

By the Committee on Appropriations; the Appropriations Committee on Transportation, Tourism, and Economic Development; the Committee on Transportation; and Senator Collins

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A bill to be entitled

An act relating to transportation; amending s. 20.23, F.S.; authorizing the Secretary of Transportation to appoint a specified number of assistant secretaries; specifying titles for such assistant secretaries; authorizing the secretary to appoint an Executive Director of Transportation Technology; specifying that such assistant secretaries and executive director positions are exempt from career service and are included in the Senior Management Service; revising qualifications for members of the Florida Transportation Commission; requiring the commission to monitor transit entities that receive certain funding; requiring members of the commission to follow certain standards of conduct; providing legislative findings and intent; creating the Florida Transportation Research Institute; specifying the purpose and mission of the institute; requiring the institute to report to the Department of Transportation; providing for membership of the institute; requiring the department to select a member to serve as the administrative lead of the institute; requiring the Secretary of Transportation to appoint a representative of the department to serve as the executive director of the institute; requiring the department to coordinate with the members of the institute to adopt certain policies; authorizing the institute to award certain grants; authorizing the department to allocate funds to the institute from the State Transportation Trust

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Fund; authorizing the institute to expend funds for certain operations and programs; requiring the institute to submit an annual report to the Secretary of Transportation and the commission; revising the department's areas of program responsibility; amending s. 311.07, F.S.; providing that certain spaceport and space industry-related facility projects and commercial shipbuilding and manufacturing facility projects are eligible for grant funding under the Florida Seaport Transportation and Economic Development Program; amending s. 311.09, F.S.; revising the purpose of the Florida Seaport Transportation and Economic Development Council; requiring that the Florida Seaport Mission Plan include certain recommendations; requiring each port member of the council to submit a certain semiannual report to the department; amending s. 311.10, F.S.; requiring seaports located in specified counties to include certain statements in any agreement with the department as a condition of receiving certain grants or state funds; requiring that express approval for certain seaport conversions be obtained by specified entities upon recommendation by the funding agency; defining the term "cargo purposes"; amending s. 311.101, F.S.; revising the definition of the term "intermodal logistics center"; creating an intermodal logistics center working group within the department; providing the composition of the working group membership; specifying that members of the working

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group serve without compensation but are eligible for per diem and travel expenses; providing responsibilities of the working group; requiring the working group to submit a report to the Governor and the Legislature by a specified date; providing for the future repeal of the working group; amending s. 316.003, F.S.; revising the definition of the term "special mobile equipment"; repealing s. 316.0741, F.S., relating to high-occupancy-vehicle lanes; amending s. 316.0745, F.S.; deleting language limiting the state funds that may be withheld due to certain violations by a public body or official to state funds for traffic control purposes; providing that such violations are cause for the withholding of state funds deposited in the State Transportation Trust Fund; amending s. 316.550, F.S.; authorizing the department to issue a mobile crane special blanket permit for certain purposes; amending s. 320.084, F.S.; providing for disabled veteran motor vehicle license plates in lieu of "DV" motor vehicle license plates; revising construction; amending s. 320.0848, F.S.; conforming a provision to changes made by the act; amending s. 330.27, F.S.; revising definitions and defining terms; amending s. 330.30, F.S.; requiring a private airport of public interest to obtain a certain certificate from the department before allowing aircraft operations; requiring certain private airports to obtain a certain certificate from the department by a specified date; creating s.

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330.355, F.S.; prohibiting publicly owned airports from charging a landing fee established on or after a specified date for certain aircraft operations; amending s. 331.371, F.S.; authorizing the department, in consultation with the Department of Commerce and the Department of Environmental Protection, to fund certain infrastructure projects and projects associated with certain critical infrastructure projects; requiring such departments to coordinate in funding certain projects for a specified purpose; amending s. 332.003, F.S.; revising a short title; amending s. 332.005, F.S.; requiring airports to provide the Department of Transportation with the opportunity to use certain airport property for a specified purpose during a declared state of emergency; requiring that such use be conducted pursuant to a written agreement after a certain period of use; amending s. 332.006, F.S.; deleting a requirement that the department meet certain duties and responsibilities within the resources provided pursuant to a specified chapter; providing duties and responsibilities of the department relating to certain educational services; amending s. 332.007, F.S.; requiring commercial service airports to establish and maintain a certain program; defining the term "airport infrastructure"; requiring that such airports provide a certain annual certification to the department; requiring that a certain program report be open to department inspection and maintained for a specified

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period; providing requirements for such program;
revising the list of projects for which the department
must provide priority funding; authorizing the
department to fund eligible projects performed by
certain organizations and postsecondary education
institutions; providing that certain programs are
eligible projects; authorizing the department to
provide certain matching funds; revising the
circumstances in which the department may fund
strategic airport investment projects; amending s.
332.0075, F.S.; revising definitions; requiring that
certain information remain posted on a governing
body's website for a certain period; revising the
information that must be included on such website;
requiring the quarterly, rather than annual, update of
certain information; revising information that the
governing body of a commercial service airport must
submit to the department annually; requiring a
commercial service airport to provide certain
notifications to the department; creating s. 332.15,
F.S.; requiring the department to address certain
needs in the statewide aviation system plan and the
department's work program, designate a certain subject
matter expert, conduct a specified review, and, in
coordination with the Department of Commerce, provide
certain coordination and assistance for the
development of a viable advanced air mobility system
plan; amending s. 334.044, F.S.; revising the general
powers and duties of the department; amending s.

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334.045, F.S.; requiring certain measures developed and adopted by the Florida Transportation Commission to assess performance in a specified business development program, instead of disadvantaged business enterprise and minority business programs; amending s. 334.27, F.S.; providing powers of certain parking authorities; authorizing parking authorities to engage in certain activities upon entering into an interlocal agreement with certain political subdivisions; creating s. 334.62, F.S.; providing legislative findings; establishing the Florida Transportation Academy within the department; authorizing the department to coordinate with certain entities for specified purposes; amending s. 335.182, F.S.; defining the term "modification of an existing connection"; revising the definition of the term "significant change"; amending s. 335.187, F.S.; authorizing the department to modify or revoke certain access permits by requiring modification of an existing connection in certain circumstances; amending s. 337.027, F.S.; revising the definition of the term "small business"; authorizing the department to provide notice of certain opportunities; amending s. 337.11, F.S.; requiring the department to give consideration to small business participation, instead of disadvantaged business enterprise participation; repealing s. 337.125, F.S., relating to socially and economically disadvantaged business enterprises and notice requirements; repealing s. 337.135, F.S.,

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relating to socially and economically disadvantaged business enterprises and punishment for false representation; repealing s. 337.139, F.S., relating to efforts to encourage awarding contracts to disadvantaged business enterprises; amending s. 337.18, F.S.; authorizing the Secretary of Transportation to require a surety bond in an amount that is less than the awarded contract price; amending s. 337.251, F.S.; revising factors that may be considered by the department when selecting certain proposals; amending s. 337.401, F.S.; prohibiting a municipality from prohibiting, or requiring a permit for, the installation of certain public sewer transmission lines; amending s. 337.406, F.S.; prohibiting camping on any portion of the right-of-way of the State Highway System; providing applicability; amending s. 338.227, F.S.; revising the purpose for which the department and the Department of Management Services shall create and implement a certain outreach program; amending s. 339.08, F.S.; defining the term "energy policy of the state"; prohibiting the department from expending state funds to support projects or programs of certain entities in certain circumstances; repealing s. 339.0805, F.S., relating to funds to be expended with certified disadvantaged business enterprises, a construction management development program, and a bond guarantee program; amending s. 339.135, F.S.; requiring that funds for rural transit operating block grants be allocated in a

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certain manner; amending s. 339.2821, F.S.; requiring the department to ensure that it is supportive of small businesses, rather than ensuring that small and minority businesses have equal access to participation in certain transportation projects; repealing s. 339.287, F.S., relating to electric vehicle charging stations and infrastructure plan development; amending s. 339.63, F.S.; deleting the definition of the term "intermodal logistics center"; amending s. 339.651, F.S.; authorizing, rather than requiring, the department to make a certain amount available from the existing work program to fund certain projects annually; deleting the scheduled repeal of provisions relating to Strategic Intermodal System supply chain demands; amending s. 341.051, F.S.; providing for the reallocation of certain funds; deleting the scheduled repeal of provisions providing for the reallocation of certain funds; amending s. 341.052, F.S.; revising the list of providers to which certain block grant funds shall be provided; revising the specified report used to verify certain data; creating s. 341.0525, F.S.; creating a rural transit operating block grant program to be administered by the department; requiring the annual allocation of certain funds from the State Transportation Trust Fund for the program; providing for the distribution of funds to each eligible public transit provider in at least a certain amount; providing authorized uses of grant funds; prohibiting state participation in certain costs above a specified

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percentage or amount; prohibiting an eligible public transit provider from using block grant funds in a certain manner; providing an exception; prohibiting the state from giving a county more than a specified percentage of available funds or a certain amount; providing eligibility requirements; requiring an eligible provider to return funds under certain circumstances; authorizing the department to consult with an eligible provider before distributing funds to make a certain determination; requiring an eligible provider to repay to the department funds expended on unauthorized uses if revealed in an audit; requiring the department to redistribute returned and repaid funds to other eligible providers; amending s. 348.754, F.S.; revising the types of businesses the Central Florida Expressway Authority is required to encourage the inclusion of in certain opportunities; amending s. 349.03, F.S.; revising membership requirements for the governing body of the Jacksonville Transportation Authority; amending ss. 110.205, 322.27, 365.172, 379.2293, 493.6101, and 493.6403, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

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

Section 1. Present subsections (3) through (6) of section 20.23, Florida Statutes, are redesignated as subsections (4)

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through (7), respectively, a new subsection (3) is added to that section, and paragraph (d) of subsection (1), paragraphs (a), (b), and (g) of subsection (2), and paragraph (b) of present subsection (3) of that section are amended, to read:

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

(1)

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

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291 authority to act in the absence of the secretary.

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

296 2. Members shall be appointed in such a manner as to
297 equitably represent all geographic areas of the state. Each
298 member must be a registered voter and a citizen of the state. At
299 least three members of the commission must be representatives of
300 or possess expertise in the higher education, transportation, or
301 workforce development industries ~~Each member of the commission~~
302 ~~must also possess business managerial experience in the private~~
303 ~~sector.~~

304 3. A member of the commission shall represent the
305 transportation needs of the state as a whole and may not
306 subordinate the needs of the state to those of any particular
307 area of the state.

308 4. The commission is assigned to the Office of the
309 Secretary of the Department of Transportation for administrative
310 and fiscal accountability purposes, but it shall otherwise
311 function independently of the control and direction of the
312 department.

313 (b) The commission shall:

314 1. Recommend major transportation policies for the
315 Governor's approval and assure that approved policies and any
316 revisions are properly executed.

317 2. Periodically review the status of the state
318 transportation system, including highway, transit, rail,
319 seaport, intermodal development, and aviation components of the

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320 system, and recommend improvements to the Governor and the
321 Legislature.

322 3. Perform an in-depth evaluation of the annual department
323 budget request, the Florida Transportation Plan, and the
324 tentative work program for compliance with all applicable laws
325 and established departmental policies. Except as specifically
326 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
327 not consider individual construction projects but shall consider
328 methods of accomplishing the goals of the department in the most
329 effective, efficient, and businesslike manner.

330 4. Monitor the financial status of the department on a
331 regular basis to assure that the department is managing revenue
332 and bond proceeds responsibly and in accordance with law and
333 established policy.

334 5. Monitor on at least a quarterly basis the efficiency,
335 productivity, and management of the department using performance
336 and production standards developed by the commission pursuant to
337 s. 334.045.

338 6. Perform an in-depth evaluation of the factors causing
339 disruption of project schedules in the adopted work program and
340 recommend to the Governor and the Legislature methods to
341 eliminate or reduce the disruptive effects of these factors.

342 7. Recommend to the Governor and the Legislature
343 improvements to the department's organization in order to
344 streamline and optimize the efficiency of the department. In
345 reviewing the department's organization, the commission shall
346 determine if the current district organizational structure is
347 responsive to this state's changing economic and demographic
348 development patterns. The report by the commission must be

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349 delivered to the Governor and the Legislature by December 15
350 each year, as appropriate. The commission may retain experts as
351 necessary to carry out this subparagraph, and the department
352 shall pay the expenses of the experts.

353 8. Monitor the efficiency, productivity, and management of
354 the agencies and authorities created under chapters 348 and 349;
355 the Mid-Bay Bridge Authority re-created pursuant to chapter
356 2000-411, Laws of Florida; ~~and any authority formed under~~
357 chapter 343; and any transit entity that receives funding under
358 the public transit block grant program pursuant to s. 341.052.

359 The commission shall also conduct periodic reviews of each
360 agency's and authority's operations and budget, acquisition of
361 property, management of revenue and bond proceeds, and
362 compliance with applicable laws and generally accepted
363 accounting principles.

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

370 (3) The Legislature finds that the transportation industry
371 is critical to the economic future of this state and that the
372 competitiveness of the industry in this state depends upon the
373 development and maintenance of a qualified workforce and
374 cutting-edge research and innovation. The Legislature further
375 finds that the transportation industry in this state has varied
376 and complex workforce needs ranging from technical and
377 mechanical training to continuing education opportunities for

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workers with advanced degrees and certifications. The timely need also exists for coordinated research and innovation efforts to promote emerging technologies and innovative construction methods and tools and to address alternative funding mechanisms. It is the intent of the Legislature to support programs designed to address the workforce development needs of the state's transportation industry.

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

(b) The mission of the institute is to advance the state's transportation infrastructure and systems through research, education, and engagement for a safer and more efficient, resilient, and innovative movement of people and goods throughout this state.

(c) The institute shall report to the department and shall be composed of members from the University of Florida, Indian River State College, the University of Central Florida, the University of South Florida, and Florida International University. The department shall select a member to serve as the administrative lead of the institute. The department shall assess the performance of the administrative lead periodically to ensure accountability and assess the attainment of performance goals.

(d) The Secretary of Transportation shall appoint a representative of the department to serve as the executive

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407 director of the institute. The department shall coordinate with
408 the members of the institute to adopt policies establishing the
409 institute's executive committee and mission statement.

410 (e) The institute may award grants in alignment with its
411 purpose. Such grants may be directed to member and nonmember
412 institutions that have a proven expertise relevant to the grant,
413 including not-for-profit organizations and institutions of
414 higher education.

415 (f) The department may allocate funds to the institute from
416 the State Transportation Trust Fund. The institute may expend
417 such funds for the institute's operations and programs to
418 support research and innovation projects that provide solutions
419 for this state's transportation needs.

420 (g) The institute shall submit an annual report of
421 performance metrics to the Secretary of Transportation and the
422 commission. The report must include, but is not limited to,
423 expenditures of funds allocated to the institute by the
424 department, ongoing and proposed research efforts, and the
425 application and success of past research efforts.

426 (4) ~~(3)~~

427 (b) The secretary may appoint positions at the level of
428 deputy assistant secretary or director which the secretary deems
429 necessary to accomplish the mission and goals of the department,
430 including, but not limited to, the areas of program
431 responsibility provided in this paragraph, each of whom shall be
432 appointed by and serve at the pleasure of the secretary. The
433 secretary may combine, separate, or delete offices as needed in
434 consultation with the Executive Office of the Governor. The
435 department's areas of program responsibility include, but are

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not limited to, all of the following:

1. Administration.
2. Planning.
3. Supply chain and modal development.
4. Design.
5. Highway operations.
6. Right-of-way.
7. Toll operations.
8. Transportation technology.
9. Information technology ~~systems~~.
10. Motor carrier weight inspection.
11. Work program and budget.
12. Comptroller.
13. Construction.
14. Statewide corridors.
15. Maintenance.
16. Forecasting and performance.
17. Emergency management.
18. Safety.
19. Materials.
20. Infrastructure and innovation.
21. Permitting.
22. Traffic operations.
23. Operational technology.

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

311.07 Florida seaport transportation and economic development funding.—

(3)

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

1. Transportation facilities within the jurisdiction of the port.

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

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

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

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

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

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

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

9. Intermodal access projects.

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

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

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

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

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

311.09 Florida Seaport Transportation and Economic Development Council.—

(1) The Florida Seaport Transportation and Economic Development Council is created within the Department of Transportation. The purpose of the council is to support the growth of seaports in this state through review, development, and financing of port transportation and port facilities. The council is composed ~~consists~~ of the following 18 members: the port director, or the port director's designee, of each of the ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,

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Pensacola, Key West, and Fernandina; the secretary of the Department of Transportation or his or her designee; and the secretary of the Department of Commerce or his or her designee.

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

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

(a) Bulk break capacity.

(b) Liquid storage and capacity.

(c) Fuel storage and capacity.

(d) Container capacity.

(e) A description of any supply chain disruption.

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

311.10 Strategic Port Investment Initiative.—

(4) As a condition of receiving a project grant under any program established in this chapter and as a condition of receiving state funds as described in s. 215.31, a seaport located in any county identified in s. 331.304(1), (5), or (7) must include in any agreement with the Department of Transportation that the seaport may not convert any planned or existing land, facility, or infrastructure designated for cargo purposes to any alternative purpose unless the conversion is approved by the seaport at a publicly noticed meeting as a separate line item on the agenda and with a reasonable opportunity for public comment. If the conversion is approved by

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the seaport, express approval must be obtained by the Florida Seaport Transportation and Economic Development Council and the Florida Transportation Commission upon recommendation by the funding agency. As used in this subsection, the term "cargo purposes" includes, but is not limited to, any facility, activity, property, energy source, or infrastructure asset that supports spaceport activities.

Section 5. Present subsection (8) of section 311.101, Florida Statutes, is redesignated as subsection (9), a new subsection (8) is added to that section, and subsection (2) of that section is amended, to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(2) For the purposes of this section, the term "intermodal logistics center," including, but not limited to, an "inland port," means a facility or group of facilities serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance or shipping through one or more seaports listed in s. 311.09 or airports as defined in s. 330.27.

(8) (a) There is created within the Department of Transportation an intermodal logistics center working group. The purpose of the working group is to coordinate the planning and development of intermodal logistics centers across this state. The working group shall be composed of the following members:

1. The Secretary of Transportation, or his or her designee.

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610 2. The Secretary of Commerce, or his or her designee.

611 3. The Commissioner of Agriculture, or his or her designee.

612 4. One member from a seaport listed in s. 311.09(1),
613 appointed by the Secretary of Transportation.

614 5. One member from an airport, appointed by the Secretary
615 of Transportation.

616 6. One member from an intermodal logistics center,
617 appointed by the Secretary of Transportation.

618 7. One member from the agricultural industry, appointed by
619 the Commissioner of Agriculture.

620 8. One member from the trucking industry, appointed by the
621 Secretary of Transportation.

622 9. One member from the freight rail industry, appointed by
623 the Secretary of Transportation.

624 10. One member from the passenger rail industry, appointed
625 by the Secretary of Transportation.

626 11. One member from a business located within an intermodal
627 logistics center, appointed by the Secretary of Commerce.

628 12. One member from a local workforce development board
629 created pursuant to chapter 445, appointed by the president of
630 CareerSource Florida, Inc.

631 (b) The Secretary of Transportation, or his or her
632 designee, shall serve as the chair of the working group. The
633 Secretary of Commerce, or his or her designee, shall serve as
634 vice chair of the working group.

635 (c) Members of the working group shall serve without
636 compensation but are eligible for per diem and travel expenses
637 pursuant to s. 112.061.

638 (d) The working group is responsible for all of the

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following:

1. Conducting a study of regional needs regarding intermodal logistics centers, including a breakdown of urban versus rural locations for intermodal logistics centers.

2. Determining the statewide benefits of intermodal logistics centers.

3. Evaluating the impact of existing and proposed freight and passenger rail service on existing rail corridors and the need for any additional rail capacity.

4. Evaluating key criteria used by the state to expand and develop the intermodal logistics center network through the use of the Strategic Intermodal System created pursuant to ss. 339.61-339.651, including any recommended changes to state law.

5. Evaluating the readiness of existing and proposed locations for intermodal logistics centers and developing a list of improvements that may be necessary to attract businesses to those centers.

6. Evaluating and recommending potential state policies that would enhance the development of a long-term statewide strategy regarding intermodal logistics centers.

7. Evaluating the operations of freight logistics zones as defined in s. 311.103(1), including the processes for their designation and funding.

(e) On or before January 1, 2027, the working group shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing the working group's findings and recommendations regarding the responsibilities listed in paragraph (d).

(f) This subsection is repealed on June 30, 2027.

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Section 6. Subsection (83) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(83) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, mobile and self-propelled cranes and accessory support vehicles, and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, ~~cranes or shovels,~~ or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Section 7. Section 316.0741, Florida Statutes, is repealed.

Section 8. Subsection (7) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(7) The Department of Transportation may, upon receipt and investigation of reported noncompliance and after hearing pursuant to 14 days' notice, direct the removal of any purported traffic control device that fails to meet the requirements of this section, wherever the device is located and without regard

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to assigned responsibility under s. 316.1895. The public agency erecting or installing the same shall immediately bring it into compliance with the requirements of this section or remove said device or signal upon the direction of the Department of Transportation and may not, for a period of 5 years, install any replacement or new traffic control devices paid for in part or in full with revenues raised by the state unless written prior approval is received from the Department of Transportation. Any additional violation by a public body or official shall be cause for the withholding of state funds deposited in the State Transportation Trust Fund ~~for traffic control purposes~~ until such public body or official demonstrates to the Department of Transportation that it is complying with this section.

Section 9. Subsection (3) of section 316.550, Florida Statutes, is amended to read:

316.550 Operations not in conformity with law; special permits.—

(3) Notwithstanding subsection (2), the Department of Transportation may issue a mobile crane special blanket permit for any of the following purposes:

(a) To authorize a mobile crane to operate on and ~~A permit may authorize a self-propelled truck crane operating~~ off the Interstate Highway System while towing ~~to tow~~ a motor vehicle that ~~which~~ does not weigh more than 5,000 pounds if the combined weight of the crane and such motor vehicle does not exceed 95,000 pounds. Notwithstanding s. 320.01(7) or (12), mobile ~~truck~~ cranes that tow another motor vehicle under ~~the provision~~ of this subsection shall be taxed under ~~the provisions of~~ s. 320.08(5) (b) .

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(b) To authorize a mobile crane and accessory support vehicles that are up to 12 feet in width, 14 feet 6 inches in height, and 100 feet in length to operate on and off the Interstate Highway System at all hours except as restricted under a local travel-related curfew.

(c) To authorize a mobile crane and accessory support vehicles that, due to their design for special use, exceed the weight limits established in s. 316.535 to operate on and off the Interstate Highway System.

Section 10. Subsections (1) and (3), paragraphs (a) and (c) of subsection (4), and subsection (6) of section 320.084, Florida Statutes, are amended to read:

320.084 Free motor vehicle license plate to certain disabled veterans.—

(1) One free disabled veteran ~~“DV”~~ motor vehicle license number plate shall be issued by the department for use on any motor vehicle owned or leased by any disabled veteran who has been a resident of this state continuously for the preceding 5 years or has established a domicile in this state as provided by s. 222.17(1), (2), or (3), and who has been honorably discharged from the United States Armed Forces, upon application, accompanied by proof that:

(a) A vehicle was initially acquired through financial assistance by the United States Department of Veterans Affairs or its predecessor specifically for the purchase of an automobile;

(b) The applicant has been determined by the United States Department of Veterans Affairs or its predecessor to have a service-connected 100-percent disability rating for

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755 compensation; or

756 (c) The applicant has been determined to have a service-
757 connected disability rating of 100 percent and is in receipt of
758 disability retirement pay from any branch of the United States
759 Armed Services.

760 (3) The department shall, as it deems necessary, require
761 each person to whom a motor vehicle license plate has been
762 issued pursuant to subsection (1) to apply to the department for
763 reissuance of his or her registration license plate. Upon
764 receipt of the application and proof of the applicant's
765 continued eligibility, the department shall issue a new
766 permanent disabled veteran ~~"DV" numerical~~ motor vehicle license
767 plate which shall be of the colors red, white, and blue similar
768 to the colors of the United States flag. The operation of a
769 motor vehicle displaying a disabled veteran ~~"DV"~~ license plate
770 from a previous issue period or a noncurrent validation sticker
771 after the date specified by the department shall subject the
772 owner if he or she is present, otherwise the operator, to the
773 penalty provided in s. 318.18(2). Such permanent license plate
774 shall be removed upon sale of the vehicle, but may be
775 transferred to another vehicle owned by such veteran in the
776 manner prescribed by law. ~~The license number of each plate~~
777 ~~issued under this section shall be identified by the letter~~
778 ~~designation "DV."~~ Upon request of any such veteran, the
779 department is authorized to issue a designation plate containing
780 only the letters "DV," to be displayed on the front of the
781 vehicle.

782 (4)(a) With the issuance of each new permanent disabled
783 veteran ~~"DV" numerical~~ motor vehicle license plate, the

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department shall initially issue, without cost to the applicant, a validation sticker reflecting the owner's birth month and a serially numbered validation sticker reflecting the year of expiration. The initial sticker reflecting the year of expiration may not exceed 27 months.

(c) Registration under this section shall be renewed annually or biennially during the applicable renewal period on forms prescribed by the department, which shall include, in addition to any other information required by the department, a certified statement as to the continued eligibility of the applicant to receive the special disabled veteran "DV" license plate. Any applicant who falsely or fraudulently submits to the department the certified statement required by this paragraph is guilty of a noncriminal violation and is subject to a civil penalty of \$50.

(6)(a) A disabled veteran who meets the requirements of subsection (1) may be issued, in lieu of the disabled veteran "DV" license plate, a military license plate for which he or she is eligible or a specialty license plate embossed with the initials "DV" in the top left-hand corner. A disabled veteran electing a military license plate or specialty license plate under this subsection must pay all applicable fees related to such license plate, except for fees otherwise waived under subsections (1) and (4).

(b) A military license plate or specialty license plate elected under this subsection:

~~1. Does not provide the protections or rights afforded by ss. 316.1955, 316.1964, 320.0848, 526.141, and 553.5041.~~

~~2.~~ is not eligible for the international symbol of

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accessibility as described in s. 320.0842.

Section 11. Paragraph (e) of subsection (2) of section 320.0848, Florida Statutes, is amended to read:

320.0848 Persons who have disabilities; issuance of disabled parking permits; temporary permits; permits for certain providers of transportation services to persons who have disabilities.—

(2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM MOBILITY PROBLEMS.—

(e) A person who qualifies for a disabled parking permit under this section may be issued an international wheelchair user symbol license plate under s. 320.0843 in lieu of the disabled parking permit; or, if the person qualifies for a disabled veteran ~~“DV”~~ license plate under s. 320.084, such a license plate may be issued to him or her in lieu of a disabled parking permit.

Section 12. Section 330.27, Florida Statutes, is amended to read:

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

(1) “Air ambulance operation” means a flight with a patient or medical personnel on board for the purpose of medical transportation.

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

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842 ~~(3)(2)~~ "Airport" means a specific an area of land or water
843 or a structure used for, or intended to be used for, aircraft
844 operations, which may include landing and takeoff of aircraft,
845 ~~including~~ appurtenant areas, buildings, facilities, or rights-
846 of-way necessary to facilitate such use or intended use. The
847 term includes, but is not limited to, airparks, airports,
848 gliderports, heliports, helistops, seaplane bases, ultralight
849 flightparks, vertiports, and vertistops.

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

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

858 ~~(6)(3)~~ "Department" means the Department of Transportation.

859 ~~(7)(4)~~ "Limited airport" means any airport limited
860 exclusively to the specific conditions stated on the site
861 approval order or license.

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

868 ~~(9)(5)~~ "Private airport" means an airport, publicly or
869 privately owned, which is not open or available for use by the
870 public, but may be made available to others by invitation of the

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owner or manager.

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

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

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

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

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

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

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

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Section 13. Subsections (2) and (4) of section 330.30, Florida Statutes, are amended to read:

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

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

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

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

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

3. For a temporary airport, the department must publish notice of receipt of a completed registration application in the next available publication of the Florida Administrative Register and may not approve a registration application less

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than 14 days after the date of publication of the notice. The department must approve or deny a registration application within 30 days after receipt of a completed application and must issue the temporary airport registration concurrent with the airport site approval. A completed registration application that is not approved or denied within 30 days after the department receives the completed application is considered approved and shall be issued, subject to such reasonable conditions as are authorized by law. An applicant seeking to claim registration by default under this subparagraph must notify the agency clerk of the department, in writing, of the intent to rely upon the default registration provision of this subparagraph and may not take any action based upon the default registration until after receipt of such notice by the agency clerk.

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

(b) The department may license a public airport that does not meet standards only if it determines that such exception is justified by unusual circumstances or is in the interest of public convenience and does not endanger the public health, safety, or welfare. Such a license shall bear the designation

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958 "special" and shall state the conditions subject to which the
959 license is granted.

960 (c) A temporary airport license or registration shall be
961 valid for less than 30 days and is not renewable. The department
962 may not approve a subsequent temporary airport registration
963 application for the same general location if the purpose or
964 effect is to evade otherwise applicable airport permitting or
965 licensure requirements.

966 (d)1. Each public airport license shall expire no later
967 than 1 year after the effective date of the license, except that
968 the expiration date of a license may be adjusted to provide a
969 maximum license period of 18 months to facilitate airport
970 inspections, recognize seasonal airport operations, or improve
971 administrative efficiency.

972 2. Registration for private airports shall remain valid
973 provided specific elements of airport data, established by the
974 department, are periodically recertified by the airport
975 registrant. The ability to recertify private airport
976 registration data shall be available at all times by electronic
977 submittal. A private airport registration that has not been
978 recertified in the 24-month period following the last
979 certification shall expire, unless the registration period has
980 been adjusted by the department for purposes of informing
981 private airport owners of their registration responsibilities or
982 promoting administrative efficiency. The expiration date of the
983 current registration period will be clearly identifiable from
984 the state aviation facility data system.

985 3. The effective date and expiration date shall be shown on
986 public airport licenses. Upon receiving an application for

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renewal of an airport license in a form and manner prescribed by the department and receiving a favorable inspection report indicating compliance with all applicable requirements and conditions, the department shall renew the license, subject to any conditions deemed necessary to protect the public health, safety, or welfare.

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

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

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

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

1. That the site has been abandoned as an airport;
2. That the airport does not comply with the conditions of the license, license renewal, or site approval;
3. That the airport has become either unsafe or unusable for flight operation due to physical or legal changes in

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conditions that were the subject of approval; or

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

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

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

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

4. An airport required to file a security plan pursuant to this paragraph shall update its plan at least once every 2 years after the initial filing date and file the updated plan with the department. The department shall review the updated plan prior to approving it for filing to determine whether it is consistent with Florida Airports Council guidelines. No renewal license

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shall be issued to the airport unless the department approves the updated security plan or determines that the airport is working in good faith to update it.

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

Section 14. Section 330.355, Florida Statutes, is created to read:

330.355 Prohibition on landing fees for certain aircraft operations.—A publicly owned airport in this state may not charge a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in this state which offers a 4-year collegiate aviation program, if such aircraft operations are for flight training necessary for pilot certification and proficiency.

Section 15. Section 331.371, Florida Statutes, is amended to read:

331.371 Strategic space infrastructure investment.—

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

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

(b) ~~(2)~~ Capital improvements that strategically position the state to maximize opportunities in international trade are

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achieved;

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

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

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

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

Section 16. Section 332.003, Florida Statutes, is amended to read:

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

Section 17. Section 332.005, Florida Statutes, is amended to read:

332.005 Restrictions on authority of Department of Transportation.—

(1) This act specifically prohibits the Department of Transportation from regulating commercial air carriers operating within the state pursuant to federal authority and regulations;

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

(2) (a) Notwithstanding subsection (1), upon the declaration of a state of emergency issued by the Governor in preparation for or in response to a natural disaster, airports shall, at no cost to the state, provide the Department of Transportation with the opportunity to use any property that is not subject to an existing lease agreement with a third party and that is not within the air navigation facility as defined in s. 332.01(4) for the staging of equipment and personnel to support emergency preparedness and response operations.

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

Section 18. Section 332.006, Florida Statutes, is amended to read:

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

(1) Provide coordination and assistance for the development of a viable aviation system in this state. To support the system, a statewide aviation system plan shall be developed and periodically updated which summarizes 5-year, 10-year, and 20-

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year airport and aviation needs within the state. The statewide aviation system plan shall be consistent with the goals of the Florida Transportation Plan developed pursuant to s. 339.155. The statewide aviation system plan shall not preempt local airport master plans adopted in compliance with federal and state requirements.

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

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

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

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

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

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

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

(9) Support the development of land located within the

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boundaries of airports for the purpose of industrial or other uses compatible with airport operations with the objective of assisting airports in this state to become fiscally self-supporting. Such assistance may include providing state moneys on a matching basis to airport sponsors for capital improvements, including, but not limited to, fixed-base operation facilities, parking areas, industrial park utility systems, and road and rail transportation systems which are on airport property.

Section 19. Subsection (5), paragraph (a) of subsection (7), and subsections (8) and (9) of section 332.007, Florida Statutes, are amended, and paragraph (c) is added to subsection (2) of that section, to read:

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

(2)

(c) Each commercial service airport as defined in s. 332.0075 shall establish and maintain a comprehensive airport infrastructure program to ensure the ongoing preservation of airport infrastructure and facilities in safe and serviceable condition. For purposes of this paragraph, the term "airport infrastructure" means the facilities, systems, and structural components of an airport necessary for the safe and efficient movement of people and goods. Beginning November 1, 2025, and annually thereafter, each commercial service airport shall provide a certification to the department, in a manner prescribed by the department, that it has established and maintains a comprehensive airport infrastructure program. The comprehensive airport infrastructure program report, and related

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documents and records, must be open to inspection by the department and maintained by the airport for at least 5 years. The comprehensive airport infrastructure program must, at a minimum, include all of the following:

1. Identification of airport infrastructure subject to inspection and the schedule for the completion of such inspections, taking into consideration the age, type, intended use, and criticality of the infrastructure to undisrupted commercial or cargo operations.

2. A preventative maintenance program for routine maintenance of airport infrastructure, for both commercial and cargo operations.

3. A plan to complete any necessary repairs to, or rehabilitation or reconstruction of, airport infrastructure, including prioritization and anticipated timeframe for completion of the work.

4. A progress report of inspections and their outcomes, preventative maintenance, and previously identified repair to, or rehabilitation or reconstruction of, airport infrastructure. The progress report must include any changes in timeline for completion, changes in cost estimates, and reasons any inspection, preventative maintenance, or repair or rehabilitation did not take place.

(5) Only those projects or programs provided for in this act that will contribute to the implementation of the state aviation system plan, that are consistent with the energy policy of the state as defined in s. 339.08(6)(a), that are consistent with and will contribute to the implementation of any airport master plan or layout plan, and that are consistent, to the

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1219 maximum extent feasible, with the approved local government
1220 comprehensive plans of the units of government in which the
1221 airport is located are eligible for the expenditure of state
1222 funds in accordance with fund participation rates and priorities
1223 established herein.

1224 (7) Subject to the availability of appropriated funds in
1225 addition to aviation fuel tax revenues, the department may
1226 participate in the capital cost of eligible public airport and
1227 aviation discretionary capacity improvement projects. The annual
1228 legislative budget request shall be based on the funding
1229 required for discretionary capacity improvement projects in the
1230 aviation and airport work program.

1231 (a) The department shall provide priority funding in
1232 support of:

1233 1. Terminal and parking expansion projects that increase
1234 capacity at airports providing commercial service in counties
1235 with a population of 500,000 or less.

1236 2. Land acquisition which provides additional capacity at
1237 the qualifying international airport or at that airport's
1238 supplemental air carrier airport.

1239 ~~3.2-~~ Runway and taxiway projects that add capacity or are
1240 necessary to accommodate technological changes in the aviation
1241 industry.

1242 ~~4.3-~~ Airport access transportation projects that improve
1243 direct airport access and are approved by the airport sponsor.

1244 ~~5.4-~~ International terminal projects that increase
1245 international gate capacity.

1246 6. Projects that improve safety and efficiency of airport
1247 operations.

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1248 7. Emerging technology projects, workforce development
1249 projects, and projects that benefit the strategic intermodal
1250 system through intermodal connectivity.

1251 (8) The department may also fund eligible projects
1252 performed by not-for-profit organizations that represent a
1253 majority of public airports in this state and postsecondary
1254 education institutions as defined in s. 1008.47 that support the
1255 training of pilots, air traffic control personnel, or aircraft
1256 maintenance technical personnel. Eligible projects may include
1257 activities associated with aviation master planning,
1258 professional education, safety and security planning, enhancing
1259 economic development and efficiency at airports in this state,
1260 or other planning efforts to improve the viability and safety of
1261 airports in this state. Programs that support the transition of
1262 honorably discharged military personnel to the aviation industry
1263 are also eligible projects under this subsection. The department
1264 may provide matching funds for eligible projects funded by the
1265 Department of Commerce.

1266 (9) The department may fund strategic airport investment
1267 projects at up to 100 percent of the project's cost if:

1268 (a) Important access and on-airport capacity improvements
1269 are provided;

1270 (b) Capital improvements that strategically position the
1271 state to maximize opportunities in tourism, international trade,
1272 logistics, and the aviation industry are provided;

1273 (c) Goals of an integrated intermodal transportation system
1274 for the state are achieved; and

1275 (d) Feasibility and availability of matching funds through
1276 federal, local, or private partners are demonstrated.

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Section 20. Paragraphs (a), (b), and (d) of subsection (1), subsection (2), and paragraph (a) of subsection (5) of section 332.0075, Florida Statutes, are amended, and paragraph (c) is added to subsection (5) of that section, to read:

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

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

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

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

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

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

(a) All published notices of meetings and published meeting

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1306 agendas of the governing body.

1307 (b) The official minutes of each meeting of the governing
1308 body, which must ~~shall~~ be posted within 7 business days after
1309 the date of the meeting in which the minutes were approved.

1310 (c) The approved budget for the commercial service airport
1311 for the current fiscal year, which shall be posted within 7
1312 business days after the date of adoption. Budgets must remain on
1313 the website for 5 ~~2~~ years after the conclusion of the fiscal
1314 year for which they were adopted.

1315 (d) Copies of the current airport master plan and the
1316 immediately preceding airport master plan for the commercial
1317 service airport and a link to the current airport master plan
1318 ~~for the commercial service airport~~ on the commercial service
1319 airport's website.

1320 (e) A link to all financial and statistical reports for the
1321 commercial service airport on the Federal Aviation
1322 Administration's website.

1323 (f) Any contract or contract amendment for the purchase of
1324 commodities or contractual services executed by or on behalf of
1325 the commercial service airport in excess of the threshold amount
1326 provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be
1327 posted no later than 7 business days after the commercial
1328 service airport executes the contract or contract amendment.
1329 However, a contract or contract amendment may not reveal
1330 information made confidential or exempt by law. Each commercial
1331 service airport must redact confidential or exempt information
1332 from each contract or contract amendment before posting a copy
1333 on its website.

1334 (g) Position and rate information for each employee of the

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commercial service airport, including, at a minimum, the employee's position title, position description, and annual or hourly salary. This information must ~~shall~~ be updated quarterly ~~annually~~.

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

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

(c) A commercial service airport shall:

1. Notify the department within 48 hours after receiving a communication or directive from a federal agency relating to public health testing or the transfer of unauthorized aliens into this state.
2. Notify the department as soon as is reasonably possible, but no later than 48 hours, after the discovery of a potential cybersecurity breach or other occurrence impacting the traveling public, a disruption in state aviation operations directly impacting multiple airports within this state, or an incident occurring on airport property which requires coordination with multiple local, state, or federal agencies.

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Section 21. Section 332.15, Florida Statutes, is created to read:

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

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

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

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

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

Section 22. Subsections (5) and (26) of section 334.044, Florida Statutes, are amended, and subsections (37), (38), and (39) are added to that section, to read:

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

(5) To purchase, lease, or otherwise acquire property and materials, including the purchase of promotional items as part of public information and education campaigns for the promotion of environmental management, scenic highways, traffic and train safety awareness, ~~alternatives to single-occupant vehicle~~

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1393 ~~travel,~~ commercial motor vehicle safety, workforce development,
1394 electric vehicle use and charging stations, autonomous vehicles,
1395 and context classification design for electric vehicles and
1396 autonomous vehicles; to purchase, lease, or otherwise acquire
1397 equipment and supplies; and to sell, exchange, or otherwise
1398 dispose of any property that is no longer needed by the
1399 department.

1400 (26) To provide for the enhancement of environmental
1401 benefits, including air and water quality; to prevent roadside
1402 erosion; to conserve the natural roadside growth and scenery;
1403 and to provide for the implementation and maintenance of
1404 roadside conservation, enhancement, and stabilization programs.

1405 (a) On an annual basis, an amount equal to at least 1.5
1406 percent of the total amount contracted for the average of the
1407 previous 3 completed fiscal years of construction projects shall
1408 be allocated by the department on a statewide basis for the
1409 purchase of plant materials to enhance State Highway System
1410 rights-of-way and arterial facilities. Such funds must be
1411 allocated on a statewide basis. Department districts may not
1412 expend funds for landscaping in connection with any project that
1413 is limited to resurfacing existing lanes unless the expenditure
1414 has been approved by the department's secretary or the
1415 secretary's designee.

1416 (b) To the greatest extent practical, at least 50 percent
1417 of the funds allocated under paragraph (a) ~~this subsection~~ shall
1418 be allocated for large plant materials and the remaining funds
1419 for other plant materials.

1420 (c) Except as prohibited by applicable federal law or
1421 regulation, all plant materials shall be purchased from Florida

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commercial nursery stock in this state on a uniform competitive bid basis. The department shall develop grades and standards for landscaping materials purchased through this process, which must include standards for landscaping materials native to specific regions of this state which are reflective of this state's heritage and natural landscapes. ~~To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.~~

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

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

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

Section 23. Subsection (1) of section 334.045, Florida Statutes, is amended to read:

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

(1) The Florida Transportation Commission shall develop and adopt measures for evaluating the performance and productivity of the department. The measures may be both quantitative and qualitative and must, to the maximum extent practical, assess

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those factors that are within the department's control. The measures must, at a minimum, assess performance in the following areas:

- (a) Production;
- (b) Finance and administration;
- (c) Preservation of the current state system;
- (d) Safety of the current state system;
- (e) Capacity improvements: highways and all public transportation modes; and
- (f) The business development program established under s. 337.027 ~~Disadvantaged business enterprise and minority business programs.~~

Section 24. Subsection (3) is added to section 334.27, Florida Statutes, to read:

334.27 Governmental transportation entities; property acquired for transportation purposes; limitation on soil or groundwater contamination liability.—

(3) A parking authority established under the laws of this state or any of its counties, municipalities, or political subdivisions shall have full power to conduct business; to operate, manage, and control facilities; and to provide services to contiguous geographical boundaries of such counties, municipalities, or political subdivisions that originally chartered such authority. The parking authority may engage in activities outside of its chartering jurisdiction upon entering into an interlocal agreement with the governing body of the affected contiguous county, municipality, or political subdivision, as applicable.

Section 25. Section 334.62, Florida Statutes, is created to

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read:

334.62 Florida Transportation Academy.—The Legislature finds that the growth and sustainability of the transportation industry workforce is vital to the continued success and efficiency of the state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established within the department. In order to support, promote, and sustain workforce development efforts in the transportation sector, the department may do all of the following:

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

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

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

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

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1509 pipelines.

1510 (5) Coordinate with the American Council of Engineering
1511 Companies and the Florida Transportation Builders Association to
1512 optimize workforce recruitment and retention and assess future
1513 needs across the transportation industry in this state.

1514 Section 26. Present paragraph (b) of subsection (3) of
1515 section 335.182, Florida Statutes, is redesignated as paragraph
1516 (c) and amended, and a new paragraph (b) is added to that
1517 subsection, to read:

1518 335.182 Regulation of connections to roads on State Highway
1519 System; definitions.—

1520 (3) As used in this act, the term:

1521 (b) "Modification of an existing connection" means the
1522 relocation, alteration, or closure of the connection.

1523 (c) ~~(b)~~ "Significant change" means:

1524 1. A change in the use of the property, including the
1525 development of land, structures, or facilities;~~7~~ or

1526 2. An expansion of the size of the property, structures, or
1527 facilities causing an increase in the trip generation of the
1528 property exceeding 25 percent more trip generation, ~~either peak~~
1529 hour or daily,~~+~~ and exceeding 100 vehicles per day more than the
1530 existing use.

1531 Section 27. Subsections (3) and (4) of section 335.187,
1532 Florida Statutes, are amended to read:

1533 335.187 Unpermitted connections; existing access permits;
1534 nonconforming permits; modification and revocation of permits.—

1535 (3) The department may issue a nonconforming access permit
1536 if denying ~~after finding that to deny~~ an access permit would
1537 leave the property without a reasonable means of access to the

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State Highway System. The department may specify limits on the maximum vehicular use of the connection and may condition ~~be conditioned on~~ the availability of future alternative means of access for which access permits can be obtained.

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

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

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

Section 28. Section 337.027, Florida Statutes, is amended to read:

337.027 Authority to implement a business development program.—

(1) The department may establish a program for highway projects which would assist small businesses. The purpose of this program is to increase competition, lower prices, and provide increased support to meet the department's future work program. The program may include, but is not limited to, setting aside contracts, providing preference points for the use of small businesses, providing special assistance in bidding and contract completion, waiving bond requirements, and implementing other strategies that would increase competition.

(2) For purposes of this section, the term "small business" means a business with yearly average gross receipts of less than

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1567 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10
1568 ~~\$6.5~~ million for professional and nonprofessional services
1569 contracts. A business' average gross receipts is determined by
1570 averaging its annual gross receipts over the last 3 years,
1571 including the receipts of any affiliate as defined in s.
1572 337.165.

1573 (3) The department may provide notice of opportunities for
1574 businesses qualified for this program.

1575 (4) The department may adopt rules to implement this
1576 section.

1577 Section 29. Subsection (6) of section 337.11, Florida
1578 Statutes, is amended to read:

1579 337.11 Contracting authority of department; bids; emergency
1580 repairs, supplemental agreements, and change orders; combined
1581 design and construction contracts; progress payments; records;
1582 requirements of vehicle registration.—

1583 (6)(a) If the secretary determines that an emergency in
1584 regard to the restoration or repair of any state transportation
1585 facility exists such that the delay incident to giving
1586 opportunity for competitive bidding would be detrimental to the
1587 interests of the state, the provisions for competitive bidding
1588 do not apply; and the department may enter into contracts for
1589 restoration or repair without giving opportunity for competitive
1590 bidding on such contracts. Within 30 days after such
1591 determination and contract execution, the head of the department
1592 shall file with the Executive Office of the Governor a written
1593 statement of the conditions and circumstances constituting such
1594 emergency.

1595 (b) If the secretary determines that delays on a contract

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for maintenance exist due to administrative challenges, bid protests, defaults or terminations and the further delay would reduce safety on the transportation facility or seriously hinder the department's ability to preserve the state's investment in that facility, competitive bidding provisions may be waived and the department may enter into a contract for maintenance on the facility. However, contracts for maintenance executed under the provisions of this paragraph shall be interim in nature and shall be limited in duration to a period of time not to exceed the length of the delay necessary to complete the competitive bidding process and have the contract in place.

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

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

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

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

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

Section 30. Section 337.125, Florida Statutes, is repealed.

Section 31. Section 337.135, Florida Statutes, is repealed.

Section 32. Section 337.139, Florida Statutes, is repealed.

Section 33. Paragraph (a) of subsection (1) of section 337.18, Florida Statutes, is amended to read:

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

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

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1654 an amount that is less than the awarded contract price.

1655 1. The department may waive the requirement for all or a
1656 portion of a surety bond if:

1657 a. The contract price is \$250,000 or less and the
1658 department determines that the project is of a noncritical
1659 nature and that nonperformance will not endanger public health,
1660 safety, or property;

1661 b. The prime contractor is a qualified nonprofit agency for
1662 the blind or for the other severely handicapped under s.
1663 413.036(2); or

1664 c. The prime contractor is using a subcontractor that is a
1665 qualified nonprofit agency for the blind or for the other
1666 severely handicapped under s. 413.036(2). However, the
1667 department may not waive more than the amount of the
1668 subcontract.

1669 2. If the department determines that it is in the best
1670 interests of the department to reduce the bonding requirement
1671 for a project and that to do so will not endanger public health,
1672 safety, or property, the department may waive the requirement of
1673 a surety bond in an amount equal to the awarded contract price
1674 for a project having a contract price of \$250 million or more
1675 and, in its place, may set a surety bond amount that is a
1676 portion of the total contract price and provide an alternate
1677 means of security for the balance of the contract amount that is
1678 not covered by the surety bond or provide for incremental surety
1679 bonding and provide an alternate means of security for the
1680 balance of the contract amount that is not covered by the surety
1681 bond. Such alternative means of security may include letters of
1682 credit, United States bonds and notes, parent company

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guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is \$25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 34. Subsection (3) of section 337.251, Florida Statutes, is amended to read:

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

(3) A proposal must be selected by the department based on competitive bidding, except that the department may consider other relevant factors specified in the request for proposals. The department may consider such factors as the value of property exchanges, the cost of construction, and other recurring costs for the benefit of the department by the lessee

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1712 in lieu of direct revenue to the department if such other
1713 factors are of equal value including innovative proposals to
1714 involve small ~~minority~~ businesses. The department may name a
1715 board of advisers which may be composed of accountants, real
1716 estate appraisers, design engineers, or other experts
1717 experienced in the type of development proposed. The board of
1718 advisers shall review the feasibility of the proposals,
1719 recommend acceptance or rejection of each proposal, and rank
1720 each feasible proposal in the order of technical feasibility and
1721 benefit provided to the department. The board of advisers shall
1722 be reasonably compensated for the services provided and all
1723 department costs for evaluating the proposals shall be
1724 reimbursed from a proposal application fee to be set by the
1725 department and paid by the applicants. The board of advisers
1726 shall not be subject to selection under the provisions of
1727 chapter 287.

1728 Section 35. Section (2) of section 337.401, Florida
1729 Statutes, is amended to read:

1730 337.401 Use of right-of-way for utilities subject to
1731 regulation; permit; fees.—

1732 (2) (a) The authority may grant to any person who is a
1733 resident of this state, or to any corporation which is organized
1734 under the laws of this state or licensed to do business within
1735 this state, the use of a right-of-way for the utility in
1736 accordance with such rules or regulations as the authority may
1737 adopt. A utility may not be installed, located, or relocated
1738 unless authorized by a written permit issued by the authority.
1739 However, for public roads or publicly owned rail corridors under
1740 the jurisdiction of the department, a utility relocation

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1741 schedule and relocation agreement may be executed in lieu of a
1742 written permit. The permit must require the permitholder to be
1743 responsible for any damage resulting from the issuance of such
1744 permit. The authority may initiate injunctive proceedings as
1745 provided in s. 120.69 to enforce provisions of this subsection
1746 or any rule or order issued or entered into pursuant thereto. A
1747 permit application required under this subsection by a county or
1748 municipality having jurisdiction and control of the right-of-way
1749 of any public road must be processed and acted upon in
1750 accordance with the timeframes provided in subparagraphs
1751 (7)(d)7., 8., and 9.

1752 (b) Notwithstanding paragraph (a), a municipality may not
1753 prohibit, or require a permit for, the installation of a public
1754 sewer transmission line placed and maintained within and under
1755 publicly dedicated rights-of-way as part of a septic-to-sewer
1756 conversion where the work is being performed under permits
1757 issued by the Department of Transportation pursuant to this
1758 chapter and the Department of Environmental Protection, or its
1759 delegate, pursuant to chapter 403.

1760 Section 36. Subsection (4) of section 337.406, Florida
1761 Statutes, is amended to read:

1762 337.406 Unlawful use of state transportation facility
1763 right-of-way; penalties.—

1764 (4)(a) Camping is prohibited on any portion of the right-
1765 of-way of the State Highway System ~~that is within 100 feet of a~~
1766 ~~bridge, causeway, overpass, or ramp.~~

1767 (b) This subsection does not apply to a person who has
1768 acquired the appropriate permits and is actively navigating the
1769 federally designated Florida National Scenic Trail recognized by

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the state in s. 260.012(6).

Section 37. Subsection (4) of section 338.227, Florida Statutes, is amended to read:

338.227 Turnpike revenue bonds.—

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

Section 38. Subsection (6) is added to section 339.08, Florida Statutes, to read:

339.08 Use of moneys in State Transportation Trust Fund.—

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

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

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

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

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

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

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1799 Section 39. Section 339.0805, Florida Statutes, is
1800 repealed.

1801 Section 40. Paragraph (a) of subsection (4) of section
1802 339.135, Florida Statutes, is amended to read:

1803 339.135 Work program; legislative budget request;
1804 definitions; preparation, adoption, execution, and amendment.—

1805 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

1806 (a)1. To assure that no district or county is penalized for
1807 local efforts to improve the State Highway System, the
1808 department shall, for the purpose of developing a tentative work
1809 program, allocate funds for new construction to the districts,
1810 except for the turnpike enterprise, based on equal parts of
1811 population and motor fuel tax collections. Funds for
1812 resurfacing, bridge repair and rehabilitation, bridge fender
1813 system construction or repair, public transit projects except
1814 public transit block grants as provided in s. 341.052 and rural
1815 transit operating block grants as provided in s. 341.0525, and
1816 other programs with quantitative needs assessments shall be
1817 allocated based on the results of these assessments. The
1818 department may not transfer any funds allocated to a district
1819 under this paragraph to any other district except as provided in
1820 subsection (7). Funds for public transit block grants shall be
1821 allocated to the districts pursuant to s. 341.052. Funds for
1822 rural transit operating block grants shall be allocated to the
1823 districts pursuant to s. 341.0525. Funds for the intercity bus
1824 program provided for under s. 5311(f) of the federal
1825 nonurbanized area formula program shall be administered and
1826 allocated directly to eligible bus carriers as defined in s.
1827 341.031(12) at the state level rather than the district. In

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order to provide state funding to support the intercity bus program provided for under provisions of the federal 5311(f) program, the department shall allocate an amount equal to the federal share of the 5311(f) program from amounts calculated pursuant to s. 206.46(3).

2. Notwithstanding the provisions of subparagraph 1., the department shall allocate at least 50 percent of any new discretionary highway capacity funds to the Florida Strategic Intermodal System created pursuant to s. 339.61. Any remaining new discretionary highway capacity funds shall be allocated to the districts for new construction as provided in subparagraph 1. For the purposes of this subparagraph, the term "new discretionary highway capacity funds" means any funds available to the department above the prior year funding level for capacity improvements, which the department has the discretion to allocate to highway projects.

Section 41. Paragraph (b) of subsection (3) and paragraph (c) of subsection (4) of section 339.2821, Florida Statutes, are amended to read:

339.2821 Economic development transportation projects.—

(3)

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

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

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

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contain:

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

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

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

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

Section 42. Section 339.287, Florida Statutes, is repealed.

Section 43. Paragraph (a) of subsection (5) of section 339.63, Florida Statutes, is amended to read:

339.63 System facilities designated; additions and deletions.—

(5)(a) The Secretary of Transportation shall designate a planned facility as part of the Strategic Intermodal System upon request of the facility if it meets the criteria and thresholds established by the department pursuant to subsection (4), is ~~meets the definition of an "intermodal logistics center"~~ as defined in s. 311.101(2), and has been designated in a local comprehensive plan or local government development order as an intermodal logistics center or an equivalent planning term. ~~For the purpose of this section, the term "intermodal logistics center" means a facility or group of facilities, including, but not limited to, an inland port, serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport whose activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are~~

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carried out and whose activities and services are designed to support or be supported by one or more seaports, as provided in s. 311.09, or an airport whose activities and services are designed to support the transport, logistics, goods distribution, consolidation, or value-added activities related to airborne cargo.

Section 44. Subsections (3) and (7) of section 339.651, Florida Statutes, are amended to read:

339.651 Strategic Intermodal System supply chain demands.—

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

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

Section 45. Paragraph (b) of subsection (6) of section 341.051, Florida Statutes, is amended to read:

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

(6) ANNUAL APPROPRIATION.—

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

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1915 ~~30, 2026.~~

1916
1917 For purposes of this section, the term "net operating costs"
1918 means all operating costs of a project less any federal funds,
1919 fares, or other sources of income to the project.

1920 Section 46. Subsections (1) and (6) of section 341.052,
1921 Florida Statutes, are amended to read:

1922 341.052 Public transit block grant program; administration;
1923 eligible projects; limitation.—

1924 (1) There is created a public transit block grant program
1925 which shall be administered by the department. Block grant funds
1926 shall only be provided to ~~"Section 9" providers and "Section 18"~~
1927 providers designated by the United States Department of
1928 Transportation pursuant to 49 U.S.C. s. 5307 and community
1929 transportation coordinators as defined in chapter 427. Eligible
1930 providers must establish public transportation development plans
1931 consistent, to the maximum extent feasible, with approved local
1932 government comprehensive plans of the units of local government
1933 in which the provider is located and the long-range
1934 transportation plans of the metropolitan planning organization
1935 in which the provider is located. In developing public
1936 transportation development plans, eligible providers must
1937 solicit comments from local workforce development boards
1938 established under chapter 445. The development plans must
1939 address how the public transit provider will work with the
1940 appropriate local workforce development board to provide
1941 services to participants in the welfare transition program.
1942 Eligible providers must provide information to the local
1943 workforce development board serving the county in which the

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provider is located regarding the availability of transportation services to assist program participants.

(6) The department shall distribute 85 percent of the public transit block grant funds to ~~"Section 9" and "Section 18"~~ providers designated by the United States Department of Transportation pursuant to 49 U.S.C. s. 5307. The funds shall be distributed to such ~~"Section 9"~~ providers, and to ~~"Section 18"~~ providers that are not designated as community transportation coordinators pursuant to chapter 427, according to the following formula, except that at least \$20,000 shall be distributed to each eligible provider if application of the formula provides less than that amount for any such provider:

(a) One-third shall be distributed according to the percentage that an eligible provider's county population in the most recent year for which those population figures are available from the state census repository is of the total population of all counties served by eligible providers.

(b) One-third shall be distributed according to the percentage that the total revenue miles provided by an eligible provider, as verified by the most recent National Transit Database ~~"Section 15"~~ report to the Federal Transit Administration or a similar audited report submitted to the department, is of the total revenue miles provided by eligible providers in the state in that year.

(c) One-third shall be distributed according to the percentage that the total passengers carried by an eligible provider, as verified by the most recent National Transit Database ~~"Section 15"~~ report submitted to the Federal Transit Administration or a similar audited report submitted to the

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department, is of the total number of passengers carried by eligible providers in the state in that year.

Section 47. Section 341.0525, Florida Statutes, is created to read:

341.0525 Rural transit operating block grant program; administration; eligible projects.—

(1) There is created a rural transit operating block grant program that shall be administered by the department. Rural transit block grant funds are available only to public transit providers not eligible to receive public transit block grants pursuant to s. 341.052.

(2) At least \$3 million must be allocated annually from the State Transportation Trust Fund for the program. At least \$20,000 must be distributed to each eligible provider if application of the following formula provides less than that amount for any such provider:

(a) One-third must be distributed according to the percentage that an eligible provider's non-urbanized county population in the most recent year official population estimate pursuant to s. 186.901 is of the total population of all counties served by eligible providers.

(b) One-third must be distributed according to the percentage that the total non-urbanized revenue miles provided by an eligible provider, as verified by the most recent National Transit Database report or a similar audited report submitted to the department, is of the total rural revenue miles provided by eligible providers in the state in that year.

(c) One-third must be distributed according to the percentage that the total non-urbanized passengers carried by an

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eligible provider, as verified by the most recent National Transit Database report or a similar audited report submitted to the department, is of the total number of passengers carried by eligible providers in the state in that year.

(3) Grant funds must be used to pay public transit operating costs. State participation in such costs may not exceed 50 percent of such costs or an amount equal to the total revenue, excluding farebox, charter, and advertising revenue and federal funds, received by the provider for operating costs, whichever amount is less.

(4) (a) An eligible public transit provider may not use block grant funds to supplant local tax revenues made available to such provider for operations in the previous year; however, the Secretary of Transportation may waive this provision for public transit providers located in a county recovering from a state of emergency declared pursuant to part I of chapter 252.

(b) The state may not give any county more than 39 percent of the funds available for distribution under this section or more than the amount that local revenue sources provide to that county for its transit system.

(5) To remain eligible to receive funding under the program, eligible public transit providers must comply with s. 341.071(1) and (2).

(6) (a) Any funds distributed to an eligible provider pursuant to subsection (2) which cannot be expended within the limitations of the program must be returned to the department for redistribution to other eligible providers.

(b) The department may consult with an eligible provider, before distributing funds to that provider, to determine whether

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the provider can expend its total block grant within the limitations of the program. If the department and the provider agree that the total block grant amount cannot be expended, the provider may agree to accept a block grant amount of less than the total amount, in which case the funds that exceed such lesser agreed-upon amount must be redistributed to other eligible providers.

(c) If an audit reveals that an eligible provider expended block grant funds on unauthorized uses, the provider must repay to the department an amount equal to the funds expended for unauthorized uses. The department shall redistribute such repayments to other eligible providers.

Section 48. Subsection (5) of section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

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

Section 49. Subsection (2) of section 349.03, Florida Statutes, is amended to read:

349.03 Jacksonville Transportation Authority.—

(2) The governing body of the authority shall be composed ~~consist~~ of seven members. Four ~~Three~~ members shall be appointed by the Governor and confirmed by the Senate. Of the four members appointed by the Governor, one must be a resident of Duval County and three must be residents of Clay County, St. Johns County, or Nassau County. Three members shall be appointed by the mayor of the City of Jacksonville subject to confirmation by the council of the City of Jacksonville. ~~The seventh member~~

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shall be the district secretary of the Department of Transportation serving in the district that contains the City of Jacksonville. ~~Except for the seventh member,~~ Members appointed by the mayor of the City of Jacksonville must ~~shall~~ be residents and qualified electors of Duval County.

Section 50. Paragraphs (j) and (m) of subsection (2) of section 110.205, Florida Statutes, are amended to read:

110.205 Career service; exemptions.—

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

(j) The appointed secretaries and the State Surgeon General, assistant secretaries, deputy secretaries, and deputy assistant secretaries of all departments; the executive directors, assistant executive directors, deputy executive directors, and deputy assistant executive directors of all departments; the directors of all divisions and those positions determined by the department to have managerial responsibilities comparable to such positions, which positions include, but are not limited to, program directors, assistant program directors, district administrators, deputy district administrators, the Director of Central Operations Services of the Department of Children and Families, the State Transportation Development Administrator, the State Public Transportation and Modal Administrator, district secretaries, district directors of transportation development, transportation operations, transportation support, and the managers of the offices of the Department of Transportation specified in s. 20.23(4)(b) ~~s. 20.23(3)(b)~~. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions and the positions

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of county health department directors and county health department administrators of the Department of Health in accordance with the rules of the Senior Management Service.

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

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

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

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

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

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

6. Positions in the Department of Highway Safety and Motor

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Vehicles which are assigned primary duties of serving as captains in the Florida Highway Patrol.

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

Section 51. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

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

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

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

1. Reckless driving, willful and wanton—4 points.
2. Leaving the scene of a crash resulting in property damage of more than \$50—6 points.

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2147 3. Unlawful speed, or unlawful use of a wireless
2148 communications device, resulting in a crash—6 points.

2149 4. Passing a stopped school bus:

2150 a. Not causing or resulting in serious bodily injury to or
2151 death of another—4 points.

2152 b. Causing or resulting in serious bodily injury to or
2153 death of another—6 points.

2154 c. Points may not be imposed for a violation of passing a
2155 stopped school bus as provided in s. 316.172(1)(a) or (b) when
2156 enforced by a school bus infraction detection system pursuant to
2157 s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
2158 when enforced by a school bus infraction detection system
2159 pursuant to s. 316.173 may not be used for purposes of setting
2160 motor vehicle insurance rates.

2161 5. Unlawful speed:

2162 a. Not in excess of 15 miles per hour of lawful or posted
2163 speed—3 points.

2164 b. In excess of 15 miles per hour of lawful or posted
2165 speed—4 points.

2166 c. Points may not be imposed for a violation of unlawful
2167 speed as provided in s. 316.1895 or s. 316.183 when enforced by
2168 a traffic infraction enforcement officer pursuant to s.
2169 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
2170 when enforced by a traffic infraction enforcement officer
2171 pursuant to s. 316.1896 may not be used for purposes of setting
2172 motor vehicle insurance rates.

2173 6. A violation of a traffic control signal device as
2174 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.

2175 However, points may not be imposed for a violation of s.

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316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.

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

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

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

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

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

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

Section 52. Subsection (13) of section 365.172, Florida Statutes, is amended to read:

365.172 Emergency communications.—

(13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE IMPLEMENTATION.—To balance the public need for reliable

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emergency communications services through reliable wireless systems and the public interest served by governmental zoning and land development regulations and notwithstanding any other law or local ordinance to the contrary, the following standards shall apply to a local government's actions, as a regulatory body, in the regulation of the placement, construction, or modification of a wireless communications facility. This subsection may not, however, be construed to waive or alter the provisions of s. 286.011 or s. 286.0115. For the purposes of this subsection only, "local government" shall mean any municipality or county and any agency of a municipality or county only. The term "local government" does not, however, include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~, even if it is owned or controlled by or through a municipality, county, or agency of a municipality or county. Further, notwithstanding anything in this section to the contrary, this subsection does not apply to or control a local government's actions as a property or structure owner in the use of any property or structure owned by such entity for the placement, construction, or modification of wireless communications facilities. In the use of property or structures owned by the local government, however, a local government may not use its regulatory authority so as to avoid compliance with, or in a manner that does not advance, the provisions of this subsection.

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

1.a. Colocations on towers, including nonconforming towers, that meet the requirements in sub-sub-subparagraphs (I), (II), and (III), are subject to only building permit review, which may

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2234 include a review for compliance with this subparagraph. Such
2235 colocations are not subject to any design or placement
2236 requirements of the local government's land development
2237 regulations in effect at the time of the colocation that are
2238 more restrictive than those in effect at the time of the initial
2239 antennae placement approval, to any other portion of the land
2240 development regulations, or to public hearing review. This sub-
2241 subparagraph may not preclude a public hearing for any appeal of
2242 the decision on the colocation application.

2243 (I) The colocation does not increase the height of the
2244 tower to which the antennae are to be attached, measured to the
2245 highest point of any part of the tower or any existing antenna
2246 attached to the tower;

2247 (II) The colocation does not increase the ground space
2248 area, commonly known as the compound, approved in the site plan
2249 for equipment enclosures and ancillary facilities; and

2250 (III) The colocation consists of antennae, equipment
2251 enclosures, and ancillary facilities that are of a design and
2252 configuration consistent with all applicable regulations,
2253 restrictions, or conditions, if any, applied to the initial
2254 antennae placed on the tower and to its accompanying equipment
2255 enclosures and ancillary facilities and, if applicable, applied
2256 to the tower supporting the antennae. Such regulations may
2257 include the design and aesthetic requirements, but not
2258 procedural requirements, other than those authorized by this
2259 section, of the local government's land development regulations
2260 in effect at the time the initial antennae placement was
2261 approved.

2262 b. Except for a historic building, structure, site, object,

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or district, or a tower included in sub-subparagraph a.,
colocations on all other existing structures that meet the
requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
to no more than building permit review, and an administrative
review for compliance with this subparagraph. Such colocations
are not subject to any portion of the local government's land
development regulations not addressed herein, or to public
hearing review. This sub-subparagraph may not preclude a public
hearing for any appeal of the decision on the colocation
application.

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

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

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

(IV) The colocation consists of antennae, equipment
enclosures, and ancillary facilities that are of a design and
configuration consistent with all applicable restrictions or

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conditions, if any, that do not conflict with sub-sub-
subparagraph (III) and were applied to the initial antennae
placed on the structure and to its accompanying equipment
enclosures and ancillary facilities and, if applicable, applied
to the structure supporting the antennae.

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

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

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regulations, including, but not limited to, land development regulations review, and building permit review, with no public hearing review. This sub-subparagraph does not preclude a public hearing for any appeal of the decision on the colocation application.

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

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

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

5. An existing tower, including a nonconforming tower, may be structurally modified in order to permit colocation or may be replaced through no more than administrative review and building permit review, and is not subject to public hearing review, if the overall height of the tower is not increased and, if a replacement, the replacement tower is a monopole tower or, if

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the existing tower is a camouflaged tower, the replacement tower is a like-camouflaged tower. This subparagraph may not preclude a public hearing for any appeal of the decision on the application.

(b)1. A local government's land development and construction regulations for wireless communications facilities and the local government's review of an application for the placement, construction, or modification of a wireless communications facility shall only address land development or zoning issues. In such local government regulations or review, the local government may not require information on or evaluate a wireless provider's business decisions about its service, customer demand for its service, or quality of its service to or from a particular area or site, unless the wireless provider voluntarily offers this information to the local government. In such local government regulations or review, a local government may not require information on or evaluate the wireless provider's designed service unless the information or materials are directly related to an identified land development or zoning issue or unless the wireless provider voluntarily offers the information. Information or materials directly related to an identified land development or zoning issue may include, but are not limited to, evidence that no existing structure can reasonably be used for the antennae placement instead of the construction of a new tower, that residential areas cannot be served from outside the residential area, as addressed in subparagraph 3., or that the proposed height of a new tower or initial antennae placement or a proposed height increase of a modified tower, replacement tower, or colocation is necessary to

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provide the provider's designed service. Nothing in this paragraph shall limit the local government from reviewing any applicable land development or zoning issue addressed in its adopted regulations that does not conflict with this section, including, but not limited to, aesthetics, landscaping, land use-based location priorities, structural design, and setbacks.

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

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

4. A local government may impose a reasonable fee on applications to place, construct, or modify a wireless

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communications facility only if a similar fee is imposed on applicants seeking other similar types of zoning, land use, or building permit review. A local government may impose fees for the review of applications for wireless communications facilities by consultants or experts who conduct code compliance review for the local government but any fee is limited to specifically identified reasonable expenses incurred in the review. A local government may impose reasonable surety requirements to ensure the removal of wireless communications facilities that are no longer being used.

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

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

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

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

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

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

b. If the local government fails to grant or deny a properly completed application for a wireless communications facility within the timeframes set forth in this paragraph, the application shall be deemed automatically approved and the applicant may proceed with placement of the facilities without interference or penalty. The timeframes specified in subparagraph 2. may be extended only to the extent that the application has not been granted or denied because the local government's procedures generally applicable to all other

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similar types of applications require action by the governing body and such action has not taken place within the timeframes specified in subparagraph 2. Under such circumstances, the local government must act to either grant or deny the application at its next regularly scheduled meeting or, otherwise, the application is deemed to be automatically approved.

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

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

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

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

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

Section 53. Subsection (2) of section 379.2293, Florida Statutes, is amended to read:

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

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

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Section 54. Subsection (22) of section 493.6101, Florida Statutes, is amended to read:

493.6101 Definitions.—

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

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Section 55. Paragraph (c) of subsection (1) of section 493.6403, Florida Statutes, is amended to read:

493.6403 License requirements.—

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

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

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

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

Section 56. This act shall take effect July 1, 2025.