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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/19/2025	.	
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The Committee on Transportation (DiCeglie) recommended the following:

1 **Senate Substitute for Amendment (728576) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraph (d) of subsection (6) of section
7 212.20, Florida Statutes, is amended to read:

8 212.20 Funds collected, disposition; additional powers of
9 department; operational expense; refund of taxes adjudicated
10 unconstitutionally collected.—



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11 (6) Distribution of all proceeds under this chapter and ss.
12 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

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

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

22 2. After the distribution under subparagraph 1., 8.9744
23 percent of the amount remitted by a sales tax dealer located
24 within a participating county pursuant to s. 218.61 shall be
25 transferred into the Local Government Half-cent Sales Tax
26 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
27 transferred shall be reduced by 0.1 percent, and the department
28 shall distribute this amount to the Public Employees Relations
29 Commission Trust Fund less \$5,000 each month, which shall be
30 added to the amount calculated in subparagraph 3. and
31 distributed accordingly.

32 3. After the distribution under subparagraphs 1. and 2.,
33 0.0966 percent shall be transferred to the Local Government
34 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
35 to s. 218.65.

36 4. After the distributions under subparagraphs 1., 2., and
37 3., 2.0810 percent of the available proceeds shall be
38 transferred monthly to the Revenue Sharing Trust Fund for
39 Counties pursuant to s. 218.215.



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40 5. After the distributions under subparagraphs 1., 2., and
41 3., 1.3653 percent of the available proceeds shall be
42 transferred monthly to the Revenue Sharing Trust Fund for
43 Municipalities pursuant to s. 218.215. If the total revenue to
44 be distributed pursuant to this subparagraph is at least as
45 great as the amount due from the Revenue Sharing Trust Fund for
46 Municipalities and the former Municipal Financial Assistance
47 Trust Fund in state fiscal year 1999-2000, no municipality shall
48 receive less than the amount due from the Revenue Sharing Trust
49 Fund for Municipalities and the former Municipal Financial
50 Assistance Trust Fund in state fiscal year 1999-2000. If the
51 total proceeds to be distributed are less than the amount
52 received in combination from the Revenue Sharing Trust Fund for
53 Municipalities and the former Municipal Financial Assistance
54 Trust Fund in state fiscal year 1999-2000, each municipality
55 shall receive an amount proportionate to the amount it was due
56 in state fiscal year 1999-2000.

57 6. Of the remaining proceeds:

58 a. In each fiscal year, the sum of \$29,915,500 shall be
59 divided into as many equal parts as there are counties in the
60 state, and one part shall be distributed to each county. The
61 distribution among the several counties must begin each fiscal
62 year on or before January 5th and continue monthly for a total
63 of 4 months. If a local or special law required that any moneys
64 accruing to a county in fiscal year 1999-2000 under the then-
65 existing provisions of s. 550.135 be paid directly to the
66 district school board, special district, or a municipal
67 government, such payment must continue until the local or
68 special law is amended or repealed. The state covenants with



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69 holders of bonds or other instruments of indebtedness issued by
70 local governments, special districts, or district school boards
71 before July 1, 2000, that it is not the intent of this
72 subparagraph to adversely affect the rights of those holders or
73 relieve local governments, special districts, or district school
74 boards of the duty to meet their obligations as a result of
75 previous pledges or assignments or trusts entered into which
76 obligated funds received from the distribution to county
77 governments under then-existing s. 550.135. This distribution
78 specifically is in lieu of funds distributed under s. 550.135
79 before July 1, 2000.

80 b. The department shall distribute \$166,667 monthly to each
81 applicant certified as a facility for a new or retained
82 professional sports franchise pursuant to s. 288.1162. Up to
83 \$41,667 shall be distributed monthly by the department to each
84 certified applicant as defined in s. 288.11621 for a facility
85 for a spring training franchise. However, not more than \$416,670
86 may be distributed monthly in the aggregate to all certified
87 applicants for facilities for spring training franchises.
88 Distributions begin 60 days after such certification and
89 continue for not more than 30 years, except as otherwise
90 provided in s. 288.11621. A certified applicant identified in
91 this sub-subparagraph may not receive more in distributions than
92 expended by the applicant for the public purposes provided in s.
93 288.1162(5) or s. 288.11621(3).

94 c. The department shall distribute up to \$83,333 monthly to
95 each certified applicant as defined in s. 288.11631 for a
96 facility used by a single spring training franchise, or up to
97 \$166,667 monthly to each certified applicant as defined in s.



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98 288.11631 for a facility used by more than one spring training
99 franchise. Monthly distributions begin 60 days after such
100 certification or July 1, 2016, whichever is later, and continue
101 for not more than 20 years to each certified applicant as
102 defined in s. 288.11631 for a facility used by a single spring
103 training franchise or not more than 25 years to each certified
104 applicant as defined in s. 288.11631 for a facility used by more
105 than one spring training franchise. A certified applicant
106 identified in this sub-subparagraph may not receive more in
107 distributions than expended by the applicant for the public
108 purposes provided in s. 288.11631(3).

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

111 e.(I) On or before July 25, 2021, August 25, 2021, and
112 September 25, 2021, the department shall distribute \$324,533,334
113 in each of those months to the Unemployment Compensation Trust
114 Fund, less an adjustment for refunds issued from the General
115 Revenue Fund pursuant to s. 443.131(3)(e)3. before making the
116 distribution. The adjustments made by the department to the
117 total distributions shall be equal to the total refunds made
118 pursuant to s. 443.131(3)(e)3. If the amount of refunds to be
119 subtracted from any single distribution exceeds the
120 distribution, the department may not make that distribution and
121 must subtract the remaining balance from the next distribution.

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

125 (III) If the ending balance of the Unemployment
126 Compensation Trust Fund exceeds \$4,071,519,600 on the last day



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127 of any month, as determined from United States Department of the
128 Treasury data, the Office of Economic and Demographic Research
129 shall certify to the department that the ending balance of the
130 trust fund exceeds such amount.

131 (IV) This sub-subparagraph is repealed, and the department
132 shall end monthly distributions under sub-sub-subparagraph (II),
133 on the date the department receives certification under sub-sub-
134 subparagraph (III).

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

139 g. To account for the impact of electric and hybrid
140 vehicles on the state highway system and the use of taxes
141 collected from motorists when charging such vehicles, beginning
142 July 2025, and reassessed every 5 fiscal years, on or before the
143 25th day of each month thereafter, of the portion of the
144 proceeds of the tax imposed under s. 212.05(1)(e)1.c., the
145 department shall distribute \$4.167 million to the State
146 Transportation Trust Fund.

147 7. All other proceeds must remain in the General Revenue
148 Fund.

149 Section 2. Section 218.3215, Florida Statutes, is created
150 to read:

151 218.3215 County transportation project data.—Each county
152 shall annually provide the Department of Transportation with
153 uniform project data. The data must conform to the county's
154 fiscal year and must include details on transportation revenues
155 by source of taxes or fees, expenditure of such revenues for



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156 projects that were funded, and any unexpended balance for the
157 fiscal year. The data must also include project details,
158 including the project cost, location, and scope. The scope of
159 the project must be categorized broadly using a category, such
160 as widening, repair and rehabilitation, or sidewalks. The data
161 must specify which projects the revenues not dedicated to
162 specific projects are supporting. The Department of
163 Transportation shall inform each county of the method and
164 required format for submitting the data. The Department of
165 Transportation shall compile the data and publish such
166 compilation on its website.

167 Section 3. Subsection (2) of section 316.183, Florida
168 Statutes, is amended to read:

169 316.183 Unlawful speed.—

170 (2) On all streets or highways, the maximum speed limits
171 for all vehicles must be 30 miles per hour in business or
172 residence districts, and 55 miles per hour at any time at all
173 other locations. However, with respect to a residence district,
174 a county or municipality may set a maximum speed limit of 20 or
175 25 miles per hour on local streets and highways after an
176 investigation determines that such a limit is reasonable. It is
177 not necessary to conduct a separate investigation for each
178 residence district. The Department of Transportation shall
179 determine the safe and advisable minimum speed limit on all
180 highways that comprise a part of the National System of
181 Interstate and Defense Highways and have at least ~~not fewer than~~
182 four lanes is ~~40 miles per hour, except that when the posted~~
183 ~~speed limit is 70 miles per hour, the minimum speed limit is 50~~
184 ~~miles per hour.~~



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185 Section 4. Subsection (2) of section 316.187, Florida
186 Statutes, is amended to read:

187 316.187 Establishment of state speed zones.—

188 (2) (a) The maximum allowable speed limit on limited access
189 highways is 75 ~~70~~ miles per hour.

190 (b) The maximum allowable speed limit on any other highway
191 that ~~which~~ is outside an urban area of 5,000 or more persons and
192 that ~~which~~ has at least four lanes divided by a median strip is
193 70 ~~65~~ miles per hour.

194 (c) The Department of Transportation is authorized to set
195 such maximum and minimum speed limits for travel over other
196 roadways under its authority as it deems safe and advisable, not
197 to exceed as a maximum limit 65 ~~60~~ miles per hour.

198 Section 5. Subsection (14) of section 331.3051, Florida
199 Statutes, is amended to read:

200 331.3051 Duties of Space Florida.—Space Florida shall:

201 ~~(14) Partner with the Metropolitan Planning Organization~~
202 ~~Advisory Council to coordinate and specify how aerospace~~
203 ~~planning and programming will be part of the state's cooperative~~
204 ~~transportation planning process.~~

205 Section 6. Subsections (4), (5), (7), and (8) of section
206 332.004, Florida Statutes, are amended to read:

207 332.004 Definitions of terms used in ss. 332.003-332.007.—
208 As used in ss. 332.003-332.007, the term:

209 (4) "Airport or aviation development project" or
210 "development project" means any activity associated with the
211 design, construction, purchase, improvement, or repair of a
212 public-use airport or portion thereof, including, but not
213 limited to: the purchase of equipment; the acquisition of land,



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214 including land required as a condition of a federal, state, or
215 local permit or agreement for environmental mitigation; off-
216 airport noise mitigation projects; the removal, lowering,
217 relocation, marking, and lighting of airport hazards; the
218 installation of navigation aids used by aircraft in landing at
219 or taking off from a public-use ~~public~~ airport; the installation
220 of safety equipment required by rule or regulation for
221 certification of the airport under s. 612 of the Federal
222 Aviation Act of 1958, and amendments thereto; and the
223 improvement of access to the airport by road or rail system
224 which is on airport property and which is consistent, to the
225 maximum extent feasible, with the approved local government
226 comprehensive plan of the units of local government in which the
227 airport is located.

228 (5) "Airport or aviation discretionary capacity improvement
229 projects" or "discretionary capacity improvement projects" means
230 capacity improvements which are consistent, to the maximum
231 extent feasible, with the approved local government
232 comprehensive plans of the units of local government in which
233 the public-use airport is located, and which enhance
234 intercontinental capacity at airports which:

235 (a) Are international airports with United States Bureau of
236 Customs and Border Protection;

237 (b) Had one or more regularly scheduled intercontinental
238 flights during the previous calendar year or have an agreement
239 in writing for installation of one or more regularly scheduled
240 intercontinental flights upon the commitment of funds for
241 stipulated airport capital improvements; and

242 (c) Have available or planned public ground transportation



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243 between the airport and other major transportation facilities.

244 (7) "Eligible agency" means a political subdivision of the
245 state or an authority, or a public-private partnership through a
246 lease or an agreement under s. 255.065 with a political
247 subdivision of the state or an authority, which owns or seeks to
248 develop a public-use airport.

249 (8) "Federal aid" means funds made available from the
250 Federal Government for the accomplishment of public-use airport
251 or aviation development projects.

252 Section 7. Subsections (4) and (8) of section 332.006,
253 Florida Statutes, are amended to read:

254 332.006 Duties and responsibilities of the Department of
255 Transportation.—The Department of Transportation shall, within
256 the resources provided pursuant to chapter 216:

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

265 (8) Encourage the maximum allocation of federal funds to
266 local public-use airport projects in this state.

267 Section 8. Paragraphs (a) and (c) of subsection (4),
268 subsection (6), paragraphs (a) and (d) of subsection (7), and
269 subsections (8) and (10) of section 332.007, Florida Statutes,
270 are amended, and subsection (11) is added to that section, to
271 read:



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272 332.007 Administration and financing of aviation and
273 airport programs and projects; state plan.—

274 (4) (a) The annual legislative budget request for aviation
275 and airport development projects shall be based on the funding
276 required for development projects in the aviation and airport
277 work program. The department shall provide priority funding in
278 support of the planning, design, and construction of proposed
279 projects by local sponsors of public-use airports, with special
280 emphasis on projects for runways and taxiways, including the
281 painting and marking of runways and taxiways, lighting, other
282 related airside activities, and airport access transportation
283 facility projects on airport property.

284 (c) No single airport shall secure airport or aviation
285 development project funds in excess of 25 percent of the total
286 airport or aviation development project funds available in any
287 given budget year. However, any public-use airport which
288 receives discretionary capacity improvement project funds in a
289 given fiscal year shall not receive greater than 10 percent of
290 total aviation and airport development project funds
291 appropriated in that fiscal year.

292 (6) Subject to the availability of appropriated funds, the
293 department may participate in the capital cost of eligible
294 public-use ~~public~~ airport and aviation development projects in
295 accordance with the following rates, unless otherwise provided
296 in the General Appropriations Act or the substantive bill
297 implementing the General Appropriations Act:

298 (a) The department may fund up to 50 percent of the portion
299 of eligible project costs which are not funded by the Federal
300 Government, except that the department may initially fund up to



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301 75 percent of the cost of land acquisition for a new airport or
302 for the expansion of an existing airport which is owned ~~and~~
303 ~~operated~~ by a municipality, a county, or an authority, and shall
304 be reimbursed to the normal statutory project share when federal
305 funds become available or within 10 years after the date of
306 acquisition, whichever is earlier. Due to federal budgeting
307 constraints, the department may also initially fund the federal
308 portion of eligible project costs subject to:

309 1. The department receiving adequate assurance from the
310 Federal Government or local sponsor that this amount will be
311 reimbursed to the department; and

312 2. The department having adequate funds in the work program
313 to fund the project.

314
315 Such projects must be contained in the Federal Government's
316 Airport Capital Improvement Program, and the Federal Government
317 must fund, or have funded, the first year of the project.

318 (b) The department may retroactively reimburse cities,
319 counties, or airport authorities up to 50 percent of the
320 nonfederal share for land acquisition when such land is needed
321 for airport safety, expansion, tall structure control, clear
322 zone protection, or noise impact reduction. No land purchased
323 prior to July 1, 1990, or purchased prior to executing the
324 required department agreements shall be eligible for
325 reimbursement.

326 (c) When federal funds are not available, the department
327 may fund up to 80 percent of master planning and eligible
328 aviation development projects at public-use ~~publicly owned,~~
329 ~~publicly operated~~ airports. If federal funds are available, the



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330 department may fund up to 80 percent of the nonfederal share of
331 such projects. Such funding is limited to general aviation
332 airports, or commercial service airports that have fewer than
333 100,000 passenger boardings per year as determined by the
334 Federal Aviation Administration.

335 (d) The department is authorized to fund up to 100 percent
336 of the cost of an eligible project that is statewide in scope or
337 that involves more than one county where no other governmental
338 entity or appropriate jurisdiction exists.

339 (7) Subject to the availability of appropriated funds in
340 addition to aviation fuel tax revenues, the department may
341 participate in the capital cost of eligible public airport and
342 aviation discretionary capacity improvement projects. The annual
343 legislative budget request shall be based on the funding
344 required for discretionary capacity improvement projects in the
345 aviation and airport work program.

346 (a) The department shall provide priority funding in
347 support of:

348 1. Land acquisition which provides additional capacity at
349 the qualifying international airport or at that airport's
350 supplemental air carrier airport.

351 2. Runway and taxiway projects that add capacity or are
352 necessary to accommodate technological changes in the aviation
353 industry.

354 3. Public-use airport access transportation projects that
355 improve direct airport access and are approved by the airport
356 sponsor.

357 4. International terminal projects that increase
358 international gate capacity.



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359 (d) The department may fund up to 50 percent of the portion
360 of eligible project costs which are not funded by the Federal
361 Government except that the department may initially fund up to
362 75 percent of the cost of land acquisition for a new public-use
363 airport or for the expansion of an existing public-use airport
364 which is owned ~~and operated~~ by a municipality, a county, or an
365 authority, and shall be reimbursed to the normal statutory
366 project share when federal funds become available or within 10
367 years after the date of acquisition, whichever is earlier.

368 (8) The department may also fund eligible projects
369 performed by not-for-profit organizations that represent a
370 majority of public airports in this state. Eligible projects may
371 include activities associated with aviation master planning,
372 professional education, safety and security planning, enhancing
373 economic development and efficiency at airports in this state,
374 or other planning efforts to improve the viability of public-use
375 airports in this state.

376 (10) Subject to the availability of appropriated funds, and
377 unless otherwise provided in the General Appropriations Act or
378 the substantive bill implementing the General Appropriations
379 Act, the department may fund up to 100 percent of eligible
380 project costs of all of the following at a public-use ~~publicly~~
381 ~~owned, publicly operated~~ airport located in a rural community as
382 defined in s. 288.0656 which does not have any scheduled
383 commercial service:

384 (a) The capital cost of runway and taxiway projects that
385 add capacity. Such projects must be prioritized based on the
386 amount of available nonstate matching funds.

387 (b) Economic development transportation projects pursuant



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388 to s. 339.2821.

389

390 Any remaining funds must be allocated for projects specified in
391 subsection (6).

392 (11) Notwithstanding any other provisions of law, a
393 municipality, a county, or an authority that owns a public-use
394 airport may participate in the Federal Aviation Administration
395 Airport Investment Partnership Program under federal law by
396 contracting with a private partner to operate the airport under
397 lease or agreement. Subject to the availability of appropriated
398 funds from aviation fuel tax revenues, the department may
399 provide for improvements under this section to a municipality, a
400 county, or an authority that has a private partner under the
401 Airport Investment Partnership Program for the capital cost of a
402 discretionary improvement project at a public-use airport.

403 Section 9. Subsections (6) and (35) of section 334.044,
404 Florida Statutes, are amended to read:

405 334.044 Powers and duties of the department.—The department
406 shall have the following general powers and duties:

407 (6) To acquire, by the exercise of the power of eminent
408 domain as provided by law, all property or property rights,
409 whether public or private, which it may determine are necessary
410 to the performance of its duties and the execution of its
411 powers, including, but not limited to, in advance to preserve a
412 corridor for future proposed improvements.

413 (35) To expend funds for ~~provide~~ a construction workforce
414 development program, in consultation with affected stakeholders,
415 for delivery of projects designated in the department's work
416 program. The department may annually expend up to \$5 million



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417 from the State Transportation Trust Fund for fiscal years 2025-
418 2026 through 2029-2030 in grants to state colleges and school
419 districts, with priority given to state colleges and school
420 districts in counties that are rural communities as defined in
421 s. 288.0656(2), for the purchase of equipment simulators with
422 authentic original equipment manufacturer controls and a
423 companion curriculum, for the purchase of instructional aids for
424 use in conjunction with the equipment simulators, and to support
425 offering an elective course in heavy civil construction which
426 must, at a minimum, provide the student with an Occupational
427 Safety and Health Administration 10-hour certification and a
428 fill equipment simulator certification.

429 Section 10. Subsection (3) of section 334.065, Florida
430 Statutes, is amended to read:

431 334.065 Center for Urban Transportation Research.—

432 (3) An advisory board shall be created to periodically and
433 objectively review and advise the center concerning its research
434 program. Except for projects mandated by law, state-funded base
435 projects shall not be undertaken without approval of the
436 advisory board. The membership of the board shall be composed
437 ~~consist~~ of nine experts in transportation-related areas, as
438 follows:

439 (a) A member appointed by the President of the Senate.

440 (b) A member appointed by the Speaker of the House of
441 Representatives.

442 (c) The Secretary of Transportation, or his or her
443 designee.

444 (d) The Secretary of Commerce, or his or her designee.

445 ~~including the secretaries of the Department of Transportation,~~



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446 ~~the Department of Environmental Protection, and the Department~~
447 ~~of Commerce, or their designees, and~~

448 (e) A member of the Florida Transportation Commission.

449 (f) The nomination of the remaining four members of the
450 board shall be made to the President of the University of South
451 Florida by the College of Engineering at the University of South
452 Florida, ~~and~~ The appointment of these members must be reviewed
453 and approved by the Florida Transportation Commission and
454 confirmed by the Board of Governors.

455 Section 11. Section 334.63, Florida Statutes, is created to
456 read:

457 334.63 Project concept studies and project development and
458 environment studies.-

459 (1) Project concept studies and project development and
460 environment studies for capacity improvement projects on limited
461 access facilities must include the evaluation of alternatives
462 that provide transportation capacity using elevated roadway
463 above existing lanes.

464 (2) Project development and environment studies for new
465 alignment projects and capacity improvement projects must be
466 completed within 18 months after the date of commencement.

467 Section 12. Subsections (1) and (4), paragraph (b) of
468 subsection (7), and subsection (15) of section 337.11, Florida
469 Statutes, are amended to read:

470 337.11 Contracting authority of department; bids; emergency
471 repairs, supplemental agreements, and change orders; combined
472 design and construction contracts; progress payments; records;
473 requirements of vehicle registration.-

474 (1) The department shall have authority to enter into



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475 contracts for the construction and maintenance of all roads
476 designated as part of the State Highway System or the State Park
477 Road System or of any roads placed under its supervision by law.
478 The department shall also have authority to enter into contracts
479 for the construction and maintenance of rest areas, weigh
480 stations, and other structures, including roads, parking areas,
481 supporting facilities and associated buildings used in
482 connection with such facilities. A contractor who enters into
483 such a contract with the department provides a service to the
484 department, and such contract does not ~~However, no such contract~~
485 ~~shall~~ create any third-party beneficiary rights in any person
486 not a party to the contract.

487 (4) (a) Except as provided in paragraph (b), the department
488 may award the proposed construction and maintenance work to the
489 lowest responsible bidder, or in the instance of a time-plus-
490 money contract, the lowest evaluated responsible bidder, or it
491 may reject all bids and proceed to rebid the work in accordance
492 with subsection (2) or otherwise perform the work.

493 (b) Notwithstanding any other provision of law to the
494 contrary:

495 1. If the department receives bids outside the award
496 criteria set forth by the department, the department must:

497 a. Arrange an in-person meeting with the lowest responsive,
498 responsible bidder to determine why the bids are over the
499 department's estimate and may subsequently award the contract to
500 the lowest responsive, responsible bidder at its discretion;

501 b. Reject all bids and proceed to rebid the work in
502 accordance with subsection (2); or

503 c. Invite all responsive, responsible bidders to provide



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504 best and final offers without filing a protest or posting a bond
505 under paragraph (5) (a). If the department thereafter awards the
506 contract, the award must be to the bidder that presents the
507 lowest best and final offer.

508 2. If the department intends to reject all bids on any
509 project after announcing, but before posting official notice of,
510 such intent, the department must provide to the lowest
511 responsive, responsible bidder the opportunity to negotiate the
512 scope of work with a corresponding reduction in price, as
513 provided in the bid, to provide a best and final offer without
514 filing a protest or posting a bond under paragraph (5) (a). Upon
515 reaching a decision regarding the lowest bidder's best and final
516 offer, the department must post notice of final agency action to
517 either reject all bids or accept the best and final offer.

518 (c) This subsection does not prohibit the filing of a
519 protest by any bidder or alter the deadlines provided in s.
520 120.57.

521 (d) Notwithstanding the requirements of ss. 120.57(3) (c)
522 and 287.057(25), upon receipt of a formal written protest that
523 is timely filed, the department may continue the process
524 provided in this subsection but may not take final agency action
525 as to the lowest bidder except as part of the department's final
526 agency action in the protest or upon dismissal of the protest by
527 the protesting party.

528 (7)

529 (b) If the department determines that it is in the best
530 interests of the public, the department may combine the design
531 and construction phases of a project fully funded in the work
532 program into a single contract and select the design-build firm



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533 in the early stages of a project to ensure that the design-build
534 firm is part of the collaboration and development of the design
535 as part of a step-by-step progression through construction. Such
536 a contract is referred to as a phased design-build contract. For
537 phased design-build contracts, selection and award must include
538 a two-phase process. For phase one, the department shall
539 competitively award the contract to a design-build firm based
540 upon qualifications, provided that the department receives at
541 least three statements of qualifications from qualified design-
542 build firms. If during phase one the department elects to enter
543 into contracts with more than one design-build firm based upon
544 qualifications, the department must competitively award the
545 contract for phase two to a single design-build firm. For phase
546 two, the design-build firm may self-perform portions of the work
547 and shall competitively bid construction trade subcontractor
548 packages and, based upon these bids, negotiate with the
549 department a fixed firm price or guaranteed maximum price that
550 meets the project budget and scope as advertised in the request
551 for qualifications.

552 (15) Each contract let by the department for performance of
553 bridge construction or maintenance over navigable waters must
554 contain a provision requiring marine general liability
555 insurance, in an amount to be determined by the department,
556 which covers third-party personal injury and property damage
557 caused by vessels used by the contractor in the performance of
558 the work. For a contract let by the department on or after July
559 1, 2025, such insurance must include protection and indemnity
560 coverage, which may be covered by endorsement on the marine
561 general liability insurance policy or may be a separate policy.



562 Section 13. Subsection (3) is added to section 337.1101,
563 Florida Statutes, to read:

564 337.1101 Contracting and procurement authority of the
565 department; settlements; notification required.-

566 (3) The department may not, through a settlement of a
567 protest filed in accordance with s. 120.57(3) of the award of a
568 contract being procured pursuant to s. 337.11 or related to the
569 purchase of commodities or contractual services being procured
570 pursuant to s. 287.057, create a new contract unless the new
571 contract is competitively procured.

572 Section 14. Subsections (1), (2), and (8) of section
573 337.14, Florida Statutes, are amended to read:

574 337.14 Application for qualification; certificate of
575 qualification; restrictions; request for hearing.-

576 (1) Any contractor desiring to bid for the performance of
577 any construction contract in excess of \$250,000 which the
578 department proposes to let must first be certified by the
579 department as qualified pursuant to this section and rules of
580 the department. The rules of the department must address the
581 qualification of contractors to bid on construction contracts in
582 excess of \$250,000 and must include requirements with respect to
583 the equipment, past record, experience, financial resources, and
584 organizational personnel of the applying contractor which are
585 necessary to perform the specific class of work for which the
586 contractor seeks certification. Any contractor who desires to
587 bid on contracts in excess of \$50 million and who is not
588 qualified and in good standing with the department as of January
589 1, 2019, must first be certified by the department as qualified
590 and must have satisfactorily completed two projects, each in



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591 excess of \$15 million, for the department or for any other state
592 department of transportation. The department may limit the
593 dollar amount of any contract upon which a contractor is
594 qualified to bid or the aggregate total dollar volume of
595 contracts such contractor is allowed to have under contract at
596 any one time. Each applying contractor seeking qualification to
597 bid on construction contracts in excess of \$250,000 shall
598 furnish the department a statement under oath, on such forms as
599 the department may prescribe, setting forth detailed information
600 as required on the application. Each application for
601 certification must be accompanied by audited, certified
602 financial statements prepared in accordance with generally
603 accepted accounting principles and auditing standards by a
604 certified public accountant licensed in this state or another
605 state. The audited, certified financial statements must be for
606 the applying contractor and must have been prepared within the
607 immediately preceding 12 months. The department may not consider
608 any financial information of the parent entity of the applying
609 contractor, if any. The department may not certify as qualified
610 any applying contractor who fails to submit the audited,
611 certified financial statements required by this subsection. If
612 the application or the annual financial statement shows the
613 financial condition of the applying contractor more than 4
614 months before the date on which the application is received by
615 the department, the applicant must also submit interim audited,
616 certified financial statements prepared in accordance with
617 generally accepted accounting principles and auditing standards
618 by a certified public accountant licensed in this state or
619 another state. The interim financial statements must cover the



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620 period from the end date of the annual statement and must show
621 the financial condition of the applying contractor no more than
622 4 months before the date that the interim financial statements
623 are received by the department. However, upon the request of the
624 applying contractor, an application and accompanying annual or
625 interim financial statement received by the department within 15
626 days after either 4-month period under this subsection shall be
627 considered timely. An applying contractor desiring to bid
628 exclusively for the performance of construction contracts with
629 proposed budget estimates of less than \$2 million may submit
630 reviewed annual or reviewed interim financial statements
631 prepared by a certified public accountant. The information
632 required by this subsection is confidential and exempt from s.
633 119.07(1). The department shall act upon the application for
634 qualification within 30 days after the department determines
635 that the application is complete. The department may waive the
636 requirements of this subsection for projects having a contract
637 price of \$1 million or less which have diverse scopes of work
638 that may or may not be performed or \$500,000 or less if the
639 department determines that the project is of a noncritical
640 nature and the waiver will not endanger public health, safety,
641 or property. Contracts for projects that have diverse scopes of
642 work that may or may not be performed are typically referred to
643 as push-button or task work order contracts.

644 (2) Certification is ~~shall be~~ necessary in order to bid on
645 a road, bridge, or public transportation construction contract
646 of more than \$250,000. However, the successful bidder on any
647 construction contract must furnish a contract bond before ~~prior~~
648 ~~to~~ the award of the contract. The department may waive the



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649 requirement for all or a portion of a contract bond for
650 contracts of \$250,000 ~~\$150,000~~ or less under s. 337.18(1).

651 (8) This section does not apply to maintenance contracts.

652 Notwithstanding any provision of law to the contrary, a
653 contractor seeking to bid on a maintenance contract that
654 predominantly includes repair and replacement of safety
655 appurtenances, including, but not limited to, guardrails,
656 attenuators, traffic signals, and striping, must possess the
657 prescribed qualifications, equipment, record, and experience to
658 perform such repair and replacement.

659 Section 15. Subsections (4) and (5) of section 337.185,
660 Florida Statutes, are amended to read:

661 337.185 State Arbitration Board.—

662 (4) The contractor may submit a claim greater than \$250,000
663 up to \$2 ~~\$1~~ million per contract or, upon agreement of the
664 parties, greater than ~~up to~~ \$2 million per contract to be
665 arbitrated by the board. An award issued by the board pursuant
666 to this subsection is final if a request for a trial de novo is
667 not filed within the time provided by Rule 1.830, Florida Rules
668 of Civil Procedure. At the trial de novo, the court may not
669 admit evidence that there has been an arbitration proceeding,
670 the nature or amount of the award, or any other matter
671 concerning the conduct of the arbitration proceeding, except
672 that testimony given in connection with ~~at~~ an arbitration
673 hearing may be used for any purpose otherwise permitted by the
674 Florida Evidence Code. If a request for trial de novo is not
675 filed within the time provided, the award issued by the board is
676 final and enforceable by a court of law.

677 (5) An arbitration request may not be made to the board



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678 before final acceptance but must be made to the board within 820
679 days after final acceptance or within 360 days after written
680 notice by the department of a claim related to a written
681 warranty or defect after final acceptance.

682 Section 16. Subsection (2) of section 337.19, Florida
683 Statutes, is amended to read:

684 337.19 Suits by and against department; limitation of
685 actions; forum.—

686 (2) For contracts entered into on or after June 30, 1993,
687 suits by or and against the department under this section must
688 ~~shall~~ be commenced within 820 days of the final acceptance of
689 the work. For contracts entered into on or after July 1, 2025,
690 suits by or against the department under this section must be
691 commenced within 820 days of the final acceptance of the work or
692 within 360 days after written notice by the department of a
693 claim related to a written warranty or defect after final
694 acceptance ~~This section shall apply to all contracts entered~~
695 ~~into after June 30, 1993.~~

696 Section 17. Present subsections (3) through (9) of section
697 337.401, Florida Statutes, are redesignated as subsections (4)
698 through (10), respectively, paragraph (c) is added to subsection
699 (1) and a new subsection (3) is added to that section, and
700 paragraph (b) of subsection (1), subsection (2), paragraphs (a),
701 (c), and (g) of present subsection (3), present subsection (5),
702 paragraph (e) of present subsection (6), and paragraphs (d) and
703 (n) of present subsection (7) of that section are amended, to
704 read:

705 337.401 Use of right-of-way for utilities subject to
706 regulation; permit; fees.—



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707 (1)
708 (b) For aerial and underground electric utility
709 transmission lines designed to operate at 69 or more kilovolts
710 which ~~that~~ are needed to accommodate the additional electrical
711 transfer capacity on the transmission grid resulting from new
712 base-load generating facilities, the department's rules shall
713 provide for placement of and access to such transmission lines
714 adjacent to and within the right-of-way of any department-
715 controlled public roads, including longitudinally within limited
716 access facilities where there is no other practicable
717 alternative available, to the greatest extent allowed by federal
718 law, if compliance with the standards established by such rules
719 is achieved. Without limiting or conditioning the department's
720 jurisdiction or authority described in paragraph (a), with
721 respect to limited access right-of-way, such rules may include,
722 but need not be limited to, that the use of the right-of-way for
723 longitudinal placement of electric utility transmission lines is
724 reasonable based upon a consideration of economic and
725 environmental factors, including, without limitation, other
726 practicable alternative alignments, utility corridors and
727 easements, impacts on adjacent property owners, and minimum
728 clear zones and other safety standards, and further provide that
729 placement of the electric utility transmission lines within the
730 department's right-of-way does not interfere with operational
731 requirements of the transportation facility or planned or
732 potential future expansion of such transportation facility. If
733 the department approves longitudinal placement of electric
734 utility transmission lines in limited access facilities,
735 compensation for the use of the right-of-way is required. Such



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736 consideration or compensation paid by the ~~electric~~ utility owner
737 in connection with the department's issuance of a permit does
738 not create any property right in the department's property
739 regardless of the amount of consideration paid or the
740 improvements constructed on the property by the utility owner.
741 Upon notice by the department that the property is needed for
742 expansion or improvement of the transportation facility, the
743 electric utility transmission line will be removed or relocated
744 at the utility owner's ~~electric utility's~~ sole expense. The
745 ~~electric~~ utility owner shall pay to the department reasonable
746 damages resulting from the utility owner's ~~utility's~~ failure or
747 refusal to timely remove or relocate its transmission lines. The
748 rules to be adopted by the department may also address the
749 compensation methodology and removal or relocation. As used in
750 this subsection, the term "base-load generating facilities"
751 means electric power plants that are certified under part II of
752 chapter 403.

753 (c) An entity that places, replaces, or relocates
754 underground utilities within a right-of-way must make such
755 underground utilities electronically detectable using techniques
756 approved by the department.

757 (2) The authority may grant to any person who is a resident
758 of this state, or to any corporation that ~~which~~ is organized
759 under the laws of this state or licensed to do business within
760 this state, the use of a right-of-way for the utility in
761 accordance with such rules or regulations as the authority may
762 adopt. A utility may not be installed, located, or relocated
763 unless authorized by a written permit issued by the authority.
764 However, for public roads or publicly owned rail corridors under



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765 the jurisdiction of the department, a utility relocation
766 schedule and relocation agreement may be executed in lieu of a
767 written permit. The permit or relocation agreement must require
768 the permitholder or party to the agreement to be responsible for
769 any damage resulting from the work required. The utility owner
770 shall pay to the authority actual damages resulting from a
771 failure or refusal to timely remove or relocate a utility.
772 Issuance of permits for new placement of utilities within the
773 authority's rights-of-way may be subject to payment of actual
774 costs incurred by the authority due to the failure of the
775 utility owner to timely relocate utilities pursuant to an
776 approved utility work schedule, for damage done to existing
777 infrastructure by the utility owner, and for roadway failures
778 caused by work performed by the utility owner ~~issuance of such~~
779 ~~permit~~. The authority may initiate injunctive proceedings as
780 provided in s. 120.69 to enforce ~~provisions of~~ this subsection
781 or any rule or order issued or entered into pursuant thereto. A
782 permit application required under this subsection by a county or
783 municipality having jurisdiction and control of the right-of-way
784 of any public road must be processed and acted upon in
785 accordance with the timeframes provided in subparagraphs
786 (8) (d) 7., 8., and 9 ~~(7) (d) 7., 8., and 9.~~

787 (3) (a) As used in this subsection, the term "as-built
788 plans" means plans that include all changes and modifications
789 that occur during the construction phase of a project.

790 (b) The authority and utility owner shall agree in writing
791 to an approved depth of as-built plans in accordance with the
792 scope of a project.

793 (c) The utility owner shall submit as-built plans within 20



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794 business days after completion of the utility work which show
795 actual final surface and subsurface utilities, including
796 location alignment profile, depth, and geodetic datum of each
797 structure. As-built plans must be provided in an electronic
798 format that is compatible with department software and meets
799 technical specifications provided by the department or in an
800 electronic format determined by the utility industry to be in
801 accordance with industry standards. The department may by
802 written agreement make exceptions to the electronic format
803 requirement.

804 (d) As-built plans must be submitted before any costs may
805 be reimbursed by the authority under subsection (2).

806 (4) (a) ~~(3) (a)~~ Because of the unique circumstances applicable
807 to providers of communications services, including, but not
808 limited to, the circumstances described in paragraph (e) and the
809 fact that federal and state law require the nondiscriminatory
810 treatment of providers of telecommunications services, and
811 because of the desire to promote competition among providers of
812 communications services, it is the intent of the Legislature
813 that municipalities and counties treat providers of
814 communications services in a nondiscriminatory and competitively
815 neutral manner when imposing rules or regulations governing the
816 placement or maintenance of communications facilities in the
817 public roads or rights-of-way. Rules or regulations imposed by a
818 municipality or county relating to providers of communications
819 services placing or maintaining communications facilities in its
820 roads or rights-of-way must be generally applicable to all
821 providers of communications services, taking into account the
822 distinct engineering, construction, operation, maintenance,



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823 public works, and safety requirements of the provider's
824 facilities, and, notwithstanding any other law, may not require
825 a provider of communications services to apply for or enter into
826 an individual license, franchise, or other agreement with the
827 municipality or county as a condition of placing or maintaining
828 communications facilities in its roads or rights-of-way. In
829 addition to other reasonable rules or regulations that a
830 municipality or county may adopt relating to the placement or
831 maintenance of communications facilities in its roads or rights-
832 of-way under this subsection or subsection (8) ~~(7)~~, a
833 municipality or county may require a provider of communications
834 services that places or seeks to place facilities in its roads
835 or rights-of-way to register with the municipality or county. To
836 register, a provider of communications services may be required
837 only to provide its name; the name, address, and telephone
838 number of a contact person for the registrant; the number of the
839 registrant's current certificate of authorization issued by the
840 Florida Public Service Commission, the Federal Communications
841 Commission, or the Department of State; a statement of whether
842 the registrant is a pass-through provider as defined in
843 subparagraph (7)(a)1. ~~(6)(a)1.~~; the registrant's federal
844 employer identification number; and any required proof of
845 insurance or self-insuring status adequate to defend and cover
846 claims. A municipality or county may not require a registrant to
847 renew a registration more frequently than every 5 years but may
848 require during this period that a registrant update the
849 registration information provided under this subsection within
850 90 days after a change in such information. A municipality or
851 county may not require the registrant to provide an inventory of



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852 communications facilities, maps, locations of such facilities,
853 or other information by a registrant as a condition of
854 registration, renewal, or for any other purpose; provided,
855 however, that a municipality or county may require as part of a
856 permit application that the applicant identify at-grade
857 communications facilities within 50 feet of the proposed
858 installation location for the placement of at-grade
859 communications facilities. A municipality or county may not
860 require a provider to pay any fee, cost, or other charge for
861 registration or renewal thereof. It is the intent of the
862 Legislature that the placement, operation, maintenance,
863 upgrading, and extension of communications facilities not be
864 unreasonably interrupted or delayed through the permitting or
865 other local regulatory process. Except as provided in this
866 chapter or otherwise expressly authorized by chapter 202,
867 chapter 364, or chapter 610, a municipality or county may not
868 adopt or enforce any ordinance, regulation, or requirement as to
869 the placement or operation of communications facilities in a
870 right-of-way by a communications services provider authorized by
871 state or local law to operate in a right-of-way; regulate any
872 communications services; or impose or collect any tax, fee,
873 cost, charge, or exaction for the provision of communications
874 services over the communications services provider's
875 communications facilities in a right-of-way.

876 (c) Any municipality or county that, as of January 1, 2019,
877 elected to require permit fees from any provider of
878 communications services that uses or occupies municipal or
879 county roads or rights-of-way pursuant to former paragraph (c)
880 or former paragraph (j), Florida Statutes 2018, may continue to



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881 require and collect such fees. A municipality or county that
882 elected as of January 1, 2019, to require permit fees may elect
883 to forego such fees as provided herein. A municipality or county
884 that elected as of January 1, 2019, not to require permit fees
885 may not elect to impose permit fees. All fees authorized under
886 this paragraph must be reasonable and commensurate with the
887 direct and actual cost of the regulatory activity, including
888 issuing and processing permits, plan reviews, physical
889 inspection, and direct administrative costs; must be
890 demonstrable; and must be equitable among users of the roads or
891 rights-of-way. A fee authorized under this paragraph may not be
892 offset against the tax imposed under chapter 202; include the
893 costs of roads or rights-of-way acquisition or roads or rights-
894 of-way rental; include any general administrative, management,
895 or maintenance costs of the roads or rights-of-way; or be based
896 on a percentage of the value or costs associated with the work
897 to be performed on the roads or rights-of-way. In an action to
898 recover amounts due for a fee not authorized under this
899 paragraph, the prevailing party may recover court costs and
900 attorney fees at trial and on appeal. In addition to the
901 limitations set forth in this section, a fee levied by a
902 municipality or charter county under this paragraph may not
903 exceed \$100. However, permit fees may not be imposed with
904 respect to permits that may be required for service drop lines
905 not required to be noticed under s. 556.108(5) or for any
906 activity that does not require the physical disturbance of the
907 roads or rights-of-way or does not impair access to or full use
908 of the roads or rights-of-way, including, but not limited to,
909 the performance of service restoration work on existing



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910 facilities, extensions of such facilities for providing
911 communications services to customers, and the placement of micro
912 wireless facilities in accordance with subparagraph (8)(e)3
913 ~~(7)(e)3~~.

914 1. If a municipality or charter county elects to not
915 require permit fees, the total rate for the local communications
916 services tax as computed under s. 202.20 for that municipality
917 or charter county may be increased by ordinance or resolution by
918 an amount not to exceed a rate of 0.12 percent.

919 2. If a noncharter county elects to not require permit
920 fees, the total rate for the local communications services tax
921 as computed under s. 202.20 for that noncharter county may be
922 increased by ordinance or resolution by an amount not to exceed
923 a rate of 0.24 percent, to replace the revenue the noncharter
924 county would otherwise have received from permit fees for
925 providers of communications services.

926 (g) A municipality or county may not use its authority over
927 the placement of facilities in its roads and rights-of-way as a
928 basis for asserting or exercising regulatory control over a
929 provider of communications services regarding matters within the
930 exclusive jurisdiction of the Florida Public Service Commission
931 or the Federal Communications Commission, including, but not
932 limited to, the operations, systems, equipment, technology,
933 qualifications, services, service quality, service territory,
934 and prices of a provider of communications services. A
935 municipality or county may not require any permit for the
936 maintenance, repair, replacement, extension, or upgrade of
937 existing aerial wireline communications facilities on utility
938 poles or for aerial wireline facilities between existing



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939 wireline communications facility attachments on utility poles by
940 a communications services provider. However, a municipality or
941 county may require a right-of-way permit for work that involves
942 excavation, closure of a sidewalk, or closure of a vehicular
943 lane or parking lane, unless the provider is performing service
944 restoration to existing facilities. A permit application
945 required by an authority under this section for the placement of
946 communications facilities must be processed and acted upon
947 consistent with the timeframes provided in subparagraphs
948 (8) (d) 7., 8., and 9 ~~(7) (d) 7., 8., and 9.~~ In addition, a
949 municipality or county may not require any permit or other
950 approval, fee, charge, or cost, or other exaction for the
951 maintenance, repair, replacement, extension, or upgrade of
952 existing aerial lines or underground communications facilities
953 located on private property outside of the public rights-of-way.
954 As used in this section, the term "extension of existing
955 facilities" includes those extensions from the rights-of-way
956 into a customer's private property for purposes of placing a
957 service drop or those extensions from the rights-of-way into a
958 utility easement to provide service to a discrete identifiable
959 customer or group of customers.

960 (6) ~~(5)~~ This section, except subsections (1) and (2) and
961 paragraph (4) (g) ~~(3) (g)~~, does not apply to the provision of pay
962 telephone service on public, municipal, or county roads or
963 rights-of-way.

964 (7) ~~(6)~~

965 (e) This subsection does not alter any provision of this
966 section or s. 202.24 relating to taxes, fees, or other charges
967 or impositions by a municipality or county on a dealer of



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968 communications services or authorize that any charges be
969 assessed on a dealer of communications services, except as
970 specifically set forth herein. A municipality or county may not
971 charge a pass-through provider any amounts other than the
972 charges under this subsection as a condition to the placement or
973 maintenance of a communications facility in the roads or rights-
974 of-way of a municipality or county by a pass-through provider,
975 except that a municipality or county may impose permit fees on a
976 pass-through provider consistent with paragraph (4) (c) ~~(3) (e)~~.

977 (8) ~~(7)~~

978 (d) An authority may require a registration process and
979 permit fees in accordance with subsection (4) ~~(3)~~. An authority
980 shall accept applications for permits and shall process and
981 issue permits subject to the following requirements:

982 1. An authority may not directly or indirectly require an
983 applicant to perform services unrelated to the collocation for
984 which approval is sought, such as in-kind contributions to the
985 authority, including reserving fiber, conduit, or pole space for
986 the authority.

987 2. An applicant may not be required to provide more
988 information to obtain a permit than is necessary to demonstrate
989 the applicant's compliance with applicable codes for the
990 placement of small wireless facilities in the locations
991 identified in the application. An applicant may not be required
992 to provide inventories, maps, or locations of communications
993 facilities in the right-of-way other than as necessary to avoid
994 interference with other at-grade or aerial facilities located at
995 the specific location proposed for a small wireless facility or
996 within 50 feet of such location.



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- 997 3. An authority may not:
- 998 a. Require the placement of small wireless facilities on
999 any specific utility pole or category of poles;
- 1000 b. Require the placement of multiple antenna systems on a
1001 single utility pole;
- 1002 c. Require a demonstration that collocation of a small
1003 wireless facility on an existing structure is not legally or
1004 technically possible as a condition for granting a permit for
1005 the collocation of a small wireless facility on a new utility
1006 pole except as provided in paragraph (i);
- 1007 d. Require compliance with an authority's provisions
1008 regarding placement of small wireless facilities or a new
1009 utility pole used to support a small wireless facility in
1010 rights-of-way under the control of the department unless the
1011 authority has received a delegation from the department for the
1012 location of the small wireless facility or utility pole, or
1013 require such compliance as a condition to receive a permit that
1014 is ancillary to the permit for collocation of a small wireless
1015 facility, including an electrical permit;
- 1016 e. Require a meeting before filing an application;
- 1017 f. Require direct or indirect public notification or a
1018 public meeting for the placement of communication facilities in
1019 the right-of-way;
- 1020 g. Limit the size or configuration of a small wireless
1021 facility or any of its components, if the small wireless
1022 facility complies with the size limits in this subsection;
- 1023 h. Prohibit the installation of a new utility pole used to
1024 support the collocation of a small wireless facility if the
1025 installation otherwise meets the requirements of this



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1026 subsection; or

1027 i. Require that any component of a small wireless facility
1028 be placed underground except as provided in paragraph (i).

1029 4. Subject to paragraph (r), an authority may not limit the
1030 placement, by minimum separation distances, of small wireless
1031 facilities, utility poles on which small wireless facilities are
1032 or will be collocated, or other at-grade communications
1033 facilities. However, within 14 days after the date of filing the
1034 application, an authority may request that the proposed location
1035 of a small wireless facility be moved to another location in the
1036 right-of-way and placed on an alternative authority utility pole
1037 or support structure or placed on a new utility pole. The
1038 authority and the applicant may negotiate the alternative
1039 location, including any objective design standards and
1040 reasonable spacing requirements for ground-based equipment, for
1041 30 days after the date of the request. At the conclusion of the
1042 negotiation period, if the alternative location is accepted by
1043 the applicant, the applicant must notify the authority of such
1044 acceptance and the application shall be deemed granted for any
1045 new location for which there is agreement and all other
1046 locations in the application. If an agreement is not reached,
1047 the applicant must notify the authority of such nonagreement and
1048 the authority must grant or deny the original application within
1049 90 days after the date the application was filed. A request for
1050 an alternative location, an acceptance of an alternative
1051 location, or a rejection of an alternative location must be in
1052 writing and provided by electronic mail.

1053 5. An authority shall limit the height of a small wireless
1054 facility to 10 feet above the utility pole or structure upon



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1055 which the small wireless facility is to be collocated. Unless
1056 waived by an authority, the height for a new utility pole is
1057 limited to the tallest existing utility pole as of July 1, 2017,
1058 located in the same right-of-way, other than a utility pole for
1059 which a waiver has previously been granted, measured from grade
1060 in place within 500 feet of the proposed location of the small
1061 wireless facility. If there is no utility pole within 500 feet,
1062 the authority shall limit the height of the utility pole to 50
1063 feet.

1064 6. The installation by a communications services provider
1065 of a utility pole in the public rights-of-way, other than a
1066 utility pole used to support a small wireless facility, is
1067 subject to authority rules or regulations governing the
1068 placement of utility poles in the public rights-of-way.

1069 7. Within 14 days after receiving an application, an
1070 authority must determine and notify the applicant by electronic
1071 mail as to whether the application is complete. If an
1072 application is deemed incomplete, the authority must
1073 specifically identify the missing information. An application is
1074 deemed complete if the authority fails to provide notification
1075 to the applicant within 14 days.

1076 8. An application must be processed on a nondiscriminatory
1077 basis. A complete application is deemed approved if an authority
1078 fails to approve or deny the application within 60 days after
1079 receipt of the application. If an authority does not use the 30-
1080 day negotiation period provided in subparagraph 4., the parties
1081 may mutually agree to extend the 60-day application review
1082 period. The authority shall grant or deny the application at the
1083 end of the extended period. A permit issued pursuant to an



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1084 approved application shall remain effective for 1 year unless
1085 extended by the authority.

1086 9. An authority must notify the applicant of approval or
1087 denial by electronic mail. An authority shall approve a complete
1088 application unless it does not meet the authority's applicable
1089 codes. If the application is denied, the authority must specify
1090 in writing the basis for denial, including the specific code
1091 provisions on which the denial was based, and send the
1092 documentation to the applicant by electronic mail on the day the
1093 authority denies the application. The applicant may cure the
1094 deficiencies identified by the authority and resubmit the
1095 application within 30 days after notice of the denial is sent to
1096 the applicant. The authority shall approve or deny the revised
1097 application within 30 days after receipt or the application is
1098 deemed approved. The review of a revised application is limited
1099 to the deficiencies cited in the denial. If an authority
1100 provides for administrative review of the denial of an
1101 application, the review must be complete and a written decision
1102 issued within 45 days after a written request for review is
1103 made. A denial must identify the specific code provisions on
1104 which the denial is based. If the administrative review is not
1105 complete within 45 days, the authority waives any claim
1106 regarding failure to exhaust administrative remedies in any
1107 judicial review of the denial of an application.

1108 10. An applicant seeking to collocate small wireless
1109 facilities within the jurisdiction of a single authority may, at
1110 the applicant's discretion, file a consolidated application and
1111 receive a single permit for the collocation of up to 30 small
1112 wireless facilities. If the application includes multiple small



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1113 wireless facilities, an authority may separately address small
1114 wireless facility collocations for which incomplete information
1115 has been received or which are denied.

1116 11. An authority may deny an application to collocate a
1117 small wireless facility or place a utility pole used to support
1118 a small wireless facility in the public rights-of-way if the
1119 proposed small wireless facility or utility pole used to support
1120 a small wireless facility:

1121 a. Materially interferes with the safe operation of traffic
1122 control equipment.

1123 b. Materially interferes with sight lines or clear zones
1124 for transportation, pedestrians, or public safety purposes.

1125 c. Materially interferes with compliance with the Americans
1126 with Disabilities Act or similar federal or state standards
1127 regarding pedestrian access or movement.

1128 d. Materially fails to comply with the 2017 edition of the
1129 Florida Department of Transportation Utility Accommodation
1130 Manual.

1131 e. Fails to comply with applicable codes.

1132 f. Fails to comply with objective design standards
1133 authorized under paragraph (r).

1134 12. An authority may adopt by ordinance provisions for
1135 insurance coverage, indemnification, force majeure, abandonment,
1136 authority liability, or authority warranties. Such provisions
1137 must be reasonable and nondiscriminatory. An authority may
1138 require a construction bond to secure restoration of the
1139 postconstruction rights-of-way to the preconstruction condition.
1140 However, such bond must be time-limited to not more than 18
1141 months after the construction to which the bond applies is



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1142 completed. For any financial obligation required by an authority
1143 allowed under this section, the authority shall accept a letter
1144 of credit or similar financial instrument issued by any
1145 financial institution that is authorized to do business within
1146 the United States, provided that a claim against the financial
1147 instrument may be made by electronic means, including by
1148 facsimile. A provider of communications services may add an
1149 authority to any existing bond, insurance policy, or other
1150 relevant financial instrument, and the authority must accept
1151 such proof of coverage without any conditions other than consent
1152 to venue for purposes of any litigation to which the authority
1153 is a party. An authority may not require a communications
1154 services provider to indemnify it for liabilities not caused by
1155 the provider, including liabilities arising from the authority's
1156 negligence, gross negligence, or willful conduct.

1157 13. Collocation of a small wireless facility on an
1158 authority utility pole does not provide the basis for the
1159 imposition of an ad valorem tax on the authority utility pole.

1160 14. An authority may reserve space on authority utility
1161 poles for future public safety uses. However, a reservation of
1162 space may not preclude collocation of a small wireless facility.
1163 If replacement of the authority utility pole is necessary to
1164 accommodate the collocation of the small wireless facility and
1165 the future public safety use, the pole replacement is subject to
1166 make-ready provisions and the replaced pole shall accommodate
1167 the future public safety use.

1168 15. A structure granted a permit and installed pursuant to
1169 this subsection shall comply with chapter 333 and federal
1170 regulations pertaining to airport airspace protections.



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1171 (n) This subsection does not affect provisions relating to
1172 pass-through providers in subsection (7) ~~(6)~~.

1173 Section 18. Present subsections (2) and (3) of section
1174 337.403, Florida Statutes, are redesignated as subsections (4)
1175 and (5), respectively, new subsections (2) and (3) are added to
1176 that section, and subsection (1) of that section is amended, to
1177 read:

1178 337.403 Interference caused by utility; expenses.—

1179 (1) If a utility that is placed upon, under, over, or
1180 within the right-of-way limits of any public road or publicly
1181 owned rail corridor is found by the authority to be unreasonably
1182 interfering in any way with the convenient, safe, or continuous
1183 use, or the maintenance, improvement, extension, or expansion,
1184 of such public road or publicly owned rail corridor, the utility
1185 owner shall, upon 30 days' written notice to the utility or its
1186 agent by the authority, initiate the work necessary to alleviate
1187 the interference at its own expense except as provided in
1188 paragraphs (a)-(k) ~~(a)-(j)~~. The work must be completed within
1189 such reasonable time as stated in the notice or such time as
1190 agreed to by the authority and the utility owner.

1191 (a) If the relocation of utility facilities, as referred to
1192 in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No.
1193 84-627, is necessitated by the construction of a project on the
1194 federal-aid interstate system, including extensions thereof
1195 within urban areas, and the cost of the project is eligible and
1196 approved for reimbursement by the Federal Government to the
1197 extent of 90 percent or more under the Federal-Aid Highway Act,
1198 or any amendment thereof, ~~then in that event~~ the utility owning
1199 or operating such facilities must ~~shall~~ perform any necessary



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1200 work upon notice from the department, and the state must ~~shall~~
1201 pay the entire expense properly attributable to such work after
1202 deducting therefrom any increase in the value of a new facility
1203 and any salvage value derived from an old facility.

1204 (b) The department may reimburse up to 50 percent of the
1205 costs for relocation of publicly regulated utility facilities
1206 and municipally owned or county-owned utility facilities, and
1207 100 percent of the costs for relocation of municipally owned or
1208 county-owned utility facilities located in a rural area of
1209 opportunity as defined in s. 288.0656(2), on the state highway
1210 system after deducting therefrom any increase in the value of a
1211 new facility and any salvage value derived from an old facility
1212 upon determining that such reimbursement is in the best
1213 interests of the public and necessary to expedite the
1214 construction of the project and that the utility owner has
1215 relocated their facility at least 5 percent ahead of the time
1216 allotted for relocation per the latest approved utility
1217 relocation schedule.

1218 (c) ~~(b)~~ When a joint agreement between the department and
1219 the utility is executed for utility work to be accomplished as
1220 part of a contract for construction of a transportation
1221 facility, the department may participate in those utility work
1222 costs that exceed the department's official estimate of the cost
1223 of the work by more than 10 percent in addition to any costs
1224 identified in paragraph (a). The amount of such participation is
1225 limited to the difference between the official estimate of all
1226 the work in the joint agreement plus 10 percent and the amount
1227 awarded for this work in the construction contract for such
1228 work. The department may not participate in any utility work



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1229 costs that occur as a result of changes or additions during the
1230 course of the contract.

1231 (d)~~(e)~~ When an agreement between the department and utility
1232 is executed for utility work to be accomplished in advance of a
1233 contract for construction of a transportation facility, the
1234 department may participate in the cost of clearing and grubbing
1235 necessary to perform such work.

1236 (e)~~(d)~~ If the utility facility was initially installed to
1237 exclusively serve the authority or its tenants, or both, the
1238 authority must ~~shall~~ bear the costs of the utility work.
1239 However, the authority is not responsible for the cost of
1240 utility work related to any subsequent additions to that
1241 facility for the purpose of serving others. For a county or
1242 municipality, if such utility facility was installed in the
1243 right-of-way as a means to serve a county or municipal facility
1244 on a parcel of property adjacent to the right-of-way and if the
1245 intended use of the county or municipal facility is for a use
1246 other than transportation purposes, the obligation of the county
1247 or municipality to bear the costs of the utility work extends
1248 ~~shall extend~~ only to utility work on the parcel of property on
1249 which the facility of the county or municipality originally
1250 served by the utility facility is located.

1251 (f)~~(e)~~ If, under an agreement between a utility owner and
1252 the authority entered into after July 1, 2009, the utility
1253 conveys, subordinates, or relinquishes a compensable property
1254 right to the authority for the purpose of accommodating the
1255 acquisition or use of the right-of-way by the authority, without
1256 the agreement expressly addressing future responsibility for the
1257 cost of necessary utility work, the authority must ~~shall~~ bear



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1258 the cost of removal or relocation. This paragraph does not
1259 impair or restrict, and may not be used to interpret, the terms
1260 of any such agreement entered into before July 1, 2009.

1261 (g)~~(f)~~ If the utility is an electric facility being
1262 relocated underground in order to enhance vehicular, bicycle,
1263 and pedestrian safety and in which ownership of the electric
1264 facility to be placed underground has been transferred from a
1265 private to a public utility within the past 5 years, the
1266 department shall incur all costs of the necessary utility work.

1267 (h)~~(g)~~ An authority may bear the costs of utility work
1268 required to eliminate an unreasonable interference when the
1269 utility is not able to establish that it has a compensable
1270 property right in the particular property where the utility is
1271 located if:

1272 1. The utility was physically located on the particular
1273 property before the authority acquired rights in the property;

1274 2. The utility demonstrates that it has a compensable
1275 property right in adjacent properties along the alignment of the
1276 utility or, after due diligence, certifies that the utility does
1277 not have evidence to prove or disprove that it has a compensable
1278 property right in the particular property where the utility is
1279 located; and

1280 3. The information available to the authority does not
1281 establish the relative priorities of the authority's and the
1282 utility's interests in the particular property.

1283 (i)~~(h)~~ If a municipally owned utility or county-owned
1284 utility is located in a rural area of opportunity, as defined in
1285 s. 288.0656(2), and the department determines that the utility
1286 owner is unable, and will not be able within the next 10 years,



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1287 to pay for the cost of utility work necessitated by a department
1288 project on the State Highway System, the department may pay, in
1289 whole or in part, the cost of such utility work performed by the
1290 department or its contractor.

1291 (j)~~(i)~~ If the relocation of utility facilities is
1292 necessitated by the construction of a commuter rail service
1293 project or an intercity passenger rail service project and the
1294 cost of the project is eligible and approved for reimbursement
1295 by the Federal Government, ~~then~~ in that event the utility owning
1296 or operating such facilities located by permit on a department-
1297 owned rail corridor must ~~shall~~ perform any necessary utility
1298 relocation work upon notice from the department, and the
1299 department must ~~shall~~ pay the expense properly attributable to
1300 such utility relocation work in the same proportion as federal
1301 funds are expended on the commuter rail service project or an
1302 intercity passenger rail service project after deducting
1303 therefrom any increase in the value of a new facility and any
1304 salvage value derived from an old facility. In no event is ~~shall~~
1305 the state ~~be~~ required to use state dollars for such utility
1306 relocation work. This paragraph does not apply to any phase of
1307 the Central Florida Commuter Rail project, known as SunRail.

1308 (k)~~(j)~~ If a utility is lawfully located within an existing
1309 and valid utility easement granted by recorded plat, regardless
1310 of whether such land was subsequently acquired by the authority
1311 by dedication, transfer of fee, or otherwise, the authority must
1312 bear the cost of the utility work required to eliminate an
1313 unreasonable interference. The authority shall pay the entire
1314 expense properly attributable to such work after deducting any
1315 increase in the value of a new facility and any salvage value



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1316 derived from an old facility.

1317 (2) Before the notice to initiate the work, the department
1318 and the utility owner shall follow a procedure that includes all
1319 of the following:

1320 (a) The department shall provide to the utility owner
1321 preliminary plans for a proposed highway improvement project and
1322 notice of a period that begins 30 days and ends within 120 days
1323 after receipt of the notice within which the utility owner shall
1324 submit to the department the plans required in accordance with
1325 paragraph (b). The utility owner shall provide to the department
1326 written acknowledgement of receipt of the preliminary plans.

1327 (b) The utility owner shall submit to the department plans
1328 showing existing and proposed locations of utility facilities
1329 within the period provided by the department. If the utility
1330 owner fails to submit the plans to the department within the
1331 period, the department is not required to participate in the
1332 work, may withhold any amount due to the utility owner on other
1333 projects within the rights-of-way of the same district of the
1334 department, and may withhold issuance of any other permits for
1335 work within the rights-of-way of the same district of the
1336 department.

1337 (c) The plans submitted by the utility owner must include a
1338 utility relocation schedule for approval by the department. The
1339 utility relocation schedule must meet form and timeframe
1340 requirements established by department rule.

1341 (d) If a state of emergency is declared by the Governor,
1342 the utility is entitled to receive an extension to the utility
1343 relocation schedule which is at least equal to any extension
1344 granted to the contractor by the department. The utility owner



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1345 shall notify the department of any additional delays associated
1346 with causes beyond the utility owner's control, including, but
1347 not limited to, participation in recovery work under a mutual
1348 aid agreement. The notification must occur within 10 calendar
1349 days after commencement of the delay and provide a reasonably
1350 complete description of the cause and nature of the delay and
1351 the possible impacts to the utility relocation schedule. Within
1352 10 calendar days after the cause of the delay ends, the utility
1353 owner shall submit a revised utility relocation schedule for
1354 approval by the department. The department may not unreasonably
1355 withhold, delay, or condition such approval.

1356 (e) If the utility owner does not initiate work in
1357 accordance with the utility relocation schedule, the department
1358 must provide the utility owner a final notice directing the
1359 utility owner to initiate work within 10 calendar days. If the
1360 utility owner does not begin work within 10 calendar days after
1361 receipt of the final notice or, having so begun work, thereafter
1362 fails to complete the work in accordance with the utility
1363 relocation schedule, the department is not required to
1364 participate in the work, may withhold any amount due to the
1365 utility owner for projects within the rights-of-way of the same
1366 district of the department, and may exercise its right to obtain
1367 injunctive relief under s. 120.69.

1368 (f) If additional utility work is found necessary after the
1369 letting date of a highway improvement project, the utility must
1370 provide a revised utility relocation schedule within 30 calendar
1371 days after becoming aware of the need for such additional work
1372 or upon receipt of the department's written notification
1373 advising of the need for such additional work. The department



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1374 shall review the revised utility relocation schedule for
1375 compliance with the form and timeframe requirements of the
1376 department and must approve the revised utility relocation
1377 schedule if such requirements are met.

1378 (g) The utility owner is liable to the department for
1379 documented damages resulting from the utility's failure to
1380 comply with the utility relocation schedule, including any delay
1381 costs incurred by the contractor and approved by the department.
1382 Within 45 days after receipt of written notification from the
1383 department that the utility owner is liable for damages, the
1384 utility owner must pay to the department the amount for which
1385 the utility owner is liable or request mediation pursuant to
1386 subsection (3).

1387 (3) (a) The department shall establish mediation boards to
1388 resolve disputes that arise between the department and utilities
1389 concerning any of the following:

1390 1. A utility relocation schedule or revised utility
1391 relocation schedule that has been submitted by the utility owner
1392 but not approved by the department.

1393 2. A contractor's claim, approved by the department, for
1394 delay costs or other damages related to the utility's work.

1395 3. Any matter related to the removal, relocation, or
1396 adjustment of the utility's facilities pursuant to this section.

1397 (b) The department shall establish mediation board
1398 procedures, which must include all of the following:

1399 1. Each mediation board shall be composed of one mediator
1400 designated by the department, one mediator designated by the
1401 utility owner, and one mediator mutually selected by the
1402 department's designee and the utility owner's designee who shall



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1403 serve as the presiding officer of the mediation board.

1404 2. The mediation board shall hold a hearing for each
1405 dispute submitted to the mediation board for resolution. The
1406 mediation board shall provide notice of the hearing to each
1407 party involved in the dispute and afford each party an
1408 opportunity to present evidence at the hearing.

1409 3. Decisions on issues presented to the mediation board
1410 must be made by a majority vote of the mediators.

1411 4. The mediation board shall issue a final decision in
1412 writing for each dispute submitted to the mediation board for
1413 resolution and shall serve a copy of the final decision on each
1414 party to the dispute.

1415 5. Final decisions of the mediation board are subject to de
1416 novo review in the Second Judicial Circuit Court in and for Leon
1417 County by way of a petition for judicial review filed by the
1418 department or the utility owner within 30 days after service of
1419 the final decision.

1420 (c) The members of the mediation board shall receive
1421 compensation for the performance of their duties from deposits
1422 made by the parties based on an estimate of compensation by the
1423 mediation board. All deposits will be held in escrow by the
1424 chair in advance of the hearing. Each member shall be
1425 compensated at \$200 per hour, up to a maximum of \$1,500 per day.
1426 A member shall be reimbursed for the actual cost of his or her
1427 travel expenses. The mediation board may allocate funds for
1428 clerical and other administrative services.

1429 (d) The department may establish a list of qualified
1430 mediators and adopt rules to administer this subsection,
1431 including procedures for the mediation of a contested case.



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1432 Section 19. Present subsection (10) of section 339.175,
1433 Florida Statutes, is redesignated as subsection (11), a new
1434 subsection (10) is added to that section, and subsection (1),
1435 paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of
1436 subsection (6), paragraphs (a), (b), and (d) of subsection (7),
1437 and present subsection (11) of that section are amended, to
1438 read:

1439 339.175 Metropolitan planning organization.—

1440 (1) PURPOSE.—It is the intent of the Legislature to
1441 encourage and promote the safe and efficient management,
1442 operation, and development of multimodal surface transportation
1443 systems that will serve the mobility needs of people and freight
1444 and foster economic growth and development within and through
1445 urbanized areas of this state while balancing conservation of
1446 natural resources ~~minimizing transportation-related fuel~~
1447 ~~consumption, air pollution, and greenhouse gas emissions through~~
1448 ~~metropolitan transportation planning processes identified in~~
1449 ~~this section~~. To accomplish these objectives, metropolitan
1450 planning organizations, referred to in this section as M.P.O.'s,
1451 shall develop, in cooperation with the state and public transit
1452 operators, transportation plans and programs for metropolitan
1453 areas. The plans and programs for each metropolitan area must
1454 provide for the development and integrated management and
1455 operation of transportation systems and facilities, including
1456 pedestrian walkways and bicycle transportation facilities that
1457 will function as an intermodal transportation system for the
1458 metropolitan area, based upon the prevailing principles provided
1459 in s. 334.046(1). The process for developing such plans and
1460 programs shall provide for consideration of all modes of



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1461 transportation and shall be continuing, cooperative, and
1462 comprehensive, to the degree appropriate, based on the
1463 complexity of the transportation problems to be addressed. To
1464 ensure that the process is integrated with the statewide
1465 planning process, M.P.O.'s shall develop plans and programs that
1466 identify transportation facilities that should function as an
1467 integrated metropolitan transportation system, giving emphasis
1468 to facilities that serve important national, state, and regional
1469 transportation functions. For the purposes of this section,
1470 those facilities include the facilities on the Strategic
1471 Intermodal System designated under s. 339.63 and facilities for
1472 which projects have been identified pursuant to s. 339.2819(4).

1473 (2) DESIGNATION.—

1474 (a)1. An M.P.O. shall be designated for each urbanized area
1475 of the state; however, this does not require that an individual
1476 M.P.O. be designated for each such area. Such designation shall
1477 be accomplished by agreement between the Governor and units of
1478 general-purpose local government representing at least 75
1479 percent of the population of the urbanized area; however, the
1480 unit of general-purpose local government that represents the
1481 central city or cities within the M.P.O. jurisdiction, as
1482 defined by the United States Bureau of the Census, must be a
1483 party to such agreement.

1484 2. To the extent possible, only one M.P.O. shall be
1485 designated for each urbanized area or group of contiguous
1486 urbanized areas. More than one M.P.O. may be designated within
1487 an existing urbanized area only if the Governor and the existing
1488 M.P.O. determine that the size and complexity of the existing
1489 urbanized area makes the designation of more than one M.P.O. for



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1490 the area appropriate. After July 1, 2025, no additional M.P.O.'s
1491 may be designated in this state except in urbanized areas, as
1492 defined by the United States Census Bureau, where the urbanized
1493 area boundary is not contiguous to an urbanized area designated
1494 before the 2020 census, in which case each M.P.O. designated for
1495 the area must:

1496 ~~a. Consult with every other M.P.O. designated for the~~
1497 ~~urbanized area and the state to coordinate plans and~~
1498 ~~transportation improvement programs.~~

1499 ~~b. Ensure, to the maximum extent practicable, the~~
1500 ~~consistency of data used in the planning process, including data~~
1501 ~~used in forecasting travel demand within the urbanized area.~~

1502
1503 Each M.P.O. required under this section must be fully operative
1504 no later than 6 months following its designation.

1505 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
1506 privileges, and authority of an M.P.O. are those specified in
1507 this section or incorporated in an interlocal agreement
1508 authorized under s. 163.01. Each M.P.O. shall perform all acts
1509 required by federal or state laws or rules, now and subsequently
1510 applicable, which are necessary to qualify for federal aid. It
1511 is the intent of this section that each M.P.O. be involved in
1512 the planning and programming of transportation facilities,
1513 including, but not limited to, airports, intercity and high-
1514 speed rail lines, seaports, and intermodal facilities, to the
1515 extent permitted by state or federal law. An M.P.O. may not
1516 perform project production or delivery for capital improvement
1517 projects on the State Highway System.

1518 (b) In developing the long-range transportation plan and



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1519 the transportation improvement program required under paragraph
1520 (a), each M.P.O. shall provide for consideration of projects and
1521 strategies that will:

1522 1. Support the economic vitality of the contiguous
1523 urbanized metropolitan area, especially by enabling global
1524 competitiveness, productivity, and efficiency.

1525 2. Increase the safety and security of the transportation
1526 system for motorized and nonmotorized users.

1527 3. Increase the accessibility and mobility options
1528 available to people and for freight.

1529 4. Protect and enhance the environment, conserve natural
1530 resources ~~promote energy conservation~~, and improve quality of
1531 life.

1532 5. Enhance the integration and connectivity of the
1533 transportation system, across and between modes and contiguous
1534 urbanized metropolitan areas, for people and freight.

1535 6. Promote efficient system management and operation.

1536 7. Emphasize the preservation of the existing
1537 transportation system.

1538 8. Improve the resilience of transportation infrastructure.

1539 9. Reduce traffic and congestion.

1540 ~~(i) By December 31, 2023, the M.P.O.'s serving~~
1541 ~~Hillsborough, Pasco, and Pinellas Counties must submit a~~
1542 ~~feasibility report to the Governor, the President of the Senate,~~
1543 ~~and the Speaker of the House of Representatives exploring the~~
1544 ~~benefits, costs, and process of consolidation into a single~~
1545 ~~M.P.O. serving the contiguous urbanized area, the goal of which~~
1546 ~~would be to:~~

1547 ~~1. Coordinate transportation projects deemed to be~~



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1548 ~~regionally significant.~~

1549 ~~2. Review the impact of regionally significant land use~~
1550 ~~decisions on the region.~~

1551 ~~3. Review all proposed regionally significant~~
1552 ~~transportation projects in the transportation improvement~~
1553 ~~programs.~~

1554 ~~(i)1.(j)1. To more fully accomplish the purposes for which~~
1555 ~~M.P.O.'s have been mandated, the department shall, at least~~
1556 ~~annually, convene M.P.O.'s of similar size, based on the size of~~
1557 ~~population served, for the purpose of exchanging best practices.~~

1558 ~~M.P.O.'s may shall develop committees or working groups as~~
1559 ~~needed to accomplish such purpose. At the discretion of the~~
1560 ~~department, training for new M.P.O. governing board members~~
1561 ~~shall be provided by the department, by an entity pursuant to a~~
1562 ~~contract with the department, by the Florida Center for Urban~~
1563 ~~Transportation Research, or by the Implementing Solutions from~~
1564 ~~Transportation Research and Evaluation of Emerging Technologies~~
1565 ~~(I-STREET) living lab coordination mechanisms with one another~~
1566 ~~to expand and improve transportation within the state. The~~
1567 ~~appropriate method of coordination between M.P.O.'s shall vary~~
1568 ~~depending upon the project involved and given local and regional~~
1569 ~~needs. Consequently, it is appropriate to set forth a flexible~~
1570 ~~methodology that can be used by M.P.O.'s to coordinate with~~
1571 ~~other M.P.O.'s and appropriate political subdivisions as~~
1572 ~~circumstances demand.~~

1573 ~~2. Any M.P.O. may join with any other M.P.O. or any~~
1574 ~~individual political subdivision to coordinate activities or to~~
1575 ~~achieve any federal or state transportation planning or~~
1576 ~~development goals or purposes consistent with federal or state~~



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1577 law. When an M.P.O. determines that it is appropriate to join
1578 with another M.P.O. or any political subdivision to coordinate
1579 activities, the M.P.O. or political subdivision shall enter into
1580 an interlocal agreement pursuant to s. 163.01, which, at a
1581 minimum, creates a separate legal or administrative entity to
1582 coordinate the transportation planning or development activities
1583 required to achieve the goal or purpose; provides the purpose
1584 for which the entity is created; provides the duration of the
1585 agreement and the entity and specifies how the agreement may be
1586 terminated, modified, or rescinded; describes the precise
1587 organization of the entity, including who has voting rights on
1588 the governing board, whether alternative voting members are
1589 provided for, how voting members are appointed, and what the
1590 relative voting strength is for each constituent M.P.O. or
1591 political subdivision; provides the manner in which the parties
1592 to the agreement will provide for the financial support of the
1593 entity and payment of costs and expenses of the entity; provides
1594 the manner in which funds may be paid to and disbursed from the
1595 entity; and provides how members of the entity will resolve
1596 disagreements regarding interpretation of the interlocal
1597 agreement or disputes relating to the operation of the entity.
1598 Such interlocal agreement shall become effective upon its
1599 recordation in the official public records of each county in
1600 which a member of the entity created by the interlocal agreement
1601 has a voting member. Multiple M.P.O.'s may merge, combine, or
1602 otherwise join together as a single M.P.O.

1603 (7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must
1604 develop a long-range transportation plan that addresses at least
1605 a 20-year planning horizon. The plan must include both long-



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1606 range and short-range strategies and must comply with all other
1607 state and federal requirements. The prevailing principles to be
1608 considered in the long-range transportation plan are: preserving
1609 the existing transportation infrastructure; enhancing Florida's
1610 economic competitiveness; and improving travel choices to ensure
1611 mobility. The long-range transportation plan must be consistent,
1612 to the maximum extent feasible, with future land use elements
1613 and the goals, objectives, and policies of the approved local
1614 government comprehensive plans of the units of local government
1615 located within the jurisdiction of the M.P.O. Each M.P.O. is
1616 encouraged to consider strategies that integrate transportation
1617 and land use planning to provide for sustainable development and
1618 reduce greenhouse gas emissions. The approved long-range
1619 transportation plan must be considered by local governments in
1620 the development of the transportation elements in local
1621 government comprehensive plans and any amendments thereto. The
1622 long-range transportation plan must, at a minimum:

1623 (a) Identify transportation facilities, including, but not
1624 limited to, major roadways, airports, seaports, spaceports,
1625 commuter rail systems, transit systems, and intermodal or
1626 multimodal terminals that will function as an integrated
1627 metropolitan transportation system. The long-range
1628 transportation plan must give emphasis to those transportation
1629 facilities that serve national, statewide, or regional
1630 functions, and must consider the goals and objectives identified
1631 in the Florida Transportation Plan as provided in s. 339.155. If
1632 a project is located within the boundaries of more than one
1633 M.P.O., the M.P.O.'s must coordinate plans regarding the project
1634 in the long-range transportation plan. ~~Multiple M.P.O.'s within~~



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1635 ~~a contiguous urbanized area must coordinate the development of~~
1636 ~~long-range transportation plans to be reviewed by the~~
1637 ~~Metropolitan Planning Organization Advisory Council.~~

1638 (b) Include a financial plan that demonstrates how the plan
1639 can be implemented, indicating resources from public and private
1640 sources which are reasonably expected to be available to carry
1641 out the plan, and recommends any additional financing strategies
1642 for needed projects and programs. The financial plan may
1643 include, for illustrative purposes, additional projects that
1644 would be included in the adopted long-range transportation plan
1645 if reasonable additional resources beyond those identified in
1646 the financial plan were available. For the purpose of developing
1647 the long-range transportation plan, the M.P.O. and the
1648 department shall cooperatively develop estimates of funds that
1649 will be available to support the plan implementation. Innovative
1650 financing techniques may be used to fund needed projects and
1651 programs. Such techniques may include the assessment of tolls,
1652 public-private partnerships, the use of value capture financing,
1653 or the use of value pricing. Multiple M.P.O.'s within a
1654 contiguous urbanized area must ensure, to the maximum extent
1655 possible, the consistency of data used in the planning process.

1656 (d) Indicate, as appropriate, proposed transportation
1657 enhancement activities, including, but not limited to,
1658 pedestrian and bicycle facilities, trails or facilities that are
1659 regionally significant or critical linkages for the Florida
1660 Shared-Use Nonmotorized Trail Network, scenic easements,
1661 landscaping, integration of advanced air mobility, and
1662 integration of autonomous and electric vehicles, electric
1663 bicycles, and motorized scooters used for freight, commuter, or



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1664 micromobility purposes ~~historic preservation, mitigation of~~
1665 ~~water pollution due to highway runoff, and control of outdoor~~
1666 ~~advertising.~~

1667
1668 In the development of its long-range transportation plan, each
1669 M.P.O. must provide the public, affected public agencies,
1670 representatives of transportation agency employees, freight
1671 shippers, providers of freight transportation services, private
1672 providers of transportation, representatives of users of public
1673 transit, and other interested parties with a reasonable
1674 opportunity to comment on the long-range transportation plan.
1675 The long-range transportation plan must be approved by the
1676 M.P.O.

1677 (10) AGREEMENTS; ACCOUNTABILITY.—

1678 (a) Each M.P.O. may execute a written agreement with the
1679 department, which shall be reviewed, and updated as necessary,
1680 every 5 years, which clearly establishes the cooperative
1681 relationship essential to accomplish the transportation planning
1682 requirements of state and federal law. Roles, responsibilities,
1683 and expectations for accomplishing consistency with federal and
1684 state requirements and priorities must be set forth in the
1685 agreement. In addition, the agreement must set forth the
1686 M.P.O.'s responsibility, in collaboration with the department,
1687 to identify, prioritize, and present to the department a
1688 complete list of multimodal transportation projects consistent
1689 with the needs of the metropolitan planning area. It is the
1690 department's responsibility to program projects in the state
1691 transportation improvement program.

1692 (b) The department must establish, in collaboration with



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1693 each M.P.O., quality performance metrics, such as safety,
1694 infrastructure condition, congestion relief, and mobility. Each
1695 M.P.O. must, as part of its long-range transportation plan, in
1696 direct coordination with the department, develop targets for
1697 each performance measure within the metropolitan planning area
1698 boundary. The performance targets must support efficient and
1699 safe movement of people and goods both within the metropolitan
1700 planning area and between regions. Each M.P.O. must report
1701 progress toward establishing performance targets for each
1702 measure annually in its transportation improvement plan. The
1703 department shall evaluate and post on its website whether each
1704 M.P.O. has made significant progress toward its target for the
1705 applicable reporting period.

1706 ~~(11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—~~

1707 ~~(a) A Metropolitan Planning Organization Advisory Council~~
1708 ~~is created to augment, and not supplant, the role of the~~
1709 ~~individual M.P.O.'s in the cooperative transportation planning~~
1710 ~~process described in this section.~~

1711 ~~(b) The council shall consist of one representative from~~
1712 ~~each M.P.O. and shall elect a chairperson annually from its~~
1713 ~~number. Each M.P.O. shall also elect an alternate representative~~
1714 ~~from each M.P.O. to vote in the absence of the representative.~~
1715 ~~Members of the council do not receive any compensation for their~~
1716 ~~services, but may be reimbursed from funds made available to~~
1717 ~~council members for travel and per diem expenses incurred in the~~
1718 ~~performance of their council duties as provided in s. 112.061.~~

1719 ~~(c) The powers and duties of the Metropolitan Planning~~
1720 ~~Organization Advisory Council are to:~~

1721 ~~1. Establish bylaws by action of its governing board~~



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1722 ~~providing procedural rules to guide its proceedings and~~
1723 ~~consideration of matters before the council, or, alternatively,~~
1724 ~~adopt rules pursuant to ss. 120.536(1) and 120.54 to implement~~
1725 ~~provisions of law conferring powers or duties upon it.~~

1726 ~~2. Assist M.P.O.'s in carrying out the urbanized area~~
1727 ~~transportation planning process by serving as the principal~~
1728 ~~forum for collective policy discussion pursuant to law.~~

1729 ~~3. Serve as a clearinghouse for review and comment by~~
1730 ~~M.P.O.'s on the Florida Transportation Plan and on other issues~~
1731 ~~required to comply with federal or state law in carrying out the~~
1732 ~~urbanized area transportation and systematic planning processes~~
1733 ~~instituted pursuant to s. 339.155. The council must also report~~
1734 ~~annually to the Florida Transportation Commission on the~~
1735 ~~alignment of M.P.O. long-range transportation plans with the~~
1736 ~~Florida Transportation Plan.~~

1737 ~~4. Employ an executive director and such other staff as~~
1738 ~~necessary to perform adequately the functions of the council,~~
1739 ~~within budgetary limitations. The executive director and staff~~
1740 ~~are exempt from part II of chapter 110 and serve at the~~
1741 ~~direction and control of the council. The council is assigned to~~
1742 ~~the Office of the Secretary of the Department of Transportation~~
1743 ~~for fiscal and accountability purposes, but it shall otherwise~~
1744 ~~function independently of the control and direction of the~~
1745 ~~department.~~

1746 ~~5. Deliver training on federal and state program~~
1747 ~~requirements and procedures to M.P.O. board members and M.P.O.~~
1748 ~~staff.~~

1749 ~~6. Adopt an agency strategic plan that prioritizes steps~~
1750 ~~the agency will take to carry out its mission within the context~~



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1751 ~~of the state comprehensive plan and any other statutory mandates~~
1752 ~~and directives.~~

1753 ~~(d) The Metropolitan Planning Organization Advisory Council~~
1754 ~~may enter into contracts in accordance with chapter 287 to~~
1755 ~~support the activities described in paragraph (c). Lobbying and~~
1756 ~~the acceptance of funds, grants, assistance, gifts, or bequests~~
1757 ~~from private, local, state, or federal sources are prohibited.~~

1758 Section 20. Subsection (4) of section 339.65, Florida
1759 Statutes, is amended to read:

1760 339.65 Strategic Intermodal System highway corridors.—

1761 (4) The department shall develop and maintain a plan of
1762 Strategic Intermodal System highway corridor projects that are
1763 anticipated to be let to contract for construction within a time
1764 period of at least 20 years. The department shall prioritize
1765 projects affecting gaps in a corridor so that the corridor
1766 becomes contiguous in its functional characteristics across the
1767 corridor. The plan must ~~shall~~ also identify when segments of the
1768 corridor will meet the standards and criteria developed pursuant
1769 to subsection (5).

1770 Section 21. Subsection (5) of section 125.42, Florida
1771 Statutes, is amended to read:

1772 125.42 Water, sewage, gas, power, telephone, other utility,
1773 and television lines within the right-of-way limits of county
1774 roads and highways.—

1775 (5) In the event of widening, repair, or reconstruction of
1776 any such road, the licensee shall move or remove such water,
1777 sewage, gas, power, telephone, and other utility lines and
1778 television lines at no cost to the county should they be found
1779 by the county to be unreasonably interfering, except as provided



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1780 in s. 337.403(1)(e)-(k) ~~s. 337.403(1)(d)-(j)~~.

1781 Section 22. Paragraph (b) of subsection (2) of section
1782 202.20, Florida Statutes, is amended to read:

1783 202.20 Local communications services tax conversion rates.-
1784 (2)

1785 (b) Except as otherwise provided in this subsection,
1786 "replaced revenue sources," as used in this section, means the
1787 following taxes, charges, fees, or other impositions to the
1788 extent that the respective local taxing jurisdictions were
1789 authorized to impose them prior to July 1, 2000.

1790 1. With respect to municipalities and charter counties and
1791 the taxes authorized by s. 202.19(1):

1792 a. The public service tax on telecommunications authorized
1793 by former s. 166.231(9).

1794 b. Franchise fees on cable service providers as authorized
1795 by 47 U.S.C. s. 542.

1796 c. The public service tax on prepaid calling arrangements.

1797 d. Franchise fees on dealers of communications services
1798 which use the public roads or rights-of-way, up to the limit set
1799 forth in s. 337.401. For purposes of calculating rates under
1800 this section, it is the legislative intent that charter counties
1801 be treated as having had the same authority as municipalities to
1802 impose franchise fees on recurring local telecommunication
1803 service revenues prior to July 1, 2000. However, the Legislature
1804 recognizes that the authority of charter counties to impose such
1805 fees is in dispute, and the treatment provided in this section
1806 is not an expression of legislative intent that charter counties
1807 actually do or do not possess such authority.

1808 e. Actual permit fees relating to placing or maintaining



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1809 facilities in or on public roads or rights-of-way, collected
1810 from providers of long-distance, cable, and mobile
1811 communications services for the fiscal year ending September 30,
1812 1999; however, if a municipality or charter county elects the
1813 option to charge permit fees pursuant to s. 337.401(4)(c) ~~s.~~
1814 ~~337.401(3)(c)~~, such fees shall not be included as a replaced
1815 revenue source.

1816 2. With respect to all other counties and the taxes
1817 authorized in s. 202.19(1), franchise fees on cable service
1818 providers as authorized by 47 U.S.C. s. 542.

1819 Section 23. Paragraph (e) of subsection (2) of section
1820 331.310, Florida Statutes, is amended to read:

1821 331.310 Powers and duties of the board of directors.—

1822 (2) The board of directors shall:

1823 (e) Prepare an annual report of operations as a supplement
1824 to the annual report required under s. 331.3051(15) ~~s.~~
1825 ~~331.3051(16)~~. The report must include, but not be limited to, a
1826 balance sheet, an income statement, a statement of changes in
1827 financial position, a reconciliation of changes in equity
1828 accounts, a summary of significant accounting principles, the
1829 auditor's report, a summary of the status of existing and
1830 proposed bonding projects, comments from management about the
1831 year's business, and prospects for the next year.

1832 Section 24. Section 610.106, Florida Statutes, is amended
1833 to read:

1834 610.106 Franchise fees prohibited.—Except as otherwise
1835 provided in this chapter, the department may not impose any
1836 taxes, fees, charges, or other impositions on a cable or video
1837 service provider as a condition for the issuance of a state-



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1838 issued certificate of franchise authority. No municipality or
1839 county may impose any taxes, fees, charges, or other exactions
1840 on certificateholders in connection with use of public right-of-
1841 way as a condition of a certificateholder doing business in the
1842 municipality or county, or otherwise, except such taxes, fees,
1843 charges, or other exactions permitted by chapter 202, s.
1844 337.401(7) ~~s. 337.401(6)~~, or s. 610.117.

1845 Section 25. For the purpose of incorporating the amendment
1846 made by this act to section 332.004, Florida Statutes, in a
1847 reference thereto, subsection (1) of section 332.115, Florida
1848 Statutes, is reenacted to read:

1849 332.115 Joint project agreement with port district for
1850 transportation corridor between airport and port facility.—

1851 (1) An eligible agency may acquire, construct, and operate
1852 all equipment, appurtenances, and land necessary to establish,
1853 maintain, and operate, or to license others to establish,
1854 maintain, operate, or use, a transportation corridor connecting
1855 an airport operated by such eligible agency with a port
1856 facility, which corridor must be acquired, constructed, and used
1857 for the transportation of persons between the airport and the
1858 port facility, for the transportation of cargo, and for the
1859 location and operation of lines for the transmission of water,
1860 electricity, communications, information, petroleum products,
1861 products of a public utility (including new technologies of a
1862 public utility nature), and materials. However, any such
1863 corridor may be established and operated only pursuant to a
1864 joint project agreement between an eligible agency as defined in
1865 s. 332.004 and a port district as defined in s. 315.02, and such
1866 agreement must be approved by the Department of Transportation



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1867 and the Department of Commerce. Before the Department of
1868 Transportation approves the joint project agreement, that
1869 department must review the public purpose and necessity for the
1870 corridor pursuant to s. 337.273(5) and must also determine that
1871 the proposed corridor is consistent with the Florida
1872 Transportation Plan. Before the Department of Commerce approves
1873 the joint project agreement, that department must determine that
1874 the proposed corridor is consistent with the applicable local
1875 government comprehensive plans. An affected local government may
1876 provide its comments regarding the consistency of the proposed
1877 corridor with its comprehensive plan to the Department of
1878 Commerce.

1879 Section 26. (1) The Legislature finds that the widening of
1880 Interstate 4, from U.S. 27 in Polk County to Interstate 75 in
1881 Hillsborough County, is in the public interest and the strategic
1882 interest of the region to improve the movement of people and
1883 goods.

1884 (2) The Department of Transportation shall develop a report
1885 on widening Interstate 4, from U.S. 27 in Polk County to
1886 Interstate 75 in Hillsborough County, as efficiently as possible
1887 which includes, but is not limited to, detailed cost projections
1888 and schedules for project development and environment studies,
1889 design, acquisition of rights-of-way, and construction. The
1890 report must identify funding shortfalls and provide strategies
1891 to address such shortfalls, including, but not limited to, the
1892 use of express lane toll revenues generated on the Interstate 4
1893 corridor and available department funds for public-private
1894 partnerships. The Department of Transportation shall submit the
1895 report by December 31, 2025, to the Governor, the President of



1896 the Senate, and the Speaker of the House of Representatives.

1897 Section 27. This act shall take effect July 1, 2025.

1898
1899 ===== T I T L E A M E N D M E N T =====

1900 And the title is amended as follows:

1901 Delete everything before the enacting clause
1902 and insert:

1903 A bill to be entitled
1904 An act relating to transportation; amending s. 212.20,
1905 F.S.; requiring the Department of Revenue to
1906 distribute from the proceeds of a specified tax a
1907 specified amount monthly to the State Transportation
1908 Trust Fund beginning on a certain date; creating s.
1909 218.3215, F.S.; requiring each county to provide the
1910 Department of Transportation with uniform project
1911 data; providing requirements for such data; requiring
1912 the department to compile the data and publish it on
1913 its website; amending s. 316.183, F.S.; requiring the
1914 department to determine the safe and advisable minimum
1915 speed limit on certain highways; amending s. 316.187,
1916 F.S.; raising the maximum allowable speed limit on
1917 certain highways; revising the maximum allowable speed
1918 limit on certain highways and roadways; amending s.
1919 331.3051, F.S.; conforming provisions to changes made
1920 by the act; amending s. 332.004, F.S.; revising
1921 definitions; amending s. 332.006, F.S.; revising
1922 duties and responsibilities of the department relating
1923 to airports; amending s. 332.007, F.S.; revising
1924 provisions relating to the administration and



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1925 financing of certain aviation and airport programs and
1926 projects; authorizing certain airports to participate
1927 in a specified federal program in a certain manner;
1928 authorizing the department to provide for improvements
1929 to certain entities for the capital cost of a
1930 discretionary improvement project at a public-use
1931 airport, subject to the availability of certain funds;
1932 amending s. 334.044, F.S.; authorizing the department
1933 to acquire property or property rights in advance to
1934 preserve a corridor for future proposed improvements;
1935 authorizing the department to expend from the State
1936 Transportation Trust Fund a certain amount of grant
1937 funds annually to state colleges and school districts
1938 for certain construction workforce development
1939 programs; requiring that priority be given to certain
1940 colleges and school districts; amending s. 334.065,
1941 F.S.; revising membership of the Center for Urban
1942 Transportation Research advisory board; creating s.
1943 334.63, F.S.; providing requirements for certain
1944 project concept studies and project development and
1945 environment studies; amending s. 337.11, F.S.;
1946 clarifying a provision related to third-party
1947 beneficiary rights; revising the bidding and award
1948 process for contracts for road construction and
1949 maintenance projects; revising the circumstances in
1950 which the department must competitively award a phased
1951 design-build contract for phase one; authorizing a
1952 design-build firm to self-perform portions of work
1953 under a contract; requiring that contracts let by the



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1954 department on or after a certain date for bridge
1955 construction or maintenance over navigable waters
1956 include protection and indemnity coverage; amending s.
1957 337.1101, F.S.; prohibiting the department from
1958 creating a new contract in certain circumstances
1959 unless the contract is competitively procured;
1960 amending s. 337.14, F.S.; authorizing the department
1961 to waive contractor certification requirements for
1962 certain projects; reducing the threshold value of
1963 contracts for which the department may waive a
1964 contract bond requirement; requiring that a contractor
1965 seeking to bid on certain maintenance contracts
1966 possess certain qualifications; amending s. 337.185,
1967 F.S.; increasing the limits of claims per contract
1968 which a contractor may submit to the State Arbitration
1969 Board; limiting the period in which an arbitration
1970 request may be made for a claim related to a written
1971 warranty or defect; amending s. 337.19, F.S.; limiting
1972 the period in which a suit by or against the
1973 department may be commenced for a claim related to a
1974 written warranty or defect for a contract entered into
1975 on or after a certain date; amending s. 337.401, F.S.;
1976 revising construction; requiring that the removal or
1977 relocation of an electric utility transmission line be
1978 at the utility owner's expense, rather than the
1979 electric utility's expense; requiring certain entities
1980 to make underground utilities within a right-of-way
1981 electronically detectable; requiring a utility owner
1982 to pay the authority actual damages in certain



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1983 circumstances; conditioning the issuance of permits
1984 for certain utility placements on the payment of
1985 certain costs; defining the term "as-built plans";
1986 providing submission requirements for as-built plans;
1987 requiring the submission of as-built plans before
1988 reimbursement of certain costs; amending s. 337.403,
1989 F.S.; authorizing the department to reimburse a
1990 certain percentage of costs for relocation of certain
1991 utility facilities; revising the costs considered in
1992 determining whether the department may participate in
1993 utility work costs; revising the agreements under
1994 which the authority must bear the cost of utility
1995 removal or relocation; revising a determination that,
1996 if made by the department, authorizes the department
1997 to pay the cost of certain utility work; requiring the
1998 department and a utility owner to adhere to certain
1999 rules and procedures before issuance of the notice to
2000 initiate work; requiring the department to provide to
2001 a utility owner preliminary plans and certain notice;
2002 requiring the utility owner to submit certain plans to
2003 the department; authorizing the department to withhold
2004 certain amounts due a utility owner and the issuance
2005 of certain work permits under certain circumstances;
2006 requiring that the plans include a utility relocation
2007 schedule; providing for extensions and revisions to a
2008 utility relocation schedule in certain circumstances;
2009 providing that a utility owner is liable to the
2010 department for certain damages; requiring the
2011 department to establish mediation boards to resolve



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2012 certain disputes between the department and a utility;
2013 providing mediation board requirements and procedures;
2014 providing for compensation of members of the mediation
2015 board; authorizing rulemaking; amending s. 339.175,
2016 F.S.; revising legislative intent; revising
2017 requirements for the designation of additional
2018 metropolitan planning organizations (M.P.O.'s);
2019 revising projects and strategies to be considered in
2020 developing an M.P.O.'s long-range transportation plan
2021 and transportation improvement program; deleting
2022 obsolete provisions; requiring the department to
2023 convene M.P.O.'s of similar size to exchange best
2024 practices at least annually; authorizing M.P.O.'s to
2025 develop committees or working groups; requiring
2026 training for new M.P.O. governing board members to be
2027 provided by the department or another specified
2028 entity; deleting provisions relating to M.P.O.
2029 coordination mechanisms; including public-private
2030 partnerships in authorized financing techniques;
2031 revising proposed transportation enhancement
2032 activities that must be indicated by the long-range
2033 transportation plan; authorizing each M.P.O. to
2034 execute a written agreement with the department
2035 regarding state and federal transportation planning
2036 requirements; requiring the department, in
2037 collaboration with M.P.O.'s, to establish certain
2038 quality performance metrics and develop certain
2039 performance targets; requiring the department to
2040 evaluate and post on its website whether each M.P.O.



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2041 has made significant progress toward such targets;
2042 deleting provisions relating to the Metropolitan
2043 Planning Organization Advisory Council; amending s.
2044 339.65, F.S.; requiring the department to prioritize
2045 certain Strategic Intermodal System highway corridor
2046 projects; amending ss. 125.42, 202.20, 331.310, and
2047 610.106, F.S.; conforming cross-references; reenacting
2048 s. 332.115(1), F.S., relating to joint project
2049 agreements with port districts for transportation
2050 corridors between airports and port facilities, to
2051 incorporate the amendment made to s. 332.004, F.S., in
2052 a reference thereto; providing a legislative finding;
2053 requiring the department to develop a report on
2054 widening Interstate 4; providing requirements for the
2055 report; requiring the department to submit the report
2056 to the Governor and the Legislature by a specified
2057 date; providing an effective date.