

By Senator Collins

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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 a specified number of assistant secretaries;  
5           specifying titles for such assistant secretaries;  
6           authorizing the secretary to appoint an Executive  
7           Director of Transportation Technology; specifying that  
8           such assistant secretaries and executive director  
9           positions are exempt from career service and are  
10          included in the Senior Management Service; revising  
11          qualifications for members of the Florida  
12          Transportation Commission; deleting a provision  
13          related to the independence of the commission;  
14          requiring the commission to monitor transit entities  
15          that receive certain funding; requiring members of the  
16          commission to follow certain standards of conduct;  
17          deleting a provision relating to the budget of the  
18          commission; providing legislative findings and intent;  
19          creating the Florida Transportation Research  
20          Institute; specifying the purpose of the institute;  
21          requiring the institute to report to the department;  
22          providing for membership of the institute; requiring  
23          the department to select a member to serve as the  
24          administrative lead of the institute; requiring the  
25          Secretary of Transportation to appoint a  
26          representative of the department to serve as the  
27          executive director of the institute; requiring the  
28          department to coordinate with the members of the  
29          institute to adopt certain policies; authorizing the

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30 institute to award certain grants; authorizing the  
31 department to allocate funds to the institute from the  
32 State Transportation Trust Fund; authorizing the  
33 institute to expend funds for certain operations and  
34 programs; requiring the institute to submit an annual  
35 report to the Secretary of Transportation and the  
36 commission; deleting a requirement that major  
37 transportation policy initiatives and revisions be  
38 submitted to the commission for review; revising the  
39 department's areas of program responsibility; amending  
40 s. 212.20, F.S.; requiring the department to  
41 distribute a certain amount from the proceeds of a  
42 specified tax to the State Transportation Trust Fund  
43 for a specified purpose; amending s. 311.07, F.S.;  
44 providing that certain spaceport and space industry-  
45 related facility projects and commercial shipbuilding  
46 and manufacturing facility projects are eligible for  
47 grant funding under the Florida Seaport Transportation  
48 and Economic Development Program; amending s. 311.09,  
49 F.S.; revising the purpose of the Florida Seaport  
50 Transportation and Economic Development Council;  
51 requiring the department to provide administrative  
52 support to the council on certain matters; requiring  
53 that the Florida Seaport Mission Plan include certain  
54 recommendations; requiring each port member of the  
55 council to submit a certain semiannual report to the  
56 department; amending s. 311.10, F.S.; requiring  
57 seaports located in a specified county to include  
58 certain statements in any agreement with the

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59 department as a condition of receiving certain grants;  
60 defining the term "cargo purposes"; repealing s.  
61 316.0741, F.S., relating to high-occupancy-vehicle  
62 lanes; amending s. 316.0745, F.S.; deleting language  
63 limiting the state funds that may be withheld due to  
64 certain violations by a public body or official to  
65 state funds for traffic control purposes; amending s.  
66 330.27, F.S.; revising definitions and defining terms;  
67 amending s. 330.30, F.S.; requiring that a private  
68 airport of public interest obtain a certain  
69 certificate from the department before allowing  
70 aircraft operations; requiring that certain private  
71 airports obtain a certain certificate from the  
72 department by a specified date; amending s. 331.371,  
73 F.S.; authorizing the department, in consultation with  
74 the Department of Commerce and the Department of  
75 Environmental Protection, to fund certain projects  
76 associated with certain critical infrastructure  
77 projects; requiring that such departments coordinate  
78 in funding certain projects for a specified purpose;  
79 amending s. 332.003, F.S.; revising a short title;  
80 amending s. 332.005, F.S.; requiring airports to  
81 provide the Department of Transportation with the  
82 opportunity to use certain airport property for a  
83 specified purpose during a declared state of  
84 emergency; amending s. 332.006, F.S.; providing duties  
85 and responsibilities of the department relating to  
86 certain educational services, inspections of certain  
87 commercial airport facilities, and agreements with

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88 other state regulatory agencies; amending s. 332.007,  
89 F.S.; requiring the department to require annual  
90 comprehensive maintenance program reports from airport  
91 sponsors; providing requirements for such reports;  
92 defining the term "maintenance"; authorizing the  
93 department to withhold certain state funds under  
94 certain circumstances; revising the list of projects  
95 for which the department must provide priority  
96 funding; authorizing the department to fund eligible  
97 projects performed by certain organizations and  
98 postsecondary education institutions; providing that  
99 certain programs are eligible projects; authorizing  
100 the department to provide certain matching funds;  
101 revising the circumstances in which the department may  
102 fund strategic airport investment projects; amending  
103 s. 332.0075, F.S.; revising definitions; requiring  
104 that certain information remain posted on a governing  
105 body's website for a certain period; revising the  
106 information that must be included on such website;  
107 requiring the quarterly, rather than annual, update of  
108 certain information; revising information that the  
109 governing body of a commercial service airport must  
110 submit to the department annually; requiring a  
111 commercial service airport to provide certain  
112 notifications to the department; creating s. 332.15,  
113 F.S.; requiring the department to address certain  
114 needs in the statewide aviation system plan and the  
115 department's work program, designate a certain subject  
116 matter expert, conduct a specified review, and, in

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117 coordination with the Department of Commerce, provide  
118 certain coordination and assistance for the  
119 development of a viable advanced air mobility system  
120 plan; amending s. 334.044, F.S.; revising the powers  
121 and duties of the department; amending s. 334.045,  
122 F.S.; requiring certain measures developed and adopted  
123 by the Florida Transportation Commission to assess  
124 performance in a specified business development  
125 program, instead of disadvantaged business enterprise  
126 and minority business programs; creating s. 334.62,  
127 F.S.; providing legislative findings; establishing the  
128 Florida Transportation Academy within the department;  
129 authorizing the department to coordinate with certain  
130 entities for specified purposes; amending s. 335.182,  
131 F.S.; defining the term "modification of an existing  
132 connection"; revising the definition of the term  
133 "significant change"; amending s. 335.187, F.S.;  
134 authorizing the department to modify or revoke certain  
135 access permits by requiring modification of an  
136 existing connection in certain circumstances; amending  
137 s. 337.027, F.S.; revising the definition of the term  
138 "small business"; amending s. 337.11, F.S.; requiring  
139 the department to give consideration to small business  
140 participation, instead of disadvantaged business  
141 enterprise participation; repealing s. 337.125, F.S.,  
142 relating to socially and economically disadvantaged  
143 business enterprises and notice requirements;  
144 repealing s. 337.135, F.S., relating to socially and  
145 economically disadvantaged business enterprises and

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146 punishment for false representation; repealing s.  
147 337.139, F.S., relating to efforts to encourage  
148 awarding contracts to disadvantaged business  
149 enterprises; amending s. 337.18, F.S.; authorizing the  
150 Secretary of Transportation to require a surety bond  
151 in an amount that is less than the awarded contract  
152 price; amending s. 337.251, F.S.; revising factors  
153 that may be considered by the department when  
154 selecting certain proposals; amending s. 337.406,  
155 F.S.; prohibiting camping on any portion of the right-  
156 of-way of the State Highway System; providing  
157 applicability; amending s. 338.227, F.S.; revising the  
158 purpose for which the department and the Department of  
159 Management Services shall create and implement a  
160 certain outreach program; amending s. 339.08, F.S.;  
161 defining the term "energy policy of the state";  
162 prohibiting the department from expending state funds  
163 to support projects or programs of certain entities in  
164 certain circumstances; repealing s. 339.0805, F.S.,  
165 relating to funds to be expended with certified  
166 disadvantaged business enterprises, a construction  
167 management development program, and a bond guarantee  
168 program; amending s. 339.135, F.S.; revising the  
169 method of approval upon which certain spending  
170 authority may be rolled forward to the next fiscal  
171 year; requiring the Executive Office of the Governor  
172 to make a certain budget modification upon such  
173 approval; deleting the scheduled repeal of a provision  
174 authorizing the chair or vice chair of the Legislative

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175 Budget Commission to authorize an amendment of the  
176 adopted work program in certain circumstances;  
177 amending s. 339.2816, F.S.; revising the amount from  
178 the State Transportation Trust Fund which may be used  
179 annually to fund the Small County Road Assistance  
180 Program, beginning with a specified fiscal year;  
181 amending s. 339.2818, F.S.; revising the definition of  
182 the term "small county"; authorizing the annual use of  
183 a certain amount from the State Transportation Trust  
184 Fund for the purposes of funding the Small County  
185 Outreach Program, beginning with a specified fiscal  
186 year; deleting provisions authorizing certain  
187 municipalities and local governments to compete for  
188 additional project funding, subject to specific  
189 appropriations; amending s. 339.2821, F.S.; requiring  
190 the department to ensure that it is supportive of  
191 small businesses, rather than ensuring that small and  
192 minority businesses have equal access to participation  
193 in certain transportation projects; repealing s.  
194 339.287, F.S., relating to electric vehicle charging  
195 stations and infrastructure plan development; amending  
196 s. 339.55, F.S.; deleting language providing that  
197 certain emergency loans from the state-funded  
198 infrastructure bank are subject to approval by the  
199 Legislative Budget Commission; amending s. 339.651,  
200 F.S.; authorizing, rather than requiring, the  
201 department to make a certain amount available to fund  
202 certain projects annually; deleting the scheduled  
203 repeal of provisions relating to Strategic Intermodal

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204 System supply chain demands; amending s. 341.051,  
205 F.S.; providing for the reallocation of certain funds;  
206 deleting the scheduled repeal of provisions providing  
207 for the reallocation of certain funds; amending s.  
208 348.754, F.S.; revising the types of businesses the  
209 Central Florida Expressway Authority is required to  
210 encourage the inclusion of in certain opportunities;  
211 amending s. 349.03, F.S.; revising membership  
212 requirements for the governing body of the  
213 Jacksonville Transportation Authority; requiring the  
214 authority to follow a certain business development  
215 program; requiring the authority to establish certain  
216 protocols and systems and post certain information on  
217 a specified website; amending ss. 110.205, 322.27,  
218 365.172, 379.2293, 493.6101, and 493.6403, F.S.;

219 conforming cross-references and provisions to changes  
220 made by the act; providing an effective date.

221

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

223

224 Section 1. Present subsections (3) through (6) of section  
225 20.23, Florida Statutes, are redesignated as subsections (4)  
226 through (7), respectively, a new subsection (3) is added to that  
227 section, and paragraph (d) of subsection (1), paragraphs (a),  
228 (b), (g), and (i) of subsection (2), and paragraphs (a) and (b)  
229 of present subsection (3) of that section are amended, to read:

230

231 20.23 Department of Transportation.—There is created a  
232 Department of Transportation which shall be a decentralized  
agency.



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233 (1)

234 (d) The secretary may appoint ~~up to~~ three assistant  
235 secretaries, who shall serve as the Chief Operations Officer,  
236 Chief Finance and Administration Officer, and Chief Strategic  
237 Development Officer, respectively; be directly responsible to  
238 the secretary; and ~~who shall~~ perform such duties as are assigned  
239 by the secretary. The secretary may also appoint an Executive  
240 Director of Transportation Technology. Such assistant secretary  
241 and executive director positions are exempt from career service  
242 pursuant to s. 110.205(2)(j) and are included in the Senior  
243 Management Service. The secretary shall designate to an  
244 assistant secretary the duties related to enhancing economic  
245 prosperity, including, but not limited to, the responsibility of  
246 liaison with the head of economic development in the Executive  
247 Office of the Governor. Such assistant secretary shall be  
248 directly responsible for providing the Executive Office of the  
249 Governor with investment opportunities and transportation  
250 projects that expand the state's role as a global hub for trade  
251 and investment and enhance the supply chain system in the state  
252 to process, assemble, and ship goods to markets throughout the  
253 eastern United States, Canada, the Caribbean, and Latin America.  
254 The secretary may delegate to any assistant secretary the  
255 authority to act in the absence of the secretary.

256 (2)(a)1. The Florida Transportation Commission is hereby  
257 created and shall be composed ~~consist~~ of nine members appointed  
258 by the Governor subject to confirmation by the Senate. Members  
259 of the commission shall serve terms of 4 years each.

260 2. Members shall be appointed in such a manner as to  
261 equitably represent all geographic areas of the state. Each

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262 member must be a registered voter and a citizen of the state. At  
263 least three members of the commission must be representatives of  
264 or possess expertise in the higher education, transportation, or  
265 workforce development industries ~~Each member of the commission~~  
266 ~~must also possess business managerial experience in the private~~  
267 ~~sector.~~

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

272 4. The commission is assigned to the Office of the  
273 Secretary of the Department of Transportation for administrative  
274 and fiscal accountability purposes, ~~but it shall otherwise~~  
275 ~~function independently of the control and direction of the~~  
276 ~~department.~~

277 (b) The commission shall:

278 1. Recommend major transportation policies for the  
279 Governor's approval and assure that approved policies and any  
280 revisions are properly executed.

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

286 3. Perform an in-depth evaluation of the annual department  
287 budget request, the Florida Transportation Plan, and the  
288 tentative work program for compliance with all applicable laws  
289 and established departmental policies. Except as specifically  
290 provided in s. 339.135(4)(c)2., (d), and (f), the commission may

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291 not consider individual construction projects but shall consider  
292 methods of accomplishing the goals of the department in the most  
293 effective, efficient, and businesslike manner.

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

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

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

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

317 8. Monitor the efficiency, productivity, and management of  
318 the agencies and authorities created under chapters 348 and 349;  
319 the Mid-Bay Bridge Authority re-created pursuant to chapter

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320 2000-411, Laws of Florida; ~~and any authority formed under~~  
321 chapter 343; and any transit entity that receives funding under  
322 the public transit block grant program pursuant to s. 341.052.

323 The commission shall also conduct periodic reviews of each  
324 agency's and authority's operations and budget, acquisition of  
325 property, management of revenue and bond proceeds, and  
326 compliance with applicable laws and generally accepted  
327 accounting principles.

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

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

338 (3) The Legislature finds that the transportation industry  
339 is critical to the economic future of this state and that the  
340 competitiveness of the industry in this state depends upon the  
341 development and maintenance of a qualified workforce and  
342 cutting-edge research and innovation. The Legislature further  
343 finds that the transportation industry in this state has varied  
344 and complex workforce needs ranging from technical and  
345 mechanical training to continuing education opportunities for  
346 workers with advanced degrees and certifications. The timely  
347 need also exists for coordinated research and innovation efforts  
348 to promote emerging technologies and innovative construction

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349 methods and tools and to address alternative funding mechanisms.  
350 It is the intent of the Legislature to support programs designed  
351 to address the workforce development needs of the state's  
352 transportation industry.

353 (a) The Florida Transportation Research Institute is  
354 created as a consortium of higher education professionals. The  
355 purpose of the institute is to drive cutting-edge research,  
356 innovation, transformational technologies, and breakthrough  
357 solutions and to support workforce development efforts that  
358 contribute to this state's transportation industry.

359 (b) The institute shall report to the department and shall  
360 be composed of members from the University of Florida, Indian  
361 River State College, the University of Central Florida, and  
362 Florida International University. The department shall select a  
363 member to serve as the administrative lead of the institute. The  
364 department shall assess the performance of the administrative  
365 lead periodically to ensure accountability and assess the  
366 attainment of performance goals.

367 (c) The Secretary of Transportation shall appoint a  
368 representative of the department to serve as the executive  
369 director of the institute. The department shall coordinate with  
370 the members of the institute to adopt policies establishing the  
371 institute's executive committee and mission statement.

372 (d) The institute may award grants in alignment with its  
373 purpose. Such grants may be directed to member and nonmember  
374 institutions that have a proven expertise relevant to the grant,  
375 including not-for-profit organizations and institutions of  
376 higher education.

377 (e) The department may allocate funds to the institute from

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378 the State Transportation Trust Fund. The institute may expend  
379 such funds for the institute's operations and programs to  
380 support research and innovation projects that provide solutions  
381 for this state's transportation needs.

382 (f) The institute shall submit an annual report of  
383 performance metrics to the Secretary of Transportation and the  
384 commission. The report must include, but is not limited to,  
385 expenditures of funds allocated to the institute by the  
386 department, ongoing and proposed research efforts, and the  
387 application and success of past research efforts.

388 (4) (a) ~~(3) (a)~~ The central office shall establish  
389 departmental policies, rules, procedures, and standards and  
390 shall monitor the implementation of such policies, rules,  
391 procedures, and standards in order to ensure uniform compliance  
392 and quality performance by the districts and central office  
393 units that implement transportation programs. ~~Major~~  
394 ~~transportation policy initiatives or revisions shall be~~  
395 ~~submitted to the commission for review.~~

396 (b) The secretary may appoint positions at the level of  
397 deputy assistant secretary or director which the secretary deems  
398 necessary to accomplish the mission and goals of the department,  
399 including, but not limited to, the areas of program  
400 responsibility provided in this paragraph, each of whom shall be  
401 appointed by and serve at the pleasure of the secretary. The  
402 secretary may combine, separate, or delete offices as needed in  
403 consultation with the Executive Office of the Governor. The  
404 department's areas of program responsibility include, but are  
405 not limited to, all of the following:

406 1. Administration.

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- 407 2. Planning.
- 408 3. Supply chain and modal development.
- 409 4. Design.
- 410 5. Highway operations.
- 411 6. Right-of-way.
- 412 7. Toll operations.
- 413 8. Transportation technology.
- 414 9. Information technology ~~systems~~.
- 415 10. Motor carrier weight inspection.
- 416 11. Work program and budget.
- 417 12. Comptroller.
- 418 13. Construction.
- 419 14. Statewide corridors.
- 420 15. Maintenance.
- 421 16. Forecasting and performance.
- 422 17. Emergency management.
- 423 18. Safety.
- 424 19. Materials.
- 425 20. Infrastructure and innovation.
- 426 21. Permitting.
- 427 22. Traffic operations.
- 428 23. Operational technology.

429 Section 2. Paragraph (d) of subsection (6) of section  
 430 212.20, Florida Statutes, is amended to read:

431 212.20 Funds collected, disposition; additional powers of  
 432 department; operational expense; refund of taxes adjudicated  
 433 unconstitutionally collected.—

434 (6) Distribution of all proceeds under this chapter and ss.  
 435 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

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

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

445 2. After the distribution under subparagraph 1., 8.9744  
446 percent of the amount remitted by a sales tax dealer located  
447 within a participating county pursuant to s. 218.61 shall be  
448 transferred into the Local Government Half-cent Sales Tax  
449 Clearing Trust Fund. Beginning July 1, 2003, the amount to be  
450 transferred shall be reduced by 0.1 percent, and the department  
451 shall distribute this amount to the Public Employees Relations  
452 Commission Trust Fund less \$5,000 each month, which shall be  
453 added to the amount calculated in subparagraph 3. and  
454 distributed accordingly.

455 3. After the distribution under subparagraphs 1. and 2.,  
456 0.0966 percent shall be transferred to the Local Government  
457 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant  
458 to s. 218.65.

459 4. After the distributions under subparagraphs 1., 2., and  
460 3., 2.0810 percent of the available proceeds shall be  
461 transferred monthly to the Revenue Sharing Trust Fund for  
462 Counties pursuant to s. 218.215.

463 5. After the distributions under subparagraphs 1., 2., and  
464 3., 1.3653 percent of the available proceeds shall be



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465 transferred monthly to the Revenue Sharing Trust Fund for  
466 Municipalities pursuant to s. 218.215. If the total revenue to  
467 be distributed pursuant to this subparagraph is at least as  
468 great as the amount due from the Revenue Sharing Trust Fund for  
469 Municipalities and the former Municipal Financial Assistance  
470 Trust Fund in state fiscal year 1999-2000, no municipality shall  
471 receive less than the amount due from the Revenue Sharing Trust  
472 Fund for Municipalities and the former Municipal Financial  
473 Assistance Trust Fund in state fiscal year 1999-2000. If the  
474 total proceeds to be distributed are less than the amount  
475 received in combination from the Revenue Sharing Trust Fund for  
476 Municipalities and the former Municipal Financial Assistance  
477 Trust Fund in state fiscal year 1999-2000, each municipality  
478 shall receive an amount proportionate to the amount it was due  
479 in state fiscal year 1999-2000.

480 6. Of the remaining proceeds:

481 a. In each fiscal year, the sum of \$29,915,500 shall be  
482 divided into as many equal parts as there are counties in the  
483 state, and one part shall be distributed to each county. The  
484 distribution among the several counties must begin each fiscal  
485 year on or before January 5th and continue monthly for a total  
486 of 4 months. If a local or special law required that any moneys  
487 accruing to a county in fiscal year 1999-2000 under the then-  
488 existing provisions of s. 550.135 be paid directly to the  
489 district school board, special district, or a municipal  
490 government, such payment must continue until the local or  
491 special law is amended or repealed. The state covenants with  
492 holders of bonds or other instruments of indebtedness issued by  
493 local governments, special districts, or district school boards

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494 before July 1, 2000, that it is not the intent of this  
495 subparagraph to adversely affect the rights of those holders or  
496 relieve local governments, special districts, or district school  
497 boards of the duty to meet their obligations as a result of  
498 previous pledges or assignments or trusts entered into which  
499 obligated funds received from the distribution to county  
500 governments under then-existing s. 550.135. This distribution  
501 specifically is in lieu of funds distributed under s. 550.135  
502 before July 1, 2000.

503       b. The department shall distribute \$166,667 monthly to each  
504 applicant certified as a facility for a new or retained  
505 professional sports franchise pursuant to s. 288.1162. Up to  
506 \$41,667 shall be distributed monthly by the department to each  
507 certified applicant as defined in s. 288.11621 for a facility  
508 for a spring training franchise. However, not more than \$416,670  
509 may be distributed monthly in the aggregate to all certified  
510 applicants for facilities for spring training franchises.  
511 Distributions begin 60 days after such certification and  
512 continue for not more than 30 years, except as otherwise  
513 provided in s. 288.11621. A certified applicant identified in  
514 this sub-subparagraph may not receive more in distributions than  
515 expended by the applicant for the public purposes provided in s.  
516 288.1162(5) or s. 288.11621(3).

517       c. The department shall distribute up to \$83,333 monthly to  
518 each certified applicant as defined in s. 288.11631 for a  
519 facility used by a single spring training franchise, or up to  
520 \$166,667 monthly to each certified applicant as defined in s.  
521 288.11631 for a facility used by more than one spring training  
522 franchise. Monthly distributions begin 60 days after such

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523 certification or July 1, 2016, whichever is later, and continue  
524 for not more than 20 years to each certified applicant as  
525 defined in s. 288.11631 for a facility used by a single spring  
526 training franchise or not more than 25 years to each certified  
527 applicant as defined in s. 288.11631 for a facility used by more  
528 than one spring training franchise. A certified applicant  
529 identified in this sub-subparagraph may not receive more in  
530 distributions than expended by the applicant for the public  
531 purposes provided in s. 288.11631(3).

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

534 e.(I) On or before July 25, 2021, August 25, 2021, and  
535 September 25, 2021, the department shall distribute \$324,533,334  
536 in each of those months to the Unemployment Compensation Trust  
537 Fund, less an adjustment for refunds issued from the General  
538 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the  
539 distribution. The adjustments made by the department to the  
540 total distributions shall be equal to the total refunds made  
541 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be  
542 subtracted from any single distribution exceeds the  
543 distribution, the department may not make that distribution and  
544 must subtract the remaining balance from the next distribution.

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

548 (III) If the ending balance of the Unemployment  
549 Compensation Trust Fund exceeds \$4,071,519,600 on the last day  
550 of any month, as determined from United States Department of the  
551 Treasury data, the Office of Economic and Demographic Research

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552 shall certify to the department that the ending balance of the  
553 trust fund exceeds such amount.

554 (IV) This sub-subparagraph is repealed, and the department  
555 shall end monthly distributions under sub-sub-subparagraph (II),  
556 on the date the department receives certification under sub-sub-  
557 subparagraph (III).

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

562 g. Beginning July 2025, and on or before the 25th day of  
563 each month, from the portion of the proceeds of the tax imposed  
564 under s. 212.05(1)(e)1.c., the department shall distribute \$6.25  
565 million to the State Transportation Trust Fund to account for a  
566 portion of the impact of electric and hybrid vehicles on the  
567 State Highway System.

568 7. All other proceeds must remain in the General Revenue  
569 Fund.

570 Section 3. Paragraph (b) of subsection (3) of section  
571 311.07, Florida Statutes, is amended to read:

572 311.07 Florida seaport transportation and economic  
573 development funding.—

574 (3)

575 (b) Projects eligible for funding by grants under the  
576 program are limited to the following port facilities or port  
577 transportation projects:

578 1. Transportation facilities within the jurisdiction of the  
579 port.

580 2. The dredging or deepening of channels, turning basins,

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581 or harbors.

582 3. The construction or rehabilitation of wharves, docks,  
583 structures, jetties, piers, storage facilities, cruise  
584 terminals, automated people mover systems, or any facilities  
585 necessary or useful in connection with any of the foregoing.

586 4. The acquisition of vessel tracking systems, container  
587 cranes, or other mechanized equipment used in the movement of  
588 cargo or passengers in international commerce.

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

590 6. The acquisition, improvement, enlargement, or extension  
591 of existing port facilities.

592 7. Environmental protection projects which are necessary  
593 because of requirements imposed by a state agency as a condition  
594 of a permit or other form of state approval; which are necessary  
595 for environmental mitigation required as a condition of a state,  
596 federal, or local environmental permit; which are necessary for  
597 the acquisition of spoil disposal sites and improvements to  
598 existing and future spoil sites; or which result from the  
599 funding of eligible projects listed in this paragraph.

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

603 9. Intermodal access projects.

604 10. Construction or rehabilitation of port facilities as  
605 defined in s. 315.02, excluding any park or recreational  
606 facilities, in ports listed in s. 311.09(1) with operating  
607 revenues of \$5 million or less, provided that such projects  
608 create economic development opportunities, capital improvements,  
609 and positive financial returns to such ports.

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

612 12. Spaceport or space industry-related planning or  
613 construction of facilities on seaport property which are  
614 necessary or useful for advancing the space industry in this  
615 state and provide an economic benefit to this state.

616 13. Commercial shipbuilding and manufacturing facilities,  
617 when such projects provide an economic benefit to this state.

618 Section 4. Subsections (1), (2), (3), and (11) of section  
619 311.09, Florida Statutes, are amended to read:

620 311.09 Florida Seaport Transportation and Economic  
621 Development Council.—

622 (1) The Florida Seaport Transportation and Economic  
623 Development Council is created within the Department of  
624 Transportation. The purpose of the council is to support the  
625 growth of seaports in this state through review, development,  
626 and financing of port transportation and port facilities. The  
627 council is composed ~~consists~~ of the following 18 members: the  
628 port director, or the port director's designee, of each of the  
629 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,  
630 Palm Beach, Port Everglades, Miami, Port Manatee, St.  
631 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,  
632 Pensacola, Key West, and Fernandina; the secretary of the  
633 Department of Transportation or his or her designee; and the  
634 secretary of the Department of Commerce or his or her designee.

635 (2) The council shall adopt bylaws governing the manner in  
636 which the business of the council will be conducted. The bylaws  
637 shall specify the procedure by which the chairperson of the  
638 council is elected. The Department of Transportation shall

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639 provide administrative support to the council on matters  
640 relating to the Florida Seaport Transportation and Economic  
641 Development Program and the council.

642 (3) The council shall prepare a 5-year Florida Seaport  
643 Mission Plan defining the goals and objectives of the council  
644 concerning the development of port facilities and an intermodal  
645 transportation system consistent with the goals of the Florida  
646 Transportation Plan developed pursuant to s. 339.155. The  
647 Florida Seaport Mission Plan shall include specific  
648 recommendations for the construction of transportation  
649 facilities connecting any port to another transportation mode,  
650 the construction of transportation facilities connecting any  
651 port to the space and aerospace industries, and ~~for~~ the  
652 efficient, cost-effective development of transportation  
653 facilities or port facilities for the purpose of enhancing  
654 trade, promoting cargo flow, increasing cruise passenger  
655 movements, increasing port revenues, and providing economic  
656 benefits to the state. The council shall develop a priority list  
657 of projects based on these recommendations annually and submit  
658 the list to the Department of Transportation. The council shall  
659 update the 5-year Florida Seaport Mission Plan annually and  
660 shall submit the plan no later than February 1 of each year to  
661 the President of the Senate, the Speaker of the House of  
662 Representatives, the Department of Commerce, and the Department  
663 of Transportation. The council shall develop programs, based on  
664 an examination of existing programs in Florida and other states,  
665 for the training of ~~minorities~~ and secondary school students in  
666 job skills associated with employment opportunities in the  
667 maritime industry, and report on progress and recommendations

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668 for further action to the President of the Senate and the  
669 Speaker of the House of Representatives annually. Each port  
670 member of the council shall submit a semiannual report related  
671 to his or her port's operations and support of the state's  
672 economic competitiveness and supply chain. Reports must be  
673 submitted to the Department of Transportation and include any  
674 information required by the Department of Transportation in  
675 consultation with the Department of Commerce. Such reports must  
676 include, but are not limited to, all of the following  
677 information:

- 678 (a) Bulk break capacity.  
679 (b) Liquid storage and capacity.  
680 (c) Fuel storage and capacity.  
681 (d) Container capacity.  
682 (e) A description of any supply chain disruption.

683 (11) Members of the council shall serve without  
684 compensation but are entitled to receive reimbursement for per  
685 diem and travel expenses as provided in s. 112.061. ~~The council~~  
686 ~~may elect to provide an administrative staff to provide services~~  
687 ~~to the council on matters relating to the Florida Seaport~~  
688 ~~Transportation and Economic Development Program and the council.~~  
689 ~~The cost for such administrative services shall be paid by all~~  
690 ~~ports that receive funding from the Florida Seaport~~  
691 ~~Transportation and Economic Development Program, based upon a~~  
692 ~~pro rata formula measured by each recipient's share of the funds~~  
693 ~~as compared to the total funds disbursed to all recipients~~  
694 ~~during the year. The share of costs for administrative services~~  
695 ~~shall be paid in its total amount by the recipient port upon~~  
696 ~~execution by the port and the Department of Transportation of a~~



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697 ~~joint participation agreement for each council-approved project,~~  
698 ~~and such payment is in addition to the matching funds required~~  
699 ~~to be paid by the recipient port.~~ Except as otherwise exempted  
700 by law, all moneys derived from the Florida Seaport  
701 Transportation and Economic Development Program shall be  
702 expended in accordance with the provisions of s. 287.057.  
703 Seaports subject to competitive negotiation requirements of a  
704 local governing body shall abide by the provisions of s.  
705 287.055.

706 Section 5. Subsection (4) is added to section 311.10,  
707 Florida Statutes, to read:

708 311.10 Strategic Port Investment Initiative.—

709 (4) As a condition of receiving a project grant under any  
710 program established in this chapter and as a condition of  
711 receiving state funds as described in s. 215.31, a seaport  
712 located in any county identified in s. 331.304(1) and (5) must  
713 include in any agreement with the Department of Transportation  
714 that the seaport may not convert any planned or existing land,  
715 facility, or infrastructure designated for cargo purposes to any  
716 alternative purpose unless express approval is obtained by the  
717 Secretary of Transportation and the Secretary of Commerce. As  
718 used in this subsection, the term "cargo purposes" includes, but  
719 is not limited to, any facility, activity, property, energy  
720 source, or infrastructure asset that supports spaceport  
721 activities.

722 Section 6. Section 316.0741, Florida Statutes, is repealed.

723 Section 7. Subsection (7) of section 316.0745, Florida  
724 Statutes, is amended to read:

725 316.0745 Uniform signals and devices.—

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726 (7) The Department of Transportation may, upon receipt and  
727 investigation of reported noncompliance and after hearing  
728 pursuant to 14 days' notice, direct the removal of any purported  
729 traffic control device that fails to meet the requirements of  
730 this section, wherever the device is located and without regard  
731 to assigned responsibility under s. 316.1895. The public agency  
732 erecting or installing the same shall immediately bring it into  
733 compliance with the requirements of this section or remove said  
734 device or signal upon the direction of the Department of  
735 Transportation and may not, for a period of 5 years, install any  
736 replacement or new traffic control devices paid for in part or  
737 in full with revenues raised by the state unless written prior  
738 approval is received from the Department of Transportation. Any  
739 additional violation by a public body or official shall be cause  
740 for the withholding of state funds ~~for traffic control purposes~~  
741 until such public body or official demonstrates to the  
742 Department of Transportation that it is complying with this  
743 section.

744 Section 8. Section 330.27, Florida Statutes, is amended to  
745 read:

746 330.27 Definitions, when used in ss. 330.29-330.39.—

747 (1) "Air ambulance operation" means a flight with a patient  
748 or medical personnel on board for the purpose of medical  
749 transportation.

750 (2) "Aircraft" means a powered or unpowered machine or  
751 device capable of atmospheric flight, including, but not limited  
752 to, an airplane, an autogyro, a glider, a gyrodyne, a  
753 helicopter, a lift and cruise, a multicopter, paramotors, a  
754 powered lift, a seaplane, a tiltrotor, an ultralight, and a

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755 vectored thrust. The term does not include ~~except~~ a parachute or  
756 other such device used primarily as safety equipment.

757 (3)~~(2)~~ "Airport" means a specific ~~an~~ area of land or water  
758 or a structure used for, or intended to be used for, aircraft  
759 operations, which may include ~~landing and takeoff of aircraft,~~  
760 ~~including~~ appurtenant areas, buildings, facilities, or rights-  
761 of-way necessary to facilitate such use or intended use. The  
762 term includes, but is not limited to, airparks, airports,  
763 gliderports, heliports, helistops, seaplane bases, ultralight  
764 flightparks, vertiports, and vertistops.

765 (4) "Commercial air tour operation" means a flight  
766 conducted for compensation or hire in an aircraft where a  
767 purpose of the flight is sightseeing.

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

773 (6)~~(3)~~ "Department" means the Department of Transportation.

774 (7)~~(4)~~ "Limited airport" means any airport limited  
775 exclusively to the specific conditions stated on the site  
776 approval order or license.

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

783 (9)~~(5)~~ "Private airport" means an airport, publicly or

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784 privately owned, which is not open or available for use by the  
785 public, but may be made available to others by invitation of the  
786 owner or manager.

787 (10) "Private airport of public interest" means a private  
788 airport engaged in air ambulance operations, commercial air tour  
789 operations, commuter operations, on-demand operations, public  
790 charter operations, scheduled operations, or supplemental  
791 operations.

792 (11)~~(6)~~ "Public airport" means an airport, publicly or  
793 privately owned, which is open for use by the public.

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

797 (13) "Scheduled operation" means any common carriage  
798 passenger-carrying operation for compensation or hire conducted  
799 by an air carrier or commercial operator for which the  
800 certificateholder or its representative offers in advance the  
801 departure location, departure time, and arrival location.

802 (14) "Supplemental operation" means any common carriage  
803 operation for compensation or hire conducted with an aircraft  
804 for which the departure time, departure location, and arrival  
805 location are specifically negotiated with the customer or  
806 customer's representative.

807 (15)~~(7)~~ "Temporary airport" means an airport at which  
808 flight operations are conducted under visual flight rules  
809 established by the Federal Aviation Administration and which is  
810 used for less than 30 consecutive days with no more than 10  
811 operations per day.

812 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~

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813 ~~criteria established by part 103 of the Federal Aviation~~  
814 ~~Regulations.~~

815 Section 9. Subsections (2) and (4) of section 330.30,  
816 Florida Statutes, are amended to read:

817 330.30 Approval of airport sites; registration,  
818 certification, and licensure of airports.—

819 (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;  
820 REQUIREMENTS, RENEWAL, REVOCATION.—

821 (a) Except as provided in subsection (3), the owner or  
822 lessee of an airport in this state shall have a public airport  
823 license, private airport registration, or temporary airport  
824 registration before the operation of aircraft to or from the  
825 airport. Application for a license or registration shall be made  
826 in a form and manner prescribed by the department.

827 1. For a public airport, upon granting site approval, the  
828 department shall issue a license after a final airport  
829 inspection finds the airport to be in compliance with all  
830 requirements for the license. The license may be subject to any  
831 reasonable conditions the department deems necessary to protect  
832 the public health, safety, or welfare.

833 2. For a private airport, upon granting site approval, the  
834 department shall provide controlled electronic access to the  
835 state aviation facility data system to permit the applicant to  
836 complete the registration process. Registration shall be  
837 completed upon self-certification by the registrant of  
838 operational and configuration data deemed necessary by the  
839 department.

840 3. For a temporary airport, the department must publish  
841 notice of receipt of a completed registration application in the

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842 next available publication of the Florida Administrative  
843 Register and may not approve a registration application less  
844 than 14 days after the date of publication of the notice. The  
845 department must approve or deny a registration application  
846 within 30 days after receipt of a completed application and must  
847 issue the temporary airport registration concurrent with the  
848 airport site approval. A completed registration application that  
849 is not approved or denied within 30 days after the department  
850 receives the completed application is considered approved and  
851 shall be issued, subject to such reasonable conditions as are  
852 authorized by law. An applicant seeking to claim registration by  
853 default under this subparagraph must notify the agency clerk of  
854 the department, in writing, of the intent to rely upon the  
855 default registration provision of this subparagraph and may not  
856 take any action based upon the default registration until after  
857 receipt of such notice by the agency clerk.

858 4. A private airport of public interest must obtain a  
859 certificate from the department before allowing aircraft  
860 operations. The department shall issue a certificate after a  
861 final inspection finds the airport to be in compliance with all  
862 certificate requirements. The certificate is subject to any  
863 reasonable conditions the department deems necessary to protect  
864 the public. A private airport that was engaged in operations  
865 associated with a private airport of public interest on or  
866 before July 1, 2025, must obtain a certificate from the  
867 department by July 1, 2030.

868 (b) The department may license a public airport that does  
869 not meet standards only if it determines that such exception is  
870 justified by unusual circumstances or is in the interest of

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871 public convenience and does not endanger the public health,  
872 safety, or welfare. Such a license shall bear the designation  
873 "special" and shall state the conditions subject to which the  
874 license is granted.

875 (c) A temporary airport license or registration shall be  
876 valid for less than 30 days and is not renewable. The department  
877 may not approve a subsequent temporary airport registration  
878 application for the same general location if the purpose or  
879 effect is to evade otherwise applicable airport permitting or  
880 licensure requirements.

881 (d)1. Each public airport license shall expire no later  
882 than 1 year after the effective date of the license, except that  
883 the expiration date of a license may be adjusted to provide a  
884 maximum license period of 18 months to facilitate airport  
885 inspections, recognize seasonal airport operations, or improve  
886 administrative efficiency.

887 2. Registration for private airports shall remain valid  
888 provided specific elements of airport data, established by the  
889 department, are periodically recertified by the airport  
890 registrant. The ability to recertify private airport  
891 registration data shall be available at all times by electronic  
892 submittal. A private airport registration that has not been  
893 recertified in the 24-month period following the last  
894 certification shall expire, unless the registration period has  
895 been adjusted by the department for purposes of informing  
896 private airport owners of their registration responsibilities or  
897 promoting administrative efficiency. The expiration date of the  
898 current registration period will be clearly identifiable from  
899 the state aviation facility data system.

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900           3. The effective date and expiration date shall be shown on  
901 public airport licenses. Upon receiving an application for  
902 renewal of an airport license in a form and manner prescribed by  
903 the department and receiving a favorable inspection report  
904 indicating compliance with all applicable requirements and  
905 conditions, the department shall renew the license, subject to  
906 any conditions deemed necessary to protect the public health,  
907 safety, or welfare.

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

910           5. If the renewal application for a public airport license  
911 has not been received by the department or no private airport  
912 registration recertification has been accomplished within 15  
913 days after the date of expiration, the department may revoke the  
914 airport license or registration.

915           6. After initial registration, the department may issue a  
916 certificate to a private airport of public interest if the  
917 airport is found, after a physical inspection, to be in  
918 compliance with all certificate requirements. The certificate is  
919 subject to any reasonable condition that the department deems  
920 necessary to protect the public health, safety, or welfare. A  
921 private airport of public interest certificate expires 5 years  
922 after the effective date of the certificate.

923           (e) The department may revoke, or refuse to allow or issue,  
924 any airport registration or recertification, or any license or  
925 license renewal, if it determines:

- 926           1. That the site has been abandoned as an airport;  
927           2. That the airport does not comply with the conditions of  
928 the license, license renewal, or site approval;



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929           3. That the airport has become either unsafe or unusable  
930 for flight operation due to physical or legal changes in  
931 conditions that were the subject of approval; or

932           4. That an airport required to file or update a security  
933 plan pursuant to paragraph (f) has failed to do so.

934           (f)1. After initial licensure, a license of a publicly or  
935 privately owned general aviation airport that is open to the  
936 public, that has at least one runway greater than 4,999 feet in  
937 length, and that does not host scheduled passenger-carrying  
938 commercial service operations regulated under 14 C.F.R. part 139  
939 shall not be renewed or reissued unless an approved security  
940 plan has been filed with the department, except when the  
941 department determines that the airport is working in good faith  
942 toward completion and filing of the plan.

943           2. Security plans required by this paragraph must be  
944 developed in accordance with the 2004 Security Planning for  
945 General Aviation Airports guidelines published by the Florida  
946 Airports Council. Certain administrative data from the approved  
947 security plan shall be submitted to the Department of Law  
948 Enforcement, in a format prescribed by the Department of Law  
949 Enforcement, for use in protecting critical infrastructure of  
950 the state.

951           3. The department shall not approve a security plan for  
952 filing unless it is consistent with Florida Airports Council  
953 guidelines.

954           4. An airport required to file a security plan pursuant to  
955 this paragraph shall update its plan at least once every 2 years  
956 after the initial filing date and file the updated plan with the  
957 department. The department shall review the updated plan prior

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958 to approving it for filing to determine whether it is consistent  
 959 with Florida Airports Council guidelines. No renewal license  
 960 shall be issued to the airport unless the department approves  
 961 the updated security plan or determines that the airport is  
 962 working in good faith to update it.

963 (4) EXCEPTIONS.—Private airports with 10 or more based  
 964 aircraft may request to be inspected and licensed by the  
 965 department. Private airports licensed according to this  
 966 subsection shall be considered private airports as defined in s.  
 967 330.27 ~~s. 330.27(5)~~ in all other respects.

968 Section 10. Section 331.371, Florida Statutes, is amended  
 969 to read:

970 331.371 Strategic space infrastructure investment.—

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

975 (a) ~~(1)~~ Important access and on-spaceport-territory space  
 976 transportation capacity improvements are provided;

977 (b) ~~(2)~~ Capital improvements that strategically position the  
 978 state to maximize opportunities in international trade are  
 979 achieved;

980 (c) ~~(3)~~ Goals of an integrated intermodal transportation  
 981 system for the state are achieved; and

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

984 (2) (a) In consultation with the Department of Commerce and  
 985 the Department of Environmental Protection, the Department of  
 986 Transportation may fund wastewater projects, stormwater

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987 projects, water capacity projects, and projects associated with  
988 critical infrastructure facilities as defined in s. 692.201  
989 within or outside of a spaceport territory as long as the  
990 project supports aerospace or launch support facilities within  
991 an adjacent spaceport territory boundary.

992 (b) The Department of Transportation, the Department of  
993 Commerce, and the Department of Environmental Protection shall  
994 coordinate in funding projects under this subsection to optimize  
995 the use of available funds.

996 Section 11. Section 332.003, Florida Statutes, is amended  
997 to read:

998 332.003 Florida Airport Development and Accountability  
999 Assistance Act; short title.—Sections 332.003–332.007 may be  
1000 cited as the “Florida Airport Development and Accountability  
1001 Assistance Act.”

1002 Section 12. Section 332.005, Florida Statutes, is amended  
1003 to read:

1004 332.005 Restrictions on authority of Department of  
1005 Transportation.—

1006 (1) This act specifically prohibits the Department of  
1007 Transportation from regulating commercial air carriers operating  
1008 within the state pursuant to federal authority and regulations;  
1009 from participating in or exercising control in the management  
1010 and operation of a sponsor’s airport, except when officially  
1011 requested by the sponsor; or from expanding the design or  
1012 operational capability of the department in the area of airport  
1013 and aviation consultants’ contract work, other than to provide  
1014 technical assistance as requested.

1015 (2) Notwithstanding subsection (1), upon the declaration of

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1016 a state of emergency issued by the Governor in preparation for  
1017 or in response to a natural disaster, airports shall, at no cost  
1018 to the state, provide the Department of Transportation with the  
1019 opportunity to use any property that is not within the air  
1020 navigation facility as defined in s. 332.01(4) for the staging  
1021 of equipment and personnel to support emergency preparedness and  
1022 response operations.

1023 Section 13. Subsection (7) of section 332.006, Florida  
1024 Statutes, is amended, and subsection (10) is added to that  
1025 section, to read:

1026 332.006 Duties and responsibilities of the Department of  
1027 Transportation.—The Department of Transportation shall, within  
1028 the resources provided pursuant to chapter 216:

1029 (7) Develop, promote, and distribute supporting information  
1030 and educational services, including, but not limited to,  
1031 educational services with a focus on retention and growth of the  
1032 aviation industry workforce.

1033 (10) When deemed appropriate by the department, conduct  
1034 inspections of commercial airport facilities that have received  
1035 state funding, including, but not limited to, the inspection of  
1036 terminal facilities, baggage systems, and fixed guideway  
1037 transportation systems in accordance with s. 341.061. The  
1038 department may enter into agreements with other state regulatory  
1039 agencies, including, but not limited to, the Department of  
1040 Business and Professional Regulation and the Department of  
1041 Health, for the purpose of conducting such inspections.

1042 Section 14. Subsection (5), paragraph (a) of subsection  
1043 (7), and subsections (8) and (9) of section 332.007, Florida  
1044 Statutes, are amended, and paragraph (c) is added to subsection

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1045 (2) of that section, to read:

1046 332.007 Administration and financing of aviation and  
1047 airport programs and projects; state plan.-

1048 (2)

1049 (c) The department shall require each airport sponsor to  
1050 submit an annual comprehensive maintenance program report that  
1051 provides details relating to maintenance and inspections of  
1052 airport infrastructure. The report must include a schedule of  
1053 inspections, locations at which inspections and maintenance are  
1054 performed, a list of required maintenance needs, any remedial  
1055 action required or taken after an inspection, and details of  
1056 follow-up inspections. For purposes of this paragraph, the term  
1057 "maintenance" means any preventive or routine work necessary to  
1058 maintain airport infrastructure in good condition, which is  
1059 essential for the safe operation of airport infrastructure. If  
1060 the comprehensive maintenance program report includes evidence  
1061 of failure to perform routine maintenance, the department may  
1062 withhold state funds intended for use for capital expansion  
1063 projects until the airport sponsor takes corrective action to  
1064 address the failure. Records of materials and equipment used for  
1065 maintenance and repair work must be maintained by the airport  
1066 sponsor as required by the department.

1067 (5) Only those projects or programs provided for in this  
1068 act that will contribute to the implementation of the state  
1069 aviation system plan, that are consistent with the energy policy  
1070 of the state as defined in s. 339.08(6)(a), that are consistent  
1071 with and will contribute to the implementation of any airport  
1072 master plan or layout plan, and that are consistent, to the  
1073 maximum extent feasible, with the approved local government

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1074 comprehensive plans of the units of government in which the  
1075 airport is located are eligible for the expenditure of state  
1076 funds in accordance with fund participation rates and priorities  
1077 established herein.

1078 (7) Subject to the availability of appropriated funds in  
1079 addition to aviation fuel tax revenues, the department may  
1080 participate in the capital cost of eligible public airport and  
1081 aviation discretionary capacity improvement projects. The annual  
1082 legislative budget request shall be based on the funding  
1083 required for discretionary capacity improvement projects in the  
1084 aviation and airport work program.

1085 (a) The department shall provide priority funding in  
1086 support of:

1087 1. Terminal and parking expansion projects that increase  
1088 capacity at airports providing commercial service in counties  
1089 with a population of 500,000 or less.

1090 2. Land acquisition which provides additional capacity at  
1091 the qualifying international airport or at that airport's  
1092 supplemental air carrier airport.

1093 ~~3.2-~~ Runway and taxiway projects that add capacity or are  
1094 necessary to accommodate technological changes in the aviation  
1095 industry.

1096 ~~4.3-~~ Airport access transportation projects that improve  
1097 direct airport access and are approved by the airport sponsor.

1098 ~~5.4-~~ International terminal projects that increase  
1099 international gate capacity.

1100 6. Projects that improve safety and efficiency of airport  
1101 operations.

1102 7. Emerging technology projects, workforce development

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1103 projects, and projects that benefit the strategic intermodal  
1104 system through intermodal connectivity.

1105 (8) The department may also fund eligible projects  
1106 performed by not-for-profit organizations and postsecondary  
1107 education institutions as defined in s. 1008.47 which support  
1108 the training of pilots, air traffic control personnel, or  
1109 aircraft maintenance technical personnel ~~that represent a~~  
1110 ~~majority of public airports in this state.~~ Eligible projects may  
1111 include activities associated with aviation master planning,  
1112 professional education, safety and security planning, enhancing  
1113 economic development and efficiency at airports in this state,  
1114 or other planning efforts to improve the viability and safety of  
1115 airports in this state. Programs that support the transition of  
1116 honorably discharged military personnel to the aviation industry  
1117 are also eligible projects under this subsection. The department  
1118 may provide matching funds for eligible projects funded by the  
1119 Department of Commerce.

1120 (9) The department may fund strategic airport investment  
1121 projects at up to 100 percent of the project's cost if:

1122 (a) Important access and on-airport capacity improvements  
1123 are provided;

1124 (b) Capital improvements that strategically position the  
1125 state to maximize opportunities in tourism, international trade,  
1126 logistics, and the aviation industry are provided;

1127 (c) Goals of an integrated intermodal transportation system  
1128 for the state are achieved; and

1129 (d) Feasibility and availability of matching funds through  
1130 federal, local, or private partners are demonstrated.

1131 Section 15. Paragraphs (a), (b), and (d) of subsection (1),

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1132 subsection (2), and paragraph (a) of subsection (5) of section  
1133 332.0075, Florida Statutes, are amended, and paragraph (c) is  
1134 added to subsection (5) of that section, to read:

1135 332.0075 Commercial service airports; transparency and  
1136 accountability; penalty.—

1137 (1) As used in this section, the term:

1138 (a) "Commercial service airport" means an airport providing  
1139 commercial service, including large, medium, small, and nonhub  
1140 airports as classified ~~a primary airport as defined in 49 U.S.C.~~  
1141 ~~s. 47102 which is classified as a large, medium, or small hub~~  
1142 ~~airport~~ by the Federal Aviation Administration.

1143 (b) "Consent agenda" means an agenda which consists of  
1144 items voted on collectively or as a group and which does not  
1145 provide the opportunity for public comment on each such item  
1146 before approval or disapproval by the governing body.

1147 (d) "Governing body" means the governing body of the  
1148 county, municipality, or special district that operates a  
1149 commercial service airport. The term also includes an appointed  
1150 board or oversight entity serving as the governing body for  
1151 purposes of a commercial service airport on behalf of a county,  
1152 municipality, or special district.

1153 (2) Each governing body shall establish and maintain a  
1154 website to post information relating to the operation of a  
1155 commercial service airport. The information must remain posted  
1156 on the website for 5 years or for the entirety of the period  
1157 during which the document is actively in use, whichever is  
1158 longer, and must include all of the following, including:

1159 (a) All published notices of meetings and published meeting  
1160 agendas of the governing body.



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1161 (b) The official minutes of each meeting of the governing  
1162 body, which must ~~shall~~ be posted within 7 business days after  
1163 the date of the meeting in which the minutes were approved.

1164 (c) The approved budget for the commercial service airport  
1165 for the current fiscal year, which shall be posted within 7  
1166 business days after the date of adoption. Budgets must remain on  
1167 the website for 5 ~~2~~ years after the conclusion of the fiscal  
1168 year for which they were adopted.

1169 (d) Copies of the current airport master plan and the  
1170 immediately preceding airport master plan for the commercial  
1171 service airport and a link to the current airport master plan  
1172 ~~for the commercial service airport~~ on the commercial service  
1173 airport's website.

1174 (e) A link to all financial and statistical reports for the  
1175 commercial service airport on the Federal Aviation  
1176 Administration's website.

1177 (f) Any contract or contract amendment for the purchase of  
1178 commodities or contractual services executed by or on behalf of  
1179 the commercial service airport in excess of the threshold amount  
1180 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be  
1181 posted no later than 7 business days after the commercial  
1182 service airport executes the contract or contract amendment.  
1183 However, a contract or contract amendment may not reveal  
1184 information made confidential or exempt by law. Each commercial  
1185 service airport must redact confidential or exempt information  
1186 from each contract or contract amendment before posting a copy  
1187 on its website.

1188 (g) Position and rate information for each employee of the  
1189 commercial service airport, including, at a minimum, the

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1190 employee's position title, position description, and annual or  
1191 hourly salary. This information must ~~shall~~ be updated quarterly  
1192 annually.

1193 (5) (a) Each November 1, the governing body of each  
1194 commercial service airport shall submit the following  
1195 information to the department:

- 1196 1. Its approved budget for the current fiscal year.
- 1197 2. Any financial reports submitted to the Federal Aviation  
1198 Administration during the previous calendar year.
- 1199 3. A link to its website.
- 1200 4. A statement, verified as provided in s. 92.525, that it  
1201 has complied with part III of chapter 112, chapter 287, and this  
1202 section.

- 1203 5. The most recent copies of its strategic plans.
- 1204 6. Contracts related to any financial awards received  
1205 through federally funded grant programs for the preceding year.

1206 (c) A commercial service airport shall:

- 1207 1. Notify the department within 48 hours after receiving a  
1208 communication or directive from a federal agency relating to  
1209 public health testing or the transfer of unauthorized aliens  
1210 into this state.

- 1211 2. Notify the department as soon as is reasonably possible,  
1212 but no later than 48 hours, after the discovery of an incident  
1213 or issue of statewide concern, including, but not limited to, an  
1214 incident or issue that puts the safety of the traveling public  
1215 at risk, a potential cybersecurity risk or breach, or as defined  
1216 by the department.

1217 Section 16. Section 332.15, Florida Statutes, is created to  
1218 read:

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1219 332.15 Advanced air mobility.—The Department of  
1220 Transportation shall, within the resources provided pursuant to  
1221 chapter 216:

1222 (1) Address the need for vertiports, advanced air mobility,  
1223 and other advances in aviation technology in the statewide  
1224 aviation system plan required under s. 332.006(1) and, as  
1225 appropriate, in the department's work program.

1226 (2) Designate a subject matter expert on advanced air  
1227 mobility within the department to serve as a resource for local  
1228 jurisdictions navigating advances in aviation technology.

1229 (3) Conduct a review of airport hazard zone regulations.

1230 (4) In coordination with the Department of Commerce,  
1231 provide coordination and assistance for the development of a  
1232 viable advanced air mobility system plan in this state. The  
1233 department shall incorporate the plan into the statewide  
1234 aviation system plan required under s. 332.006(1) to identify  
1235 and develop statewide corridors of need and opportunities for  
1236 industry growth.

1237 Section 17. Subsections (5) and (26) of section 334.044,  
1238 Florida Statutes, are amended, and subsections (37), (38), and  
1239 (39) are added to that section, to read:

1240 334.044 Powers and duties of the department.—The department  
1241 shall have the following general powers and duties:

1242 (5) To purchase, lease, or otherwise acquire property and  
1243 materials, including the purchase of promotional items as part  
1244 of public information and education campaigns for the promotion  
1245 of environmental management, scenic highways, traffic and train  
1246 safety awareness, ~~alternatives to single-occupant vehicle~~  
1247 ~~travel~~, commercial motor vehicle safety, workforce development,

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1248 electric vehicle use and charging stations, autonomous vehicles,  
1249 and context classification ~~design~~ for electric vehicles and  
1250 autonomous vehicles; to purchase, lease, or otherwise acquire  
1251 equipment and supplies; and to sell, exchange, or otherwise  
1252 dispose of any property that is no longer needed by the  
1253 department.

1254 (26) To provide for the enhancement of environmental  
1255 benefits, including air and water quality; to prevent roadside  
1256 erosion; to conserve the natural roadside growth and scenery;  
1257 and to provide for the implementation and maintenance of  
1258 roadside conservation, enhancement, and stabilization programs.

1259 (a) On an annual basis, an amount equal to at least 1.5  
1260 percent of the total amount contracted for construction projects  
1261 shall be allocated by the department on a statewide basis for  
1262 the purchase of plant materials, which may also be used in  
1263 maintenance projects to enhance State Highway System rights-of-  
1264 way and arterial facilities. Such funds must be allocated on a  
1265 statewide basis. ~~Department districts may not expend funds for~~  
1266 ~~landscaping in connection with any project that is limited to~~  
1267 ~~resurfacing existing lanes unless the expenditure has been~~  
1268 ~~approved by the department's secretary or the secretary's~~  
1269 ~~designee.~~

1270 (b) To the greatest extent practical, at least 50 percent  
1271 of the funds allocated under paragraph (a) ~~this subsection~~ shall  
1272 be allocated for large plant materials and the remaining funds  
1273 for other plant materials.

1274 (c) Except as prohibited by applicable federal law or  
1275 regulation, all plant materials shall be purchased from Florida  
1276 commercial nursery stock in this state on a uniform competitive

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1277 bid basis. The department shall develop grades and standards for  
1278 landscaping materials purchased through this process, which must  
1279 include standards for landscaping materials native to specific  
1280 regions of this state which are reflective of this state's  
1281 heritage and natural landscapes. ~~To accomplish these activities,~~  
1282 ~~the department may contract with nonprofit organizations having~~  
1283 ~~the primary purpose of developing youth employment~~  
1284 ~~opportunities.~~

1285 (d) To increase cost predictability and programming needs,  
1286 for a project with a total contracted construction cost greater  
1287 than \$500 million, 0.5 percent of the total construction cost  
1288 shall be expended on the purchase of plant materials under  
1289 paragraph (a) in the fiscal year in which construction begins  
1290 and the remaining 1 percent may be expended incrementally over  
1291 the next 5 fiscal years.

1292 (e) Projects authorized in s. 215 of chapter 2023-239, Laws  
1293 of Florida, and in budget amendment EOG #2024-B0112 and  
1294 subsequently adopted into the department's 5-year work program  
1295 are exempt from this subsection. This paragraph expires upon the  
1296 completion of the authorized projects.

1297 (37) Notwithstanding s. 287.022 or s. 287.025, to directly  
1298 enter into insurance contracts with local, national, or  
1299 international insurance companies for the purchase of insurance  
1300 coverage that the department is contractually and legally  
1301 required to provide.

1302 (38) Notwithstanding s. 287.14, to purchase or acquire  
1303 heavy equipment and motor vehicles for roadway operations and  
1304 emergency response purposes regardless of whether the department  
1305 exchanges or ceases to operate any department-owned heavy

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1306 equipment or motor vehicles.

1307 (39) To adopt rules for the purpose of compliance with 49  
 1308 C.F.R. part 26 and any other applicable federal law.

1309 Section 18. Subsection (1) of section 334.045, Florida  
 1310 Statutes, is amended to read:

1311 334.045 Transportation performance and productivity  
 1312 standards; development; measurement; application.—

1313 (1) The Florida Transportation Commission shall develop and  
 1314 adopt measures for evaluating the performance and productivity  
 1315 of the department. The measures may be both quantitative and  
 1316 qualitative and must, to the maximum extent practical, assess  
 1317 those factors that are within the department's control. The  
 1318 measures must, at a minimum, assess performance in the following  
 1319 areas:

1320 (a) Production;

1321 (b) Finance and administration;

1322 (c) Preservation of the current state system;

1323 (d) Safety of the current state system;

1324 (e) Capacity improvements: highways and all public  
 1325 transportation modes; and

1326 (f) The business development program established under s.  
 1327 337.027 ~~Disadvantaged business enterprise and minority business~~  
 1328 programs.

1329 Section 19. Section 334.62, Florida Statutes, is created to  
 1330 read:

1331 334.62 Florida Transportation Academy.—The Legislature  
 1332 finds that the growth and sustainability of the transportation  
 1333 industry workforce is vital to the continued success and  
 1334 efficiency of the state's supply chain and economic

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1335 competitiveness. In order to prioritize the continued need for  
1336 transportation industry workforce development programs, the  
1337 Florida Transportation Academy is established within the  
1338 department. In order to support, promote, and sustain workforce  
1339 development efforts in the transportation sector, the department  
1340 may do all of the following:

1341 (1) Coordinate with the Department of Corrections to  
1342 identify and create certification and training opportunities for  
1343 nonviolent, scheduled-release inmates and create a notification  
1344 process between the Department of Corrections and the department  
1345 for nonviolent inmates with imminent scheduled-release dates who  
1346 are expected to seek employment upon release.

1347 (2) Coordinate with the Department of Juvenile Justice and  
1348 its educational partners to create certification and training  
1349 opportunities for eligible youth.

1350 (3) Coordinate with veterans' organizations to encourage  
1351 veterans with honorable military discharge to pursue employment  
1352 opportunities within the transportation industry, including, but  
1353 not limited to, employment as pilots, mechanics, and air traffic  
1354 controllers.

1355 (4) Coordinate with the Department of Commerce,  
1356 CareerSource Florida, Inc., and regional business organizations,  
1357 within and outside of the transportation industry, to further  
1358 understand recruitment and retention needs and job-seeker  
1359 pipelines.

1360 (5) Coordinate with the American Council of Engineering  
1361 Companies and the Florida Transportation Builders Association to  
1362 optimize workforce recruitment and retention and assess future  
1363 needs across the transportation industry in this state.

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1364 Section 20. Present paragraph (b) of subsection (3) of  
 1365 section 335.182, Florida Statutes, is redesignated as paragraph  
 1366 (c) and amended, and a new paragraph (b) is added to that  
 1367 subsection, to read:

1368 335.182 Regulation of connections to roads on State Highway  
 1369 System; definitions.—

1370 (3) As used in this act, the term:

1371 (b) "Modification of an existing connection" means the  
 1372 relocation, alteration, or closure of the connection.

1373 (c) ~~(b)~~ "Significant change" means:

1374 1. A change in the use of the property, including the  
 1375 development of land, structures, or facilities;~~7~~ or

1376 2. An expansion of the size of the property, structures, or  
 1377 facilities causing an increase in the trip generation of the  
 1378 property exceeding 25 percent more trip generation, ~~(either peak~~  
 1379 hour or daily),~~+~~ and exceeding 100 vehicles per day more than the  
 1380 existing use.

1381 Section 21. Subsections (3) and (4) of section 335.187,  
 1382 Florida Statutes, are amended to read:

1383 335.187 Unpermitted connections; existing access permits;  
 1384 nonconforming permits; modification and revocation of permits.—

1385 (3) The department may issue a nonconforming access permit  
 1386 if denying ~~after finding that to deny~~ an access permit would  
 1387 leave the property without a reasonable means of access to the  
 1388 State Highway System. The department may specify limits on the  
 1389 maximum vehicular use of the connection and may condition ~~be~~  
 1390 ~~conditioned on~~ the availability of future alternative means of  
 1391 access for which access permits can be obtained.

1392 (4) After written notice and the opportunity for a hearing,



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1393 as provided for in s. 120.60, the department may modify or  
 1394 revoke an access permit issued after July 1, 1988, by requiring  
 1395 modification ~~Relocation, alteration, or closure~~ of an existing  
 1396 connection if:

1397 (a) A significant change occurs in the use, design, or  
 1398 traffic flow of the connection; or

1399 (b) It would jeopardize the safety of the public or have a  
 1400 negative impact upon the operational characteristics of the  
 1401 highway.

1402 Section 22. Subsection (2) of section 337.027, Florida  
 1403 Statutes, is amended to read:

1404 337.027 Authority to implement a business development  
 1405 program.—

1406 (2) For purposes of this section, the term "small business"  
 1407 means a business with yearly average gross receipts of less than  
 1408 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10  
 1409 ~~\$6.5~~ million for professional and nonprofessional services  
 1410 contracts. A business' average gross receipts is determined by  
 1411 averaging its annual gross receipts over the last 3 years,  
 1412 including the receipts of any affiliate as defined in s.  
 1413 337.165.

1414 Section 23. Subsection (6) of section 337.11, Florida  
 1415 Statutes, is amended to read:

1416 337.11 Contracting authority of department; bids; emergency  
 1417 repairs, supplemental agreements, and change orders; combined  
 1418 design and construction contracts; progress payments; records;  
 1419 requirements of vehicle registration.—

1420 (6) (a) If the secretary determines that an emergency in  
 1421 regard to the restoration or repair of any state transportation

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1422 facility exists such that the delay incident to giving  
1423 opportunity for competitive bidding would be detrimental to the  
1424 interests of the state, the provisions for competitive bidding  
1425 do not apply; and the department may enter into contracts for  
1426 restoration or repair without giving opportunity for competitive  
1427 bidding on such contracts. Within 30 days after such  
1428 determination and contract execution, the head of the department  
1429 shall file with the Executive Office of the Governor a written  
1430 statement of the conditions and circumstances constituting such  
1431 emergency.

1432 (b) If the secretary determines that delays on a contract  
1433 for maintenance exist due to administrative challenges, bid  
1434 protests, defaults or terminations and the further delay would  
1435 reduce safety on the transportation facility or seriously hinder  
1436 the department's ability to preserve the state's investment in  
1437 that facility, competitive bidding provisions may be waived and  
1438 the department may enter into a contract for maintenance on the  
1439 facility. However, contracts for maintenance executed under the  
1440 provisions of this paragraph shall be interim in nature and  
1441 shall be limited in duration to a period of time not to exceed  
1442 the length of the delay necessary to complete the competitive  
1443 bidding process and have the contract in place.

1444 (c) When the department determines that it is in the best  
1445 interest of the public for reasons of public concern, economy,  
1446 improved operations, or safety, and only when circumstances  
1447 dictate rapid completion of the work, the department may, up to  
1448 the amount of \$500,000, enter into contracts for construction  
1449 and maintenance without advertising and receiving competitive  
1450 bids. The department may enter into such contracts only upon a

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1451 determination that the work is necessary for one of the  
1452 following reasons:

1453 1. To ensure timely completion of projects or avoidance of  
1454 undue delay for other projects;

1455 2. To accomplish minor repairs or construction and  
1456 maintenance activities for which time is of the essence and for  
1457 which significant cost savings would occur; or

1458 3. To accomplish nonemergency work necessary to ensure  
1459 avoidance of adverse conditions that affect the safe and  
1460 efficient flow of traffic.

1461  
1462 The department shall make a good faith effort to obtain two or  
1463 more quotes, if available, from qualified contractors before  
1464 entering into any contract. The department shall give  
1465 consideration to small ~~disadvantaged~~ business ~~enterprise~~  
1466 participation. However, when the work exists within the limits  
1467 of an existing contract, the department shall make a good faith  
1468 effort to negotiate and enter into a contract with the prime  
1469 contractor on the existing contract.

1470 Section 24. Section 337.125, Florida Statutes, is repealed.

1471 Section 25. Section 337.135, Florida Statutes, is repealed.

1472 Section 26. Section 337.139, Florida Statutes, is repealed.

1473 Section 27. Paragraph (a) of subsection (1) of section  
1474 337.18, Florida Statutes, is amended to read:

1475 337.18 Surety bonds for construction or maintenance  
1476 contracts; requirement with respect to contract award; bond  
1477 requirements; defaults; damage assessments.-

1478 (1) (a) A surety bond shall be required of the successful  
1479 bidder in an amount equal to the awarded contract price.

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1480 However, the department may choose, in its discretion and  
1481 applicable only to multiyear maintenance contracts, to allow for  
1482 incremental annual contract bonds that cumulatively total the  
1483 full, awarded, multiyear contract price; ~~The department may~~  
1484 ~~also choose,~~ in its discretion and applicable only to phased  
1485 design-build contracts under s. 337.11(7)(b), to allow the  
1486 issuance of multiple contract performance and payment bonds in  
1487 succession to align with each phase of the contract to meet the  
1488 bonding requirement in this subsection; and, at the discretion  
1489 of the Secretary of Transportation and notwithstanding any  
1490 bonding requirement under s. 337.18, to require a surety bond in  
1491 an amount that is less than the awarded contract price.

1492 1. The department may waive the requirement for all or a  
1493 portion of a surety bond if:

1494 a. The contract price is \$250,000 or less and the  
1495 department determines that the project is of a noncritical  
1496 nature and that nonperformance will not endanger public health,  
1497 safety, or property;

1498 b. The prime contractor is a qualified nonprofit agency for  
1499 the blind or for the other severely handicapped under s.  
1500 413.036(2); or

1501 c. The prime contractor is using a subcontractor that is a  
1502 qualified nonprofit agency for the blind or for the other  
1503 severely handicapped under s. 413.036(2). However, the  
1504 department may not waive more than the amount of the  
1505 subcontract.

1506 2. If the department determines that it is in the best  
1507 interests of the department to reduce the bonding requirement  
1508 for a project and that to do so will not endanger public health,

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1509 safety, or property, the department may waive the requirement of  
1510 a surety bond in an amount equal to the awarded contract price  
1511 for a project having a contract price of \$250 million or more  
1512 and, in its place, may set a surety bond amount that is a  
1513 portion of the total contract price and provide an alternate  
1514 means of security for the balance of the contract amount that is  
1515 not covered by the surety bond or provide for incremental surety  
1516 bonding and provide an alternate means of security for the  
1517 balance of the contract amount that is not covered by the surety  
1518 bond. Such alternative means of security may include letters of  
1519 credit, United States bonds and notes, parent company  
1520 guarantees, and cash collateral. The department may require  
1521 alternate means of security if a surety bond is waived. The  
1522 surety on such bond shall be a surety company authorized to do  
1523 business in the state. All bonds shall be payable to the  
1524 department and conditioned for the prompt, faithful, and  
1525 efficient performance of the contract according to plans and  
1526 specifications and within the time period specified, and for the  
1527 prompt payment of all persons defined in s. 713.01 furnishing  
1528 labor, material, equipment, and supplies for work provided in  
1529 the contract; however, whenever an improvement, demolition, or  
1530 removal contract price is \$25,000 or less, the security may, in  
1531 the discretion of the bidder, be in the form of a cashier's  
1532 check, bank money order of any state or national bank, certified  
1533 check, or postal money order. The department shall adopt rules  
1534 to implement this subsection. Such rules shall include  
1535 provisions under which the department shall refuse to accept  
1536 bonds on contracts when a surety wrongfully fails or refuses to  
1537 settle or provide a defense for claims or actions arising under

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1538 a contract for which the surety previously furnished a bond.

1539 Section 28. Subsection (3) of section 337.251, Florida  
1540 Statutes, is amended to read:

1541 337.251 Lease of property for joint public-private  
1542 development and areas above or below department property.-

1543 (3) A proposal must be selected by the department based on  
1544 competitive bidding, except that the department may consider  
1545 other relevant factors specified in the request for proposals.  
1546 The department may consider such factors as the value of  
1547 property exchanges, the cost of construction, and other  
1548 recurring costs for the benefit of the department by the lessee  
1549 in lieu of direct revenue to the department if such other  
1550 factors are of equal value including innovative proposals to  
1551 involve small ~~minority~~ businesses. The department may name a  
1552 board of advisers which may be composed of accountants, real  
1553 estate appraisers, design engineers, or other experts  
1554 experienced in the type of development proposed. The board of  
1555 advisers shall review the feasibility of the proposals,  
1556 recommend acceptance or rejection of each proposal, and rank  
1557 each feasible proposal in the order of technical feasibility and  
1558 benefit provided to the department. The board of advisers shall  
1559 be reasonably compensated for the services provided and all  
1560 department costs for evaluating the proposals shall be  
1561 reimbursed from a proposal application fee to be set by the  
1562 department and paid by the applicants. The board of advisers  
1563 shall not be subject to selection under the provisions of  
1564 chapter 287.

1565 Section 29. Subsection (4) of section 337.406, Florida  
1566 Statutes, is amended to read:

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1567 337.406 Unlawful use of state transportation facility  
1568 right-of-way; penalties.—

1569 (4) (a) Camping is prohibited on any portion of the right-  
1570 of-way of the State Highway System ~~that is within 100 feet of a~~  
1571 ~~bridge, causeway, overpass, or ramp.~~

1572 (b) This subsection does not apply to a person who has  
1573 acquired the appropriate permits and is actively navigating the  
1574 federally designated Florida National Scenic Trail recognized by  
1575 the state in s. 260.012(6).

1576 Section 30. Subsection (4) of section 338.227, Florida  
1577 Statutes, is amended to read:

1578 338.227 Turnpike revenue bonds.—

1579 (4) The Department of Transportation and the Department of  
1580 Management Services shall create and implement an outreach  
1581 program designed to enhance the participation of small minority  
1582 ~~persons and minority~~ business enterprises in all contracts  
1583 entered into by their respective departments for services  
1584 related to the financing of department projects for the  
1585 Strategic Intermodal System Plan developed pursuant to s.  
1586 339.64. These services ~~shall~~ include, but are not limited to,  
1587 bond counsel and bond underwriters.

1588 Section 31. Subsection (6) is added to section 339.08,  
1589 Florida Statutes, to read:

1590 339.08 Use of moneys in State Transportation Trust Fund.—

1591 (6) (a) As used in this subsection, the term "energy policy  
1592 of the state" means the energy policy described in s. 377.601  
1593 and includes any intended or actual measure, obligation, target,  
1594 or timeframe related to a reduction in carbon dioxide emissions.

1595 (b) The department may not expend any state funds as

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1596 described in s. 215.31 to support a project or program of any of  
1597 the following entities if such entities adopt or promote energy  
1598 policy goals inconsistent with the energy policy of the state:

1599 1. A public transit provider as defined in s. 341.031(1).

1600 2. An authority created pursuant to chapter 343, chapter  
1601 348, or chapter 349.

1602 3. A public-use airport as defined in s. 332.004.

1603 4. A port listed in s. 311.09(1).

1604 Section 32. Section 339.0805, Florida Statutes, is  
1605 repealed.

1606 Section 33. Paragraph (c) of subsection (6) and paragraph  
1607 (h) of subsection (7) of section 339.135, Florida Statutes, are  
1608 amended to read:

1609 339.135 Work program; legislative budget request;  
1610 definitions; preparation, adoption, execution, and amendment.—

1611 (6) EXECUTION OF THE BUDGET.—

1612 (c) Notwithstanding ~~the provisions of~~ ss. 216.301(2) and  
1613 216.351, any unexpended balance remaining at the end of the  
1614 fiscal year in the appropriations to the department for special  
1615 categories; aid to local governments; lump sums for project  
1616 phases which are part of the adopted work program, and for which  
1617 contracts have been executed or bids have been let; and for  
1618 right-of-way land acquisition and relocation assistance for  
1619 parcels from project phases in the adopted work program for  
1620 which appraisals have been completed and approved, may be  
1621 certified forward as fixed capital outlay at the end of each  
1622 fiscal year, to be certified by the head of the state agency on  
1623 or before August 1 of each year to the Executive Office of the  
1624 Governor, showing in detail the commitment or to whom obligated



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1625 and the amount of such commitment or obligation. On or before  
1626 September 1 of each year, the Executive Office of the Governor  
1627 shall review and approve or disapprove, consistent with  
1628 legislative policy and intent, any ~~or all~~ of the items and  
1629 amounts certified by the head of the state agency and shall  
1630 furnish the Chief Financial Officer, the legislative  
1631 appropriations committees, and the Auditor General a detailed  
1632 listing of the items and amounts approved as legal encumbrances  
1633 against the undisbursed balances of such appropriations. In the  
1634 event such certification is not made and the balance of the  
1635 appropriation has reverted and the obligation is proven to be  
1636 legal, due, and unpaid, then the same must ~~shall~~ be presented to  
1637 the Legislature for its consideration. Such certification as  
1638 herein required must ~~shall~~ be in the form and on the date  
1639 approved by the Executive Office of the Governor. Any project  
1640 phases in the adopted work program not certified forward are  
1641 ~~shall be~~ available for roll forward for the next fiscal year of  
1642 the adopted work program. Spending authority associated with  
1643 such project phases may be rolled forward to the next fiscal  
1644 year upon approval by the procedures set forth in s. 216.177.  
1645 Upon approval, the Executive Office of the Governor shall modify  
1646 the original approved operating budget for fixed capital outlay  
1647 expenditures ~~Legislative Budget Commission~~. Increases in  
1648 spending authority are ~~shall be~~ limited to amounts of unexpended  
1649 balances by appropriation category. Any project phase certified  
1650 forward for which bids have been let but subsequently rejected  
1651 is ~~shall be~~ available for roll forward in the adopted work  
1652 program for the next fiscal year. Spending authority associated  
1653 with such project phases may be rolled forward into the current

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1654 year from funds certified forward. The amount certified forward  
1655 may include contingency allowances for right-of-way acquisition  
1656 and relocation, asphalt and petroleum product escalation  
1657 clauses, and contract overages, which allowances must ~~shall~~ be  
1658 separately identified in the certification detail. Right-of-way  
1659 acquisition and relocation and contract overages contingency  
1660 allowances must ~~shall~~ be based on documented historical  
1661 patterns. These contingency amounts must ~~shall~~ be incorporated  
1662 in the certification for each specific category, but when a  
1663 category has an excess and another category has a deficiency,  
1664 the Executive Office of the Governor is authorized to transfer  
1665 the excess to the deficient account.

1666 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1667 (h)1. Any work program amendment that also adds a new  
1668 project, or phase thereof, to the adopted work program in excess  
1669 of \$3 million is subject to approval by the Legislative Budget  
1670 Commission. Any work program amendment submitted under this  
1671 paragraph must include, as supplemental information, a list of  
1672 projects, or phases thereof, in the current 5-year adopted work  
1673 program which are eligible for the funds within the  
1674 appropriation category being used for the proposed amendment.  
1675 The department shall provide a narrative with the rationale for  
1676 not advancing an existing project, or phase thereof, in lieu of  
1677 the proposed amendment.

1678 2. If the department submits an amendment to the  
1679 Legislative Budget Commission and the commission does not meet  
1680 or consider the amendment within 30 days after its submittal,  
1681 the chair and vice chair of the commission may authorize the  
1682 amendment to be approved pursuant to s. 216.177. ~~This~~

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1683 ~~subparagraph expires July 1, 2025.~~

1684 Section 34. Subsection (3) of section 339.2816, Florida  
1685 Statutes, is amended to read:

1686 339.2816 Small County Road Assistance Program.—

1687 (3) Beginning with fiscal year 2025-2026, up to \$50 ~~1999-~~  
1688 ~~2000 until fiscal year 2009-2010, and beginning again with~~  
1689 ~~fiscal year 2012-2013, up to \$25 million~~ annually from the State  
1690 Transportation Trust Fund may be used for the purposes of  
1691 funding the Small County Road Assistance Program as described in  
1692 this section.

1693 Section 35. Subsections (2), (7), and (8) of section  
1694 339.2818, Florida Statutes, are amended to read:

1695 339.2818 Small County Outreach Program.—

1696 (2) For the purposes of this section, the term "small  
1697 county" means any county that has a population of 200,000 or  
1698 less as determined by the most recent official estimate pursuant  
1699 to s. 186.901. The term also includes:

1700 (a) A municipality within a rural area of opportunity or a  
1701 rural area of opportunity community designated under s.  
1702 288.0656(7)(a), which may compete for funding using the criteria  
1703 listed in paragraph (4)(c) at up to 100 percent of project  
1704 costs, excluding capacity improvement projects; and

1705 (b) A local government either wholly or partially within  
1706 the Everglades Agricultural Area as defined in s. 373.4592(15),  
1707 the Peace River Basin, or the Suwannee River Basin, which may  
1708 compete for funding using the criteria listed in paragraph  
1709 (4)(c) at up to 100 percent of project costs on state or county  
1710 roads used primarily as farm-to-market connections between rural  
1711 agricultural areas and market distribution centers, excluding

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1712 capacity improvement projects.

1713 (7) Beginning with the 2025-2026 fiscal year, at least \$50  
1714 million annually from the State Transportation Trust Fund may be  
1715 used for the purposes of funding the Small County Outreach  
1716 Program ~~Subject to a specific appropriation in addition to funds~~  
1717 ~~annually appropriated for projects under this section, a~~  
1718 ~~municipality within a rural area of opportunity or a rural area~~  
1719 ~~of opportunity community designated under s. 288.0656(7)(a) may~~  
1720 ~~compete for the additional project funding using the criteria~~  
1721 ~~listed in subsection (4) at up to 100 percent of project costs,~~  
1722 ~~excluding capacity improvement projects.~~

1723 ~~(8) Subject to a specific appropriation in addition to~~  
1724 ~~funds appropriated for projects under this section, a local~~  
1725 ~~government either wholly or partially within the Everglades~~  
1726 ~~Agricultural Area as defined in s. 373.4592(15), the Peace River~~  
1727 ~~Basin, or the Suwannee River Basin may compete for additional~~  
1728 ~~funding using the criteria listed in paragraph (4)(c) at up to~~  
1729 ~~100 percent of project costs on state or county roads used~~  
1730 ~~primarily as farm-to-market connections between rural~~  
1731 ~~agricultural areas and market distribution centers, excluding~~  
1732 ~~capacity improvement projects.~~

1733 Section 36. Paragraph (b) of subsection (3) and paragraph  
1734 (c) of subsection (4) of section 339.2821, Florida Statutes, are  
1735 amended to read:

1736 339.2821 Economic development transportation projects.—

1737 (3)

1738 (b) The department must ensure that it is supportive of  
1739 small businesses as defined in s. 337.027(2) ~~small and minority~~  
1740 ~~businesses have equal access to participate in transportation~~

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1741 ~~projects funded pursuant to this section.~~

1742 (4) A contract between the department and a governmental  
1743 body for a transportation project must:

1744 (c) Require that the governmental body provide the  
1745 department with progress reports. Each progress report must  
1746 contain:

1747 1. A narrative description of the work completed and  
1748 whether the work is proceeding according to the transportation  
1749 project schedule;

1750 2. A description of each change order executed by the  
1751 governmental body;

1752 3. A budget summary detailing planned expenditures compared  
1753 to actual expenditures; and

1754 4. The identity of each small ~~or minority~~ business used as  
1755 a contractor or subcontractor.

1756 Section 37. Section 339.287, Florida Statutes, is repealed.

1757 Section 38. Paragraph (c) of subsection (2) of section  
1758 339.55, Florida Statutes, is amended to read:

1759 339.55 State-funded infrastructure bank.—

1760 (2) The bank may lend capital costs or provide credit  
1761 enhancements for:

1762 (c)1. Emergency loans for damages incurred to public-use  
1763 commercial deepwater seaports, public-use airports, and other  
1764 public-use transit and intermodal facilities that are within an  
1765 area that is part of an official state declaration of emergency  
1766 pursuant to chapter 252 and all other applicable laws. Such  
1767 loans:

1768 a. May not exceed 24 months in duration except in extreme  
1769 circumstances, for which the Secretary of Transportation may

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1770 grant up to 36 months upon making written findings specifying  
1771 the conditions requiring a 36-month term.

1772 b. Require application from the recipient to the department  
1773 that includes documentation of damage claims filed with the  
1774 Federal Emergency Management Agency or an applicable insurance  
1775 carrier and documentation of the recipient's overall financial  
1776 condition.

1777 c. Are subject to approval by the Secretary of  
1778 Transportation ~~and the Legislative Budget Commission.~~

1779 2. Loans provided under this paragraph must be repaid upon  
1780 receipt by the recipient of eligible program funding for damages  
1781 in accordance with the claims filed with the Federal Emergency  
1782 Management Agency or an applicable insurance carrier, but no  
1783 later than the duration of the loan.

1784 Section 39. Subsections (3) and (7) of section 339.651,  
1785 Florida Statutes, are amended to read:

1786 339.651 Strategic Intermodal System supply chain demands.—

1787 (3) The department may ~~shall~~ make up to \$20 million  
1788 available each year ~~for fiscal years 2023-2024 through 2027-~~  
1789 ~~2028,~~ from existing work program revenues, to fund projects that  
1790 meet the public purpose of providing increased capacity and  
1791 enhanced capabilities to move and store construction aggregate  
1792 and transportation infrastructure-related materials. Applicants  
1793 eligible for project funding under this section are seaports  
1794 listed in s. 311.09 and rail lines and rail facilities.

1795 ~~(7) This section shall stand repealed on July 1, 2028.~~

1796 Section 40. Paragraph (b) of subsection (6) of section  
1797 341.051, Florida Statutes, is amended to read:

1798 341.051 Administration and financing of public transit and

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1799 intercity bus service programs and projects.—

1800 (6) ANNUAL APPROPRIATION.—

1801 (b) If funds are allocated to projects that qualify for the  
1802 New Starts Transit Program in the current fiscal year and a  
1803 project will not be ready for production by June 30, those funds  
1804 must ~~The remaining unallocated New Starts Transit Program funds~~  
1805 ~~as of June 30, 2024,~~ shall be reallocated for the purpose of the  
1806 Strategic Intermodal System within the State Transportation  
1807 Trust Fund for the next fiscal year. ~~This paragraph expires June~~  
1808 ~~30, 2026.~~

1809

1810 For purposes of this section, the term "net operating costs"  
1811 means all operating costs of a project less any federal funds,  
1812 fares, or other sources of income to the project.

1813 Section 41. Subsection (5) of section 348.754, Florida  
1814 Statutes, is amended to read:

1815 348.754 Purposes and powers.—

1816 (5) The authority shall encourage the inclusion of local  
1817 and small ~~local, small, minority, and women-owned~~ businesses  
1818 in its procurement and contracting opportunities.

1819 Section 42. Subsection (2) of section 349.03, Florida  
1820 Statutes, is amended, and subsections (4) and (5) are added to  
1821 that section, to read:

1822 349.03 Jacksonville Transportation Authority.—

1823 (2) The governing body of the authority shall be composed  
1824 ~~consist~~ of seven members. Four ~~Three~~ members, one of whom is a  
1825 resident of the City of Jacksonville and three of whom are  
1826 residents of Clay County, Duval County, or St. Johns County,  
1827 shall be appointed by the Governor and confirmed by the Senate.

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1828 Three members shall be appointed by the mayor of the City of  
1829 Jacksonville subject to confirmation by the council of the City  
1830 of Jacksonville. ~~The seventh member shall be the district~~  
1831 ~~secretary of the Department of Transportation serving in the~~  
1832 ~~district that contains the City of Jacksonville. Except for the~~  
1833 ~~seventh member,~~ Members appointed by the mayor of the City of  
1834 Jacksonville must shall be residents and qualified electors of  
1835 Duval County.

1836 (4) The authority shall follow the business development  
1837 program established by the department pursuant to s. 337.027.

1838 (5) The authority shall establish protocols and systems in  
1839 accordance with the requirements of ss. 112.061(16) and  
1840 215.985(6) and (14) and post all related information on the  
1841 authority's publicly accessible website.

1842 Section 43. Paragraphs (j) and (m) of subsection (2) of  
1843 section 110.205, Florida Statutes, are amended to read:

1844 110.205 Career service; exemptions.—

1845 (2) EXEMPT POSITIONS.—The exempt positions that are not  
1846 covered by this part include the following:

1847 (j) The appointed secretaries and the State Surgeon  
1848 General, assistant secretaries, deputy secretaries, and deputy  
1849 assistant secretaries of all departments; the executive  
1850 directors, assistant executive directors, deputy executive  
1851 directors, and deputy assistant executive directors of all  
1852 departments; the directors of all divisions and those positions  
1853 determined by the department to have managerial responsibilities  
1854 comparable to such positions, which positions include, but are  
1855 not limited to, program directors, assistant program directors,  
1856 district administrators, deputy district administrators, the



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1857 Director of Central Operations Services of the Department of  
1858 Children and Families, the State Transportation Development  
1859 Administrator, the State Public Transportation and Modal  
1860 Administrator, district secretaries, district directors of  
1861 transportation development, transportation operations,  
1862 transportation support, and the managers of the offices of the  
1863 Department of Transportation specified in s. 20.23(4)(b) ~~s.~~  
1864 ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall  
1865 set the salary and benefits of these positions and the positions  
1866 of county health department directors and county health  
1867 department administrators of the Department of Health in  
1868 accordance with the rules of the Senior Management Service.

1869 (m) All assistant division director, deputy division  
1870 director, and bureau chief positions in any department, and  
1871 those positions determined by the department to have managerial  
1872 responsibilities comparable to such positions, which include,  
1873 but are not limited to:

1874 1. Positions in the Department of Health and the Department  
1875 of Children and Families which are assigned primary duties of  
1876 serving as the superintendent or assistant superintendent of an  
1877 institution.

1878 2. Positions in the Department of Corrections which are  
1879 assigned primary duties of serving as the warden, assistant  
1880 warden, colonel, or major of an institution or that are assigned  
1881 primary duties of serving as the circuit administrator or deputy  
1882 circuit administrator.

1883 3. Positions in the Department of Transportation which are  
1884 assigned primary duties of serving as regional toll managers and  
1885 managers of offices, as specified in s. 20.23(4)(b) and (5)(c)

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1886 ~~s. 20.23(3)(b) and (4)(c).~~

1887 4. Positions in the Department of Environmental Protection  
 1888 which are assigned the duty of an Environmental Administrator or  
 1889 program administrator.

1890 5. Positions in the Department of Health which are assigned  
 1891 the duties of Environmental Administrator, Assistant County  
 1892 Health Department Director, and County Health Department  
 1893 Financial Administrator.

1894 6. Positions in the Department of Highway Safety and Motor  
 1895 Vehicles which are assigned primary duties of serving as  
 1896 captains in the Florida Highway Patrol.

1897  
 1898 Unless otherwise fixed by law, the department shall set the  
 1899 salary and benefits of the positions listed in this paragraph in  
 1900 accordance with the rules established for the Selected Exempt  
 1901 Service.

1902 Section 44. Paragraph (d) of subsection (3) of section  
 1903 322.27, Florida Statutes, is amended to read:

1904 322.27 Authority of department to suspend or revoke driver  
 1905 license or identification card.—

1906 (3) There is established a point system for evaluation of  
 1907 convictions of violations of motor vehicle laws or ordinances,  
 1908 and violations of applicable provisions of s. 403.413(6)(b) when  
 1909 such violations involve the use of motor vehicles, for the  
 1910 determination of the continuing qualification of any person to  
 1911 operate a motor vehicle. The department is authorized to suspend  
 1912 the license of any person upon showing of its records or other  
 1913 good and sufficient evidence that the licensee has been  
 1914 convicted of violation of motor vehicle laws or ordinances, or

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1915 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
1916 more points as determined by the point system. The suspension  
1917 shall be for a period of not more than 1 year.

1918 (d) The point system shall have as its basic element a  
1919 graduated scale of points assigning relative values to  
1920 convictions of the following violations:

1921 1. Reckless driving, willful and wanton—4 points.

1922 2. Leaving the scene of a crash resulting in property  
1923 damage of more than \$50—6 points.

1924 3. Unlawful speed, or unlawful use of a wireless  
1925 communications device, resulting in a crash—6 points.

1926 4. Passing a stopped school bus:

1927 a. Not causing or resulting in serious bodily injury to or  
1928 death of another—4 points.

1929 b. Causing or resulting in serious bodily injury to or  
1930 death of another—6 points.

1931 c. Points may not be imposed for a violation of passing a  
1932 stopped school bus as provided in s. 316.172(1)(a) or (b) when  
1933 enforced by a school bus infraction detection system pursuant to  
1934 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)  
1935 when enforced by a school bus infraction detection system  
1936 pursuant to s. 316.173 may not be used for purposes of setting  
1937 motor vehicle insurance rates.

1938 5. Unlawful speed:

1939 a. Not in excess of 15 miles per hour of lawful or posted  
1940 speed—3 points.

1941 b. In excess of 15 miles per hour of lawful or posted  
1942 speed—4 points.

1943 c. Points may not be imposed for a violation of unlawful

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1944 speed as provided in s. 316.1895 or s. 316.183 when enforced by  
1945 a traffic infraction enforcement officer pursuant to s.  
1946 316.1896. In addition, a violation of s. 316.1895 or s. 316.183  
1947 when enforced by a traffic infraction enforcement officer  
1948 pursuant to s. 316.1896 may not be used for purposes of setting  
1949 motor vehicle insurance rates.

1950 6. A violation of a traffic control signal device as  
1951 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.  
1952 However, points may not be imposed for a violation of s.  
1953 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
1954 stop at a traffic signal and when enforced by a traffic  
1955 infraction enforcement officer. In addition, a violation of s.  
1956 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
1957 stop at a traffic signal and when enforced by a traffic  
1958 infraction enforcement officer may not be used for purposes of  
1959 setting motor vehicle insurance rates.

1960 7. Unlawfully driving a vehicle through a railroad-highway  
1961 grade crossing—6 points.

1962 8. All other moving violations (including parking on a  
1963 highway outside the limits of a municipality)—3 points. However,  
1964 points may not be imposed for a violation of ~~s. 316.0741~~ or s.  
1965 316.2065(11); and points may be imposed for a violation of s.  
1966 316.1001 only when imposed by the court after a hearing pursuant  
1967 to s. 318.14(5).

1968 9. Any moving violation covered in this paragraph,  
1969 excluding unlawful speed and unlawful use of a wireless  
1970 communications device, resulting in a crash—4 points.

1971 10. Any conviction under s. 403.413(6)(b)—3 points.

1972 11. Any conviction under s. 316.0775(2)—4 points.

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1973 12. A moving violation covered in this paragraph which is  
 1974 committed in conjunction with the unlawful use of a wireless  
 1975 communications device within a school safety zone—2 points, in  
 1976 addition to the points assigned for the moving violation.

1977 Section 45. Subsection (13) of section 365.172, Florida  
 1978 Statutes, is amended to read:

1979 365.172 Emergency communications.—

1980 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE  
 1981 IMPLEMENTATION.—To balance the public need for reliable  
 1982 emergency communications services through reliable wireless  
 1983 systems and the public interest served by governmental zoning  
 1984 and land development regulations and notwithstanding any other  
 1985 law or local ordinance to the contrary, the following standards  
 1986 shall apply to a local government’s actions, as a regulatory  
 1987 body, in the regulation of the placement, construction, or  
 1988 modification of a wireless communications facility. This  
 1989 subsection may not, however, be construed to waive or alter the  
 1990 provisions of s. 286.011 or s. 286.0115. For the purposes of  
 1991 this subsection only, “local government” shall mean any  
 1992 municipality or county and any agency of a municipality or  
 1993 county only. The term “local government” does not, however,  
 1994 include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~,  
 1995 even if it is owned or controlled by or through a municipality,  
 1996 county, or agency of a municipality or county. Further,  
 1997 notwithstanding anything in this section to the contrary, this  
 1998 subsection does not apply to or control a local government’s  
 1999 actions as a property or structure owner in the use of any  
 2000 property or structure owned by such entity for the placement,  
 2001 construction, or modification of wireless communications

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2002 facilities. In the use of property or structures owned by the  
2003 local government, however, a local government may not use its  
2004 regulatory authority so as to avoid compliance with, or in a  
2005 manner that does not advance, the provisions of this subsection.

2006 (a) Colocation among wireless providers is encouraged by  
2007 the state.

2008 1.a. Colocations on towers, including nonconforming towers,  
2009 that meet the requirements in sub-sub-subparagraphs (I), (II),  
2010 and (III), are subject to only building permit review, which may  
2011 include a review for compliance with this subparagraph. Such  
2012 colocations are not subject to any design or placement  
2013 requirements of the local government's land development  
2014 regulations in effect at the time of the colocation that are  
2015 more restrictive than those in effect at the time of the initial  
2016 antennae placement approval, to any other portion of the land  
2017 development regulations, or to public hearing review. This sub-  
2018 subparagraph may not preclude a public hearing for any appeal of  
2019 the decision on the colocation application.

2020 (I) The colocation does not increase the height of the  
2021 tower to which the antennae are to be attached, measured to the  
2022 highest point of any part of the tower or any existing antenna  
2023 attached to the tower;

2024 (II) The colocation does not increase the ground space  
2025 area, commonly known as the compound, approved in the site plan  
2026 for equipment enclosures and ancillary facilities; and

2027 (III) The colocation consists of antennae, equipment  
2028 enclosures, and ancillary facilities that are of a design and  
2029 configuration consistent with all applicable regulations,  
2030 restrictions, or conditions, if any, applied to the initial

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2031 antennae placed on the tower and to its accompanying equipment  
2032 enclosures and ancillary facilities and, if applicable, applied  
2033 to the tower supporting the antennae. Such regulations may  
2034 include the design and aesthetic requirements, but not  
2035 procedural requirements, other than those authorized by this  
2036 section, of the local government's land development regulations  
2037 in effect at the time the initial antennae placement was  
2038 approved.

2039       b. Except for a historic building, structure, site, object,  
2040 or district, or a tower included in sub-subparagraph a.,  
2041 colocations on all other existing structures that meet the  
2042 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject  
2043 to no more than building permit review, and an administrative  
2044 review for compliance with this subparagraph. Such colocations  
2045 are not subject to any portion of the local government's land  
2046 development regulations not addressed herein, or to public  
2047 hearing review. This sub-subparagraph may not preclude a public  
2048 hearing for any appeal of the decision on the colocation  
2049 application.

2050       (I) The colocation does not increase the height of the  
2051 existing structure to which the antennae are to be attached,  
2052 measured to the highest point of any part of the structure or  
2053 any existing antenna attached to the structure;

2054       (II) The colocation does not increase the ground space  
2055 area, otherwise known as the compound, if any, approved in the  
2056 site plan for equipment enclosures and ancillary facilities;

2057       (III) The colocation consists of antennae, equipment  
2058 enclosures, and ancillary facilities that are of a design and  
2059 configuration consistent with any applicable structural or

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2060 aesthetic design requirements and any requirements for location  
2061 on the structure, but not prohibitions or restrictions on the  
2062 placement of additional colocations on the existing structure or  
2063 procedural requirements, other than those authorized by this  
2064 section, of the local government's land development regulations  
2065 in effect at the time of the colocation application; and

2066 (IV) The colocation consists of antennae, equipment  
2067 enclosures, and ancillary facilities that are of a design and  
2068 configuration consistent with all applicable restrictions or  
2069 conditions, if any, that do not conflict with sub-sub-  
2070 subparagraph (III) and were applied to the initial antennae  
2071 placed on the structure and to its accompanying equipment  
2072 enclosures and ancillary facilities and, if applicable, applied  
2073 to the structure supporting the antennae.

2074 c. Regulations, restrictions, conditions, or permits of the  
2075 local government, acting in its regulatory capacity, that limit  
2076 the number of colocations or require review processes  
2077 inconsistent with this subsection do not apply to colocations  
2078 addressed in this subparagraph.

2079 d. If only a portion of the colocation does not meet the  
2080 requirements of this subparagraph, such as an increase in the  
2081 height of the proposed antennae over the existing structure  
2082 height or a proposal to expand the ground space approved in the  
2083 site plan for the equipment enclosure, where all other portions  
2084 of the colocation meet the requirements of this subparagraph,  
2085 that portion of the colocation only may be reviewed under the  
2086 local government's regulations applicable to an initial  
2087 placement of that portion of the facility, including, but not  
2088 limited to, its land development regulations, and within the



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2089 review timeframes of subparagraph (d)2., and the rest of the  
2090 colocation shall be reviewed in accordance with this  
2091 subparagraph. A colocation proposal under this subparagraph that  
2092 increases the ground space area, otherwise known as the  
2093 compound, approved in the original site plan for equipment  
2094 enclosures and ancillary facilities by no more than a cumulative  
2095 amount of 400 square feet or 50 percent of the original compound  
2096 size, whichever is greater, shall, however, require no more than  
2097 administrative review for compliance with the local government's  
2098 regulations, including, but not limited to, land development  
2099 regulations review, and building permit review, with no public  
2100 hearing review. This sub-subparagraph does not preclude a public  
2101 hearing for any appeal of the decision on the colocation  
2102 application.

2103         2. If a colocation does not meet the requirements of  
2104 subparagraph 1., the local government may review the application  
2105 under the local government's regulations, including, but not  
2106 limited to, land development regulations, applicable to the  
2107 placement of initial antennae and their accompanying equipment  
2108 enclosure and ancillary facilities.

2109         3. If a colocation meets the requirements of subparagraph  
2110 1., the colocation may not be considered a modification to an  
2111 existing structure or an impermissible modification of a  
2112 nonconforming structure.

2113         4. The owner of the existing tower on which the proposed  
2114 antennae are to be colocated shall remain responsible for  
2115 compliance with any applicable condition or requirement of a  
2116 permit or agreement, or any applicable condition or requirement  
2117 of the land development regulations to which the existing tower

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2118 had to comply at the time the tower was permitted, including any  
2119 aesthetic requirements, provided the condition or requirement is  
2120 not inconsistent with this paragraph.

2121 5. An existing tower, including a nonconforming tower, may  
2122 be structurally modified in order to permit colocation or may be  
2123 replaced through no more than administrative review and building  
2124 permit review, and is not subject to public hearing review, if  
2125 the overall height of the tower is not increased and, if a  
2126 replacement, the replacement tower is a monopole tower or, if  
2127 the existing tower is a camouflaged tower, the replacement tower  
2128 is a like-camouflaged tower. This subparagraph may not preclude  
2129 a public hearing for any appeal of the decision on the  
2130 application.

2131 (b)1. A local government's land development and  
2132 construction regulations for wireless communications facilities  
2133 and the local government's review of an application for the  
2134 placement, construction, or modification of a wireless  
2135 communications facility shall only address land development or  
2136 zoning issues. In such local government regulations or review,  
2137 the local government may not require information on or evaluate  
2138 a wireless provider's business decisions about its service,  
2139 customer demand for its service, or quality of its service to or  
2140 from a particular area or site, unless the wireless provider  
2141 voluntarily offers this information to the local government. In  
2142 such local government regulations or review, a local government  
2143 may not require information on or evaluate the wireless  
2144 provider's designed service unless the information or materials  
2145 are directly related to an identified land development or zoning  
2146 issue or unless the wireless provider voluntarily offers the

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2147 information. Information or materials directly related to an  
2148 identified land development or zoning issue may include, but are  
2149 not limited to, evidence that no existing structure can  
2150 reasonably be used for the antennae placement instead of the  
2151 construction of a new tower, that residential areas cannot be  
2152 served from outside the residential area, as addressed in  
2153 subparagraph 3., or that the proposed height of a new tower or  
2154 initial antennae placement or a proposed height increase of a  
2155 modified tower, replacement tower, or colocation is necessary to  
2156 provide the provider's designed service. Nothing in this  
2157 paragraph shall limit the local government from reviewing any  
2158 applicable land development or zoning issue addressed in its  
2159 adopted regulations that does not conflict with this section,  
2160 including, but not limited to, aesthetics, landscaping, land  
2161 use-based location priorities, structural design, and setbacks.

2162 2. Any setback or distance separation required of a tower  
2163 may not exceed the minimum distance necessary, as determined by  
2164 the local government, to satisfy the structural safety or  
2165 aesthetic concerns that are to be protected by the setback or  
2166 distance separation.

2167 3. A local government may exclude the placement of wireless  
2168 communications facilities in a residential area or residential  
2169 zoning district but only in a manner that does not constitute an  
2170 actual or effective prohibition of the provider's service in  
2171 that residential area or zoning district. If a wireless provider  
2172 demonstrates to the satisfaction of the local government that  
2173 the provider cannot reasonably provide its service to the  
2174 residential area or zone from outside the residential area or  
2175 zone, the municipality or county and provider shall cooperate to

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2176 determine an appropriate location for a wireless communications  
2177 facility of an appropriate design within the residential area or  
2178 zone. The local government may require that the wireless  
2179 provider reimburse the reasonable costs incurred by the local  
2180 government for this cooperative determination. An application  
2181 for such cooperative determination may not be considered an  
2182 application under paragraph (d).

2183 4. A local government may impose a reasonable fee on  
2184 applications to place, construct, or modify a wireless  
2185 communications facility only if a similar fee is imposed on  
2186 applicants seeking other similar types of zoning, land use, or  
2187 building permit review. A local government may impose fees for  
2188 the review of applications for wireless communications  
2189 facilities by consultants or experts who conduct code compliance  
2190 review for the local government but any fee is limited to  
2191 specifically identified reasonable expenses incurred in the  
2192 review. A local government may impose reasonable surety  
2193 requirements to ensure the removal of wireless communications  
2194 facilities that are no longer being used.

2195 5. A local government may impose design requirements, such  
2196 as requirements for designing towers to support colocation or  
2197 aesthetic requirements, except as otherwise limited in this  
2198 section, but may not impose or require information on compliance  
2199 with building code type standards for the construction or  
2200 modification of wireless communications facilities beyond those  
2201 adopted by the local government under chapter 553 and that apply  
2202 to all similar types of construction.

2203 (c) Local governments may not require wireless providers to  
2204 provide evidence of a wireless communications facility's

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2205 compliance with federal regulations, except evidence of  
2206 compliance with applicable Federal Aviation Administration  
2207 requirements under 14 C.F.R. part 77, as amended, and evidence  
2208 of proper Federal Communications Commission licensure, or other  
2209 evidence of Federal Communications Commission authorized  
2210 spectrum use, but may request the Federal Communications  
2211 Commission to provide information as to a wireless provider's  
2212 compliance with federal regulations, as authorized by federal  
2213 law.

2214 (d)1. A local government shall grant or deny each properly  
2215 completed application for a colocation under subparagraph (a)1.  
2216 based on the application's compliance with the local  
2217 government's applicable regulations, as provided for in  
2218 subparagraph (a)1. and consistent with this subsection, and  
2219 within the normal timeframe for a similar building permit review  
2220 but in no case later than 45 business days after the date the  
2221 application is determined to be properly completed in accordance  
2222 with this paragraph.

2223 2. A local government shall grant or deny each properly  
2224 completed application for any other wireless communications  
2225 facility based on the application's compliance with the local  
2226 government's applicable regulations, including but not limited  
2227 to land development regulations, consistent with this subsection  
2228 and within the normal timeframe for a similar type review but in  
2229 no case later than 90 business days after the date the  
2230 application is determined to be properly completed in accordance  
2231 with this paragraph.

2232 3.a. An application is deemed submitted or resubmitted on  
2233 the date the application is received by the local government. If

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2234 the local government does not notify the applicant in writing  
2235 that the application is not completed in compliance with the  
2236 local government's regulations within 20 business days after the  
2237 date the application is initially submitted or additional  
2238 information resubmitted, the application is deemed, for  
2239 administrative purposes only, to be properly completed and  
2240 properly submitted. However, the determination may not be deemed  
2241 as an approval of the application. If the application is not  
2242 completed in compliance with the local government's regulations,  
2243 the local government shall so notify the applicant in writing  
2244 and the notification must indicate with specificity any  
2245 deficiencies in the required documents or deficiencies in the  
2246 content of the required documents which, if cured, make the  
2247 application properly completed. Upon resubmission of information  
2248 to cure the stated deficiencies, the local government shall  
2249 notify the applicant, in writing, within the normal timeframes  
2250 of review, but in no case longer than 20 business days after the  
2251 additional information is submitted, of any remaining  
2252 deficiencies that must be cured. Deficiencies in document type  
2253 or content not specified by the local government do not make the  
2254 application incomplete. Notwithstanding this sub-subparagraph,  
2255 if a specified deficiency is not properly cured when the  
2256 applicant resubmits its application to comply with the notice of  
2257 deficiencies, the local government may continue to request the  
2258 information until such time as the specified deficiency is  
2259 cured. The local government may establish reasonable timeframes  
2260 within which the required information to cure the application  
2261 deficiency is to be provided or the application will be  
2262 considered withdrawn or closed.

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2263           b. If the local government fails to grant or deny a  
2264 properly completed application for a wireless communications  
2265 facility within the timeframes set forth in this paragraph, the  
2266 application shall be deemed automatically approved and the  
2267 applicant may proceed with placement of the facilities without  
2268 interference or penalty. The timeframes specified in  
2269 subparagraph 2. may be extended only to the extent that the  
2270 application has not been granted or denied because the local  
2271 government's procedures generally applicable to all other  
2272 similar types of applications require action by the governing  
2273 body and such action has not taken place within the timeframes  
2274 specified in subparagraph 2. Under such circumstances, the local  
2275 government must act to either grant or deny the application at  
2276 its next regularly scheduled meeting or, otherwise, the  
2277 application is deemed to be automatically approved.

2278           c. To be effective, a waiver of the timeframes set forth in  
2279 this paragraph must be voluntarily agreed to by the applicant  
2280 and the local government. A local government may request, but  
2281 not require, a waiver of the timeframes by the applicant, except  
2282 that, with respect to a specific application, a one-time waiver  
2283 may be required in the case of a declared local, state, or  
2284 federal emergency that directly affects the administration of  
2285 all permitting activities of the local government.

2286           (e) The replacement of or modification to a wireless  
2287 communications facility, except a tower, that results in a  
2288 wireless communications facility not readily discernibly  
2289 different in size, type, and appearance when viewed from ground  
2290 level from surrounding properties, and the replacement or  
2291 modification of equipment that is not visible from surrounding

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2292 properties, all as reasonably determined by the local  
2293 government, are subject to no more than applicable building  
2294 permit review.

2295 (f) Any other law to the contrary notwithstanding, the  
2296 Department of Management Services shall negotiate, in the name  
2297 of the state, leases for wireless communications facilities that  
2298 provide access to state government-owned property not acquired  
2299 for transportation purposes, and the Department of  
2300 Transportation shall negotiate, in the name of the state, leases  
2301 for wireless communications facilities that provide access to  
2302 property acquired for state rights-of-way. On property acquired  
2303 for transportation purposes, leases shall be granted in  
2304 accordance with s. 337.251. On other state government-owned  
2305 property, leases shall be granted on a space available, first-  
2306 come, first-served basis. Payments required by state government  
2307 under a lease must be reasonable and must reflect the market  
2308 rate for the use of the state government-owned property. The  
2309 Department of Management Services and the Department of  
2310 Transportation are authorized to adopt rules for the terms and  
2311 conditions and granting of any such leases.

2312 (g) If any person adversely affected by any action, or  
2313 failure to act, or regulation, or requirement of a local  
2314 government in the review or regulation of the wireless  
2315 communication facilities files an appeal or brings an  
2316 appropriate action in a court or venue of competent  
2317 jurisdiction, following the exhaustion of all administrative  
2318 remedies, the matter shall be considered on an expedited basis.

2319 Section 46. Subsection (2) of section 379.2293, Florida  
2320 Statutes, is amended to read:



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2321 379.2293 Airport activities within the scope of a federally  
2322 approved wildlife hazard management plan or a federal or state  
2323 permit or other authorization for depredation or harassment.—

2324 (2) An airport authority or other entity owning or  
2325 operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is  
2326 not subject to any administrative or civil penalty, restriction,  
2327 or other sanction with respect to any authorized action taken in  
2328 a non-negligent manner for the purpose of protecting human life  
2329 or aircraft safety from wildlife hazards.

2330 Section 47. Subsection (22) of section 493.6101, Florida  
2331 Statutes, is amended to read:

2332 493.6101 Definitions.—

2333 (22) "Repossession" means the recovery of a motor vehicle  
2334 as defined under s. 320.01(1), a mobile home as defined in s.  
2335 320.01(2), a motorboat as defined under s. 327.02, an aircraft  
2336 as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as  
2337 defined in s. 327.02, an all-terrain vehicle as defined in s.  
2338 316.2074, farm equipment as defined under s. 686.402, or  
2339 industrial equipment, by an individual who is authorized by the  
2340 legal owner, lienholder, or lessor to recover, or to collect  
2341 money payment in lieu of recovery of, that which has been sold  
2342 or leased under a security agreement that contains a  
2343 repossession clause. As used in this subsection, the term  
2344 "industrial equipment" includes, but is not limited to,  
2345 tractors, road rollers, cranes, forklifts, backhoes, and  
2346 bulldozers. The term "industrial equipment" also includes other  
2347 vehicles that are propelled by power other than muscular power  
2348 and that are used in the manufacture of goods or used in the  
2349 provision of services. A repossession is complete when a

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2350 licensed recovery agent is in control, custody, and possession  
2351 of such repossessed property. Property that is being repossessed  
2352 shall be considered to be in the control, custody, and  
2353 possession of a recovery agent if the property being repossessed  
2354 is secured in preparation for transport from the site of the  
2355 recovery by means of being attached to or placed on the towing  
2356 or other transport vehicle or if the property being repossessed  
2357 is being operated or about to be operated by an employee of the  
2358 recovery agency.

2359 Section 48. Paragraph (c) of subsection (1) of section  
2360 493.6403, Florida Statutes, is amended to read:

2361 493.6403 License requirements.—

2362 (1) In addition to the license requirements set forth in  
2363 this chapter, each individual or agency shall comply with the  
2364 following additional requirements:

2365 (c) An applicant for a Class "E" license shall have at  
2366 least 1 year of lawfully gained, verifiable, full-time  
2367 experience in one, or a combination of more than one, of the  
2368 following:

2369 1. Repossession of motor vehicles as defined in s.  
2370 320.01(1), mobile homes as defined in s. 320.01(2), motorboats  
2371 as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s.~~  
2372 ~~330.27(1)~~, personal watercraft as defined in s. 327.02, all-  
2373 terrain vehicles as defined in s. 316.2074, farm equipment as  
2374 defined under s. 686.402, or industrial equipment as defined in  
2375 s. 493.6101(22).

2376 2. Work as a Class "EE" licensed intern.

2377 Section 49. This act shall take effect July 1, 2025.