

By the Committee on Transportation; and 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; requiring the commission to
13 monitor transit entities that receive certain funding;
14 requiring members of the commission to follow certain
15 standards of conduct; providing legislative findings
16 and intent; creating the Florida Transportation
17 Research Institute; specifying the purpose of the
18 institute; requiring the institute to report to the
19 department; providing for membership of the institute;
20 requiring the department to select a member to serve
21 as the administrative lead of the institute; requiring
22 the Secretary of Transportation to appoint a
23 representative of the department to serve as the
24 executive director of the institute; requiring the
25 department to coordinate with the members of the
26 institute to adopt certain policies; authorizing the
27 institute to award certain grants; authorizing the
28 department to allocate funds to the institute from the
29 State Transportation Trust Fund; authorizing the

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30 institute to expend funds for certain operations and
31 programs; requiring the institute to submit an annual
32 report to the Secretary of Transportation and the
33 commission; revising the department's areas of program
34 responsibility; amending s. 311.07, F.S.; providing
35 that certain spaceport and space industry-related
36 facility projects and commercial shipbuilding and
37 manufacturing facility projects are eligible for grant
38 funding under the Florida Seaport Transportation and
39 Economic Development Program; amending s. 311.09,
40 F.S.; revising the purpose of the Florida Seaport
41 Transportation and Economic Development Council;
42 requiring the department to provide administrative
43 support to the council on certain matters; requiring
44 that the Florida Seaport Mission Plan include certain
45 recommendations; requiring each port member of the
46 council to submit a certain semiannual report to the
47 department; amending s. 311.10, F.S.; requiring
48 seaports located in a specified county to include
49 certain statements in any agreement with the
50 department as a condition of receiving certain grants;
51 defining the term "cargo purposes"; repealing s.
52 316.0741, F.S., relating to high-occupancy-vehicle
53 lanes; amending s. 316.0745, F.S.; deleting language
54 limiting the state funds that may be withheld due to
55 certain violations by a public body or official to
56 state funds for traffic control purposes; providing
57 that such violations are cause for the withholding of
58 state funds deposited in the State Transportation

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59 Trust Fund; amending s. 330.27, F.S.; revising
60 definitions and defining terms; amending s. 330.30,
61 F.S.; requiring a private airport of public interest
62 to obtain a certain certificate from the department
63 before allowing aircraft operations; requiring certain
64 private airports to obtain a certain certificate from
65 the department by a specified date; amending s.
66 331.371, F.S.; authorizing the department, in
67 consultation with the Department of Commerce and the
68 Department of Environmental Protection, to fund
69 certain infrastructure projects and projects
70 associated with certain critical infrastructure
71 projects; requiring such departments to coordinate in
72 funding certain projects for a specified purpose;
73 amending s. 332.003, F.S.; revising a short title;
74 amending s. 332.005, F.S.; requiring airports to
75 provide the Department of Transportation with the
76 opportunity to use certain airport property for a
77 specified purpose during a declared state of
78 emergency; requiring that such use be conducted
79 pursuant to a written agreement after a certain period
80 of use; amending s. 332.006, F.S.; deleting a
81 requirement that the department meet certain duties
82 and responsibilities within the resources provided
83 pursuant to a specified chapter; providing duties and
84 responsibilities of the department relating to certain
85 educational services, inspections of certain
86 commercial airport facilities, and agreements with
87 other state regulatory agencies; amending s. 332.007,

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

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

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146 337.139, F.S., relating to efforts to encourage
147 awarding contracts to disadvantaged business
148 enterprises; amending s. 337.18, F.S.; authorizing the
149 Secretary of Transportation to require a surety bond
150 in an amount that is less than the awarded contract
151 price; amending s. 337.251, F.S.; revising factors
152 that may be considered by the department when
153 selecting certain proposals; amending s. 337.401,
154 F.S.; prohibiting a municipality from prohibiting, or
155 requiring a permit for, the installation of certain
156 public sewer transmission lines; amending s. 337.406,
157 F.S.; prohibiting camping on any portion of the right-
158 of-way of the State Highway System; providing
159 applicability; amending s. 338.227, F.S.; revising the
160 purpose for which the department and the Department of
161 Management Services shall create and implement a
162 certain outreach program; amending s. 339.08, F.S.;
163 defining the term "energy policy of the state";
164 prohibiting the department from expending state funds
165 to support projects or programs of certain entities in
166 certain circumstances; repealing s. 339.0805, F.S.,
167 relating to funds to be expended with certified
168 disadvantaged business enterprises, a construction
169 management development program, and a bond guarantee
170 program; amending s. 339.135, F.S.; revising the
171 method of approval upon which certain spending
172 authority may be rolled forward to the next fiscal
173 year; requiring the Executive Office of the Governor
174 to make a certain budget modification upon such

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175 approval; deleting the scheduled repeal of a provision
176 authorizing the chair or vice chair of the Legislative
177 Budget Commission to authorize an amendment of the
178 adopted work program in certain circumstances;
179 amending s. 339.2821, F.S.; requiring the department
180 to ensure that it is supportive of small businesses,
181 rather than ensuring that small and minority
182 businesses have equal access to participation in
183 certain transportation projects; repealing s. 339.287,
184 F.S., relating to electric vehicle charging stations
185 and infrastructure plan development; amending s.
186 339.55, F.S.; deleting language providing that certain
187 emergency loans from the state-funded infrastructure
188 bank are subject to approval by the Legislative Budget
189 Commission; amending s. 339.651, F.S.; authorizing,
190 rather than requiring, the department to make a
191 certain amount available from the existing work
192 program to fund certain projects annually; deleting
193 the scheduled repeal of provisions relating to
194 Strategic Intermodal System supply chain demands;
195 amending s. 341.051, F.S.; providing for the
196 reallocation of certain funds; deleting the scheduled
197 repeal of provisions providing for the reallocation of
198 certain funds; amending s. 348.754, F.S.; revising the
199 types of businesses the Central Florida Expressway
200 Authority is required to encourage the inclusion of in
201 certain opportunities; amending s. 349.03, F.S.;
202 revising membership requirements for the governing
203 body of the Jacksonville Transportation Authority;

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204 requiring the authority to follow a certain business
205 development program; requiring the authority to
206 establish certain protocols and systems and post
207 certain information on a specified website; amending
208 ss. 110.205, 322.27, 365.172, 379.2293, 493.6101, and
209 493.6403, F.S.; conforming cross-references and
210 provisions to changes made by the act; providing an
211 effective date.

212

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

214

215 Section 1. Present subsections (3) through (6) of section
216 20.23, Florida Statutes, are redesignated as subsections (4)
217 through (7), respectively, a new subsection (3) is added to that
218 section, and paragraph (d) of subsection (1), paragraphs (a),
219 (b), and (g) of subsection (2), and paragraph (b) of present
220 subsection (3) of that section are amended, to read:

221 20.23 Department of Transportation.—There is created a
222 Department of Transportation which shall be a decentralized
223 agency.

224 (1)

225 (d) The secretary may appoint ~~up to~~ three assistant
226 secretaries, who shall serve as the Chief Operations Officer,
227 Chief Finance and Administration Officer, and Chief Strategic
228 Development Officer, respectively; be directly responsible to
229 the secretary; and ~~who shall~~ perform such duties as are assigned
230 by the secretary. The secretary may also appoint an Executive
231 Director of Transportation Technology. Such assistant secretary
232 and executive director positions are exempt from career service

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233 pursuant to s. 110.205(2)(j) and are included in the Senior
234 Management Service. The secretary shall designate to an
235 assistant secretary the duties related to enhancing economic
236 prosperity, including, but not limited to, the responsibility of
237 liaison with the head of economic development in the Executive
238 Office of the Governor. Such assistant secretary shall be
239 directly responsible for providing the Executive Office of the
240 Governor with investment opportunities and transportation
241 projects that expand the state's role as a global hub for trade
242 and investment and enhance the supply chain system in the state
243 to process, assemble, and ship goods to markets throughout the
244 eastern United States, Canada, the Caribbean, and Latin America.
245 The secretary may delegate to any assistant secretary the
246 authority to act in the absence of the secretary.

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

251 2. Members shall be appointed in such a manner as to
252 equitably represent all geographic areas of the state. Each
253 member must be a registered voter and a citizen of the state. At
254 least three members of the commission must be representatives of
255 or possess expertise in the higher education, transportation, or
256 workforce development industries ~~Each member of the commission~~
257 ~~must also possess business managerial experience in the private~~
258 ~~sector.~~

259 3. A member of the commission shall represent the
260 transportation needs of the state as a whole and may not
261 subordinate the needs of the state to those of any particular

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262 area of the state.

263 4. The commission is assigned to the Office of the
264 Secretary of the Department of Transportation for administrative
265 and fiscal accountability purposes, but it shall otherwise
266 function independently of the control and direction of the
267 department.

268 (b) The commission shall:

269 1. Recommend major transportation policies for the
270 Governor's approval and assure that approved policies and any
271 revisions are properly executed.

272 2. Periodically review the status of the state
273 transportation system, including highway, transit, rail,
274 seaport, intermodal development, and aviation components of the
275 system, and recommend improvements to the Governor and the
276 Legislature.

277 3. Perform an in-depth evaluation of the annual department
278 budget request, the Florida Transportation Plan, and the
279 tentative work program for compliance with all applicable laws
280 and established departmental policies. Except as specifically
281 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
282 not consider individual construction projects but shall consider
283 methods of accomplishing the goals of the department in the most
284 effective, efficient, and businesslike manner.

285 4. Monitor the financial status of the department on a
286 regular basis to assure that the department is managing revenue
287 and bond proceeds responsibly and in accordance with law and
288 established policy.

289 5. Monitor on at least a quarterly basis the efficiency,
290 productivity, and management of the department using performance

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291 and production standards developed by the commission pursuant to
292 s. 334.045.

293 6. Perform an in-depth evaluation of the factors causing
294 disruption of project schedules in the adopted work program and
295 recommend to the Governor and the Legislature methods to
296 eliminate or reduce the disruptive effects of these factors.

297 7. Recommend to the Governor and the Legislature
298 improvements to the department's organization in order to
299 streamline and optimize the efficiency of the department. In
300 reviewing the department's organization, the commission shall
301 determine if the current district organizational structure is
302 responsive to this state's changing economic and demographic
303 development patterns. The report by the commission must be
304 delivered to the Governor and the Legislature by December 15
305 each year, as appropriate. The commission may retain experts as
306 necessary to carry out this subparagraph, and the department
307 shall pay the expenses of the experts.

308 8. Monitor the efficiency, productivity, and management of
309 the agencies and authorities created under chapters 348 and 349;
310 the Mid-Bay Bridge Authority re-created pursuant to chapter
311 2000-411, Laws of Florida; ~~and~~ any authority formed under
312 chapter 343; and any transit entity that receives funding under
313 the public transit block grant program pursuant to s. 341.052.

314 The commission shall also conduct periodic reviews of each
315 agency's and authority's operations and budget, acquisition of
316 property, management of revenue and bond proceeds, and
317 compliance with applicable laws and generally accepted
318 accounting principles.

319 (g) A member of the commission shall follow the standards

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320 of conduct for public officers provided in s. 112.313 ~~may not~~
321 ~~have any interest, direct or indirect, in any contract,~~
322 ~~franchise, privilege, or other benefit granted or awarded by the~~
323 ~~department~~ during the term of his or her appointment and for 2
324 years after the termination of such appointment.

325 (3) The Legislature finds that the transportation industry
326 is critical to the economic future of this state and that the
327 competitiveness of the industry in this state depends upon the
328 development and maintenance of a qualified workforce and
329 cutting-edge research and innovation. The Legislature further
330 finds that the transportation industry in this state has varied
331 and complex workforce needs ranging from technical and
332 mechanical training to continuing education opportunities for
333 workers with advanced degrees and certifications. The timely
334 need also exists for coordinated research and innovation efforts
335 to promote emerging technologies and innovative construction
336 methods and tools and to address alternative funding mechanisms.
337 It is the intent of the Legislature to support programs designed
338 to address the workforce development needs of the state's
339 transportation industry.

340 (a) The Florida Transportation Research Institute is
341 created as a consortium of higher education professionals. The
342 purpose of the institute is to drive cutting-edge research,
343 innovation, transformational technologies, and breakthrough
344 solutions and to support workforce development efforts that
345 contribute to this state's transportation industry.

346 (b) The institute shall report to the department and shall
347 be composed of members from the University of Florida, Indian
348 River State College, the University of Central Florida, the

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349 University of South Florida, and Florida International
350 University. The department shall select a member to serve as the
351 administrative lead of the institute. The department shall
352 assess the performance of the administrative lead periodically
353 to ensure accountability and assess the attainment of
354 performance goals.

355 (c) The Secretary of Transportation shall appoint a
356 representative of the department to serve as the executive
357 director of the institute. The department shall coordinate with
358 the members of the institute to adopt policies establishing the
359 institute's executive committee and mission statement.

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

365 (e) The department may allocate funds to the institute from
366 the State Transportation Trust Fund. The institute may expend
367 such funds for the institute's operations and programs to
368 support research and innovation projects that provide solutions
369 for this state's transportation needs.

370 (f) The institute shall submit an annual report of
371 performance metrics to the Secretary of Transportation and the
372 commission. The report must include, but is not limited to,
373 expenditures of funds allocated to the institute by the
374 department, ongoing and proposed research efforts, and the
375 application and success of past research efforts.

376 (4)-(3)-

377 (b) The secretary may appoint positions at the level of

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378 deputy assistant secretary or director which the secretary deems
379 necessary to accomplish the mission and goals of the department,
380 including, but not limited to, the areas of program
381 responsibility provided in this paragraph, each of whom shall be
382 appointed by and serve at the pleasure of the secretary. The
383 secretary may combine, separate, or delete offices as needed in
384 consultation with the Executive Office of the Governor. The
385 department's areas of program responsibility include, but are
386 not limited to, all of the following:

- 387 1. Administration.
- 388 2. Planning.
- 389 3. Supply chain and modal development.
- 390 4. Design.
- 391 5. Highway operations.
- 392 6. Right-of-way.
- 393 7. Toll operations.
- 394 8. Transportation technology.
- 395 9. Information technology ~~systems~~.
- 396 10. Motor carrier weight inspection.
- 397 11. Work program and budget.
- 398 12. Comptroller.
- 399 13. Construction.
- 400 14. Statewide corridors.
- 401 15. Maintenance.
- 402 16. Forecasting and performance.
- 403 17. Emergency management.
- 404 18. Safety.
- 405 19. Materials.
- 406 20. Infrastructure and innovation.

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407 21. Permitting.

408 22. Traffic operations.

409 23. Operational technology.

410 Section 2. Paragraph (b) of subsection (3) of section
411 311.07, Florida Statutes, is amended to read:

412 311.07 Florida seaport transportation and economic
413 development funding.—

414 (3)

415 (b) Projects eligible for funding by grants under the
416 program are limited to the following port facilities or port
417 transportation projects:

418 1. Transportation facilities within the jurisdiction of the
419 port.

420 2. The dredging or deepening of channels, turning basins,
421 or harbors.

422 3. The construction or rehabilitation of wharves, docks,
423 structures, jetties, piers, storage facilities, cruise
424 terminals, automated people mover systems, or any facilities
425 necessary or useful in connection with any of the foregoing.

426 4. The acquisition of vessel tracking systems, container
427 cranes, or other mechanized equipment used in the movement of
428 cargo or passengers in international commerce.

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

430 6. The acquisition, improvement, enlargement, or extension
431 of existing port facilities.

432 7. Environmental protection projects which are necessary
433 because of requirements imposed by a state agency as a condition
434 of a permit or other form of state approval; which are necessary
435 for environmental mitigation required as a condition of a state,

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436 federal, or local environmental permit; which are necessary for
437 the acquisition of spoil disposal sites and improvements to
438 existing and future spoil sites; or which result from the
439 funding of eligible projects listed in this paragraph.

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

443 9. Intermodal access projects.

444 10. Construction or rehabilitation of port facilities as
445 defined in s. 315.02, excluding any park or recreational
446 facilities, in ports listed in s. 311.09(1) with operating
447 revenues of \$5 million or less, provided that such projects
448 create economic development opportunities, capital improvements,
449 and positive financial returns to such ports.

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

452 12. Spaceport or space industry-related planning or
453 construction of facilities on seaport property which are
454 necessary or useful for advancing the space industry in this
455 state and provide an economic benefit to this state.

456 13. Commercial shipbuilding and manufacturing facilities on
457 seaport property, if such projects provide an economic benefit
458 to the community in which the seaport is located.

459 Section 3. Subsections (1), (2), (3), and (11) of section
460 311.09, Florida Statutes, are amended to read:

461 311.09 Florida Seaport Transportation and Economic
462 Development Council.—

463 (1) The Florida Seaport Transportation and Economic
464 Development Council is created within the Department of

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465 Transportation. The purpose of the council is to support the
466 growth of seaports in this state through review, development,
467 and financing of port transportation and port facilities. The
468 council is composed ~~consists~~ of the following 18 members: the
469 port director, or the port director's designee, of each of the
470 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,
471 Palm Beach, Port Everglades, Miami, Port Manatee, St.
472 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,
473 Pensacola, Key West, and Fernandina; the secretary of the
474 Department of Transportation or his or her designee; and the
475 secretary of the Department of Commerce or his or her designee.

476 (2) The council shall adopt bylaws governing the manner in
477 which the business of the council will be conducted. The bylaws
478 shall specify the procedure by which the chairperson of the
479 council is elected. The Department of Transportation shall
480 provide administrative support to the council on matters
481 relating to the Florida Seaport Transportation and Economic
482 Development Program and the council.

483 (3) The council shall prepare a 5-year Florida Seaport
484 Mission Plan defining the goals and objectives of the council
485 concerning the development of port facilities and an intermodal
486 transportation system consistent with the goals of the Florida
487 Transportation Plan developed pursuant to s. 339.155. The
488 Florida Seaport Mission Plan shall include specific
489 recommendations for the construction of transportation
490 facilities connecting any port to another transportation mode,
491 the construction of transportation facilities connecting any
492 port to the space and aerospace industries, and ~~for~~ the
493 efficient, cost-effective development of transportation

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494 facilities or port facilities for the purpose of enhancing
495 trade, promoting cargo flow, increasing cruise passenger
496 movements, increasing port revenues, and providing economic
497 benefits to the state. The council shall develop a priority list
498 of projects based on these recommendations annually and submit
499 the list to the Department of Transportation. The council shall
500 update the 5-year Florida Seaport Mission Plan annually and
501 shall submit the plan no later than February 1 of each year to
502 the President of the Senate, the Speaker of the House of
503 Representatives, the Department of Commerce, and the Department
504 of Transportation. The council shall develop programs, based on
505 an examination of existing programs in Florida and other states,
506 for the training of ~~minorities~~ and secondary school students in
507 job skills associated with employment opportunities in the
508 maritime industry, and report on progress and recommendations
509 for further action to the President of the Senate and the
510 Speaker of the House of Representatives annually. Each port
511 member of the council shall submit a semiannual report related
512 to his or her port's operations and support of the state's
513 economic competitiveness and supply chain. Reports must be
514 submitted to the Department of Transportation and include any
515 information required by the Department of Transportation in
516 consultation with the Department of Commerce. Such reports must
517 include, but are not limited to, all of the following
518 information:

- 519 (a) Bulk break capacity.
- 520 (b) Liquid storage and capacity.
- 521 (c) Fuel storage and capacity.
- 522 (d) Container capacity.

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523 (e) A description of any supply chain disruption.

524 (11) Members of the council shall serve without
525 compensation but are entitled to receive reimbursement for per
526 diem and travel expenses as provided in s. 112.061. ~~The council
527 may elect to provide an administrative staff to provide services
528 to the council on matters relating to the Florida Seaport
529 Transportation and Economic Development Program and the council.
530 The cost for such administrative services shall be paid by all
531 ports that receive funding from the Florida Seaport
532 Transportation and Economic Development Program, based upon a
533 pro rata formula measured by each recipient's share of the funds
534 as compared to the total funds disbursed to all recipients
535 during the year. The share of costs for administrative services
536 shall be paid in its total amount by the recipient port upon
537 execution by the port and the Department of Transportation of a
538 joint participation agreement for each council-approved project,
539 and such payment is in addition to the matching funds required
540 to be paid by the recipient port. Except as otherwise exempted
541 by law, all moneys derived from the Florida Seaport
542 Transportation and Economic Development Program shall be
543 expended in accordance with the provisions of s. 287.057.
544 Seaports subject to competitive negotiation requirements of a
545 local governing body shall abide by the provisions of s.
546 287.055.~~

547 Section 4. Subsection (4) is added to section 311.10,
548 Florida Statutes, to read:

549 311.10 Strategic Port Investment Initiative.—

550 (4) As a condition of receiving a project grant under any
551 program established in this chapter and as a condition of

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552 receiving state funds as described in s. 215.31, a seaport
553 located in any county identified in s. 331.304(1) and (5) must
554 include in any agreement with the Department of Transportation
555 that the seaport may not convert any planned or existing land,
556 facility, or infrastructure designated for cargo purposes to any
557 alternative purpose unless express approval is obtained by the
558 Secretary of Transportation and the Secretary of Commerce. As
559 used in this subsection, the term "cargo purposes" includes, but
560 is not limited to, any facility, activity, property, energy
561 source, or infrastructure asset that supports spaceport
562 activities.

563 Section 5. Section 316.0741, Florida Statutes, is repealed.

564 Section 6. Subsection (7) of section 316.0745, Florida
565 Statutes, is amended to read:

566 316.0745 Uniform signals and devices.—

567 (7) The Department of Transportation may, upon receipt and
568 investigation of reported noncompliance and after hearing
569 pursuant to 14 days' notice, direct the removal of any purported
570 traffic control device that fails to meet the requirements of
571 this section, wherever the device is located and without regard
572 to assigned responsibility under s. 316.1895. The public agency
573 erecting or installing the same shall immediately bring it into
574 compliance with the requirements of this section or remove said
575 device or signal upon the direction of the Department of
576 Transportation and may not, for a period of 5 years, install any
577 replacement or new traffic control devices paid for in part or
578 in full with revenues raised by the state unless written prior
579 approval is received from the Department of Transportation. Any
580 additional violation by a public body or official shall be cause

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581 for the withholding of state funds deposited in the State
582 Transportation Trust Fund ~~for traffic control purposes~~ until
583 such public body or official demonstrates to the Department of
584 Transportation that it is complying with this section.

585 Section 7. Section 330.27, Florida Statutes, is amended to
586 read:

587 330.27 Definitions, when used in ss. 330.29-330.39.—

588 (1) "Air ambulance operation" means a flight with a patient
589 or medical personnel on board for the purpose of medical
590 transportation.

591 (2) "Aircraft" means a powered or unpowered machine or
592 device capable of atmospheric flight, including, but not limited
593 to, an airplane, an autogyro, a glider, a gyrodyne, a
594 helicopter, a lift and cruise, a multicopter, paramotors, a
595 powered lift, a seaplane, a tiltrotor, an ultralight, and a
596 vectored thrust. The term does not include ~~except~~ a parachute or
597 other such device used primarily as safety equipment.

598 (3)~~(2)~~ "Airport" means a specific ~~an~~ area of land or water
599 or a structure used for, or intended to be used for, aircraft
600 operations, which may include landing and takeoff of aircraft,
601 ~~including~~ appurtenant areas, buildings, facilities, or rights-
602 of-way necessary to facilitate such use or intended use. The
603 term includes, but is not limited to, airparks, airports,
604 gliderports, heliports, helistops, seaplane bases, ultralight
605 flightparks, vertiports, and vertistops.

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

609 (5) "Commuter operation" means any scheduled operation

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610 conducted by a person operating an aircraft with a frequency of
611 operations of at least five round trips per week on at least one
612 route between two or more points according to the published
613 flight schedule.

614 (6)~~(3)~~ "Department" means the Department of Transportation.

615 (7)~~(4)~~ "Limited airport" means any airport limited
616 exclusively to the specific conditions stated on the site
617 approval order or license.

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

624 (9)~~(5)~~ "Private airport" means an airport, publicly or
625 privately owned, which is not open or available for use by the
626 public, but may be made available to others by invitation of the
627 owner or manager.

628 (10) "Private airport of public interest" means a private
629 airport engaged in air ambulance operations, commercial air tour
630 operations, commuter operations, on-demand operations, public
631 charter operations, scheduled operations, or supplemental
632 operations.

633 (11)~~(6)~~ "Public airport" means an airport, publicly or
634 privately owned, which is open for use by the public.

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

638 (13) "Scheduled operation" means any common carriage

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639 passenger-carrying operation for compensation or hire conducted
640 by an air carrier or commercial operator for which the
641 certificateholder or its representative offers in advance the
642 departure location, departure time, and arrival location.

643 (14) "Supplemental operation" means any common carriage
644 operation for compensation or hire conducted with an aircraft
645 for which the departure time, departure location, and arrival
646 location are specifically negotiated with the customer or
647 customer's representative.

648 (15)~~(7)~~ "Temporary airport" means an airport at which
649 flight operations are conducted under visual flight rules
650 established by the Federal Aviation Administration and which is
651 used for less than 30 consecutive days with no more than 10
652 operations per day.

653 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
654 ~~criteria established by part 103 of the Federal Aviation~~
655 ~~Regulations.~~

656 Section 8. Subsections (2) and (4) of section 330.30,
657 Florida Statutes, are amended to read:

658 330.30 Approval of airport sites; registration,
659 certification, and licensure of airports.-

660 (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;
661 REQUIREMENTS, RENEWAL, REVOCATION.-

662 (a) Except as provided in subsection (3), the owner or
663 lessee of an airport in this state shall have a public airport
664 license, private airport registration, or temporary airport
665 registration before the operation of aircraft to or from the
666 airport. Application for a license or registration shall be made
667 in a form and manner prescribed by the department.

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668 1. For a public airport, upon granting site approval, the
669 department shall issue a license after a final airport
670 inspection finds the airport to be in compliance with all
671 requirements for the license. The license may be subject to any
672 reasonable conditions the department deems necessary to protect
673 the public health, safety, or welfare.

674 2. For a private airport, upon granting site approval, the
675 department shall provide controlled electronic access to the
676 state aviation facility data system to permit the applicant to
677 complete the registration process. Registration shall be
678 completed upon self-certification by the registrant of
679 operational and configuration data deemed necessary by the
680 department.

681 3. For a temporary airport, the department must publish
682 notice of receipt of a completed registration application in the
683 next available publication of the Florida Administrative
684 Register and may not approve a registration application less
685 than 14 days after the date of publication of the notice. The
686 department must approve or deny a registration application
687 within 30 days after receipt of a completed application and must
688 issue the temporary airport registration concurrent with the
689 airport site approval. A completed registration application that
690 is not approved or denied within 30 days after the department
691 receives the completed application is considered approved and
692 shall be issued, subject to such reasonable conditions as are
693 authorized by law. An applicant seeking to claim registration by
694 default under this subparagraph must notify the agency clerk of
695 the department, in writing, of the intent to rely upon the
696 default registration provision of this subparagraph and may not

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697 take any action based upon the default registration until after
698 receipt of such notice by the agency clerk.

699 4. A private airport of public interest must obtain a
700 certificate from the department before allowing aircraft
701 operations. The department shall issue a certificate after a
702 final inspection finds the airport to be in compliance with all
703 certificate requirements. The certificate is subject to any
704 reasonable conditions the department deems necessary to protect
705 the public. A private airport that was engaged in operations
706 associated with a private airport of public interest on or
707 before July 1, 2025, must obtain a certificate from the
708 department by July 1, 2030.

709 (b) The department may license a public airport that does
710 not meet standards only if it determines that such exception is
711 justified by unusual circumstances or is in the interest of
712 public convenience and does not endanger the public health,
713 safety, or welfare. Such a license shall bear the designation
714 "special" and shall state the conditions subject to which the
715 license is granted.

716 (c) A temporary airport license or registration shall be
717 valid for less than 30 days and is not renewable. The department
718 may not approve a subsequent temporary airport registration
719 application for the same general location if the purpose or
720 effect is to evade otherwise applicable airport permitting or
721 licensure requirements.

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

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726 inspections, recognize seasonal airport operations, or improve
727 administrative efficiency.

728 2. Registration for private airports shall remain valid
729 provided specific elements of airport data, established by the
730 department, are periodically recertified by the airport
731 registrant. The ability to recertify private airport
732 registration data shall be available at all times by electronic
733 submittal. A private airport registration that has not been
734 recertified in the 24-month period following the last
735 certification shall expire, unless the registration period has
736 been adjusted by the department for purposes of informing
737 private airport owners of their registration responsibilities or
738 promoting administrative efficiency. The expiration date of the
739 current registration period will be clearly identifiable from
740 the state aviation facility data system.

741 3. The effective date and expiration date shall be shown on
742 public airport licenses. Upon receiving an application for
743 renewal of an airport license in a form and manner prescribed by
744 the department and receiving a favorable inspection report
745 indicating compliance with all applicable requirements and
746 conditions, the department shall renew the license, subject to
747 any conditions deemed necessary to protect the public health,
748 safety, or welfare.

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

751 5. If the renewal application for a public airport license
752 has not been received by the department or no private airport
753 registration recertification has been accomplished within 15
754 days after the date of expiration, the department may revoke the

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755 airport license or registration.

756 6. After initial registration, the department may issue a
757 certificate to a private airport of public interest if the
758 airport is found, after a physical inspection, to be in
759 compliance with all certificate requirements. The certificate is
760 subject to any reasonable condition that the department deems
761 necessary to protect the public health, safety, or welfare. A
762 private airport of public interest certificate expires 5 years
763 after the effective date of the certificate.

764 (e) The department may revoke, or refuse to allow or issue,
765 any airport registration or recertification, or any license or
766 license renewal, if it determines:

- 767 1. That the site has been abandoned as an airport;
768 2. That the airport does not comply with the conditions of
769 the license, license renewal, or site approval;
770 3. That the airport has become either unsafe or unusable
771 for flight operation due to physical or legal changes in
772 conditions that were the subject of approval; or
773 4. That an airport required to file or update a security
774 plan pursuant to paragraph (f) has failed to do so.

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

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784 2. Security plans required by this paragraph must be
785 developed in accordance with the 2004 Security Planning for
786 General Aviation Airports guidelines published by the Florida
787 Airports Council. Certain administrative data from the approved
788 security plan shall be submitted to the Department of Law
789 Enforcement, in a format prescribed by the Department of Law
790 Enforcement, for use in protecting critical infrastructure of
791 the state.

792 3. The department shall not approve a security plan for
793 filing unless it is consistent with Florida Airports Council
794 guidelines.

795 4. An airport required to file a security plan pursuant to
796 this paragraph shall update its plan at least once every 2 years
797 after the initial filing date and file the updated plan with the
798 department. The department shall review the updated plan prior
799 to approving it for filing to determine whether it is consistent
800 with Florida Airports Council guidelines. No renewal license
801 shall be issued to the airport unless the department approves
802 the updated security plan or determines that the airport is
803 working in good faith to update it.

804 (4) EXCEPTIONS.—Private airports with 10 or more based
805 aircraft may request to be inspected and licensed by the
806 department. Private airports licensed according to this
807 subsection shall be considered private airports as defined in s.
808 330.27 ~~s. 330.27(5)~~ in all other respects.

809 Section 9. Section 331.371, Florida Statutes, is amended to
810 read:

811 331.371 Strategic space infrastructure investment.—

812 (1) In consultation with Space Florida, the Department of

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813 Transportation may fund spaceport discretionary capacity
814 improvement projects, as defined in s. 331.303, at up to 100
815 percent of the project's cost if:

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

818 (b)~~(2)~~ Capital improvements that strategically position the
819 state to maximize opportunities in international trade are
820 achieved;

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

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

825 (2) (a) In consultation with the Department of Commerce and
826 the Department of Environmental Protection, the Department of
827 Transportation may fund infrastructure projects, and projects
828 associated with critical infrastructure facilities as defined in
829 s. 692.201, within or outside of a spaceport territory as long
830 as the project supports aerospace or launch support facilities
831 within an adjacent spaceport territory boundary.

832 (b) The Department of Transportation, the Department of
833 Commerce, and the Department of Environmental Protection shall
834 coordinate in funding projects under this subsection to optimize
835 the use of available funds.

836 Section 10. Section 332.003, Florida Statutes, is amended
837 to read:

838 332.003 Florida Airport Development and Accountability
839 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be
840 cited as the “Florida Airport Development and Accountability
841 ~~Assistance~~ Act.”

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842 Section 11. Section 332.005, Florida Statutes, is amended
843 to read:

844 332.005 Restrictions on authority of Department of
845 Transportation.—

846 (1) This act specifically prohibits the Department of
847 Transportation from regulating commercial air carriers operating
848 within the state pursuant to federal authority and regulations;
849 from participating in or exercising control in the management
850 and operation of a sponsor's airport, except when officially
851 requested by the sponsor; or from expanding the design or
852 operational capability of the department in the area of airport
853 and aviation consultants' contract work, other than to provide
854 technical assistance as requested.

855 (2)(a) Notwithstanding subsection (1), upon the declaration
856 of a state of emergency issued by the Governor in preparation
857 for or in response to a natural disaster, airports shall, at no
858 cost to the state, provide the Department of Transportation with
859 the opportunity to use any property that is not within the air
860 navigation facility as defined in s. 332.01(4) for the staging
861 of equipment and personnel to support emergency preparedness and
862 response operations.

863 (b) After 60 days of use under paragraph (a), any further
864 use of airport property by the Department of Transportation must
865 be conducted pursuant to a written agreement between the airport
866 and the department.

867 Section 12. Section 332.006, Florida Statutes, to read:

868 332.006 Duties and responsibilities of the Department of
869 Transportation.—The Department of Transportation shall, within
870 the resources provided to the department ~~pursuant to chapter~~

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871 ~~216:~~

872 (1) Provide coordination and assistance for the development
873 of a viable aviation system in this state. To support the
874 system, a statewide aviation system plan shall be developed and
875 periodically updated which summarizes 5-year, 10-year, and 20-
876 year airport and aviation needs within the state. The statewide
877 aviation system plan shall be consistent with the goals of the
878 Florida Transportation Plan developed pursuant to s. 339.155.
879 The statewide aviation system plan shall not preempt local
880 airport master plans adopted in compliance with federal and
881 state requirements.

882 (2) Advise and assist the Governor in all aviation matters.

883 (3) Upon request, assist airport sponsors, both financially
884 and technically, in airport master planning.

885 (4) Upon request, provide financial and technical
886 assistance to public agencies which operate public-use airports
887 by making department personnel and department-owned facilities
888 and equipment available on a cost-reimbursement basis to such
889 agencies for special needs of limited duration. The requirement
890 relating to reimbursement of personnel costs may be waived by
891 the department in those cases in which the assistance provided
892 by its personnel was of a limited nature or duration.

893 (5) Participate in research and development programs
894 relating to airports.

895 (6) Administer department participation in the program of
896 aviation and airport grants as provided for in ss. 332.003-
897 332.007.

898 (7) Develop, promote, and distribute supporting information
899 and educational services, including, but not limited to,

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900 educational services with a focus on retention and growth of the
901 aviation industry workforce.

902 (8) Encourage the maximum allocation of federal funds to
903 local airport projects in this state.

904 (9) Support the development of land located within the
905 boundaries of airports for the purpose of industrial or other
906 uses compatible with airport operations with the objective of
907 assisting airports in this state to become fiscally self-
908 supporting. Such assistance may include providing state moneys
909 on a matching basis to airport sponsors for capital
910 improvements, including, but not limited to, fixed-base
911 operation facilities, parking areas, industrial park utility
912 systems, and road and rail transportation systems which are on
913 airport property.

914 (10) When deemed appropriate by the department, conduct
915 inspections of commercial airport facilities that have received
916 state funding, including, but not limited to, the inspection of
917 terminal facilities, baggage systems, and fixed guideway
918 transportation systems in accordance with s. 341.061. The
919 department may enter into agreements with other state regulatory
920 agencies, including, but not limited to, the Department of
921 Business and Professional Regulation and the Department of
922 Health, for the purpose of conducting such inspections.

923 Section 13. Subsection (5), paragraph (a) of subsection
924 (7), and subsections (8) and (9) of section 332.007, Florida
925 Statutes, are amended, and paragraph (c) is added to subsection
926 (2) of that section, to read:

927 332.007 Administration and financing of aviation and
928 airport programs and projects; state plan.-

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929 (2)

930 (c) The department shall require each airport sponsor to
931 submit an annual comprehensive maintenance program report that
932 provides details relating to maintenance and inspections of
933 airport infrastructure. The report must include a schedule of
934 inspections, locations at which inspections and maintenance are
935 performed, a list of required maintenance needs, any remedial
936 action required or taken after an inspection, and details of
937 follow-up inspections. For purposes of this paragraph, the term
938 "maintenance" means any preventive or routine work necessary to
939 maintain airport infrastructure in good condition, which is
940 essential for the safe operation of airport infrastructure. If
941 the comprehensive maintenance program report includes evidence
942 of failure to perform routine maintenance, the department may
943 withhold state funds intended for use for capital expansion
944 projects until the airport sponsor takes corrective action to
945 address the failure. Records of materials and equipment used for
946 maintenance and repair work must be maintained by the airport
947 sponsor as required by the department.

948 (5) Only those projects or programs provided for in this
949 act that will contribute to the implementation of the state
950 aviation system plan, that are consistent with the energy policy
951 of the state as defined in s. 339.08(6)(a), that are consistent
952 with and will contribute to the implementation of any airport
953 master plan or layout plan, and that are consistent, to the
954 maximum extent feasible, with the approved local government
955 comprehensive plans of the units of government in which the
956 airport is located are eligible for the expenditure of state
957 funds in accordance with fund participation rates and priorities

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958 established herein.

959 (7) Subject to the availability of appropriated funds in
960 addition to aviation fuel tax revenues, the department may
961 participate in the capital cost of eligible public airport and
962 aviation discretionary capacity improvement projects. The annual
963 legislative budget request shall be based on the funding
964 required for discretionary capacity improvement projects in the
965 aviation and airport work program.

966 (a) The department shall provide priority funding in
967 support of:

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

971 2. Land acquisition which provides additional capacity at
972 the qualifying international airport or at that airport's
973 supplemental air carrier airport.

974 ~~3.2.~~ Runway and taxiway projects that add capacity or are
975 necessary to accommodate technological changes in the aviation
976 industry.

977 ~~4.3.~~ Airport access transportation projects that improve
978 direct airport access and are approved by the airport sponsor.

979 ~~5.4.~~ International terminal projects that increase
980 international gate capacity.

981 6. Projects that improve safety and efficiency of airport
982 operations.

983 7. Emerging technology projects, workforce development
984 projects, and projects that benefit the strategic intermodal
985 system through intermodal connectivity.

986 (8) The department may also fund eligible projects

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987 performed by not-for-profit organizations and postsecondary
988 education institutions as defined in s. 1008.47 which support
989 the training of pilots, air traffic control personnel, or
990 aircraft maintenance technical personnel ~~that represent a~~
991 ~~majority of public airports in this state.~~ Eligible projects may
992 include activities associated with aviation master planning,
993 professional education, safety and security planning, enhancing
994 economic development and efficiency at airports in this state,
995 or other planning efforts to improve the viability and safety of
996 airports in this state. Programs that support the transition of
997 honorably discharged military personnel to the aviation industry
998 are also eligible projects under this subsection. The department
999 may provide matching funds for eligible projects funded by the
1000 Department of Commerce.

1001 (9) The department may fund strategic airport investment
1002 projects at up to 100 percent of the project's cost if:

1003 (a) Important access and on-airport capacity improvements
1004 are provided;

1005 (b) Capital improvements that strategically position the
1006 state to maximize opportunities in tourism, international trade,
1007 logistics, and the aviation industry are provided;

1008 (c) Goals of an integrated intermodal transportation system
1009 for the state are achieved; and

1010 (d) Feasibility and availability of matching funds through
1011 federal, local, or private partners are demonstrated.

1012 Section 14. Paragraphs (a), (b), and (d) of subsection (1),
1013 subsection (2), and paragraph (a) of subsection (5) of section
1014 332.0075, Florida Statutes, are amended, and paragraph (c) is
1015 added to subsection (5) of that section, to read:

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1016 332.0075 Commercial service airports; transparency and
1017 accountability; penalty.—

1018 (1) As used in this section, the term:

1019 (a) "Commercial service airport" means an airport providing
1020 commercial service, including large, medium, small, and nonhub
1021 airports as classified ~~a primary airport as defined in 49 U.S.C.~~
1022 ~~s. 47102 which is classified as a large, medium, or small hub~~
1023 ~~airport~~ by the Federal Aviation Administration.

1024 (b) "Consent agenda" means an agenda which consists of
1025 items voted on collectively or as a group and which does not
1026 provide the opportunity for public comment on each such item
1027 before approval or disapproval by the governing body.

1028 (d) "Governing body" means the governing body of the
1029 county, municipality, or special district that operates a
1030 commercial service airport. The term also includes an appointed
1031 board or oversight entity serving as the governing body for
1032 purposes of a commercial service airport on behalf of a county,
1033 municipality, or special district.

1034 (2) Each governing body shall establish and maintain a
1035 website to post information relating to the operation of a
1036 commercial service airport. The information must remain posted
1037 on the website for 5 years or for the entirety of the period
1038 during which the document is actively in use, whichever is
1039 longer, and must include all of the following, including:

1040 (a) All published notices of meetings and published meeting
1041 agendas of the governing body.

1042 (b) The official minutes of each meeting of the governing
1043 body, which must ~~shall~~ be posted within 7 business days after
1044 the date of the meeting in which the minutes were approved.

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1045 (c) The approved budget for the commercial service airport
1046 for the current fiscal year, which shall be posted within 7
1047 business days after the date of adoption. Budgets must remain on
1048 the website for 5 ~~2~~ years after the conclusion of the fiscal
1049 year for which they were adopted.

1050 (d) Copies of the current airport master plan and the
1051 immediately preceding airport master plan for the commercial
1052 service airport and a link to the current airport master plan
1053 ~~for the commercial service airport~~ on the commercial service
1054 airport's website.

1055 (e) A link to all financial and statistical reports for the
1056 commercial service airport on the Federal Aviation
1057 Administration's website.

1058 (f) Any contract or contract amendment for the purchase of
1059 commodities or contractual services executed by or on behalf of
1060 the commercial service airport in excess of the threshold amount
1061 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be
1062 posted no later than 7 business days after the commercial
1063 service airport executes the contract or contract amendment.
1064 However, a contract or contract amendment may not reveal
1065 information made confidential or exempt by law. Each commercial
1066 service airport must redact confidential or exempt information
1067 from each contract or contract amendment before posting a copy
1068 on its website.

1069 (g) Position and rate information for each employee of the
1070 commercial service airport, including, at a minimum, the
1071 employee's position title, position description, and annual or
1072 hourly salary. This information must ~~shall~~ be updated quarterly
1073 ~~annually~~.

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1074 (5) (a) Each November 1, the governing body of each
1075 commercial service airport shall submit the following
1076 information to the department:

- 1077 1. Its approved budget for the current fiscal year.
- 1078 2. Any financial reports submitted to the Federal Aviation
1079 Administration during the previous calendar year.
- 1080 3. A link to its website.
- 1081 4. A statement, verified as provided in s. 92.525, that it
1082 has complied with part III of chapter 112, chapter 287, and this
1083 section.
- 1084 5. The most recent copies of its strategic plans.
- 1085 6. Contracts related to any financial awards received
1086 through federally funded grant programs for the preceding year.

1087 (c) A commercial service airport shall:

1088 1. Notify the department within 48 hours after receiving a
1089 communication or directive from a federal agency relating to
1090 public health testing or the transfer of unauthorized aliens
1091 into this state.

1092 2. Notify the department as soon as is reasonably possible,
1093 but no later than 48 hours, after the discovery of a potential
1094 cybersecurity breach or other occurrence impacting the traveling
1095 public, a disruption in state aviation operations directly
1096 impacting multiple airports within this state, or an incident
1097 occurring on airport property which requires coordination with
1098 multiple local, state, or federal agencies.

1099 Section 15. Section 332.15, Florida Statutes, is created to
1100 read:

1101 332.15 Advanced air mobility.—The Department of
1102 Transportation shall:

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1103 (1) Address the need for vertiports, advanced air mobility,
1104 and other advances in aviation technology in the statewide
1105 aviation system plan required under s. 332.006(1) and, as
1106 appropriate, in the department's work program.

1107 (2) Designate a subject matter expert on advanced air
1108 mobility within the department to serve as a resource for local
1109 jurisdictions navigating advances in aviation technology.

1110 (3) Conduct a review of airport hazard zone regulations.

1111 (4) In coordination with the Department of Commerce,
1112 provide coordination and assistance for the development of a
1113 viable advanced air mobility system plan in this state. The
1114 department shall incorporate the plan into the statewide
1115 aviation system plan required under s. 332.006(1) to identify
1116 and develop statewide corridors of need and opportunities for
1117 industry growth.

1118 Section 16. Subsection (5) of section 334.044, Florida
1119 Statutes, is amended, and subsections (37), (38), and (39) are
1120 added to that section, to read:

1121 334.044 Powers and duties of the department.—The department
1122 shall have the following general powers and duties:

1123 (5) To purchase, lease, or otherwise acquire property and
1124 materials, including the purchase of promotional items as part
1125 of public information and education campaigns for the promotion
1126 of environmental management, scenic highways, traffic and train
1127 safety awareness, ~~alternatives to single-occupant vehicle~~
1128 ~~travel~~, commercial motor vehicle safety, workforce development,
1129 electric vehicle use and charging stations, autonomous vehicles,
1130 and context classification design ~~design~~ for electric vehicles and
1131 autonomous vehicles; to purchase, lease, or otherwise acquire

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1132 equipment and supplies; and to sell, exchange, or otherwise
1133 dispose of any property that is no longer needed by the
1134 department.

1135 (37) Notwithstanding s. 287.022 or s. 287.025, to directly
1136 enter into insurance contracts with local, national, or
1137 international insurance companies for the purchase of insurance
1138 coverage that the department is contractually and legally
1139 required to provide.

1140 (38) Notwithstanding s. 287.14, to purchase or acquire
1141 heavy equipment and motor vehicles for roadway operations and
1142 emergency response purposes regardless of whether the department
1143 exchanges or ceases to operate any department-owned heavy
1144 equipment or motor vehicles.

1145 (39) To adopt rules for the purpose of compliance with 49
1146 C.F.R. part 26 and any other applicable federal law.

1147 Section 17. Subsection (1) of section 334.045, Florida
1148 Statutes, is amended to read:

1149 334.045 Transportation performance and productivity
1150 standards; development; measurement; application.—

1151 (1) The Florida Transportation Commission shall develop and
1152 adopt measures for evaluating the performance and productivity
1153 of the department. The measures may be both quantitative and
1154 qualitative and must, to the maximum extent practical, assess
1155 those factors that are within the department's control. The
1156 measures must, at a minimum, assess performance in the following
1157 areas:

- 1158 (a) Production;
1159 (b) Finance and administration;
1160 (c) Preservation of the current state system;

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- 1161 (d) Safety of the current state system;
- 1162 (e) Capacity improvements: highways and all public
- 1163 transportation modes; and
- 1164 (f) The business development program established under s.
- 1165 337.027 Disadvantaged business enterprise and minority business
- 1166 programs.

1167 Section 18. Section 334.62, Florida Statutes, is created to

1168 read:

1169 334.62 Florida Transportation Academy.—The Legislature

1170 finds that the growth and sustainability of the transportation

1171 industry workforce is vital to the continued success and

1172 efficiency of the state's supply chain and economic

1173 competitiveness. In order to prioritize the continued need for

1174 transportation industry workforce development programs, the

1175 Florida Transportation Academy is established within the

1176 department. In order to support, promote, and sustain workforce

1177 development efforts in the transportation sector, the department

1178 may do all of the following:

1179 (1) Coordinate with the Department of Corrections to

1180 identify and create certification and training opportunities for

1181 nonviolent, scheduled-release inmates and create a notification

1182 process between the Department of Corrections and the department

1183 for nonviolent inmates with imminent scheduled-release dates who

1184 are expected to seek employment upon release.

1185 (2) Coordinate with the Department of Juvenile Justice and

1186 its educational partners to create certification and training

1187 opportunities for eligible youth.

1188 (3) Coordinate with veterans' organizations to encourage

1189 veterans with honorable military discharge to pursue employment

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1190 opportunities within the transportation industry, including, but
 1191 not limited to, employment as pilots, mechanics, and air traffic
 1192 controllers.

1193 (4) Coordinate with the Department of Commerce,
 1194 CareerSource Florida, Inc., and regional business organizations,
 1195 within and outside of the transportation industry, to further
 1196 understand recruitment and retention needs and job-seeker
 1197 pipelines.

1198 (5) Coordinate with the American Council of Engineering
 1199 Companies and the Florida Transportation Builders Association to
 1200 optimize workforce recruitment and retention and assess future
 1201 needs across the transportation industry in this state.

1202 Section 19. Present paragraph (b) of subsection (3) of
 1203 section 335.182, Florida Statutes, is redesignated as paragraph
 1204 (c) and amended, and a new paragraph (b) is added to that
 1205 subsection, to read:

1206 335.182 Regulation of connections to roads on State Highway
 1207 System; definitions.—

1208 (3) As used in this act, the term:

1209 (b) "Modification of an existing connection" means the
 1210 relocation, alteration, or closure of the connection.

1211 (c) ~~(b)~~ "Significant change" means:

1212 1. A change in the use of the property, including the
 1213 development of land, structures, or facilities;~~7~~ or

1214 2. An expansion of the size of the property, structures, or
 1215 facilities causing an increase in the trip generation of the
 1216 property exceeding 25 percent more trip generation, ~~(either peak~~
 1217 hour or daily),~~+~~ and exceeding 100 vehicles per day more than the
 1218 existing use.

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1219 Section 20. Subsections (3) and (4) of section 335.187,
1220 Florida Statutes, are amended to read:

1221 335.187 Unpermitted connections; existing access permits;
1222 nonconforming permits; modification and revocation of permits.—

1223 (3) The department may issue a nonconforming access permit
1224 if denying after finding that to deny an access permit would
1225 leave the property without a reasonable means of access to the
1226 State Highway System. The department may specify limits on the
1227 maximum vehicular use of the connection and may condition ~~be~~
1228 ~~conditioned on~~ the availability of future alternative means of
1229 access for which access permits can be obtained.

1230 (4) After written notice and the opportunity for a hearing,
1231 as provided for in s. 120.60, the department may modify or
1232 revoke an access permit issued after July 1, 1988, by requiring
1233 modification ~~Relocation, alteration, or closure~~ of an existing
1234 connection if:

1235 (a) A significant change occurs in the use, design, or
1236 traffic flow of the connection; or

1237 (b) It would jeopardize the safety of the public or have a
1238 negative impact upon the operational characteristics of the
1239 highway.

1240 Section 21. Subsection (2) of section 337.027, Florida
1241 Statutes, is amended to read:

1242 337.027 Authority to implement a business development
1243 program.—

1244 (2) For purposes of this section, the term "small business"
1245 means a business with yearly average gross receipts of less than
1246 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10
1247 ~~\$6.5~~ million for professional and nonprofessional services

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1248 contracts. A business' average gross receipts is determined by
1249 averaging its annual gross receipts over the last 3 years,
1250 including the receipts of any affiliate as defined in s.
1251 337.165.

1252 Section 22. Subsection (6) of section 337.11, Florida
1253 Statutes, is amended to read:

1254 337.11 Contracting authority of department; bids; emergency
1255 repairs, supplemental agreements, and change orders; combined
1256 design and construction contracts; progress payments; records;
1257 requirements of vehicle registration.-

1258 (6) (a) If the secretary determines that an emergency in
1259 regard to the restoration or repair of any state transportation
1260 facility exists such that the delay incident to giving
1261 opportunity for competitive bidding would be detrimental to the
1262 interests of the state, the provisions for competitive bidding
1263 do not apply; and the department may enter into contracts for
1264 restoration or repair without giving opportunity for competitive
1265 bidding on such contracts. Within 30 days after such
1266 determination and contract execution, the head of the department
1267 shall file with the Executive Office of the Governor a written
1268 statement of the conditions and circumstances constituting such
1269 emergency.

1270 (b) If the secretary determines that delays on a contract
1271 for maintenance exist due to administrative challenges, bid
1272 protests, defaults or terminations and the further delay would
1273 reduce safety on the transportation facility or seriously hinder
1274 the department's ability to preserve the state's investment in
1275 that facility, competitive bidding provisions may be waived and
1276 the department may enter into a contract for maintenance on the

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1277 facility. However, contracts for maintenance executed under the
1278 provisions of this paragraph shall be interim in nature and
1279 shall be limited in duration to a period of time not to exceed
1280 the length of the delay necessary to complete the competitive
1281 bidding process and have the contract in place.

1282 (c) When the department determines that it is in the best
1283 interest of the public for reasons of public concern, economy,
1284 improved operations, or safety, and only when circumstances
1285 dictate rapid completion of the work, the department may, up to
1286 the amount of \$500,000, enter into contracts for construction
1287 and maintenance without advertising and receiving competitive
1288 bids. The department may enter into such contracts only upon a
1289 determination that the work is necessary for one of the
1290 following reasons:

1291 1. To ensure timely completion of projects or avoidance of
1292 undue delay for other projects;

1293 2. To accomplish minor repairs or construction and
1294 maintenance activities for which time is of the essence and for
1295 which significant cost savings would occur; or

1296 3. To accomplish nonemergency work necessary to ensure
1297 avoidance of adverse conditions that affect the safe and
1298 efficient flow of traffic.

1299
1300 The department shall make a good faith effort to obtain two or
1301 more quotes, if available, from qualified contractors before
1302 entering into any contract. The department shall give
1303 consideration to small ~~disadvantaged~~ business ~~enterprise~~
1304 participation. However, when the work exists within the limits
1305 of an existing contract, the department shall make a good faith

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1306 effort to negotiate and enter into a contract with the prime
1307 contractor on the existing contract.

1308 Section 23. Section 337.125, Florida Statutes, is repealed.

1309 Section 24. Section 337.135, Florida Statutes, is repealed.

1310 Section 25. Section 337.139, Florida Statutes, is repealed.

1311 Section 26. Paragraph (a) of subsection (1) of section
1312 337.18, Florida Statutes, is amended to read:

1313 337.18 Surety bonds for construction or maintenance
1314 contracts; requirement with respect to contract award; bond
1315 requirements; defaults; damage assessments.—

1316 (1) (a) A surety bond shall be required of the successful
1317 bidder in an amount equal to the awarded contract price.
1318 However, the department may choose, in its discretion and
1319 applicable only to multiyear maintenance contracts, to allow for
1320 incremental annual contract bonds that cumulatively total the
1321 full, awarded, multiyear contract price; ~~The department may~~
1322 ~~also choose,~~ in its discretion and applicable only to phased
1323 design-build contracts under s. 337.11(7)(b), to allow the
1324 issuance of multiple contract performance and payment bonds in
1325 succession to align with each phase of the contract to meet the
1326 bonding requirement in this subsection; and, at the discretion
1327 of the Secretary of Transportation and notwithstanding any
1328 bonding requirement under s. 337.18, to require a surety bond in
1329 an amount that is less than the awarded contract price.

1330 1. The department may waive the requirement for all or a
1331 portion of a surety bond if:

1332 a. The contract price is \$250,000 or less and the
1333 department determines that the project is of a noncritical
1334 nature and that nonperformance will not endanger public health,

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1335 safety, or property;

1336 b. The prime contractor is a qualified nonprofit agency for
1337 the blind or for the other severely handicapped under s.

1338 413.036(2); or

1339 c. The prime contractor is using a subcontractor that is a
1340 qualified nonprofit agency for the blind or for the other
1341 severely handicapped under s. 413.036(2). However, the
1342 department may not waive more than the amount of the
1343 subcontract.

1344 2. If the department determines that it is in the best
1345 interests of the department to reduce the bonding requirement
1346 for a project and that to do so will not endanger public health,
1347 safety, or property, the department may waive the requirement of
1348 a surety bond in an amount equal to the awarded contract price
1349 for a project having a contract price of \$250 million or more
1350 and, in its place, may set a surety bond amount that is a
1351 portion of the total contract price and provide an alternate
1352 means of security for the balance of the contract amount that is
1353 not covered by the surety bond or provide for incremental surety
1354 bonding and provide an alternate means of security for the
1355 balance of the contract amount that is not covered by the surety
1356 bond. Such alternative means of security may include letters of
1357 credit, United States bonds and notes, parent company
1358 guarantees, and cash collateral. The department may require
1359 alternate means of security if a surety bond is waived. The
1360 surety on such bond shall be a surety company authorized to do
1361 business in the state. All bonds shall be payable to the
1362 department and conditioned for the prompt, faithful, and
1363 efficient performance of the contract according to plans and

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1364 specifications and within the time period specified, and for the
1365 prompt payment of all persons defined in s. 713.01 furnishing
1366 labor, material, equipment, and supplies for work provided in
1367 the contract; however, whenever an improvement, demolition, or
1368 removal contract price is \$25,000 or less, the security may, in
1369 the discretion of the bidder, be in the form of a cashier's
1370 check, bank money order of any state or national bank, certified
1371 check, or postal money order. The department shall adopt rules
1372 to implement this subsection. Such rules shall include
1373 provisions under which the department shall refuse to accept
1374 bonds on contracts when a surety wrongfully fails or refuses to
1375 settle or provide a defense for claims or actions arising under
1376 a contract for which the surety previously furnished a bond.

1377 Section 27. Subsection (3) of section 337.251, Florida
1378 Statutes, is amended to read:

1379 337.251 Lease of property for joint public-private
1380 development and areas above or below department property.-

1381 (3) A proposal must be selected by the department based on
1382 competitive bidding, except that the department may consider
1383 other relevant factors specified in the request for proposals.
1384 The department may consider such factors as the value of
1385 property exchanges, the cost of construction, and other
1386 recurring costs for the benefit of the department by the lessee
1387 in lieu of direct revenue to the department if such other
1388 factors are of equal value including innovative proposals to
1389 involve small ~~minority~~ businesses. The department may name a
1390 board of advisers which may be composed of accountants, real
1391 estate appraisers, design engineers, or other experts
1392 experienced in the type of development proposed. The board of

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1393 advisers shall review the feasibility of the proposals,
1394 recommend acceptance or rejection of each proposal, and rank
1395 each feasible proposal in the order of technical feasibility and
1396 benefit provided to the department. The board of advisers shall
1397 be reasonably compensated for the services provided and all
1398 department costs for evaluating the proposals shall be
1399 reimbursed from a proposal application fee to be set by the
1400 department and paid by the applicants. The board of advisers
1401 shall not be subject to selection under the provisions of
1402 chapter 287.

1403 Section 28. Section (2) of section 337.401, Florida
1404 Statutes, is amended to read:

1405 337.401 Use of right-of-way for utilities subject to
1406 regulation; permit; fees.—

1407 (2) (a) The authority may grant to any person who is a
1408 resident of this state, or to any corporation which is organized
1409 under the laws of this state or licensed to do business within
1410 this state, the use of a right-of-way for the utility in
1411 accordance with such rules or regulations as the authority may
1412 adopt. A utility may not be installed, located, or relocated
1413 unless authorized by a written permit issued by the authority.
1414 However, for public roads or publicly owned rail corridors under
1415 the jurisdiction of the department, a utility relocation
1416 schedule and relocation agreement may be executed in lieu of a
1417 written permit. The permit must require the permitholder to be
1418 responsible for any damage resulting from the issuance of such
1419 permit. The authority may initiate injunctive proceedings as
1420 provided in s. 120.69 to enforce provisions of this subsection
1421 or any rule or order issued or entered into pursuant thereto. A

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1422 permit application required under this subsection by a county or
1423 municipality having jurisdiction and control of the right-of-way
1424 of any public road must be processed and acted upon in
1425 accordance with the timeframes provided in subparagraphs
1426 (7) (d) 7., 8., and 9.

1427 (b) Notwithstanding paragraph (a), a municipality may not
1428 prohibit, or require a permit for, the installation of a public
1429 sewer transmission line placed and maintained within and under
1430 publicly dedicated rights-of-way as part of a septic-to-sewer
1431 conversion where the work is being performed under permits
1432 issued by the Department of Transportation pursuant to this
1433 chapter and the Department of Environmental Protection, or its
1434 delegate, pursuant to chapter 403.

1435 Section 29. Subsection (4) of section 337.406, Florida
1436 Statutes, is amended to read:

1437 337.406 Unlawful use of state transportation facility
1438 right-of-way; penalties.—

1439 (4) (a) Camping is prohibited on any portion of the right-
1440 of-way of the State Highway System ~~that is within 100 feet of a~~
1441 ~~bridge, causeway, overpass, or ramp.~~

1442 (b) This subsection does not apply to a person who has
1443 acquired the appropriate permits and is actively navigating the
1444 federally designated Florida National Scenic Trail recognized by
1445 the state in s. 260.012(6).

1446 Section 30. Subsection (4) of section 338.227, Florida
1447 Statutes, is amended to read:

1448 338.227 Turnpike revenue bonds.—

1449 (4) The Department of Transportation and the Department of
1450 Management Services shall create and implement an outreach

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1451 program designed to enhance the participation of small ~~minority~~
1452 ~~persons and minority~~ business enterprises in all contracts
1453 entered into by their respective departments for services
1454 related to the financing of department projects for the
1455 Strategic Intermodal System Plan developed pursuant to s.
1456 339.64. These services ~~shall~~ include, but are not limited to,
1457 bond counsel and bond underwriters.

1458 Section 31. Subsection (6) is added to section 339.08,
1459 Florida Statutes, to read:

1460 339.08 Use of moneys in State Transportation Trust Fund.—

1461 (6) (a) As used in this subsection, the term "energy policy
1462 of the state" means the energy policy described in s. 377.601
1463 and includes any intended or actual measure, obligation, target,
1464 or timeframe related to a reduction in carbon dioxide emissions.

1465 (b) The department may not expend any state funds as
1466 described in s. 215.31 to support a project or program of any of
1467 the following entities if such entities adopt or promote energy
1468 policy goals inconsistent with the energy policy of the state:

1469 1. A public transit provider as defined in s. 341.031(1).

1470 2. An authority created pursuant to chapter 343, chapter
1471 348, or chapter 349.

1472 3. A public-use airport as defined in s. 332.004.

1473 4. A port listed in s. 311.09(1).

1474 Section 32. Section 339.0805, Florida Statutes, is
1475 repealed.

1476 Section 33. Paragraph (c) of subsection (6) and paragraph
1477 (h) of subsection (7) of section 339.135, Florida Statutes, are
1478 amended to read:

1479 339.135 Work program; legislative budget request;

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1480 definitions; preparation, adoption, execution, and amendment.—

1481 (6) EXECUTION OF THE BUDGET.—

1482 (c) Notwithstanding ~~the provisions of~~ ss. 216.301(2) and
1483 216.351, any unexpended balance remaining at the end of the
1484 fiscal year in the appropriations to the department for special
1485 categories; aid to local governments; lump sums for project
1486 phases which are part of the adopted work program, and for which
1487 contracts have been executed or bids have been let; and for
1488 right-of-way land acquisition and relocation assistance for
1489 parcels from project phases in the adopted work program for
1490 which appraisals have been completed and approved, may be
1491 certified forward as fixed capital outlay at the end of each
1492 fiscal year, to be certified by the head of the state agency on
1493 or before August 1 of each year to the Executive Office of the
1494 Governor, showing in detail the commitment or to whom obligated
1495 and the amount of such commitment or obligation. On or before
1496 September 1 of each year, the Executive Office of the Governor
1497 shall review and approve or disapprove, consistent with
1498 legislative policy and intent, any ~~or all~~ of the items and
1499 amounts certified by the head of the state agency and shall
1500 furnish the Chief Financial Officer, the legislative
1501 appropriations committees, and the Auditor General a detailed
1502 listing of the items and amounts approved as legal encumbrances
1503 against the undisbursed balances of such appropriations. In the
1504 event such certification is not made and the balance of the
1505 appropriation has reverted and the obligation is proven to be
1506 legal, due, and unpaid, then the same must ~~shall~~ be presented to
1507 the Legislature for its consideration. Such certification as
1508 herein required must ~~shall~~ be in the form and on the date

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1509 approved by the Executive Office of the Governor. Any project
1510 phases in the adopted work program not certified forward are
1511 ~~shall be~~ available for roll forward for the next fiscal year of
1512 the adopted work program. Spending authority associated with
1513 such project phases may be rolled forward to the next fiscal
1514 year upon approval by the procedures set forth in s. 216.177.
1515 Upon approval, the Executive Office of the Governor shall modify
1516 the original approved operating budget for fixed capital outlay
1517 expenditures ~~Legislative Budget Commission~~. Increases in
1518 spending authority are ~~shall be~~ limited to amounts of unexpended
1519 balances by appropriation category. Any project phase certified
1520 forward for which bids have been let but subsequently rejected
1521 is ~~shall be~~ available for roll forward in the adopted work
1522 program for the next fiscal year. Spending authority associated
1523 with such project phases may be rolled forward into the current
1524 year from funds certified forward. The amount certified forward
1525 may include contingency allowances for right-of-way acquisition
1526 and relocation, asphalt and petroleum product escalation
1527 clauses, and contract overages, which allowances must ~~shall~~ be
1528 separately identified in the certification detail. Right-of-way
1529 acquisition and relocation and contract overages contingency
1530 allowances must ~~shall~~ be based on documented historical
1531 patterns. These contingency amounts must ~~shall~~ be incorporated
1532 in the certification for each specific category, but when a
1533 category has an excess and another category has a deficiency,
1534 the Executive Office of the Governor is authorized to transfer
1535 the excess to the deficient account.

1536 (7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

1537 (h)1. Any work program amendment that also adds a new

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1538 project, or phase thereof, to the adopted work program in excess
1539 of \$3 million is subject to approval by the Legislative Budget
1540 Commission. Any work program amendment submitted under this
1541 paragraph must include, as supplemental information, a list of
1542 projects, or phases thereof, in the current 5-year adopted work
1543 program which are eligible for the funds within the
1544 appropriation category being used for the proposed amendment.
1545 The department shall provide a narrative with the rationale for
1546 not advancing an existing project, or phase thereof, in lieu of
1547 the proposed amendment.

1548 2. If the department submits an amendment to the
1549 Legislative Budget Commission and the commission does not meet
1550 or consider the amendment within 30 days after its submittal,
1551 the chair and vice chair of the commission may authorize the
1552 amendment to be approved pursuant to s. 216.177. ~~This~~
1553 ~~subparagraph expires July 1, 2025.~~

1554 Section 34. Paragraph (b) of subsection (3) and paragraph
1555 (c) of subsection (4) of section 339.2821, Florida Statutes, are
1556 amended to read:

1557 339.2821 Economic development transportation projects.-

1558 (3)

1559 (b) The department must ensure that it is supportive of
1560 small businesses as defined in s. 337.027(2) ~~small and minority~~
1561 ~~businesses have equal access to participate in transportation~~
1562 ~~projects funded pursuant to this section.~~

1563 (4) A contract between the department and a governmental
1564 body for a transportation project must:

1565 (c) Require that the governmental body provide the
1566 department with progress reports. Each progress report must

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1567 contain:

1568 1. A narrative description of the work completed and
1569 whether the work is proceeding according to the transportation
1570 project schedule;

1571 2. A description of each change order executed by the
1572 governmental body;

1573 3. A budget summary detailing planned expenditures compared
1574 to actual expenditures; and

1575 4. The identity of each small ~~or minority~~ business used as
1576 a contractor or subcontractor.

1577 Section 35. Section 339.287, Florida Statutes, is repealed.

1578 Section 36. Paragraph (c) of subsection (2) of section
1579 339.55, Florida Statutes, is amended to read:

1580 339.55 State-funded infrastructure bank.—

1581 (2) The bank may lend capital costs or provide credit
1582 enhancements for:

1583 (c)1. Emergency loans for damages incurred to public-use
1584 commercial deepwater seaports, public-use airports, and other
1585 public-use transit and intermodal facilities that are within an
1586 area that is part of an official state declaration of emergency
1587 pursuant to chapter 252 and all other applicable laws. Such
1588 loans:

1589 a. May not exceed 24 months in duration except in extreme
1590 circumstances, for which the Secretary of Transportation may
1591 grant up to 36 months upon making written findings specifying
1592 the conditions requiring a 36-month term.

1593 b. Require application from the recipient to the department
1594 that includes documentation of damage claims filed with the
1595 Federal Emergency Management Agency or an applicable insurance

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1596 carrier and documentation of the recipient's overall financial
1597 condition.

1598 c. Are subject to approval by the Secretary of
1599 Transportation ~~and the Legislative Budget Commission.~~

1600 2. Loans provided under this paragraph must be repaid upon
1601 receipt by the recipient of eligible program funding for damages
1602 in accordance with the claims filed with the Federal Emergency
1603 Management Agency or an applicable insurance carrier, but no
1604 later than the duration of the loan.

1605 Section 37. Subsections (3) and (7) of section 339.651,
1606 Florida Statutes, are amended to read:

1607 339.651 Strategic Intermodal System supply chain demands.—

1608 (3) The department may ~~shall~~ make up to \$20 million
1609 available each year ~~for fiscal years 2023-2024 through 2027-~~
1610 ~~2028,~~ from the existing work program ~~revenues,~~ to fund projects
1611 that meet the public purpose of providing increased capacity and
1612 enhanced capabilities to move and store construction aggregate.
1613 Applicants eligible for project funding under this section are
1614 seaports listed in s. 311.09 and rail lines and rail facilities.

1615 ~~(7) This section shall stand repealed on July 1, 2028.~~

1616 Section 38. Paragraph (b) of subsection (6) of section
1617 341.051, Florida Statutes, is amended to read:

1618 341.051 Administration and financing of public transit and
1619 intercity bus service programs and projects.—

1620 (6) ANNUAL APPROPRIATION.—

1621 (b) If funds are allocated to projects that qualify for the
1622 New Starts Transit Program in the current fiscal year and a
1623 project will not be ready for production by June 30, those funds
1624 must ~~The remaining unallocated New Starts Transit Program funds~~

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1625 ~~as of June 30, 2024,~~ shall be reallocated for the purpose of the
1626 Strategic Intermodal System within the State Transportation
1627 Trust Fund for the next fiscal year. ~~This paragraph expires June~~
1628 ~~30, 2026.~~

1629

1630 For purposes of this section, the term "net operating costs"
1631 means all operating costs of a project less any federal funds,
1632 fares, or other sources of income to the project.

1633 Section 39. Subsection (5) of section 348.754, Florida
1634 Statutes, is amended to read:

1635 348.754 Purposes and powers.—

1636 (5) The authority shall encourage the inclusion of local
1637 and small ~~local-, small-, minority-, and women-owned~~ businesses
1638 in its procurement and contracting opportunities.

1639 Section 40. Subsection (2) of section 349.03, Florida
1640 Statutes, is amended, and subsections (4) and (5) are added to
1641 that section, to read:

1642 349.03 Jacksonville Transportation Authority.—

1643 (2) The governing body of the authority shall be composed
1644 ~~consist~~ of seven members. Four ~~Three~~ members shall be appointed
1645 by the Governor and confirmed by the Senate. Of the four members
1646 appointed by the Governor, one must be a resident of Duval
1647 County and three must be residents of Clay County, St. Johns
1648 County, or Nassau County. Three members shall be appointed by
1649 the mayor of the City of Jacksonville subject to confirmation by
1650 the council of the City of Jacksonville. ~~The seventh member~~
1651 ~~shall be the district secretary of the Department of~~
1652 ~~Transportation serving in the district that contains the City of~~
1653 ~~Jacksonville. Except for the seventh member,~~ Members appointed

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1654 by the mayor of the City of Jacksonville must ~~shall~~ be residents
1655 and qualified electors of Duval County.

1656 (4) The authority shall follow the business development
1657 program established by the department pursuant to s. 337.027.

1658 (5) The authority shall establish protocols and systems in
1659 accordance with the requirements of ss. 112.061(16) and
1660 215.985(6) and (14) and post all related information on the
1661 authority's publicly accessible website.

1662 Section 41. Paragraphs (j) and (m) of subsection (2) of
1663 section 110.205, Florida Statutes, are amended to read:

1664 110.205 Career service; exemptions.—

1665 (2) EXEMPT POSITIONS.—The exempt positions that are not
1666 covered by this part include the following:

1667 (j) The appointed secretaries and the State Surgeon
1668 General, assistant secretaries, deputy secretaries, and deputy
1669 assistant secretaries of all departments; the executive
1670 directors, assistant executive directors, deputy executive
1671 directors, and deputy assistant executive directors of all
1672 departments; the directors of all divisions and those positions
1673 determined by the department to have managerial responsibilities
1674 comparable to such positions, which positions include, but are
1675 not limited to, program directors, assistant program directors,
1676 district administrators, deputy district administrators, the
1677 Director of Central Operations Services of the Department of
1678 Children and Families, the State Transportation Development
1679 Administrator, the State Public Transportation and Modal
1680 Administrator, district secretaries, district directors of
1681 transportation development, transportation operations,
1682 transportation support, and the managers of the offices of the

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1683 Department of Transportation specified in s. 20.23(4)(b) ~~s.~~
1684 ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall
1685 set the salary and benefits of these positions and the positions
1686 of county health department directors and county health
1687 department administrators of the Department of Health in
1688 accordance with the rules of the Senior Management Service.

1689 (m) All assistant division director, deputy division
1690 director, and bureau chief positions in any department, and
1691 those positions determined by the department to have managerial
1692 responsibilities comparable to such positions, which include,
1693 but are not limited to:

1694 1. Positions in the Department of Health and the Department
1695 of Children and Families which are assigned primary duties of
1696 serving as the superintendent or assistant superintendent of an
1697 institution.

1698 2. Positions in the Department of Corrections which are
1699 assigned primary duties of serving as the warden, assistant
1700 warden, colonel, or major of an institution or that are assigned
1701 primary duties of serving as the circuit administrator or deputy
1702 circuit administrator.

1703 3. Positions in the Department of Transportation which are
1704 assigned primary duties of serving as regional toll managers and
1705 managers of offices, as specified in s. 20.23(4)(b) and (5)(c)
1706 ~~s. 20.23(3)(b) and (4)(c)~~.

1707 4. Positions in the Department of Environmental Protection
1708 which are assigned the duty of an Environmental Administrator or
1709 program administrator.

1710 5. Positions in the Department of Health which are assigned
1711 the duties of Environmental Administrator, Assistant County

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1712 Health Department Director, and County Health Department
1713 Financial Administrator.

1714 6. Positions in the Department of Highway Safety and Motor
1715 Vehicles which are assigned primary duties of serving as
1716 captains in the Florida Highway Patrol.

1717
1718 Unless otherwise fixed by law, the department shall set the
1719 salary and benefits of the positions listed in this paragraph in
1720 accordance with the rules established for the Selected Exempt
1721 Service.

1722 Section 42. Paragraph (d) of subsection (3) of section
1723 322.27, Florida Statutes, is amended to read:

1724 322.27 Authority of department to suspend or revoke driver
1725 license or identification card.—

1726 (3) There is established a point system for evaluation of
1727 convictions of violations of motor vehicle laws or ordinances,
1728 and violations of applicable provisions of s. 403.413(6) (b) when
1729 such violations involve the use of motor vehicles, for the
1730 determination of the continuing qualification of any person to
1731 operate a motor vehicle. The department is authorized to suspend
1732 the license of any person upon showing of its records or other
1733 good and sufficient evidence that the licensee has been
1734 convicted of violation of motor vehicle laws or ordinances, or
1735 applicable provisions of s. 403.413(6) (b), amounting to 12 or
1736 more points as determined by the point system. The suspension
1737 shall be for a period of not more than 1 year.

1738 (d) The point system shall have as its basic element a
1739 graduated scale of points assigning relative values to
1740 convictions of the following violations:

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- 1741 1. Reckless driving, willful and wanton—4 points.
- 1742 2. Leaving the scene of a crash resulting in property
1743 damage of more than \$50—6 points.
- 1744 3. Unlawful speed, or unlawful use of a wireless
1745 communications device, resulting in a crash—6 points.
- 1746 4. Passing a stopped school bus:
- 1747 a. Not causing or resulting in serious bodily injury to or
1748 death of another—4 points.
- 1749 b. Causing or resulting in serious bodily injury to or
1750 death of another—6 points.
- 1751 c. Points may not be imposed for a violation of passing a
1752 stopped school bus as provided in s. 316.172(1)(a) or (b) when
1753 enforced by a school bus infraction detection system pursuant to
1754 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
1755 when enforced by a school bus infraction detection system
1756 pursuant to s. 316.173 may not be used for purposes of setting
1757 motor vehicle insurance rates.
- 1758 5. Unlawful speed:
- 1759 a. Not in excess of 15 miles per hour of lawful or posted
1760 speed—3 points.
- 1761 b. In excess of 15 miles per hour of lawful or posted
1762 speed—4 points.
- 1763 c. Points may not be imposed for a violation of unlawful
1764 speed as provided in s. 316.1895 or s. 316.183 when enforced by
1765 a traffic infraction enforcement officer pursuant to s.
1766 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
1767 when enforced by a traffic infraction enforcement officer
1768 pursuant to s. 316.1896 may not be used for purposes of setting
1769 motor vehicle insurance rates.

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1770 6. A violation of a traffic control signal device as
1771 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
1772 However, points may not be imposed for a violation of s.
1773 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1774 stop at a traffic signal and when enforced by a traffic
1775 infraction enforcement officer. In addition, a violation of s.
1776 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1777 stop at a traffic signal and when enforced by a traffic
1778 infraction enforcement officer may not be used for purposes of
1779 setting motor vehicle insurance rates.

1780 7. Unlawfully driving a vehicle through a railroad-highway
1781 grade crossing—6 points.

1782 8. All other moving violations (including parking on a
1783 highway outside the limits of a municipality)—3 points. However,
1784 points may not be imposed for a violation of ~~s. 316.0741~~ or s.
1785 316.2065(11); and points may be imposed for a violation of s.
1786 316.1001 only when imposed by the court after a hearing pursuant
1787 to s. 318.14(5).

1788 9. Any moving violation covered in this paragraph,
1789 excluding unlawful speed and unlawful use of a wireless
1790 communications device, resulting in a crash—4 points.

1791 10. Any conviction under s. 403.413(6)(b)—3 points.

1792 11. Any conviction under s. 316.0775(2)—4 points.

1793 12. A moving violation covered in this paragraph which is
1794 committed in conjunction with the unlawful use of a wireless
1795 communications device within a school safety zone—2 points, in
1796 addition to the points assigned for the moving violation.

1797 Section 43. Subsection (13) of section 365.172, Florida
1798 Statutes, is amended to read:

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1799 365.172 Emergency communications.—
1800 (13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE
1801 IMPLEMENTATION.—To balance the public need for reliable
1802 emergency communications services through reliable wireless
1803 systems and the public interest served by governmental zoning
1804 and land development regulations and notwithstanding any other
1805 law or local ordinance to the contrary, the following standards
1806 shall apply to a local government's actions, as a regulatory
1807 body, in the regulation of the placement, construction, or
1808 modification of a wireless communications facility. This
1809 subsection may not, however, be construed to waive or alter the
1810 provisions of s. 286.011 or s. 286.0115. For the purposes of
1811 this subsection only, "local government" shall mean any
1812 municipality or county and any agency of a municipality or
1813 county only. The term "local government" does not, however,
1814 include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~,
1815 even if it is owned or controlled by or through a municipality,
1816 county, or agency of a municipality or county. Further,
1817 notwithstanding anything in this section to the contrary, this
1818 subsection does not apply to or control a local government's
1819 actions as a property or structure owner in the use of any
1820 property or structure owned by such entity for the placement,
1821 construction, or modification of wireless communications
1822 facilities. In the use of property or structures owned by the
1823 local government, however, a local government may not use its
1824 regulatory authority so as to avoid compliance with, or in a
1825 manner that does not advance, the provisions of this subsection.
1826 (a) Colocation among wireless providers is encouraged by
1827 the state.

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1828 1.a. Colocations on towers, including nonconforming towers,
1829 that meet the requirements in sub-sub-subparagraphs (I), (II),
1830 and (III), are subject to only building permit review, which may
1831 include a review for compliance with this subparagraph. Such
1832 colocations are not subject to any design or placement
1833 requirements of the local government's land development
1834 regulations in effect at the time of the colocation that are
1835 more restrictive than those in effect at the time of the initial
1836 antennae placement approval, to any other portion of the land
1837 development regulations, or to public hearing review. This sub-
1838 subparagraph may not preclude a public hearing for any appeal of
1839 the decision on the colocation application.

1840 (I) The colocation does not increase the height of the
1841 tower to which the antennae are to be attached, measured to the
1842 highest point of any part of the tower or any existing antenna
1843 attached to the tower;

1844 (II) The colocation does not increase the ground space
1845 area, commonly known as the compound, approved in the site plan
1846 for equipment enclosures and ancillary facilities; and

1847 (III) The colocation consists of antennae, equipment
1848 enclosures, and ancillary facilities that are of a design and
1849 configuration consistent with all applicable regulations,
1850 restrictions, or conditions, if any, applied to the initial
1851 antennae placed on the tower and to its accompanying equipment
1852 enclosures and ancillary facilities and, if applicable, applied
1853 to the tower supporting the antennae. Such regulations may
1854 include the design and aesthetic requirements, but not
1855 procedural requirements, other than those authorized by this
1856 section, of the local government's land development regulations

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1857 in effect at the time the initial antennae placement was
1858 approved.

1859 b. Except for a historic building, structure, site, object,
1860 or district, or a tower included in sub-subparagraph a.,
1861 colocations on all other existing structures that meet the
1862 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
1863 to no more than building permit review, and an administrative
1864 review for compliance with this subparagraph. Such colocations
1865 are not subject to any portion of the local government's land
1866 development regulations not addressed herein, or to public
1867 hearing review. This sub-subparagraph may not preclude a public
1868 hearing for any appeal of the decision on the colocation
1869 application.

1870 (I) The colocation does not increase the height of the
1871 existing structure to which the antennae are to be attached,
1872 measured to the highest point of any part of the structure or
1873 any existing antenna attached to the structure;

1874 (II) The colocation does not increase the ground space
1875 area, otherwise known as the compound, if any, approved in the
1876 site plan for equipment enclosures and ancillary facilities;

1877 (III) The colocation consists of antennae, equipment
1878 enclosures, and ancillary facilities that are of a design and
1879 configuration consistent with any applicable structural or
1880 aesthetic design requirements and any requirements for location
1881 on the structure, but not prohibitions or restrictions on the
1882 placement of additional colocations on the existing structure or
1883 procedural requirements, other than those authorized by this
1884 section, of the local government's land development regulations
1885 in effect at the time of the colocation application; and

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1886 (IV) The colocation consists of antennae, equipment
1887 enclosures, and ancillary facilities that are of a design and
1888 configuration consistent with all applicable restrictions or
1889 conditions, if any, that do not conflict with sub-sub-
1890 subparagraph (III) and were applied to the initial antennae
1891 placed on the structure and to its accompanying equipment
1892 enclosures and ancillary facilities and, if applicable, applied
1893 to the structure supporting the antennae.

1894 c. Regulations, restrictions, conditions, or permits of the
1895 local government, acting in its regulatory capacity, that limit
1896 the number of colocations or require review processes
1897 inconsistent with this subsection do not apply to colocations
1898 addressed in this subparagraph.

1899 d. If only a portion of the colocation does not meet the
1900 requirements of this subparagraph, such as an increase in the
1901 height of the proposed antennae over the existing structure
1902 height or a proposal to expand the ground space approved in the
1903 site plan for the equipment enclosure, where all other portions
1904 of the colocation meet the requirements of this subparagraph,
1905 that portion of the colocation only may be reviewed under the
1906 local government's regulations applicable to an initial
1907 placement of that portion of the facility, including, but not
1908 limited to, its land development regulations, and within the
1909 review timeframes of subparagraph (d)2., and the rest of the
1910 colocation shall be reviewed in accordance with this
1911 subparagraph. A colocation proposal under this subparagraph that
1912 increases the ground space area, otherwise known as the
1913 compound, approved in the original site plan for equipment
1914 enclosures and ancillary facilities by no more than a cumulative

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1915 amount of 400 square feet or 50 percent of the original compound
1916 size, whichever is greater, shall, however, require no more than
1917 administrative review for compliance with the local government's
1918 regulations, including, but not limited to, land development
1919 regulations review, and building permit review, with no public
1920 hearing review. This sub-subparagraph does not preclude a public
1921 hearing for any appeal of the decision on the colocation
1922 application.

1923 2. If a colocation does not meet the requirements of
1924 subparagraph 1., the local government may review the application
1925 under the local government's regulations, including, but not
1926 limited to, land development regulations, applicable to the
1927 placement of initial antennae and their accompanying equipment
1928 enclosure and ancillary facilities.

1929 3. If a colocation meets the requirements of subparagraph
1930 1., the colocation may not be considered a modification to an
1931 existing structure or an impermissible modification of a
1932 nonconforming structure.

1933 4. The owner of the existing tower on which the proposed
1934 antennae are to be colocated shall remain responsible for
1935 compliance with any applicable condition or requirement of a
1936 permit or agreement, or any applicable condition or requirement
1937 of the land development regulations to which the existing tower
1938 had to comply at the time the tower was permitted, including any
1939 aesthetic requirements, provided the condition or requirement is
1940 not inconsistent with this paragraph.

1941 5. An existing tower, including a nonconforming tower, may
1942 be structurally modified in order to permit colocation or may be
1943 replaced through no more than administrative review and building

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1944 permit review, and is not subject to public hearing review, if
1945 the overall height of the tower is not increased and, if a
1946 replacement, the replacement tower is a monopole tower or, if
1947 the existing tower is a camouflaged tower, the replacement tower
1948 is a like-camouflaged tower. This subparagraph may not preclude
1949 a public hearing for any appeal of the decision on the
1950 application.

1951 (b)1. A local government's land development and
1952 construction regulations for wireless communications facilities
1953 and the local government's review of an application for the
1954 placement, construction, or modification of a wireless
1955 communications facility shall only address land development or
1956 zoning issues. In such local government regulations or review,
1957 the local government may not require information on or evaluate
1958 a wireless provider's business decisions about its service,
1959 customer demand for its service, or quality of its service to or
1960 from a particular area or site, unless the wireless provider
1961 voluntarily offers this information to the local government. In
1962 such local government regulations or review, a local government
1963 may not require information on or evaluate the wireless
1964 provider's designed service unless the information or materials
1965 are directly related to an identified land development or zoning
1966 issue or unless the wireless provider voluntarily offers the
1967 information. Information or materials directly related to an
1968 identified land development or zoning issue may include, but are
1969 not limited to, evidence that no existing structure can
1970 reasonably be used for the antennae placement instead of the
1971 construction of a new tower, that residential areas cannot be
1972 served from outside the residential area, as addressed in

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1973 subparagraph 3., or that the proposed height of a new tower or
1974 initial antennae placement or a proposed height increase of a
1975 modified tower, replacement tower, or colocation is necessary to
1976 provide the provider's designed service. Nothing in this
1977 paragraph shall limit the local government from reviewing any
1978 applicable land development or zoning issue addressed in its
1979 adopted regulations that does not conflict with this section,
1980 including, but not limited to, aesthetics, landscaping, land
1981 use-based location priorities, structural design, and setbacks.

1982 2. Any setback or distance separation required of a tower
1983 may not exceed the minimum distance necessary, as determined by
1984 the local government, to satisfy the structural safety or
1985 aesthetic concerns that are to be protected by the setback or
1986 distance separation.

1987 3. A local government may exclude the placement of wireless
1988 communications facilities in a residential area or residential
1989 zoning district but only in a manner that does not constitute an
1990 actual or effective prohibition of the provider's service in
1991 that residential area or zoning district. If a wireless provider
1992 demonstrates to the satisfaction of the local government that
1993 the provider cannot reasonably provide its service to the
1994 residential area or zone from outside the residential area or
1995 zone, the municipality or county and provider shall cooperate to
1996 determine an appropriate location for a wireless communications
1997 facility of an appropriate design within the residential area or
1998 zone. The local government may require that the wireless
1999 provider reimburse the reasonable costs incurred by the local
2000 government for this cooperative determination. An application
2001 for such cooperative determination may not be considered an

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2002 application under paragraph (d).

2003 4. A local government may impose a reasonable fee on
2004 applications to place, construct, or modify a wireless
2005 communications facility only if a similar fee is imposed on
2006 applicants seeking other similar types of zoning, land use, or
2007 building permit review. A local government may impose fees for
2008 the review of applications for wireless communications
2009 facilities by consultants or experts who conduct code compliance
2010 review for the local government but any fee is limited to
2011 specifically identified reasonable expenses incurred in the
2012 review. A local government may impose reasonable surety
2013 requirements to ensure the removal of wireless communications
2014 facilities that are no longer being used.

2015 5. A local government may impose design requirements, such
2016 as requirements for designing towers to support colocation or
2017 aesthetic requirements, except as otherwise limited in this
2018 section, but may not impose or require information on compliance
2019 with building code type standards for the construction or
2020 modification of wireless communications facilities beyond those
2021 adopted by the local government under chapter 553 and that apply
2022 to all similar types of construction.

2023 (c) Local governments may not require wireless providers to
2024 provide evidence of a wireless communications facility's
2025 compliance with federal regulations, except evidence of
2026 compliance with applicable Federal Aviation Administration
2027 requirements under 14 C.F.R. part 77, as amended, and evidence
2028 of proper Federal Communications Commission licensure, or other
2029 evidence of Federal Communications Commission authorized
2030 spectrum use, but may request the Federal Communications

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2031 Commission to provide information as to a wireless provider's
2032 compliance with federal regulations, as authorized by federal
2033 law.

2034 (d)1. A local government shall grant or deny each properly
2035 completed application for a colocation under subparagraph (a)1.
2036 based on the application's compliance with the local
2037 government's applicable regulations, as provided for in
2038 subparagraph (a)1. and consistent with this subsection, and
2039 within the normal timeframe for a similar building permit review
2040 but in no case later than 45 business days after the date the
2041 application is determined to be properly completed in accordance
2042 with this paragraph.

2043 2. A local government shall grant or deny each properly
2044 completed application for any other wireless communications
2045 facility based on the application's compliance with the local
2046 government's applicable regulations, including but not limited
2047 to land development regulations, consistent with this subsection
2048 and within the normal timeframe for a similar type review but in
2049 no case later than 90 business days after the date the
2050 application is determined to be properly completed in accordance
2051 with this paragraph.

2052 3.a. An application is deemed submitted or resubmitted on
2053 the date the application is received by the local government. If
2054 the local government does not notify the applicant in writing
2055 that the application is not completed in compliance with the
2056 local government's regulations within 20 business days after the
2057 date the application is initially submitted or additional
2058 information resubmitted, the application is deemed, for
2059 administrative purposes only, to be properly completed and

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2060 properly submitted. However, the determination may not be deemed
2061 as an approval of the application. If the application is not
2062 completed in compliance with the local government's regulations,
2063 the local government shall so notify the applicant in writing
2064 and the notification must indicate with specificity any
2065 deficiencies in the required documents or deficiencies in the
2066 content of the required documents which, if cured, make the
2067 application properly completed. Upon resubmission of information
2068 to cure the stated deficiencies, the local government shall
2069 notify the applicant, in writing, within the normal timeframes
2070 of review, but in no case longer than 20 business days after the
2071 additional information is submitted, of any remaining
2072 deficiencies that must be cured. Deficiencies in document type
2073 or content not specified by the local government do not make the
2074 application incomplete. Notwithstanding this sub-subparagraph,
2075 if a specified deficiency is not properly cured when the
2076 applicant resubmits its application to comply with the notice of
2077 deficiencies, the local government may continue to request the
2078 information until such time as the specified deficiency is
2079 cured. The local government may establish reasonable timeframes
2080 within which the required information to cure the application
2081 deficiency is to be provided or the application will be
2082 considered withdrawn or closed.

2083 b. If the local government fails to grant or deny a
2084 properly completed application for a wireless communications
2085 facility within the timeframes set forth in this paragraph, the
2086 application shall be deemed automatically approved and the
2087 applicant may proceed with placement of the facilities without
2088 interference or penalty. The timeframes specified in

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2089 subparagraph 2. may be extended only to the extent that the
2090 application has not been granted or denied because the local
2091 government's procedures generally applicable to all other
2092 similar types of applications require action by the governing
2093 body and such action has not taken place within the timeframes
2094 specified in subparagraph 2. Under such circumstances, the local
2095 government must act to either grant or deny the application at
2096 its next regularly scheduled meeting or, otherwise, the
2097 application is deemed to be automatically approved.

2098 c. To be effective, a waiver of the timeframes set forth in
2099 this paragraph must be voluntarily agreed to by the applicant
2100 and the local government. A local government may request, but
2101 not require, a waiver of the timeframes by the applicant, except
2102 that, with respect to a specific application, a one-time waiver
2103 may be required in the case of a declared local, state, or
2104 federal emergency that directly affects the administration of
2105 all permitting activities of the local government.

2106 (e) The replacement of or modification to a wireless
2107 communications facility, except a tower, that results in a
2108 wireless communications facility not readily discernibly
2109 different in size, type, and appearance when viewed from ground
2110 level from surrounding properties, and the replacement or
2111 modification of equipment that is not visible from surrounding
2112 properties, all as reasonably determined by the local
2113 government, are subject to no more than applicable building
2114 permit review.

2115 (f) Any other law to the contrary notwithstanding, the
2116 Department of Management Services shall negotiate, in the name
2117 of the state, leases for wireless communications facilities that

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2118 provide access to state government-owned property not acquired
2119 for transportation purposes, and the Department of
2120 Transportation shall negotiate, in the name of the state, leases
2121 for wireless communications facilities that provide access to
2122 property acquired for state rights-of-way. On property acquired
2123 for transportation purposes, leases shall be granted in
2124 accordance with s. 337.251. On other state government-owned
2125 property, leases shall be granted on a space available, first-
2126 come, first-served basis. Payments required by state government
2127 under a lease must be reasonable and must reflect the market
2128 rate for the use of the state government-owned property. The
2129 Department of Management Services and the Department of
2130 Transportation are authorized to adopt rules for the terms and
2131 conditions and granting of any such leases.

2132 (g) If any person adversely affected by any action, or
2133 failure to act, or regulation, or requirement of a local
2134 government in the review or regulation of the wireless
2135 communication facilities files an appeal or brings an
2136 appropriate action in a court or venue of competent
2137 jurisdiction, following the exhaustion of all administrative
2138 remedies, the matter shall be considered on an expedited basis.

2139 Section 44. Subsection (2) of section 379.2293, Florida
2140 Statutes, is amended to read:

2141 379.2293 Airport activities within the scope of a federally
2142 approved wildlife hazard management plan or a federal or state
2143 permit or other authorization for depredation or harassment.—

2144 (2) An airport authority or other entity owning or
2145 operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is
2146 not subject to any administrative or civil penalty, restriction,

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2147 or other sanction with respect to any authorized action taken in
2148 a non-negligent manner for the purpose of protecting human life
2149 or aircraft safety from wildlife hazards.

2150 Section 45. Subsection (22) of section 493.6101, Florida
2151 Statutes, is amended to read:

2152 493.6101 Definitions.—

2153 (22) "Repossession" means the recovery of a motor vehicle
2154 as defined under s. 320.01(1), a mobile home as defined in s.
2155 320.01(2), a motorboat as defined under s. 327.02, an aircraft
2156 as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as
2157 defined in s. 327.02, an all-terrain vehicle as defined in s.
2158 316.2074, farm equipment as defined under s. 686.402, or
2159 industrial equipment, by an individual who is authorized by the
2160 legal owner, lienholder, or lessor to recover, or to collect
2161 money payment in lieu of recovery of, that which has been sold
2162 or leased under a security agreement that contains a
2163 repossession clause. As used in this subsection, the term
2164 "industrial equipment" includes, but is not limited to,
2165 tractors, road rollers, cranes, forklifts, backhoes, and
2166 bulldozers. The term "industrial equipment" also includes other
2167 vehicles that are propelled by power other than muscular power
2168 and that are used in the manufacture of goods or used in the
2169 provision of services. A repossession is complete when a
2170 licensed recovery agent is in control, custody, and possession
2171 of such repossessed property. Property that is being repossessed
2172 shall be considered to be in the control, custody, and
2173 possession of a recovery agent if the property being repossessed
2174 is secured in preparation for transport from the site of the
2175 recovery by means of being attached to or placed on the towing

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2176 or other transport vehicle or if the property being repossessed
2177 is being operated or about to be operated by an employee of the
2178 recovery agency.

2179 Section 46. Paragraph (c) of subsection (1) of section
2180 493.6403, Florida Statutes, is amended to read:

2181 493.6403 License requirements.—

2182 (1) In addition to the license requirements set forth in
2183 this chapter, each individual or agency shall comply with the
2184 following additional requirements:

2185 (c) An applicant for a Class "E" license shall have at
2186 least 1 year of lawfully gained, verifiable, full-time
2187 experience in one, or a combination of more than one, of the
2188 following:

2189 1. Repossession of motor vehicles as defined in s.
2190 320.01(1), mobile homes as defined in s. 320.01(2), motorboats
2191 as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s.~~
2192 ~~330.27(1)~~, personal watercraft as defined in s. 327.02, all-
2193 terrain vehicles as defined in s. 316.2074, farm equipment as
2194 defined under s. 686.402, or industrial equipment as defined in
2195 s. 493.6101(22).

2196 2. Work as a Class "EE" licensed intern.

2197 Section 47. This act shall take effect July 1, 2025.