergency response purposes, regardless of  
939 whether the department has exchanged or ceased the operation of  
940 motor vehicles or heavy equipment already under the department's  
941 ownership.

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

944 **Section 15. Paragraph (f) of subsection (1) of section**  
945 **334.045, Florida Statutes, is amended to read:**

946 334.045 Transportation performance and productivity  
947 standards; development; measurement; application.—

948 (1) The Florida Transportation Commission shall develop  
949 and adopt measures for evaluating the performance and  
950 productivity of the department. The measures may be both

951 quantitative and qualitative and must, to the maximum extent  
 952 practical, assess those factors that are within the department's  
 953 control. The measures must, at a minimum, assess performance in  
 954 the following areas:

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

957 **Section 16. Subsection (3) is added to section 334.27,**  
 958 **Florida Statutes, to read:**

959 334.27 Governmental transportation entities; property  
 960 acquired for transportation purposes; limitation on soil or  
 961 groundwater contamination liability.-

962 (3) Any authority established under the laws of this state  
 963 or any of its counties, municipalities, or political  
 964 subdivisions, including, but not limited to, transportation,  
 965 parking, and economic development authorities, shall have full  
 966 power to conduct business; to operate, manage, and control  
 967 facilities; and to provide services beyond the geographical  
 968 boundaries of such counties, municipalities, or political  
 969 subdivisions that originally chartered such authority, subject  
 970 to this subsection. The authority may engage in activities  
 971 outside of its chartering jurisdiction upon entering into an  
 972 interlocal agreement with the governing body of the affected  
 973 county, municipality, or political subdivision, as applicable.

974 **Section 17. Section 334.62, Florida Statutes, is created**  
 975 **to read:**

976 334.62 Florida Transportation Academy.—

977 (1) The Legislature finds that the growth and  
978 sustainability of the transportation workforce industry is vital  
979 to the continued success and efficiency of this state's supply  
980 chain and economic competitiveness. In order to prioritize the  
981 continued need for transportation industry workforce development  
982 programs, the Florida Transportation Academy is established.

983 (2) In order to support, promote, and sustain workforce  
984 development efforts of the transportation sector, the department  
985 may work with state agencies referenced in this chapter,  
986 industry organizations, and private sector businesses, as  
987 appropriate.

988 (3) The department may coordinate with all of the  
989 following entities:

990 (a) The Department of Corrections to identify and create  
991 certification and training opportunities for nonviolent inmates  
992 and create a process to allow the Department of Corrections to  
993 notify the department when a nonviolent inmate who is seeking  
994 employment has received a scheduled release date.

995 (b) The Department of Juvenile Justice and its educational  
996 partners to create certification and training opportunities for  
997 eligible youth.

998 (c) Veterans' organizations to encourage honorably  
999 discharged veterans to pursue opportunities within the  
1000 transportation industry, including, but not limited to,



1001 employment as pilots, mechanics, and air traffic controllers.

1002 (d) The Department of Commerce, CareerSource Florida, and  
 1003 regional business communities, within and outside of the  
 1004 transportation industry, to further understand recruitment and  
 1005 retention needs and job-seeker pipelines.

1006 (e) The American Council of Engineering Companies and the  
 1007 Florida Transportation Builders Association to optimize  
 1008 workforce recruitment and retention and assess the future needs  
 1009 of the transportation industry and this state.

1010 **Section 18. Subsection (3) of section 335.182, Florida**  
 1011 **Statutes, is amended to read:**

1012 335.182 Regulation of connections to roads on State  
 1013 Highway System; definitions.—

1014 (3) As used in this act, the term:

1015 (a) "Connection" means driveways, streets, turnouts, or  
 1016 other means of providing for the right of reasonable access to  
 1017 or from the State Highway System.

1018 (b) "Modification of a connection" means relocation,  
 1019 alteration, or closure of a connection.

1020 (c) ~~(b)~~ "Significant change" means:

1021 1. A change in the use of the property, including  
 1022 development of the land, structures, or facilities;~~7~~ or

1023 2. An expansion of the size of the property, structures,  
 1024 or facilities causing an increase in the trip generation of the  
 1025 property exceeding 25 percent more trip generation, ~~either peak~~

1026 hour or daily, ~~+~~ and exceeding 100 vehicles per day more than the  
 1027 existing use.

1028 **Section 19. Subsections (3) and (4) of section 335.187,**  
 1029 **Florida Statutes, are amended to read:**

1030 335.187 Unpermitted connections; existing access permits;  
 1031 nonconforming permits; modification and revocation of permits.—

1032 (3) The department may issue a nonconforming access permit  
 1033 if denying after finding that to deny an access permit would  
 1034 leave the property without a reasonable means of access to the  
 1035 State Highway System. The department may specify limits on the  
 1036 maximum vehicular use of the connection and may impose  
 1037 conditions ~~be conditioned~~ on the availability of future  
 1038 alternative means of access for which access permits can be  
 1039 obtained.

1040 (4) After written notice and the opportunity for a  
 1041 hearing, as provided for in s. 120.60, the department may modify  
 1042 or revoke an access permit issued after July 1, 1988, by  
 1043 requiring modification ~~relocation, alteration, or closure~~ of an  
 1044 existing connection if:

1045 (a) A significant change occurs in the use, design, or  
 1046 traffic flow of the connection; or

1047 (b) The connection would jeopardize the safety of the  
 1048 public or have a negative impact on the operational  
 1049 characteristics of the highway.

1050 **Section 20. Subsection (2) of section 337.027, Florida**

1051 **Statutes, is amended to read:**

1052 337.027 Authority to implement a business development  
1053 program.—

1054 (2) For purposes of this section, the term "small  
1055 business" means a business with yearly average gross receipts of  
1056 less than \$25 ~~\$15~~ million for road and bridge contracts and less  
1057 than \$10 ~~\$6.5~~ million for professional and nonprofessional  
1058 services contracts. A business' average gross receipts is  
1059 determined by averaging its annual gross receipts over the last  
1060 3 years, including the receipts of any affiliate as defined in  
1061 s. 337.165.

1062 **Section 21. Subsection (6) of section 337.11, Florida**  
1063 **Statutes, is amended to read:**

1064 337.11 Contracting authority of department; bids;  
1065 emergency repairs, supplemental agreements, and change orders;  
1066 combined design and construction contracts; progress payments;  
1067 records; requirements of vehicle registration.—

1068 (6) (a) If the secretary determines that an emergency in  
1069 regard to the restoration or repair of any state transportation  
1070 facility exists such that the delay incident to giving  
1071 opportunity for competitive bidding would be detrimental to the  
1072 interests of the state, the provisions for competitive bidding  
1073 do not apply; and the department may enter into contracts for  
1074 restoration or repair without giving opportunity for competitive  
1075 bidding on such contracts. Within 30 days after such

1076 determination and contract execution, the head of the department  
1077 shall file with the Executive Office of the Governor a written  
1078 statement of the conditions and circumstances constituting such  
1079 emergency.

1080 (b) If the secretary determines that delays on a contract  
1081 for maintenance exist due to administrative challenges, bid  
1082 protests, defaults or terminations and the further delay would  
1083 reduce safety on the transportation facility or seriously hinder  
1084 the department's ability to preserve the state's investment in  
1085 that facility, competitive bidding provisions may be waived and  
1086 the department may enter into a contract for maintenance on the  
1087 facility. However, contracts for maintenance executed under the  
1088 provisions of this paragraph shall be interim in nature and  
1089 shall be limited in duration to a period of time not to exceed  
1090 the length of the delay necessary to complete the competitive  
1091 bidding process and have the contract in place.

1092 (c) When the department determines that it is in the best  
1093 interest of the public for reasons of public concern, economy,  
1094 improved operations, or safety, and only when circumstances  
1095 dictate rapid completion of the work, the department may, up to  
1096 the amount of \$500,000, enter into contracts for construction  
1097 and maintenance without advertising and receiving competitive  
1098 bids. The department may enter into such contracts only upon a  
1099 determination that the work is necessary for one of the  
1100 following reasons:

1101 1. To ensure timely completion of projects or avoidance of  
 1102 undue delay for other projects;

1103 2. To accomplish minor repairs or construction and  
 1104 maintenance activities for which time is of the essence and for  
 1105 which significant cost savings would occur; or

1106 3. To accomplish nonemergency work necessary to ensure  
 1107 avoidance of adverse conditions that affect the safe and  
 1108 efficient flow of traffic.

1109  
 1110 The department shall make a good faith effort to obtain two or  
 1111 more quotes, if available, from qualified contractors before  
 1112 entering into any contract. The department shall give  
 1113 consideration to small ~~disadvantaged~~ business ~~enterprise~~  
 1114 participation. However, when the work exists within the limits  
 1115 of an existing contract, the department shall make a good faith  
 1116 effort to negotiate and enter into a contract with the prime  
 1117 contractor on the existing contract.

1118 **Section 22. Paragraph (a) of subsection (1) of section**  
 1119 **337.18, Florida Statutes, is amended to read:**

1120 337.18 Surety bonds for construction or maintenance  
 1121 contracts; requirement with respect to contract award; bond  
 1122 requirements; defaults; damage assessments.—

1123 (1) (a) A surety bond shall be required of the successful  
 1124 bidder in an amount equal to the awarded contract price.

1125 However, the department may choose, in its discretion and

1126 applicable only to multiyear maintenance contracts, to allow for  
1127 incremental annual contract bonds that cumulatively total the  
1128 full, awarded, multiyear contract price. The department may also  
1129 choose, in its discretion and applicable only to phased design-  
1130 build contracts under s. 337.11(7)(b), to allow the issuance of  
1131 multiple contract performance and payment bonds in succession to  
1132 align with each phase of the contract to meet the bonding  
1133 requirement in this subsection. Notwithstanding any bonding  
1134 requirement under this section, the department may require, at  
1135 the discretion of the secretary, that the amount of the surety  
1136 bond or bonds be less than the contract price.

1137 1. The department may waive the requirement for all or a  
1138 portion of a surety bond if:

1139 a. The contract price is \$250,000 or less and the  
1140 department determines that the project is of a noncritical  
1141 nature and that nonperformance will not endanger public health,  
1142 safety, or property;

1143 b. The prime contractor is a qualified nonprofit agency  
1144 for the blind or for the other severely handicapped under s.  
1145 413.036(2); or

1146 c. The prime contractor is using a subcontractor that is a  
1147 qualified nonprofit agency for the blind or for the other  
1148 severely handicapped under s. 413.036(2). However, the  
1149 department may not waive more than the amount of the  
1150 subcontract.

1151           2. If the department determines that it is in the best  
1152 interests of the department to reduce the bonding requirement  
1153 for a project and that to do so will not endanger public health,  
1154 safety, or property, the department may waive the requirement of  
1155 a surety bond in an amount equal to the awarded contract price  
1156 for a project having a contract price of \$250 million or more  
1157 and, in its place, may set a surety bond amount that is a  
1158 portion of the total contract price and provide an alternate  
1159 means of security for the balance of the contract amount that is  
1160 not covered by the surety bond or provide for incremental surety  
1161 bonding and provide an alternate means of security for the  
1162 balance of the contract amount that is not covered by the surety  
1163 bond. Such alternative means of security may include letters of  
1164 credit, United States bonds and notes, parent company  
1165 guarantees, and cash collateral. The department may require  
1166 alternate means of security if a surety bond is waived. The  
1167 surety on such bond shall be a surety company authorized to do  
1168 business in the state. All bonds shall be payable to the  
1169 department and conditioned for the prompt, faithful, and  
1170 efficient performance of the contract according to plans and  
1171 specifications and within the time period specified, and for the  
1172 prompt payment of all persons defined in s. 713.01 furnishing  
1173 labor, material, equipment, and supplies for work provided in  
1174 the contract; however, whenever an improvement, demolition, or  
1175 removal contract price is \$25,000 or less, the security may, in

1176 the discretion of the bidder, be in the form of a cashier's  
 1177 check, bank money order of any state or national bank, certified  
 1178 check, or postal money order. The department shall adopt rules  
 1179 to implement this subsection. Such rules shall include  
 1180 provisions under which the department shall refuse to accept  
 1181 bonds on contracts when a surety wrongfully fails or refuses to  
 1182 settle or provide a defense for claims or actions arising under  
 1183 a contract for which the surety previously furnished a bond.

1184 **Section 23. Subsection (3) of section 337.251, Florida**  
 1185 **Statutes, is amended to read:**

1186 337.251 Lease of property for joint public-private  
 1187 development and areas above or below department property.—

1188 (3) A proposal must be selected by the department based on  
 1189 competitive bidding, except that the department may consider  
 1190 other relevant factors specified in the request for proposals.  
 1191 The department may consider such factors as the value of  
 1192 property exchanges, the cost of construction, and other  
 1193 recurring costs for the benefit of the department by the lessee  
 1194 in lieu of direct revenue to the department if such other  
 1195 factors are of equal value including innovative proposals to  
 1196 involve small ~~minority~~ businesses. The department may name a  
 1197 board of advisers which may be composed of accountants, real  
 1198 estate appraisers, design engineers, or other experts  
 1199 experienced in the type of development proposed. The board of  
 1200 advisers shall review the feasibility of the proposals,



1201 recommend acceptance or rejection of each proposal, and rank  
 1202 each feasible proposal in the order of technical feasibility and  
 1203 benefit provided to the department. The board of advisers shall  
 1204 be reasonably compensated for the services provided and all  
 1205 department costs for evaluating the proposals shall be  
 1206 reimbursed from a proposal application fee to be set by the  
 1207 department and paid by the applicants. The board of advisers  
 1208 shall not be subject to selection under the provisions of  
 1209 chapter 287.

1210 **Section 24. Subsection (2) of section 337.401, Florida**  
 1211 **Statutes, is amended to read:**

1212 337.401 Use of right-of-way for utilities subject to  
 1213 regulation; permit; fees.—

1214 (2) (a) The authority may grant to any person who is a  
 1215 resident of this state, or to any corporation which is organized  
 1216 under the laws of this state or licensed to do business within  
 1217 this state, the use of a right-of-way for the utility in  
 1218 accordance with such rules or regulations as the authority may  
 1219 adopt. A utility may not be installed, located, or relocated  
 1220 unless authorized by a written permit issued by the authority.  
 1221 However, for public roads or publicly owned rail corridors under  
 1222 the jurisdiction of the department, a utility relocation  
 1223 schedule and relocation agreement may be executed in lieu of a  
 1224 written permit. The permit must require the permitholder to be  
 1225 responsible for any damage resulting from the issuance of such

1226 permit. The authority may initiate injunctive proceedings as  
 1227 provided in s. 120.69 to enforce ~~provisions of~~ this subsection  
 1228 or any rule or order issued or entered into pursuant to this  
 1229 subsection ~~thereto~~. A permit application required under this  
 1230 subsection by a county or municipality having jurisdiction and  
 1231 control of the right-of-way of any public road must be processed  
 1232 and acted upon in accordance with the timeframes provided in  
 1233 subparagraphs (7) (d) 7., 8., and 9.

1234 (b) Notwithstanding paragraph (a), a county or  
 1235 municipality may not adopt a rule or regulation that prohibits  
 1236 or requires a permit for the installation of a public sewer  
 1237 transmission line that is placed and maintained within and under  
 1238 publicly dedicated rights-of-way as part of a septic-to-sewer  
 1239 conversion project in which the department and the Department of  
 1240 Environmental Protection or its designee have issued permits  
 1241 under this chapter or chapter 403, respectively.

1242 **Section 25. Subsection (4) of section 337.406, Florida**  
 1243 **Statutes, is amended to read:**

1244 337.406 Unlawful use of state transportation facility  
 1245 right-of-way; penalties.—

1246 (4) Camping is prohibited on any portion of the right-of-  
 1247 way of the State Highway System. This subsection does not apply  
 1248 to persons who are actively navigating the federally designated  
 1249 Florida National Scenic Trail as recognized in s. 260.012(6) and  
 1250 have acquired the associated permits ~~that is within 100 feet of~~

1251 ~~a bridge, causeway, overpass, or ramp.~~

1252 **Section 26. Subsection (4) of section 338.227, Florida**  
 1253 **Statutes, is amended to read:**

1254 338.227 Turnpike revenue bonds.—

1255 (4) The Department of Transportation and the Department of  
 1256 Management Services shall create and implement an outreach  
 1257 program designed to enhance the participation of small minority  
 1258 ~~persons and minority~~ business enterprises in all contracts  
 1259 entered into on or after July 1, 2025, by their respective  
 1260 departments for services related to the financing of department  
 1261 projects for the Strategic Intermodal System Plan developed  
 1262 pursuant to s. 339.64. These services shall include, but are not  
 1263 limited to, bond counsel and bond underwriters.

1264 **Section 27. Subsection (3) of section 339.2816, Florida**  
 1265 **Statutes, is amended to read:**

1266 339.2816 Small County Road Assistance Program.—

1267 (3) Beginning in ~~with~~ fiscal year 2025-2026 ~~1999-2000~~  
 1268 ~~until fiscal year 2009-2010, and beginning again with fiscal~~  
 1269 ~~year 2012-2013,~~ up to \$50 ~~\$25~~ million annually from the State  
 1270 Transportation Trust Fund may be used for the purposes of  
 1271 funding the Small County Road Assistance Program as described in  
 1272 this section.

1273 **Section 28. Subsections (2), (7), and (8) of section**  
 1274 **339.2818, Florida Statutes, are amended to read:**

1275 339.2818 Small County Outreach Program.—

1276 (2) For the purposes of this section, the term "small  
1277 county" means any county that has a population of 200,000 or  
1278 less as determined by the most recent official estimate pursuant  
1279 to s. 186.901. The term includes:

1280 (a) A municipality within a rural area of opportunity  
1281 designated under s. 288.0656(7)(a), which may compete for the  
1282 additional project funding using the criteria listed in  
1283 paragraph (4)(c) at up to 100 percent of project costs,  
1284 excluding capacity improvement projects.

1285 (b) A local government either wholly or partially within  
1286 the Everglades Agricultural Area as defined in s. 373.4592(15),  
1287 the Peace River Basin, or the Suwannee River Basin, which may  
1288 compete for additional funding using the criteria listed in  
1289 paragraph (4)(c) at up to 100 percent of project costs on state  
1290 or county roads used primarily as farm-to-market connections  
1291 between rural agricultural areas and market distribution  
1292 centers, excluding capacity improvement projects.

1293 (7) Beginning in fiscal year 2025-2026, and annually  
1294 thereafter, at least \$50 million from the State Transportation  
1295 Trust Fund may be used for the purposes of funding the Small  
1296 County Outreach Program ~~Subject to a specific appropriation in~~  
1297 ~~addition to funds annually appropriated for projects under this~~  
1298 ~~section, A municipality within a rural area of opportunity or a~~  
1299 ~~rural area of opportunity community designated under s.~~  
1300 ~~288.0656(7)(a) may compete for the additional project funding~~

1301 ~~using the criteria listed in subsection (4) at up to 100 percent~~  
 1302 ~~of project costs, excluding capacity improvement projects.~~

1303 ~~(8) Subject to a specific appropriation in addition to~~  
 1304 ~~funds appropriated for projects under this section, A local~~  
 1305 ~~government either wholly or partially within the Everglades~~  
 1306 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~  
 1307 ~~Basin, or the Suwannee River Basin may compete for additional~~  
 1308 ~~funding using the criteria listed in paragraph (4) (c) at up to~~  
 1309 ~~100 percent of project costs on state or county roads used~~  
 1310 ~~primarily as farm-to-market connections between rural~~  
 1311 ~~agricultural areas and market distribution centers, excluding~~  
 1312 ~~capacity improvement projects.~~

1313 **Section 29. Paragraph (b) of subsection (3) and paragraph**  
 1314 **(c) of subsection (4) of section 339.2821, Florida Statutes, are**  
 1315 **amended to read:**

1316 339.2821 Economic development transportation projects.—

1317 (3)

1318 (b) The department must ensure that it supports small  
 1319 businesses as defined in s. 337.027(2) ~~small and minority~~  
 1320 ~~businesses have equal access to participate in transportation~~  
 1321 ~~projects funded pursuant to this section.~~

1322 (4) A contract between the department and a governmental  
 1323 body for a transportation project must:

1324 (c) Require that the governmental body provide the  
 1325 department with progress reports. Each progress report must

1326 contain:

1327 1. A narrative description of the work completed and  
 1328 whether the work is proceeding according to the transportation  
 1329 project schedule.~~†~~

1330 2. A description of each change order executed by the  
 1331 governmental body.~~†~~

1332 3. A budget summary detailing planned expenditures  
 1333 compared to actual expenditures.~~†~~and

1334 4. The identity of each small ~~or minority~~ business used as  
 1335 a contractor or subcontractor.

1336 **Section 30. Subsections (3) and (7) of section 339.651,**  
 1337 **Florida Statutes, are amended to read:**

1338 339.651 Strategic Intermodal System supply chain demands.-

1339 (3) The department may ~~shall~~ make up to \$20 million  
 1340 available each year ~~for fiscal years 2023-2024 through 2027-~~  
 1341 ~~2028,~~ from existing work program revenues~~†~~ to fund projects that  
 1342 meet the public purpose of providing increased capacity and  
 1343 enhanced capabilities to move and store construction aggregate  
 1344 and transportation infrastructure-related materials. Applicants  
 1345 eligible for project funding under this section are seaports  
 1346 listed in s. 311.09 and rail lines and rail facilities.

1347 ~~(7) This section shall stand repealed on July 1, 2028.~~

1348 **Section 31. Paragraph (b) of subsection (6) of section**  
 1349 **341.051, Florida Statutes, is amended to read:**

1350 341.051 Administration and financing of public transit and

1351 intercity bus service programs and projects.—

1352 (6) ANNUAL APPROPRIATION.—

1353 (b) If funds are allocated to projects that qualify for  
 1354 the New Starts Transit Program in the current fiscal year and a  
 1355 project will not be ready for production by June 30, the  
 1356 department must reallocate such funds for the purpose of the  
 1357 Strategic Intermodal System within the State Transportation  
 1358 Trust Fund for the next fiscal year ~~The remaining unallocated~~  
 1359 ~~New Starts Transit Program funds as of June 30, 2024, shall be~~  
 1360 ~~reallocated for the purpose of the Strategic Intermodal System~~  
 1361 ~~within the State Transportation Trust Fund. This paragraph~~  
 1362 ~~expires June 30, 2026.~~

1363  
 1364 For purposes of this section, the term "net operating costs"  
 1365 means all operating costs of a project less any federal funds,  
 1366 fares, or other sources of income to the project.

1367 **Section 32. Subsection (5) of section 348.754, Florida**  
 1368 **Statutes, is amended to read:**

1369 348.754 Purposes and powers.—

1370 (5) The authority shall encourage the inclusion of local  
 1371 and small, ~~small, minority, and women-owned~~ businesses in its  
 1372 procurement and contracting opportunities.

1373 **Section 33. Subsection (2) of section 349.03, Florida**  
 1374 **Statutes, is amended, and subsection (4) is added to that**  
 1375 **section, to read:**

1376           349.03 Jacksonville Transportation Authority.—  
 1377           (2) The governing body of the authority shall consist of  
 1378 seven members. Four ~~Three~~ members shall be appointed by the  
 1379 Governor and confirmed by the Senate. Of the four members  
 1380 appointed by the Governor, one member must be a resident of the  
 1381 City of Jacksonville and the remaining three members must be  
 1382 residents of Clay County, Duval County, or St. Johns County.  
 1383 Three members shall be appointed by the mayor of the City of  
 1384 Jacksonville subject to confirmation by the council of the City  
 1385 of Jacksonville. All ~~The seventh member shall be the district~~  
 1386 ~~secretary of the Department of Transportation serving in the~~  
 1387 ~~district that contains the City of Jacksonville. Except for the~~  
 1388 ~~seventh member,~~ members appointed by the mayor of the City of  
 1389 Jacksonville must ~~shall~~ be residents and qualified electors of  
 1390 Duval County.

1391           (4) The authority shall:  
 1392           (a) Follow the department's small business program as  
 1393 described in s. 337.027.  
 1394           (b) Establish protocols and systems in accordance with the  
 1395 requirements established in s. 112.061(16) and s. 215.985(6) and  
 1396 (14) and post all related information on its publicly available  
 1397 website.

1398           **Section 34.** Sections 316.0741, 331.351, 337.125, 337.135,  
 1399 337.139, 339.0805, and 339.287, Florida Statutes, are repealed.

1400           **Section 35. Paragraphs (j) and (m) of subsection (2) of**



1401 **section 110.205, Florida Statutes, are amended to read:**

1402 110.205 Career service; exemptions.—

1403 (2) EXEMPT POSITIONS.—The exempt positions that are not  
1404 covered by this part include the following:

1405 (j) The appointed secretaries and the State Surgeon  
1406 General, assistant secretaries, deputy secretaries, and deputy  
1407 assistant secretaries of all departments; the executive  
1408 directors, assistant executive directors, deputy executive  
1409 directors, and deputy assistant executive directors of all  
1410 departments; the directors of all divisions and those positions  
1411 determined by the department to have managerial responsibilities  
1412 comparable to such positions, which positions include, but are  
1413 not limited to, program directors, assistant program directors,  
1414 district administrators, deputy district administrators, the  
1415 Director of Central Operations Services of the Department of  
1416 Children and Families, the State Transportation Development  
1417 Administrator, the State Public Transportation and Modal  
1418 Administrator, district secretaries, district directors of  
1419 transportation development, transportation operations,  
1420 transportation support, and the managers of the offices of the  
1421 Department of Transportation specified in s. 20.23(4)(b) ~~s.~~  
1422 ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall  
1423 set the salary and benefits of these positions and the positions  
1424 of county health department directors and county health  
1425 department administrators of the Department of Health in

1426 accordance with the rules of the Senior Management Service.

1427 (m) All assistant division director, deputy division  
1428 director, and bureau chief positions in any department, and  
1429 those positions determined by the department to have managerial  
1430 responsibilities comparable to such positions, which include,  
1431 but are not limited to:

1432 1. Positions in the Department of Health and the  
1433 Department of Children and Families which are assigned primary  
1434 duties of serving as the superintendent or assistant  
1435 superintendent of an institution.

1436 2. Positions in the Department of Corrections which are  
1437 assigned primary duties of serving as the warden, assistant  
1438 warden, colonel, or major of an institution or that are assigned  
1439 primary duties of serving as the circuit administrator or deputy  
1440 circuit administrator.

1441 3. Positions in the Department of Transportation which are  
1442 assigned primary duties of serving as regional toll managers and  
1443 managers of offices, as specified in s. 20.23(4)(b) and (5)(c)  
1444 ~~s. 20.23(3)(b) and (4)(c)~~.

1445 4. Positions in the Department of Environmental Protection  
1446 which are assigned the duty of an Environmental Administrator or  
1447 program administrator.

1448 5. Positions in the Department of Health which are  
1449 assigned the duties of Environmental Administrator, Assistant  
1450 County Health Department Director, and County Health Department

1451 Financial Administrator.

1452         6. Positions in the Department of Highway Safety and Motor  
1453 Vehicles which are assigned primary duties of serving as  
1454 captains in the Florida Highway Patrol.

1455  
1456 Unless otherwise fixed by law, the department shall set the  
1457 salary and benefits of the positions listed in this paragraph in  
1458 accordance with the rules established for the Selected Exempt  
1459 Service.

1460         **Section 36. Paragraph (d) of subsection (3) of section**  
1461 **322.27, Florida Statutes, is amended to read:**

1462         322.27 Authority of department to suspend or revoke driver  
1463 license or identification card.—

1464         (3) There is established a point system for evaluation of  
1465 convictions of violations of motor vehicle laws or ordinances,  
1466 and violations of applicable provisions of s. 403.413(6)(b) when  
1467 such violations involve the use of motor vehicles, for the  
1468 determination of the continuing qualification of any person to  
1469 operate a motor vehicle. The department is authorized to suspend  
1470 the license of any person upon showing of its records or other  
1471 good and sufficient evidence that the licensee has been  
1472 convicted of violation of motor vehicle laws or ordinances, or  
1473 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
1474 more points as determined by the point system. The suspension  
1475 shall be for a period of not more than 1 year.

1476 (d) The point system shall have as its basic element a  
 1477 graduated scale of points assigning relative values to  
 1478 convictions of the following violations:

- 1479 1. Reckless driving, willful and wanton—4 points.
- 1480 2. Leaving the scene of a crash resulting in property  
 1481 damage of more than \$50—6 points.
- 1482 3. Unlawful speed, or unlawful use of a wireless  
 1483 communications device, resulting in a crash—6 points.
- 1484 4. Passing a stopped school bus:
  - 1485 a. Not causing or resulting in serious bodily injury to or  
 1486 death of another—4 points.
  - 1487 b. Causing or resulting in serious bodily injury to or  
 1488 death of another—6 points.
  - 1489 c. Points may not be imposed for a violation of passing a  
 1490 stopped school bus as provided in s. 316.172(1)(a) or (b) when  
 1491 enforced by a school bus infraction detection system pursuant to  
 1492 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)  
 1493 when enforced by a school bus infraction detection system  
 1494 pursuant to s. 316.173 may not be used for purposes of setting  
 1495 motor vehicle insurance rates.
- 1496 5. Unlawful speed:
  - 1497 a. Not in excess of 15 miles per hour of lawful or posted  
 1498 speed—3 points.
  - 1499 b. In excess of 15 miles per hour of lawful or posted  
 1500 speed—4 points.

1501 c. Points may not be imposed for a violation of unlawful  
 1502 speed as provided in s. 316.1895 or s. 316.183 when enforced by  
 1503 a traffic infraction enforcement officer pursuant to s.  
 1504 316.1896. In addition, a violation of s. 316.1895 or s. 316.183  
 1505 when enforced by a traffic infraction enforcement officer  
 1506 pursuant to s. 316.1896 may not be used for purposes of setting  
 1507 motor vehicle insurance rates.

1508 6. A violation of a traffic control signal device as  
 1509 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
 1510 However, points may not be imposed for a violation of s.  
 1511 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 1512 stop at a traffic signal and when enforced by a traffic  
 1513 infraction enforcement officer. In addition, a violation of s.  
 1514 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 1515 stop at a traffic signal and when enforced by a traffic  
 1516 infraction enforcement officer may not be used for purposes of  
 1517 setting motor vehicle insurance rates.

1518 7. Unlawfully driving a vehicle through a railroad-highway  
 1519 grade crossing—6 points.

1520 8. All other moving violations (including parking on a  
 1521 highway outside the limits of a municipality)—3 points. However,  
 1522 points may not be imposed for a violation of ~~s. 316.0741~~ or s.  
 1523 316.2065(11); and points may be imposed for a violation of s.  
 1524 316.1001 only when imposed by the court after a hearing pursuant  
 1525 to s. 318.14(5).

- 1526 9. Any moving violation covered in this paragraph,  
 1527 excluding unlawful speed and unlawful use of a wireless  
 1528 communications device, resulting in a crash—4 points.
- 1529 10. Any conviction under s. 403.413(6) (b)—3 points.
- 1530 11. Any conviction under s. 316.0775(2)—4 points.
- 1531 12. A moving violation covered in this paragraph which is  
 1532 committed in conjunction with the unlawful use of a wireless  
 1533 communications device within a school safety zone—2 points, in  
 1534 addition to the points assigned for the moving violation.

1535 **Section 37. Subsection (13) of section 365.172, Florida**  
 1536 **Statutes, is amended to read:**

1537 365.172 Emergency communications.—

1538 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE  
 1539 IMPLEMENTATION.—To balance the public need for reliable  
 1540 emergency communications services through reliable wireless  
 1541 systems and the public interest served by governmental zoning  
 1542 and land development regulations and notwithstanding any other  
 1543 law or local ordinance to the contrary, the following standards  
 1544 shall apply to a local government's actions, as a regulatory  
 1545 body, in the regulation of the placement, construction, or  
 1546 modification of a wireless communications facility. This  
 1547 subsection may not, however, be construed to waive or alter the  
 1548 provisions of s. 286.011 or s. 286.0115. For the purposes of  
 1549 this subsection only, "local government" shall mean any  
 1550 municipality or county and any agency of a municipality or

1551 county only. The term "local government" does not, however,  
 1552 include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~,  
 1553 even if it is owned or controlled by or through a municipality,  
 1554 county, or agency of a municipality or county. Further,  
 1555 notwithstanding anything in this section to the contrary, this  
 1556 subsection does not apply to or control a local government's  
 1557 actions as a property or structure owner in the use of any  
 1558 property or structure owned by such entity for the placement,  
 1559 construction, or modification of wireless communications  
 1560 facilities. In the use of property or structures owned by the  
 1561 local government, however, a local government may not use its  
 1562 regulatory authority so as to avoid compliance with, or in a  
 1563 manner that does not advance, the provisions of this subsection.

1564 (a) Colocation among wireless providers is encouraged by  
 1565 the state.

1566 1.a. Colocations on towers, including nonconforming  
 1567 towers, that meet the requirements in sub-sub-subparagraphs (I),  
 1568 (II), and (III), are subject to only building permit review,  
 1569 which may include a review for compliance with this  
 1570 subparagraph. Such colocations are not subject to any design or  
 1571 placement requirements of the local government's land  
 1572 development regulations in effect at the time of the colocation  
 1573 that are more restrictive than those in effect at the time of  
 1574 the initial antennae placement approval, to any other portion of  
 1575 the land development regulations, or to public hearing review.

1576 This sub-subparagraph may not preclude a public hearing for any  
 1577 appeal of the decision on the colocation application.

1578 (I) The colocation does not increase the height of the  
 1579 tower to which the antennae are to be attached, measured to the  
 1580 highest point of any part of the tower or any existing antenna  
 1581 attached to the tower;

1582 (II) The colocation does not increase the ground space  
 1583 area, commonly known as the compound, approved in the site plan  
 1584 for equipment enclosures and ancillary facilities; and

1585 (III) The colocation consists of antennae, equipment  
 1586 enclosures, and ancillary facilities that are of a design and  
 1587 configuration consistent with all applicable regulations,  
 1588 restrictions, or conditions, if any, applied to the initial  
 1589 antennae placed on the tower and to its accompanying equipment  
 1590 enclosures and ancillary facilities and, if applicable, applied  
 1591 to the tower supporting the antennae. Such regulations may  
 1592 include the design and aesthetic requirements, but not  
 1593 procedural requirements, other than those authorized by this  
 1594 section, of the local government's land development regulations  
 1595 in effect at the time the initial antennae placement was  
 1596 approved.

1597 b. Except for a historic building, structure, site,  
 1598 object, or district, or a tower included in sub-subparagraph a.,  
 1599 colocations on all other existing structures that meet the  
 1600 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject



1601 to no more than building permit review, and an administrative  
1602 review for compliance with this subparagraph. Such colocations  
1603 are not subject to any portion of the local government's land  
1604 development regulations not addressed herein, or to public  
1605 hearing review. This sub-subparagraph may not preclude a public  
1606 hearing for any appeal of the decision on the colocation  
1607 application.

1608 (I) The colocation does not increase the height of the  
1609 existing structure to which the antennae are to be attached,  
1610 measured to the highest point of any part of the structure or  
1611 any existing antenna attached to the structure;

1612 (II) The colocation does not increase the ground space  
1613 area, otherwise known as the compound, if any, approved in the  
1614 site plan for equipment enclosures and ancillary facilities;

1615 (III) The colocation consists of antennae, equipment  
1616 enclosures, and ancillary facilities that are of a design and  
1617 configuration consistent with any applicable structural or  
1618 aesthetic design requirements and any requirements for location  
1619 on the structure, but not prohibitions or restrictions on the  
1620 placement of additional colocations on the existing structure or  
1621 procedural requirements, other than those authorized by this  
1622 section, of the local government's land development regulations  
1623 in effect at the time of the colocation application; and

1624 (IV) The colocation consists of antennae, equipment  
1625 enclosures, and ancillary facilities that are of a design and

1626 configuration consistent with all applicable restrictions or  
1627 conditions, if any, that do not conflict with sub-sub-  
1628 subparagraph (III) and were applied to the initial antennae  
1629 placed on the structure and to its accompanying equipment  
1630 enclosures and ancillary facilities and, if applicable, applied  
1631 to the structure supporting the antennae.

1632 c. Regulations, restrictions, conditions, or permits of  
1633 the local government, acting in its regulatory capacity, that  
1634 limit the number of colocations or require review processes  
1635 inconsistent with this subsection do not apply to colocations  
1636 addressed in this subparagraph.

1637 d. If only a portion of the colocation does not meet the  
1638 requirements of this subparagraph, such as an increase in the  
1639 height of the proposed antennae over the existing structure  
1640 height or a proposal to expand the ground space approved in the  
1641 site plan for the equipment enclosure, where all other portions  
1642 of the colocation meet the requirements of this subparagraph,  
1643 that portion of the colocation only may be reviewed under the  
1644 local government's regulations applicable to an initial  
1645 placement of that portion of the facility, including, but not  
1646 limited to, its land development regulations, and within the  
1647 review timeframes of subparagraph (d)2., and the rest of the  
1648 colocation shall be reviewed in accordance with this  
1649 subparagraph. A colocation proposal under this subparagraph that  
1650 increases the ground space area, otherwise known as the

1651 compound, approved in the original site plan for equipment  
1652 enclosures and ancillary facilities by no more than a cumulative  
1653 amount of 400 square feet or 50 percent of the original compound  
1654 size, whichever is greater, shall, however, require no more than  
1655 administrative review for compliance with the local government's  
1656 regulations, including, but not limited to, land development  
1657 regulations review, and building permit review, with no public  
1658 hearing review. This sub-subparagraph does not preclude a public  
1659 hearing for any appeal of the decision on the colocation  
1660 application.

1661         2. If a colocation does not meet the requirements of  
1662 subparagraph 1., the local government may review the application  
1663 under the local government's regulations, including, but not  
1664 limited to, land development regulations, applicable to the  
1665 placement of initial antennae and their accompanying equipment  
1666 enclosure and ancillary facilities.

1667         3. If a colocation meets the requirements of subparagraph  
1668 1., the colocation may not be considered a modification to an  
1669 existing structure or an impermissible modification of a  
1670 nonconforming structure.

1671         4. The owner of the existing tower on which the proposed  
1672 antennae are to be colocated shall remain responsible for  
1673 compliance with any applicable condition or requirement of a  
1674 permit or agreement, or any applicable condition or requirement  
1675 of the land development regulations to which the existing tower

1676 had to comply at the time the tower was permitted, including any  
1677 aesthetic requirements, provided the condition or requirement is  
1678 not inconsistent with this paragraph.

1679         5. An existing tower, including a nonconforming tower, may  
1680 be structurally modified in order to permit colocation or may be  
1681 replaced through no more than administrative review and building  
1682 permit review, and is not subject to public hearing review, if  
1683 the overall height of the tower is not increased and, if a  
1684 replacement, the replacement tower is a monopole tower or, if  
1685 the existing tower is a camouflaged tower, the replacement tower  
1686 is a like-camouflaged tower. This subparagraph may not preclude  
1687 a public hearing for any appeal of the decision on the  
1688 application.

1689         (b)1. A local government's land development and  
1690 construction regulations for wireless communications facilities  
1691 and the local government's review of an application for the  
1692 placement, construction, or modification of a wireless  
1693 communications facility shall only address land development or  
1694 zoning issues. In such local government regulations or review,  
1695 the local government may not require information on or evaluate  
1696 a wireless provider's business decisions about its service,  
1697 customer demand for its service, or quality of its service to or  
1698 from a particular area or site, unless the wireless provider  
1699 voluntarily offers this information to the local government. In  
1700 such local government regulations or review, a local government

1701 may not require information on or evaluate the wireless  
1702 provider's designed service unless the information or materials  
1703 are directly related to an identified land development or zoning  
1704 issue or unless the wireless provider voluntarily offers the  
1705 information. Information or materials directly related to an  
1706 identified land development or zoning issue may include, but are  
1707 not limited to, evidence that no existing structure can  
1708 reasonably be used for the antennae placement instead of the  
1709 construction of a new tower, that residential areas cannot be  
1710 served from outside the residential area, as addressed in  
1711 subparagraph 3., or that the proposed height of a new tower or  
1712 initial antennae placement or a proposed height increase of a  
1713 modified tower, replacement tower, or colocation is necessary to  
1714 provide the provider's designed service. Nothing in this  
1715 paragraph shall limit the local government from reviewing any  
1716 applicable land development or zoning issue addressed in its  
1717 adopted regulations that does not conflict with this section,  
1718 including, but not limited to, aesthetics, landscaping, land  
1719 use-based location priorities, structural design, and setbacks.

1720       2. Any setback or distance separation required of a tower  
1721 may not exceed the minimum distance necessary, as determined by  
1722 the local government, to satisfy the structural safety or  
1723 aesthetic concerns that are to be protected by the setback or  
1724 distance separation.

1725       3. A local government may exclude the placement of

1726 wireless communications facilities in a residential area or  
1727 residential zoning district but only in a manner that does not  
1728 constitute an actual or effective prohibition of the provider's  
1729 service in that residential area or zoning district. If a  
1730 wireless provider demonstrates to the satisfaction of the local  
1731 government that the provider cannot reasonably provide its  
1732 service to the residential area or zone from outside the  
1733 residential area or zone, the municipality or county and  
1734 provider shall cooperate to determine an appropriate location  
1735 for a wireless communications facility of an appropriate design  
1736 within the residential area or zone. The local government may  
1737 require that the wireless provider reimburse the reasonable  
1738 costs incurred by the local government for this cooperative  
1739 determination. An application for such cooperative determination  
1740 may not be considered an application under paragraph (d).

1741 4. A local government may impose a reasonable fee on  
1742 applications to place, construct, or modify a wireless  
1743 communications facility only if a similar fee is imposed on  
1744 applicants seeking other similar types of zoning, land use, or  
1745 building permit review. A local government may impose fees for  
1746 the review of applications for wireless communications  
1747 facilities by consultants or experts who conduct code compliance  
1748 review for the local government but any fee is limited to  
1749 specifically identified reasonable expenses incurred in the  
1750 review. A local government may impose reasonable surety

1751 requirements to ensure the removal of wireless communications  
1752 facilities that are no longer being used.

1753         5. A local government may impose design requirements, such  
1754 as requirements for designing towers to support colocation or  
1755 aesthetic requirements, except as otherwise limited in this  
1756 section, but may not impose or require information on compliance  
1757 with building code type standards for the construction or  
1758 modification of wireless communications facilities beyond those  
1759 adopted by the local government under chapter 553 and that apply  
1760 to all similar types of construction.

1761         (c) Local governments may not require wireless providers  
1762 to provide evidence of a wireless communications facility's  
1763 compliance with federal regulations, except evidence of  
1764 compliance with applicable Federal Aviation Administration  
1765 requirements under 14 C.F.R. part 77, as amended, and evidence  
1766 of proper Federal Communications Commission licensure, or other  
1767 evidence of Federal Communications Commission authorized  
1768 spectrum use, but may request the Federal Communications  
1769 Commission to provide information as to a wireless provider's  
1770 compliance with federal regulations, as authorized by federal  
1771 law.

1772         (d)1. A local government shall grant or deny each properly  
1773 completed application for a colocation under subparagraph (a)1.  
1774 based on the application's compliance with the local  
1775 government's applicable regulations, as provided for in

1776 subparagraph (a)1. and consistent with this subsection, and  
1777 within the normal timeframe for a similar building permit review  
1778 but in no case later than 45 business days after the date the  
1779 application is determined to be properly completed in accordance  
1780 with this paragraph.

1781 2. A local government shall grant or deny each properly  
1782 completed application for any other wireless communications  
1783 facility based on the application's compliance with the local  
1784 government's applicable regulations, including but not limited  
1785 to land development regulations, consistent with this subsection  
1786 and within the normal timeframe for a similar type review but in  
1787 no case later than 90 business days after the date the  
1788 application is determined to be properly completed in accordance  
1789 with this paragraph.

1790 3.a. An application is deemed submitted or resubmitted on  
1791 the date the application is received by the local government. If  
1792 the local government does not notify the applicant in writing  
1793 that the application is not completed in compliance with the  
1794 local government's regulations within 20 business days after the  
1795 date the application is initially submitted or additional  
1796 information resubmitted, the application is deemed, for  
1797 administrative purposes only, to be properly completed and  
1798 properly submitted. However, the determination may not be deemed  
1799 as an approval of the application. If the application is not  
1800 completed in compliance with the local government's regulations,



1801 the local government shall so notify the applicant in writing  
1802 and the notification must indicate with specificity any  
1803 deficiencies in the required documents or deficiencies in the  
1804 content of the required documents which, if cured, make the  
1805 application properly completed. Upon resubmission of information  
1806 to cure the stated deficiencies, the local government shall  
1807 notify the applicant, in writing, within the normal timeframes  
1808 of review, but in no case longer than 20 business days after the  
1809 additional information is submitted, of any remaining  
1810 deficiencies that must be cured. Deficiencies in document type  
1811 or content not specified by the local government do not make the  
1812 application incomplete. Notwithstanding this sub-subparagraph,  
1813 if a specified deficiency is not properly cured when the  
1814 applicant resubmits its application to comply with the notice of  
1815 deficiencies, the local government may continue to request the  
1816 information until such time as the specified deficiency is  
1817 cured. The local government may establish reasonable timeframes  
1818 within which the required information to cure the application  
1819 deficiency is to be provided or the application will be  
1820 considered withdrawn or closed.

1821 b. If the local government fails to grant or deny a  
1822 properly completed application for a wireless communications  
1823 facility within the timeframes set forth in this paragraph, the  
1824 application shall be deemed automatically approved and the  
1825 applicant may proceed with placement of the facilities without

1826 interference or penalty. The timeframes specified in  
1827 subparagraph 2. may be extended only to the extent that the  
1828 application has not been granted or denied because the local  
1829 government's procedures generally applicable to all other  
1830 similar types of applications require action by the governing  
1831 body and such action has not taken place within the timeframes  
1832 specified in subparagraph 2. Under such circumstances, the local  
1833 government must act to either grant or deny the application at  
1834 its next regularly scheduled meeting or, otherwise, the  
1835 application is deemed to be automatically approved.

1836 c. To be effective, a waiver of the timeframes set forth  
1837 in this paragraph must be voluntarily agreed to by the applicant  
1838 and the local government. A local government may request, but  
1839 not require, a waiver of the timeframes by the applicant, except  
1840 that, with respect to a specific application, a one-time waiver  
1841 may be required in the case of a declared local, state, or  
1842 federal emergency that directly affects the administration of  
1843 all permitting activities of the local government.

1844 (e) The replacement of or modification to a wireless  
1845 communications facility, except a tower, that results in a  
1846 wireless communications facility not readily discernibly  
1847 different in size, type, and appearance when viewed from ground  
1848 level from surrounding properties, and the replacement or  
1849 modification of equipment that is not visible from surrounding  
1850 properties, all as reasonably determined by the local

1851 government, are subject to no more than applicable building  
1852 permit review.

1853 (f) Any other law to the contrary notwithstanding, the  
1854 Department of Management Services shall negotiate, in the name  
1855 of the state, leases for wireless communications facilities that  
1856 provide access to state government-owned property not acquired  
1857 for transportation purposes, and the Department of  
1858 Transportation shall negotiate, in the name of the state, leases  
1859 for wireless communications facilities that provide access to  
1860 property acquired for state rights-of-way. On property acquired  
1861 for transportation purposes, leases shall be granted in  
1862 accordance with s. 337.251. On other state government-owned  
1863 property, leases shall be granted on a space available, first-  
1864 come, first-served basis. Payments required by state government  
1865 under a lease must be reasonable and must reflect the market  
1866 rate for the use of the state government-owned property. The  
1867 Department of Management Services and the Department of  
1868 Transportation are authorized to adopt rules for the terms and  
1869 conditions and granting of any such leases.

1870 (g) If any person adversely affected by any action, or  
1871 failure to act, or regulation, or requirement of a local  
1872 government in the review or regulation of the wireless  
1873 communication facilities files an appeal or brings an  
1874 appropriate action in a court or venue of competent  
1875 jurisdiction, following the exhaustion of all administrative

1876 remedies, the matter shall be considered on an expedited basis.

1877 **Section 38. Subsection (2) of section 379.2293, Florida**  
 1878 **Statutes, is amended to read:**

1879 379.2293 Airport activities within the scope of a  
 1880 federally approved wildlife hazard management plan or a federal  
 1881 or state permit or other authorization for depredation or  
 1882 harassment.—

1883 (2) An airport authority or other entity owning or  
 1884 operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is  
 1885 not subject to any administrative or civil penalty, restriction,  
 1886 or other sanction with respect to any authorized action taken in  
 1887 a non-negligent manner for the purpose of protecting human life  
 1888 or aircraft safety from wildlife hazards.

1889 **Section 39. Subsection (22) of section 493.6101, Florida**  
 1890 **Statutes, is amended to read:**

1891 493.6101 Definitions.—

1892 (22) "Repossession" means the recovery of a motor vehicle  
 1893 as defined under s. 320.01(1), a mobile home as defined in s.  
 1894 320.01(2), a motorboat as defined under s. 327.02, an aircraft  
 1895 as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as  
 1896 defined in s. 327.02, an all-terrain vehicle as defined in s.  
 1897 316.2074, farm equipment as defined under s. 686.402, or  
 1898 industrial equipment, by an individual who is authorized by the  
 1899 legal owner, lienholder, or lessor to recover, or to collect  
 1900 money payment in lieu of recovery of, that which has been sold

1901 or leased under a security agreement that contains a  
 1902 repossession clause. As used in this subsection, the term  
 1903 "industrial equipment" includes, but is not limited to,  
 1904 tractors, road rollers, cranes, forklifts, backhoes, and  
 1905 bulldozers. The term "industrial equipment" also includes other  
 1906 vehicles that are propelled by power other than muscular power  
 1907 and that are used in the manufacture of goods or used in the  
 1908 provision of services. A repossession is complete when a  
 1909 licensed recovery agent is in control, custody, and possession  
 1910 of such repossessed property. Property that is being repossessed  
 1911 shall be considered to be in the control, custody, and  
 1912 possession of a recovery agent if the property being repossessed  
 1913 is secured in preparation for transport from the site of the  
 1914 recovery by means of being attached to or placed on the towing  
 1915 or other transport vehicle or if the property being repossessed  
 1916 is being operated or about to be operated by an employee of the  
 1917 recovery agency.

1918 **Section 40. Paragraph (c) of subsection (1) of section**  
 1919 **493.6403, Florida Statutes, is amended to read:**

1920 493.6403 License requirements.—

1921 (1) In addition to the license requirements set forth in  
 1922 this chapter, each individual or agency shall comply with the  
 1923 following additional requirements:

1924 (c) An applicant for a Class "E" license shall have at  
 1925 least 1 year of lawfully gained, verifiable, full-time

1926 | experience in one, or a combination of more than one, of the  
 1927 | following:

1928 |         1. Repossession of motor vehicles as defined in s.  
 1929 | 320.01(1), mobile homes as defined in s. 320.01(2), motorboats  
 1930 | as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s.~~  
 1931 | ~~330.27(1)~~, personal watercraft as defined in s. 327.02, all-  
 1932 | terrain vehicles as defined in s. 316.2074, farm equipment as  
 1933 | defined under s. 686.402, or industrial equipment as defined in  
 1934 | s. 493.6101(22).

1935 |         2. Work as a Class "EE" licensed intern.

1936 |         **Section 41.** This act shall take effect July 1, 2025.