

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 567](#)

TITLE: Transportation

SPONSOR(S): McFarland

COMPANION BILL: [CS/SB 462](#) (DiCeglie)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Economic Infrastructure](#)

16 Y, 0 N, As CS



[Transportation & Economic
Development Budget](#)



[Commerce](#)

SUMMARY

Effect of the Bill:

The bill addresses numerous changes related to the Florida Department of Transportation (DOT) and Florida transportation policy. The bill includes, among other things, changes in the following areas:

- The distribution of sales tax revenues related to electric vehicle charging,
- The Next-generation Traffic Signal Modernization Program,
- Expectant mother parking permits,
- DOT contracting authority and practices,
- Utility facilities relocation,
- Metropolitan Planning Organizations,
- DOT district boundaries, and
- The Sarasota Manatee Airport Authority.

The effective date of the bill is July 1, 2025.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on state government.

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ANALYSIS

EFFECT OF THE BILL:

The bill addresses numerous changes related to the Florida Department of Transportation (DOT) and Florida transportation policy.

[Distribution of Sales Tax Revenues](#) (Section [1](#))

The bill states that beginning July 1, 2025, the Department of Revenue must distribute \$4.167 million to the State Transportation Trust Fund. These funds are derived from the tax levied on each taxable transaction for the sale of electrical power or energy.

[County Transportation Project Data](#) (Section [2](#))

The bill creates a new requirement that each county must annually provide the Florida Department of Transportation (DOT) with uniform project data. For each county, this data must match up to the county's fiscal year and must include, but is not limited to:

- Details on transportation revenues by source of taxes or fees,
- Expenditure of such revenues for projects that were funded, and

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DATE: 3/28/2025

- The unexpended balance of such revenues.

The bill requires that the project details must include, but are not limited to cost, location, and scope. The scope of each project must be categorized broadly, such as road widening, repair and rehabilitation, addition of sidewalks, or any similarly broad categorization. The bill requires revenues not dedicated to specific projects to be detailed as to what programs the revenues are supporting.

Under the bill, DOT must communicate to each county the method and format for submitting the data. DOT must compile the data and publish it on the DOT website.

[Traffic Signal Modernization Program](#) (Section [3](#))

The bill directs DOT to implement the Next-generation Traffic Signal Modernization Program (Next-gen Program). Under the bill, the Next-gen Program will consist of:

- Retrofitting existing traffic signals and controllers, and
- Providing a communication backbone for remote operations and management of such signals on the State Highway System and nonstate highway system.

The bill requires DOT to prioritize such signal upgrades based on average annual daily traffic and the impact of adding to an existing interconnected system.

Under the bill, the program must consist of an advanced traffic management platform that uses radar-camera fusion to deliver accurate detection in all weather conditions, offering fully integrated stop bar and advance detection, alongside dilemma zone and pedestrian protection.

In addition to supporting time-of-day signal timing plans, the program must provide real-time traffic optimization to improve flow and enhance safety.

The bill requires the program to be compliant with leading cybersecurity standards, such as SOC 2 and ISO 27001, in order to ensure robust data protection.

[Speed Limits](#) (Sections [4](#) and [5](#))

The bill authorizes DOT to determine the safe and available minimum speed limit on all highways that are a part of the National System of Interstate and Defense Highways and have at least four lanes.

The bill increases the maximum allowable speed limit as follows:

- The maximum allowable speed limit on limited access highways is 75 miles per hour.
- The maximum allowable speed limit on any other highway that is outside of an urban area and has at least four lanes divided by a median strip is 70 miles per hour.
- DOT may set the maximum speed limit for travel over other roadways not to exceed a maximum speed limit of 65 miles per hour.

[Electric Bicycles, Motorized Scooters, and Micromobility Devices](#) (Sections [6](#) and [7](#))

The bill further specifies the authority of local governments over electric bicycles, motorized scooters, and micromobility devices to expressly include the authority to:

- Adopt an ordinance providing one or more minimum age requirements for such devices.
- Adopt an ordinance requiring an operator of such devices to possess a government-issued photographic identification.
- Provide training on safe operation of such devices and compliance with the traffic laws of this state which are applicable to such devices.

[Expectant Mother Parking](#) (Section [8](#))

Under the bill, the Florida Department of Highway Safety and Motor Vehicles (DHSMV) must issue expectant mother parking permit placards or decals to an expectant mother who submits an application. Such placards and decals are valid for 1 year after the date of issuance.

The bill provides that DHSMV must, by rule, provide for the design, size, color, and placement of the expectant mother parking permit placard or decal. DHSMV must ensure that the placard or decal conspicuously displays the expiration date.

Under the bill, the application for an expectant mother parking permit must include, but is not limited to:

- Certification by a licensed physician that the applicant is an expectant mother.
- The certifying physician’s certification number.
- The following statement in bold letters: “An expectant mother parking permit may be issued only to an expectant mother and is valid for up to 1 year after the date of issuance.”
- The signatures of the certifying physician, the applicant, and the employee of DHSMV processing the application.

The bill provides that notwithstanding any other provision of law, an expectant mother who is issued a permit under this section may park a motor vehicle in a parking space designated for persons who have disabilities as provided in [s. 553.5041, F.S.](#)

[Florida Airport Development and Assistance Act](#) (Sections [10](#), [11](#), and [12](#))

The bill amends the Florida Airport Development and Assistance Act to change various references to airports to “public-use” airports.

The bill amends the definition of the term “eligible agency” to include a public-private partnership through a lease or agreement under [s. 255.065, F.S.](#), with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

The bill authorizes a municipality, county, or authority that owns a public-use airport to participate in the Federal Aviation Administration’s Airport Investment Partnership Program by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, DOT may provide for improvements to a municipality, county, or authority that has a private partner under the federal Airport Investment Partnership Program for capital costs of a discretionary improvement project at a public-use airport.

[Eminent Domain Authority](#) (Section [13](#))

The bill restates DOT’s ability to purchase property or property rights in advance to preserve a corridor for future proposed improvements.

[Center for Urban Transportation Research](#) (Section [14](#))

The bill removes statutory language requiring the Center for Urban Transportation Research (CUTR) to be administered by the Board of Governors of the State University System and alters the composition of the advisory board for CUTR. The bill adds the following members to the advisory board.

- A member appointed by the President of the Senate,
- A member appointed by the Speaker of the House of Representatives,
- The Secretary of Transportation or his or her designee, and
- The Secretary of Commerce or his or her designee.

The bill also limits the number of remaining members nominated by the University of South Florida to four and removes a requirement that these remaining members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors of the State University System .

[Project Concept Studies](#) (Section [15](#))

Under the bill, all project concept studies and project development and environmental studies for capacity improvement projects on limited-access facilities¹ must include the evaluation of alternatives that provide transportation capacity using elevated roadways above existing lanes. Additionally, project development and environmental studies for new alignment projects and new capacity improvement projects must be completed to the maximum extent possible within 18 months after commencement.

DOT Contracting

[Awarding Contracts](#) (Section [16](#))

The bill states that if DOT receives bids outside the award criteria set forth by DOT, DOT must arrange an in-person meeting with the lowest responsive and responsible bidder in order to ascertain the reasons for the bids being over DOT's estimate. DOT may subsequently:

- Award the contract to the lowest responsive and responsible bidder,
- Reject all bids and rebid the work, or
- Invite all responsive and responsible bidders to provide their best and final offers without filing a protest or posting a bond as required under current law.

The bill states that if DOT thereafter awards the contract, the award must be to the bidder who produces the best and final offer.

If DOT intends to reject all bids on any project after announcing, but before posting, official notice of its intent, the bill requires DOT to provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work, with a corresponding reduction in price, to provide its best and final offer without filing a protest or posting a bond. Upon reaching a decision regarding the lowest bidder's best and final offer, DOT must post notice of final agency action to either reject all bids or accept the best and final offer.

This does not prohibit any bidder from filing a protest or alter the statutory deadlines related to bid protests found in [s. 120.57\(3\), F.S.](#)

The bill provides that notwithstanding [s. 120.57\(3\)\(c\), F.S.](#), relating to bid protests, and [s. 287.057\(25\), F.S.](#), relating to a disclosure on the procurement of solicitations, upon receipt of a timely-filed formal written protest, DOT may continue the process for awarding contracts with a DOT estimate of \$100 million or less, but it may not take final agency action as to the lowest responsive and responsible bidder except as part its final agency action in the protest or upon the protesting party's dismissal of the protest.

[Phased Design-Build Contracts](#) (Section [16](#))

The bill states that for design-build contracts, DOT must receive at least three letters of interest. From those letters of interest, DOT must request proposals from no fewer than three of the design-build firms submitting such letters. If a design-build firm withdraws from consideration after DOT requests proposals, DOT may continue if at least two proposals are received.

For phased design-build projects, the bill requires DOT to competitively award the contract to a qualified firm, provided that DOT receives at least three statements of qualification from qualified firms. If during phase one of a project, DOT elects, based upon qualifications, to enter into contracts with more than one design-build firm, DOT

¹ Section [338.01, F.S.](#), allows DOT to establish limited-access facilities, the primary function of which is to allow high-speed and high-volume traffic movements within the state.

must competitively award the phase-two contract to a single design-build firm. For phase two, the design-build firm may independently perform portions of the work and shall competitively bid construction trade subcontractor packages. Based upon the design-build firm's estimates of its independently performed work and these bids, it may negotiate with DOT a guaranteed maximum price that meets the project's previously advertised budget and scope.

[Marine General Liability Insurance](#) (Section [16](#))

The bill requires for a contract let by DOT on or after July 1, 2025, work requiring a contractor to have marine general liability insurance, must include protection and indemnity coverage. The contractor may receive this additional coverage by an endorsement on its marine general liability insurance policy or from a separate insurance policy.

[Settlement of Protests](#) (Section [17](#))

The bill provides that DOT may not, through the settlement of a protest of the award of a contract being procured or related to the purchase of commodities or contractual services, create a new contract unless it competitively procures the new contract.

[Applications for Qualification](#) (Section [18](#))

The bill authorizes DOT to waive its prequalification requirements for contracts of \$1 million or less which have a diverse scope of work that may or may not be performed. The bill provides that these contracts are typically known as push-button or task work order contracts.

[Contractor Certification](#) (Section [18](#))

The bill increases the maximum contract amount for which DOT may waive bond requirements from \$150,000 to \$250,000.

[Maintenance Contracts](#) (Section [18](#))

The bill requires a contractor seeking to bid on a maintenance contract for which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, to possess the prescribed qualifications, equipment, record, and experience to perform such repair and replacement.

[State Arbitration Board](#) (Section [19](#))

The bill states that a contractor may submit a claim between \$250,000 to \$1 million per contract, or if agreed upon by the parties, a claim greater than \$2 million per contract to be arbitrated by the State Arbitration Board. Additionally, the bill states that at a subsequent de novo trial, only sworn testimony in connection with an arbitration hearing may be used for any purpose otherwise permitted by the Florida evidence code.

Under the bill, an arbitration request may not be made to the Board before final acceptance but must be made to the Board within 360 days after written notice by DOT of a claim related to a written warranty or defect after final acceptance.

[Suits By and Against DOT](#) (Section [20](#))

The bill provides that suits may be commenced within 360 days after written notice by DOT of a claim related to a written warranty or defect after final acceptance.

[Utility Relocation](#) (Section [21](#) and [22](#))

Electronic Detection of Utility Facilities

The bill requires that an entity that places, replaces, or relocates underground utilities within the right-of-way (ROW) must make such underground utilities electronically detectable using techniques approved by DOT.

Damages

Under the bill, the owner of an electric utility as defined in [s. 366.02, F.S.](#), the owner of a natural gas utility as defined in [s. 366.04\(3\), F.S.](#), or the owner of a water or wastewater utility must pay the ROW authority actual damages resulting from the utility owner's failure or refusal to timely remove or relocate its utility lines located in the ROW.

Additionally, the bill states that the issuance of permits for new placement of utilities within the authority's ROW may be subject to payment of actual costs incurred by the authority due to the failure of the utility owner to timely relocate utilities pursuant to an approved work schedule or for damage done to existing infrastructure by the utility owner.

As-Built Plans

The bill defines the term "as-built plans" to mean plans that depict the actual location, depth, and physical configuration of utilities placed within a ROW at a location which crosses a navigable waterway or deeper than 10 feet beneath the proposed ground surface. The bill requires an authority and a utility owner to agree in writing to an approved level of detail of as-built plans.

The bill requires a utility owner to submit its as built plans within 20 business days after completing the utility work. The as-built plans must show actual final surface and subsurface utilities, including location alignment profile, depth, and geodetic datum² of each structure. The utility owner must provide as-built plans in an electronic format that is compatible with DOT's software and meets DOT-provided technical specifications or in an electronic format determined by the utility industry to meet industry standards. DOT may, by written agreement, make exceptions to the electronic format requirement.

The bill requires that before any relocation costs are reimbursed, the utility must submit to the authority its as-built plans.

Utility Relocation Incentive

The bill authorizes DOT to provide an incentive to the owner of an electric utility as defined in [s. 366.02, F.S.](#), the owner of a natural gas utility as defined in [s. 366.04\(3\), F.S.](#), or the owner of a water or wastewater utility to facilitate the accelerated completion of utility relocation.

Relocation Procedures

Under the bill, before DOT provides notice to the utility owner to initiate utility work, DOT and the owner of an electric utility as defined in [s. 366.02, F.S.](#), the owner of a natural gas utility as defined in [s. 366.04\(3\), F.S.](#), or the owner of a water or wastewater utility must follow DOT's rules and procedures, which shall include, but are not limited to, the following:

- DOT must provide the utility owner a letter and a set of preliminary plans for the proposed highway improvement project and notice of a period that begins 30 days and ends within 120 days after receipt of the notice within which the utility owner must submit specified plans to DOT. The utility owner must provide DOT with written acknowledgement of receipt of the preliminary plans.
- The utility owner must submit to DOT plans showing existing and proposed locations of facilities within the period provided by DOT. If the utility owner fails to submit plans to DOT within the period provided by

² A geodetic datum or reference frame is an abstract coordinate system with a reference surface (such as sea level) that serves to provide known locations to begin surveys and create maps. <https://geodesy.noaa.gov/datums/index.shtml> (last visited Mar. 20, 2025).

DOT, then DOT is no longer required to participate in the costs, may withhold any amount due to the utility owner on other projects within the ROWs of the same district of DOT, and may withhold issuance of any other permits within the same district of DOT's ROW.

- The utility owner's submission of plans must include a utility relocation schedule for approval by DOT. The utility relocation schedule must include a duration and completion date for the work and must meet the timeframe requirements established by DOT.
- If the Governor declares a state of emergency,³ the utility is entitled to receive an extension to its utility relocation schedule which must be at least equal to any extension DOT granted to its contractor. The utility owner must notify DOT of additional delays associated with causes beyond the utility owner's control, including, but not limited to, participation in recovery work under a mutual aid agreement. This notification to DOT must occur within 10 calendar days after the commencement of the delay and provide a reasonably complete description of the cause and nature of the delay and the possible impacts to the utility relocation schedule. Within 10 calendar days after the cause of the delay ends, the utility owner must submit, for DOT's approval, a revised utility relocation schedule. DOT may not unreasonably withhold, delay, or condition its approval of the revised utility relocation schedule.
- If the utility owner does not initiate work in accordance with the utility relocation schedule, DOT must provide the utility owner with a final notice directing the utility owner to begin work within 10 calendar days after it receives the final notice. If the utility owner has begun such work but fails to complete the work in accordance with the utility relocation schedule, DOT is not required to participate in the work, may withhold any amount due to the utility owner for projects within the ROW of the same district of DOT, and may exercise its right to obtain injunctive relief.⁴
- If, after the letting date of a highway improvement project, it is found that additional utility relocation work is necessary, the utility must provide a revised utility relocation schedule within 30 calendar days after becoming aware of the need for such additional utility work or upon receiving DOT's written notification advising the utility of the need for additional utility work. DOT must review the revised utility relocation schedule and approve the revised utility relocation schedule for compliance with the form and timeframe requirements of DOT and must approve the revised relocation schedule if such requirements are met.
- The utility owner is liable to DOT for documented damages resulting from the utility's failure to comply with the utility relocation schedule, including any DOT-approved delay costs incurred by the contractor. Within 45 days after receiving DOT's written notification that the utility is liable for damages, the utility owner must pay DOT the amount for which the utility owner is liable.

The bill also adds the word "owner" after the word "utility" in several statutory provisions relating to utility relocation.

[Metropolitan Planning Organizations](#) (Sections [9](#) and [23](#))

The bill removes the duty of Space Florida⁵ to partner with the Metropolitan Planning Organization Advisory Council to coordinate and specify how aerospace planning and programming will be part of the state's cooperative transportation planning process.

The bill modifies the legislative intent related to the establishment of Metropolitan Planning Organizations (M.P.O.s) to emphasize:

- The development of multimodal transportation systems, instead of surface transportation systems; and
- Serving the mobility needs of people and freight and fostering economic growth and development within and through urbanized areas of this state while balancing conservation of natural resources.

Under the bill, no additional M.P.O.'s may be designated after July 1, 2025, except in urbanized areas, as defined by the United States Bureau of the Census, where the urbanized area boundary is not contiguous to an urbanized area

³ The Governor may declare states of emergency pursuant to [s. 252.36, F.S.](#)

⁴ Injunctive relief is pursuant to [s. 120.69, F.S.](#)

⁵ Section [331.302, F.S.](#), establishes Space Florida as an independent special district, a body politic and corporate, and a subdivision of the State, to foster the growth and development of a sustainable and world-leading aerospace industry in this state. Space Florida promotes aerospace business development by facilitating business financing, spaceport operations, research and development, workforce development, and innovative education programs.

designated before the 2020 census. The bill removes requirements that new M.P.O.s designated within an existing urbanized area must meet.

The bill revises the items that each M.P.O. must consider when developing its long-range transportation plan (LRTP) and Transportation Improvement Program (TIP) to include projects and strategies that will conserve natural resources and reduce traffic and congestion where feasible.

The bill eliminates an obsolete provision that required by December 31, 2023, the M.P.O.'s serving Hillsborough, Pasco, and Pinellas Counties to submit a report on the feasibility of consolidation into a single M.P.O.

The bill requires DOT, at least annually, to convene M.P.O.s of similar size for the purpose of exchanging best practices and allows M.P.O.s to develop committees or working groups as needed to accomplish this purpose. This replaces the provision of law that allows M.O.O.s the discretion and flexibility to coordinate as they see fit with other M.P.O.s and political subdivisions.

The bill provides that training for new M.P.O. governing board members must be provided by DOT and by either CUTR or by the Implementing Solutions from Transportation Research and Evaluation of Emerging Technologies Program (I-STREET).

The bill revises the requirements for an M.P.O.'s LRTP by:

- Removing the provision that requires the Metropolitan Planning Organization Advisory Council to review the LRTPs of certain M.P.O.s.
- Allowing, in the financial plan requirement, public-private partnerships to be included as an innovative financing technique to be used to fund needed projects and programs.
- Revising the list of proposed transportation enhancement activities that an M.P.O. must indicate, as appropriate, to include integration of advanced air mobility and integration of autonomous, electric, and alternative-fuel vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes. The list of such activities is no longer required to indicate historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.

The bill creates the following M.P.O. accountability and transparency provisions:

- Allows each M.P.O. to execute a written agreement with DOT, which must be reviewed and updated as necessary every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be described and formalized in the agreement. The agreement must describe and formalize the M.P.O.'s responsibility, in collaboration with DOT, to identify, prioritize, and present to DOT a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is DOT's responsibility to program projects in the Statewide Transportation Improvement Program (STIP).
- Requires DOT to establish, in collaboration with the M.P.O.'s, quality performance metrics such as safety, infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its LRTP, in direct coordination with DOT, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its TIP. DOT must evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

The bill repeals the Metropolitan Planning Organization Advisory Council (MPOAC).

[Strategic Intermodal System Highway Corridors](#) (Section 24)

The bill requires DOT, in its Strategic Intermodal System (SIS) highway corridors plan of projects, to prioritize projects addressing gaps in a corridor so that the corridor becomes contiguous.

[Funding for Florida College System Equipment Simulators](#) (Section [25](#))

The bill authorizes DOT in the fiscal years 2025-2026 through 2029-2030 to expend up to \$5 million per fiscal year for grants to Florida College System institutions and high schools for the purchase of equipment simulators with authentic original equipment manufacturer controls.

Under the bill, each grant recipient must offer an elective course in heavy civil construction, the curriculum of which is specifically designed to use the simulator and other instructional aides to, at a minimum, provide the student with OSHA 10 Construction certification and an equipment simulator certification.

The bill requires that in awarding such grants, DOT must give priority to Florida College System institutions and high schools in rural communities.⁶

[Widening of Interstate 4](#) (Section [29](#))

The bill states that the Legislature finds that the widening of the portion of Interstate 4 (I-4) between U.S. Highway 27 in Polk County and Interstate 75 in Hillsborough County is in the public and strategic interest of the region to improve the movement of people and goods.

The bill directs DOT to develop a report that includes, but is not limited to, detailed costs for project development and environmental studies, design, acquisition of rights-of-way, and construction and a schedule to complete the widening as expeditiously as possible. The bill requires the report to identify funding shortfalls and strategies to address such shortfalls, including but not limited to, using express lane toll revenues generated on the I-4 corridor and other available DOT funds for public-private partnerships.

Under the bill, DOT must submit the report by December 31, 2025, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

[DOT District Boundaries](#) (Section [30](#))

The bill directs DOT to submit a report to the Governor, President of the Senate, and Speaker of the House of Representatives by October 31, 2025, that provides a comprehensive review of the boundaries of each of DOT's districts and whether any district's boundaries need to be redrawn as a result of population growth and increased urban density.

[Sarasota Manatee Airport Authority](#) (Section [31](#))

The bill establishes a pilot program at the Sarasota Manatee Airport Authority (SMAA) in order to determine long-term feasibility of alternative airport permitting procedures.

The bill directs DOT to adopt rules as necessary to implement the program.

Under the bill, DOT must submit recommendations to the President of the Senate and the Speaker of the House of Representatives about how to expand the pilot program to additional airports, amend the pilot program to increase effectiveness, or terminate the pilot program.

The bill provides a repeal date for the SMAA pilot program of June 30, 2028, unless reviewed and reenacted by the Legislature.

The bill updates cross references in accordance with the provisions of the bill. (Sections [26](#), [27](#), and [28](#))

The bill provides an effective date of July 1, 2025. (Section [32](#))

⁶ The term "rural communities" is defined in [s. 288.0656\(2\), F.S.](#)

RULEMAKING:

The bill authorizes DHSMV to provide, by rule, for the design, size, color, and placement of the expectant mother parking permit placard or decal.

The bill authorizes DOT to adopt rules necessary to implement the SMAA pilot program.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate impact on state government expenditures.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Distribution of Sales Tax Revenues](#)

Florida levies a six percent tax on the retail sale of most tangible personal property, admissions, transient lodgings and motor vehicles.⁷ However, the sales tax rate for non-residential electric services is 4.35 percent.⁸ The Department of Revenue (DOR) distributes state sales tax proceeds to various state trust funds and local governments, with any remaining sales tax proceeds distributed to the General Revenue Fund.⁹

Under Florida law, utility companies charge sales tax on sales of electricity to non-utility companies, including those providing electric vehicle (EV) charging. For tax purposes, entities selling EV charging are not considered to be selling electricity but are considered to be licensing the use of real property,¹⁰ and taxed as such.¹¹

[County Transportation Project Data](#)

Annually, each county and municipality must provide DOT with uniform program data. Uniform program data must include, but is not limited to, details on transportation receipts and expenditures, and on the number of miles of road under the local governmental entity's jurisdiction. DOT must compile this data and, upon request, furnish its compilation to any interested person.¹²

⁷ Office of Economic and Demographic Research, *2024 Florida Tax Handbook*, p. 166.

<https://edr.state.fl.us/content/revenues/reports/tax-handbook/taxhandbook2024.pdf> (last visited Mar. 18, 2025).

⁸ *Id.* at 171. S. 212.05(1)(e).1.c., F.S.

⁹ *Id.* at 173. S. [212.20\(6\), F.S.](#)

¹⁰ Analysis of Senate Bill 462 (2025), Florida Senate, p.2 (Mar. 18, 2025).

¹¹ S. [212.031, F.S.](#), provides the statues on the tax on rental or license fees for the use of real property.

¹² S. [218.322, F.S.](#)

[Traffic Signals](#)

DOT is required by Florida law to adopt a uniform system of traffic control devices for use on the streets and highways of the state.¹³ To meet this requirement, it has adopted the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).¹⁴ The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel.

Section [316.075, F.S.](#), details the guidelines for traffic signal control devices.

[Speed Limits](#)

Florida law prohibits a person from driving a vehicle on a highway at a speed greater than what is reasonable and prudent under current conditions and with regard to actual and potential hazard.¹⁵

Florida law also establishes minimum speed limits. On all highways on the National System of Interstate and Defense that have four or more lanes, the minimum speed is 40 miles per hour, except that when the posted speed limit is 70 miles per hour, then the minimum speed is 50 miles per hour.¹⁶ Current law establishes the following maximum allowable speed limits:

- On limited access highways - 70 miles per hour.¹⁷
- On divided highways outside an urban area of 5,000 or more persons, with at least four lanes - 65 miles per hour.¹⁸
- On other DOT roadways - as DOT deems safe and advisable, but not to exceed 60 miles per hour.¹⁹

Speeding violations are noncriminal traffic infractions, punishable as moving violations.²⁰ The statutory fines, based on the miles per hour above the speed limit are as follows:

- 1-5 mph -Warning
- 6-9 mph - \$25
- 10-14 mph - \$100
- 15-19 mph - \$150
- 20-29 mph - \$175
- 30 mph and above - \$250²¹

[Electric Bicycles, Motorized Scooters, and Micromobility Devices](#)

Under Florida law, the operator of an electric bicycle or motorized scooter has all of the rights, privileges, and duties applicable to the rider of a bicycle.²² These devices are defined in Florida law as follows:

- Electric bicycle:²³ A bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications:

¹³ S. [316.0745\(1\), F.S.](#)

¹⁴ R. 14-15.010, F.A.C.

¹⁵ S. [316.183\(1\), F.S.](#)

¹⁶ S. [316.183\(2\), F.S.](#)

¹⁷ S. [316.187\(2\)\(a\), F.S.](#)

¹⁸ S. [316.187\(2\)\(b\), F.S.](#)

¹⁹ S. [316.187\(2\)\(c\), F.S.](#)

²⁰ S. 316.183(7) and [316.187\(3\), F.S.](#), Penalties are as provided in ch. 318, F.S.

²¹ S. [318.18\(3\)\(b\), F.S.](#) In addition to these penalties, there Florida law imposes or authorizes additional fees and surcharges.

²² Ss. 316.20655 and [316.2128, F.S.](#)

²³ S. [316.003\(23\), F.S.](#)

- “Class 1 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- “Class 2 electric bicycle” means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour.
- “Class 3 electric bicycle” means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour.
- Motorized scooter:²⁴ Any vehicle or micromobility device that is powered by a motor with or without a seat or saddle for the use of the rider, which is designed to travel on not more than three wheels, and which is not capable of propelling the vehicle at a speed greater than 20 miles per hour on level ground. The term does not include an electric bicycle.
- Micromobility device:²⁵ Any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles as defined in ch. 316, F.S.

An electric bicycle must operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling or when the brakes are applied.²⁶

An operator of an electric bicycle, motorized scooter, or micromobility device is not required to register the device with the Department of Highway Safety and Motor Vehicles (DHSMV), carry minimum insurance, or have a driver license to operate a motorized scooter.²⁷ Helmets are required for operators under the age of 16.²⁸

Local governments have authority to regulate electric bicycles, motorized scooters and micromobility devices, including authority to:

- Enact an ordinance to permit, control, or regulate the operation of electric bicycles and motorized scooters on sidewalks or sidewalk areas when such use is permissible under federal law.²⁹ The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas.³⁰
- Adopt an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under the local government’s jurisdiction; to prevent a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network; or to prevent a municipality, county, or agency of the state having jurisdiction over a beach or a dune from restricting or prohibiting the operation of an electric bicycle on such beach or dune.³¹
- Adopt an ordinance governing the operation of motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government’s jurisdiction.³²

[Expectant Mother Parking](#)

Section [320.0848, F.S.](#) authorizes DHSMV and its agents to issue disabled parking permits to persons with impaired mobility. Upon application and receipt of the fee,³³ a person with a long-term mobility impairment is issued a

²⁴ S. [316.003\(48\), F.S.](#)

²⁵ S. [316.003\(41\), F.S.](#)

²⁶ S. [316.20655\(6\), F.S.](#)

²⁷ Ss. [316.20655\(2\)](#) and [316.2128\(2\)&\(3\)](#), F.S.

²⁸ S. [316.2065\(3\)\(d\), F.S.](#)

²⁹ S. [316.008\(7\)\(a\), F.S.](#)

³⁰ *Id.*

³¹ S. [316.2128\(1\), F.S.](#)

³² S. [316.2128\(1\), F.S.](#)

³³ There is no charge for a “permanent” disabled parking permit. A temporary parking permit is \$15; however, no person will be required to pay a fee for a disabled parking permit more than once in a 12-month period. S. [320.0848\(1\)\(a\), F.S.](#)

disabled parking permit for a period of up to four years. Similarly, a person with a temporary mobility impairment is issued a temporary disabled parking permit for a period of up to six months.³⁴

A certificate of disability is required for a disabled parking permit and must be provided by a licensed physician, podiatrist, optometrist, advanced registered nurse practitioner, physician's assistant, or a similarly licensed physician from another state.³⁵

While current law does not explicitly contemplate whether an expectant mother would qualify for a temporary disabled parking permit, there are circumstances under which an expectant mother with temporary mobility issues could qualify so long as the expectant mother presents certification of disability from a physician as required by law.³⁶

[Florida Airport Development and Assistance Act](#)

The federal Airport Investment Partnership Program,³⁷ authorizes private companies to own, manage, lease, and develop public airports. Public airport sponsors and private operators may jointly manage an airport. The airport owner or leaseholder may be exempt from repayment of federal grants, return of property acquired with federal assistance, and the use of proceeds from the airport's sale or lease exclusively for airport purposes.³⁸

For purposes of the Florida Airport Development and Assistance Act,³⁹ the term "public-use airport" means any publicly owned airport which is used or to be used for public purposes.⁴⁰

The term "eligible agency" means a political subdivision of the state or an authority which owns or seeks to develop a public-use airport.⁴¹

DOT is given certain statutory duties regarding aviation development and assistance, including providing financial and technical assistance to airports⁴² and to encourage the maximum allocation of federal funds to local airport projects.⁴³

DOT's annual legislative budget request for aviation and airport development projects is based on the funding required for development projects in its aviation and airport work program. DOT must prioritize funding to support the planning, design, and construction of proposed projects by local sponsors, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.⁴⁴

Section [332.007, F.S.](#), authorizes DOT to fund certain aviation and airport-related projects. The statute provides requirements and limits on airport funding from the STTF. Requirements can be based on the airport type, availability of federal funds, project type, and size of the airport.

Section [255.065, F.S.](#), authorizes local jurisdictions, including counties, municipalities, and special districts to enter into public-private partnerships for qualifying projects, which include airport facilities, for a public purpose. That statute provides legislative findings and intent, requirements for project approval, a project qualification process,

³⁴ S. [320.0848\(1\)\(a\), F.S.](#)

³⁵ S. [320.0848\(1\)\(b\), F.S.](#)

³⁶ Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: Question on HB 567 (Mar. 20, 2025).

³⁷ 49 U.S.C. s. 47134, the program was previously known as the Airport Privatization Pilot Program.

³⁸ Federal Aviation Administration, *Airport Investment Partnership Program, formerly Airport Privatization Pilot Program*, https://www.faa.gov/airports/airport_compliance/privatization (last visit March 28, 2025).

³⁹ Ss. 332.003-332.007, F.S.

⁴⁰ S. [332.004\(14\), F.S.](#)

⁴¹ S. [332.004\(7\), F.S.](#)

⁴² S. [332.006\(4\), F.S.](#)

⁴³ S. [332.006\(8\), F.S.](#)

⁴⁴ S. [332.007\(4\)\(a\), F.S.](#)

the requirements for agreements related to the partnership, powers and duties of the private entity, and other related provisions.

[Eminent Domain Authority](#)

Eminent domain refers to the government's power to take private property and convert it into public use.⁴⁵ The Fifth Amendment of the United States Constitution provides that the government taking of property under the power of eminent domain must include just compensation for property owners.⁴⁶

Similarly, Article X, section 6(a) of the Florida Constitution provides that "[n]o private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner."⁴⁷

DOT may acquire, by eminent domain, all property or property rights, whether public or private, which it determines necessary to perform its duties or execute its powers.⁴⁸

DOT has the statutory authority to condemn all necessary lands and property, whether public or private, for the purpose of securing and utilizing transportation rights-of-way, including a DOT-designated transportation corridor.⁴⁹ Florida's statutory definition of the term "transportation corridor" includes all property or property interests necessary for future transportation facilities for the purpose of securing and utilizing future transportation rights-of-way.⁵⁰

[Center for Urban Transportation Research](#)

Florida law establishes the Florida Center for Urban Transportation Research (CUTR) at the University of South Florida, to be administered by the Board of Governors of the State University System.⁵¹ CUTR is responsible for conducting and facilitating research on issues related to urban transportation problems in this state and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.⁵² Additionally, CUTR is responsible for the promotion of intercampus transportation and related research activities among Florida's universities in order to enhance the ability of these universities to attract federal and private sector funding for transportation and related research.⁵³

Under Florida law, an advisory board is created to periodically and objectively review and advise CUTR concerning its research program. The membership of the board must consist of nine experts in transportation-related areas, including the secretaries of the DOT, the Department of Environmental Protection, and the Department Commerce, or their designees, and a member of the Florida Transportation Commission (FTC). The nomination of the remaining members of the board must be made to the President of the University of South Florida by the College of Engineering at the University of South Florida, and the appointment of these members must be reviewed and approved by the FTC and confirmed by the Board of Governors.⁵⁴

⁴⁵ Cornell Law School, Legal Information Institute, *Eminent Domain*, https://www.law.cornell.edu/wex/eminent_domain#:~:text=Eminent%20domain%20refers%20to%20the.compensation%20to%20the%20property%20owners. (last visited Mar. 18, 2025).

⁴⁶ U.S. Const. amend. V.

⁴⁷ Florida's eminent domain laws are codified in chapters 73 and 74, F.S.

⁴⁸ S. [334.044\(6\), F.S.](#)

⁴⁹ S. [337.27\(1\), F.S.](#)

⁵⁰ S. [334.03\(29\)\(b\), F.S.](#)

⁵¹ S. [334.065\(1\), F.S.](#)

⁵² *Id.*

⁵³ S. [334.065\(2\), F.S.](#)

⁵⁴ S. [334.065\(3\), F.S.](#)

[Project Concept Studies](#)

The term “project concept study” is not defined in federal or state law.

DOT conducts Project Development and Environment (PD&E) studies to meet federal National Environmental Policy Act⁵⁵ requirements. During these studies, DOT determines the location and conceptual design of feasible build alternatives for roadway improvements and the social, economic, and environmental effects of such improvements. Throughout the study, a no-build alternative, where roads are left in their present state with routine maintenance, remains a viable alternative. A PD&E study is finalized when the Federal Highway Administration reviews the study’s documentation and recommendations and provides a Location and Design Concept Acceptance.⁵⁶

[DOT Contracting Authority](#)

DOT may enter into contracts for the construction and maintenance of all roads on the State Highway System, the State Park Road System, or any other road under its supervision. DOT may also enter into contracts for the construction and maintenance of rest areas, weigh stations, and other structures used in connection with such facilities. However, these contracts do not create third-party beneficiary rights in any person that is not a party to the contract.⁵⁷

[Awarding DOT Contracts](#)

DOT may award a contract for proposed construction and maintenance work to the lowest responsible bidder, or with a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and rebid the work or otherwise perform the work.⁵⁸

[Phased Design-Build Contracts](#)

DOT may enter into phased-design build contracts, where contract selection and award is done with a two-phase process. For phase one, DOT competitively awards the contract, based upon qualifications, to a design-build firm. For phase two, the design-build firm competitively bids construction trade subcontractor packages and based upon these bids, negotiates with DOT a price that meets the project’s budget and scope.⁵⁹

[Marine General Liability Insurance](#)

DOT requires each contractor to indemnify and hold harmless DOT and its officers and employees from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney’s fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the contractor and persons employed or utilized by the contractor in the performance of the construction contract.⁶⁰

DOT also requires each contractor to carry commercial general liability insurance that provides continuous coverage for all work and operations provided under the contract. Additional requirements exist for construction adjacent to railroad tracks and certain utility facilities.⁶¹

⁵⁵ Pub. L. 91-190; 83 State. 852.

⁵⁶ DOT District 7, *What is a PD&E Study*, <https://www.fdotd7studies.com/projects/what-is-a-pde-study/>. (last visited Mar. 18, 2025).

⁵⁷ S. [337.11\(1\), F.S.](#)

⁵⁸ S. [337.11\(4\), F.S.](#)

⁵⁹ S. [337.11\(7\)\(b\), F.S.](#) The project’s budget and scope are as advertised in the request for qualifications.

⁶⁰ DOT Specs Book (January 2017) at Section 7-12.1, <https://www.fdot.gov/docs/default-source/programmanagement/implemented/specbooks/january2017/files/007-117.pdf> (last visited Mar. 20, 2025).

⁶¹ *Id.* at Sections 7-13.2, 7-13.3, and 7-13.4.

Since commercial general liability insurance policies exclude marine work, marine general liability insurance is designed to protect against claims of liability for bodily injury, property damage, and personal injury for those who work on or near the water. These classes include ship repairers, marina operators, charterers, stevedores, and terminal operators.⁶²

Each contract let by DOT to perform bridge construction or maintenance over navigable waters must require marine general liability insurance, in an amount determined by DOT, to cover third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work.⁶³

[Settlement of Protests](#)

Agencies subject to the Administrative Procedures Act,⁶⁴ including DOT, must resolve protests arising from the contract solicitation or award process using uniform rules of procedure.⁶⁵

DOT's contracting statute provides additional information regarding its settlement of bid protests. When DOT determines that it is in the public's best interest to resolve a bid protest through a settlement agreement, and the agreement requires DOT to pay a nonselected responsive bidder \$1 million or more, any stipend paid to a non-selected design-build firm, which is not included in DOT's work program, or any amount paid pursuant to any other law, DOT must:

- Document the specific reasons that such settlement and payment is in the best interest of the state. Such documentation must include a description of any rights or designs that DOT will acquire or retain with such settlement, and the specific appropriation that DOT intends to use to provide such payment.
- Provide prior written notification to the President of the Senate, the Speaker of the House of Representatives, the Senate and House of Representatives minority leaders, the chair and vice chair of the Legislative Budget Commission, and the Attorney General before DOT makes the settlement agreement final.
- Provide written notification of settlement discussions to the President of the Senate, the Speaker of the House of Representatives, the Senate and House of Representatives minority leaders, the chair and vice chair of the Legislative Budget Commission, and the Attorney General.⁶⁶

[Applications for Qualification](#)

Under Florida law any contractor desiring to bid on a construction contract in excess of \$250,000 must be certified as qualified by DOT.⁶⁷ DOT's contractor certification rules address these qualifications and provide requirements regarding a contractor's equipment, past record, experience, financial resources, and organizational personnel.⁶⁸

DOT may waive prequalification for projects of \$500,000 or less if DOT determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.⁶⁹

[Contractor Certification](#)

Certification by DOT is required in order for a contractor to bid on a road, bridge, or public transportation construction contract of more than \$250,000. However, prior to the award of the contract, the successful bidder

⁶² Kelly White and Associates Insurance, LLC, *Marine General Liability Insurance*, <https://kwhiteinsurance.com/marine-insurance/#:~:text=Marine%20General%20Liability%20protects%20against,%2C%20stevedores%2C%20and%20terminal%20operators> (last visited Mar. 20, 2025).

⁶³ S. [337.11\(15\), F.S.](#)

⁶⁴ Ch. 120, F.S.

⁶⁵ S. [120.57\(3\), F.S.](#) The Uniform Rules of Procedure relating to bid protests are contained in Rule 28-110, F.A.C.

⁶⁶ S. [337.1101\(1\), F.S.](#)

⁶⁷ Certification for qualification is pursuant to [s. 337.14, F.S.](#), and DOT rules.

⁶⁸ S. [337.14\(1\), F.S.](#)

⁶⁹ S. [337.14\(1\), F.S.](#)

must furnish a contract bond. DOT may waive all or a portion of the bonding requirement for contracts of \$150,000 or less.⁷⁰

[Maintenance Contracts](#)

Section [337.14\(8\), F.S.](#), provides that that section, which relates to the applications for qualification and certificates of qualification for DOT contractors does not apply to maintenance contracts.

[State Arbitration Board](#)

The State Arbitration Board (Board), within DOT, facilitates the prompt resolution of claims arising out of or in connection with DOT's construction or maintenance contract.⁷¹

The contractor⁷² may submit a claim⁷³ of greater than \$250,000 up to \$1 million per contract or, upon agreement of the parties, up to \$2 million per contract for arbitration by the board. A board-issued award is final, unless a request for a trial de novo is filed within certain time frames.⁷⁴

Parties may not make an arbitration request prior to DOT's final acceptance of the project;⁷⁵ but such requests must be made within 820 days after final acceptance.⁷⁶

[Suits By and Against DOT](#)

Under current law, suits may be brought by and against DOT for certain contract-related claims, which must commence within 820 days of DOT's final acceptance of the work.⁷⁷

[Utility Relocation](#)

Current law authorizes an authority, defined as DOT and local governmental entities,⁷⁸ with jurisdiction and control of public roads or publicly-owned rail corridors to prescribe and enforce reasonable rules or regulations regarding the placement and maintenance of utilities within their rights-of-way.⁷⁹

For this purpose, the term "utility" is defined to mean electric transmission, voice, telegraph, data, or other communications services lines or wireless facilities; pole lines; poles; railways; ditches; sewers; water, heat, or gas mains; pipelines; fences; gasoline tanks and pumps; or other structures.⁸⁰

⁷⁰ S. [337.14\(2\), F.S.](#)

⁷¹ S. [337.185\(1\), F.S.](#)

⁷² Section [337.185\(2\)\(b\), F.S.](#), defines the term "contractor" means a person or firm having a contract for rendering services to the department relating to the construction or maintenance of a transportation facility.

⁷³ Section [337.185\(2\)\(a\), F.S.](#), defines the term "claim" to mean the aggregate of all outstanding written requests for additional monetary compensation, time, or other adjustments to the contract, the entitlement or impact of which is disputed by the department and could not be resolved by negotiation between the department and the contractor.

⁷⁴ S. [337.185\(4\), F.S.](#)

⁷⁵ Section [337.185\(2\)\(c\), F.S.](#), defines the term "final acceptance" to mean that the contractor has completely performed the work provided for under the contract, the department or its agent has determined that the contractor has satisfactorily completed the work provided for under the contract, and the department or its agent has submitted written notice of final acceptance to the contractor.

⁷⁶ S. [337.185\(5\), F.S.](#)

⁷⁷ [S. 337.19](#) (1) and (2), F.S.

⁷⁸ Section [334.03\(13\), F.S.](#), defines the term "local governmental entity" to mean a unit of government with less than statewide jurisdiction, or any officially designated public agency or authority of such a unit of government, that has the responsibility for planning, construction, operation, or maintenance of, or jurisdiction over, a transportation facility; the term includes, but is not limited to, a county, an incorporated municipality, a metropolitan planning organization, an expressway or transportation authority, a road and bridge district, a special road and bridge district, and a regional governmental unit.

⁷⁹ S. [337.401](#) (1)(a), F.S.

⁸⁰ *Id.*

An authority may grant a utility the use of its right-of-way in accordance with its rules or regulations. A utility may not be installed, located, or relocated unless authorized by an authority-issued permit. However, for roads or rail corridors under DOT's jurisdiction, in lieu of a written permit, a utility relocation schedule and relocation agreement may be executed. A utility permit must require that the permitholder is responsible for any damage resulting from the issuance of such permit.⁸¹

In most cases, if the authority finds that a utility in its right-of-way is unreasonably interfering with the public road or publicly owned rail corridor, the utility must, upon 30 days' written notice, initiate the work necessary, at its own expense, to alleviate the interference. The work must be completed within such reasonable time as stated in the notice or at such time as agreed to by the authority and the utility owner.⁸²

Section [337.403, F.S.](#), relates to interference caused by a utility. Under that statute, if the authority finds that a utility within the right-of-way limits of any public road or publicly owned rail corridor to be unreasonably interfering in any way with such public road or publicly owned rail corridor, the utility owner must, upon 30 days' written notice, initiate the work necessary to alleviate the interference at its own expense except as provided in various scenarios. The work must be completed within such a reasonable time as stated in the notice, or at such time as agreed to by the authority and the utility owner.⁸³

Among these scenarios, Florida law provides that if the relocation is needed due to a construction project on the federal-aid interstate system, and the project's costs are eligible and approved for federal reimbursement of 90 percent or more under the Federal-Aid Highway Act,⁸⁴ the utility owning or operating such facilities must perform any necessary work upon receiving notice from DOT. The amount the state pays for such work is after deducting any increase in the value of a new facility and any salvage value derived from an old facility.⁸⁵

When DOT and the utility execute a joint agreement for utility work as part of a contract to construct a transportation facility, DOT may participate in the cost of utility work exceeding 10 percent of DOT's official estimated cost of the utility work. DOT's cost participation is limited to the difference between its official estimate plus 10 percent and the amount awarded for this work in the construction contract. DOT may not participate in any utility work costs that occur due to changes or additions during the course of the contract.⁸⁶

[Metropolitan Planning Organizations](#)

M.P.O.s and Primary Functions

Florida law provides that it is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes.⁸⁷ To achieve this intent or objective, Florida law provides that M.P.O.s, must develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas.⁸⁸

M.P.O.s are entities comprised of representatives from local governments and transportation authorities that are responsible for regional transportation planning in urbanized areas with populations of over 50,000 as determined

⁸¹ S. [337.401\(2\), F.S.](#)

⁸² S. [337.403\(1\), F.S.](#)

⁸³ S. [337.403\(1\), F.S.](#) Paragraphs (a)-(j) provide various scenarios regarding utility relocation.

⁸⁴ Pub, L, No. 84-627.

⁸⁵ S. [337.403\(1\)\(a\), F.S.](#)

⁸⁶ S. [337.403\(1\)\(b\), F.S.](#)

⁸⁷ S. [339.175\(1\), F.S.](#)

⁸⁸ *Id.*

by the U.S. Census.⁸⁹ As seen below, Florida has 27 M.P.O.s, and each have their own geographical boundary and board of voting members.⁹⁰

M.P.O. Designation

To the extent possible, only one M.P.O. is designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate, in which case each M.P.O. designated for the area must:

- Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs; and
- Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.⁹¹

Coordination with other M.P.O.s and Political Subdivisions

M.P.O.s are required to develop coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.s may vary depending upon the project involved and given local and regional needs. Consequently, discretion is used by M.P.O.s to coordinate with other M.P.O.s and appropriate political subdivisions as circumstances demand.⁹²

M.P.O.s and Transportation Planning

DOT and M.P.O.s are partners in the transportation planning, with DOT responsible for coordinating the state's long-range transportation goals, the Florida Transportation Plan (FTP),⁹³ and M.P.O.s responsible for coordinating regional long-range transportation plans.⁹⁴ The M.P.O.s develop their Long Range Transportation Plan (LRTP) to implement national and state goals for their metropolitan area.⁹⁵ Projects are developed and must be included in the LRTP to be considered for funding.⁹⁶ An M.P.O. must also develop its List of Priority Projects (LOPP), which must be consistent with the LRTP and is used to inform the development of the Transportation Improvement Program (TIP).⁹⁷ An M.P.O.'s TIP includes a listing of projects planned for the next five fiscal years.⁹⁸ TIPs from all 27 M.P.O.s are combined together, along with DOT's other non-metropolitan statewide projects to form the Statewide Transportation Improvement Program (STIP).⁹⁹ To be eligible for federal funding, projects must be included in the LRTP, TIP, and STIP.¹⁰⁰ The projects included in an M.P.O.'s TIP are funded and completed through the Work Program (WP).¹⁰¹

⁸⁹ Federal Transit Administration, *Metropolitan Planning Organization (MPO)*, [https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo#:~:text=Planning%20Organization%20\(MPO\)-Overview,determined%20by%20the%20U.S.%20Census](https://www.transit.dot.gov/regulations-and-guidance/transportation-planning/metropolitan-planning-organization-mpo#:~:text=Planning%20Organization%20(MPO)-Overview,determined%20by%20the%20U.S.%20Census). (last visited Mar. 22, 2025).

⁹⁰ DOT, *Metropolitan Planning Organization Subject Brief*, https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/planning/policy/briefing-sheets/briefing_sheet_mpo_102720.pdf?sfvrsn=b17ab46b_2 (last visited Mar. 22, 2025).

⁹¹ S. 339.175(2), F.S.

⁹² S. 339.175(6)(j), F.S.

⁹³ The FTP is a policy document updated at least once every five years and developed in compliance with requirements in [S. 339.155, F.S.](#) The FTP establishes and defines the state's long-range transportation goals and objectives to be accomplished over a period of at least 20 years. S. 339.155(1), F.S. It is based upon the prevailing principles of preserving the existing transportation infrastructure, enhancing Florida's economic competitiveness, improving travel choices to ensure mobility, and expanding the state's role as a hub for trade and investment. *Id.* The FTP is the single overarching plan guiding Florida's transportation future. DOT, *Florida Transportation Plan*, <https://www.fdot.gov/planning/ftp/default.shtm> (last visited Mar. 22, 2025).

⁹⁴ DOT, *supra* note 90.

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ DOT, *STIP Information*, <https://www.fdot.gov/workprogram/federal/stip-mpostip.shtm> (last visited Mar. 21, 2025).

⁹⁹ DOT, *supra* note 90.

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

In developing the LRTP and the TIP, each M.P.O. must provide for consideration projects and strategies that will:

- Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety and security of the transportation system for motorized and nonmotorized users;
- Increase the accessibility and mobility options available to people and for freight;
- Protect and enhance the environment, promote energy conservation, and improve quality of life;
- Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight;
- Promote efficient system management and operation;
- Emphasize the preservation of the existing transportation system; and
- Improve the resilience of transportation infrastructure.¹⁰²

The LRTP must, at a minimum:

- Identify transportation facilities that will function as an integrated metropolitan transportation system.
 - The LRTP must give emphasis to those transportation facilities that serve national, statewide, or regional functions, and must consider the goals and objectives identified in the FTP.
 - If a project is located within the boundaries of more than one M.P.O., the M.P.O.s must coordinate plans regarding the project in the LRTP. Multiple M.P.O.s within a contiguous urbanized area must coordinate the development of LRTPs to be reviewed by the Metropolitan Planning Organization Advisory Council.
- Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs.
 - The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted LRTP if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the LRTP, the M.P.O. and DOT must cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, the use of value capture financing, or the use of value pricing.
- Assess capital investment and other measures necessary to:
 - Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and
 - Make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as automated driving systems and other developments.
- Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising.
- Coordinate, in metropolitan areas that are classified as nonattainment areas for ozone or carbon monoxide, the development of the LRTP with the State Implementation Plan developed pursuant to the requirements of the federal Clean Air Act.¹⁰³

In the development of its LRTP, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers

¹⁰² S. [339.175\(6\)\(b\), F.S.](#)

¹⁰³ S. [339.175\(7\), F.S.](#)

of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the LRTP. The LRTP must be approved by the M.P.O. ¹⁰⁴

Feasibility Studies on Consolidation of Select M.P.O.s

The M.P.O.s serving Hillsborough, Pasco, and Pinellas Counties were required to submit, by December 31, 2023, a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which was to:

- Coordinate transportation projects deemed to be regionally significant;
- Review the impact of regionally significant land use decisions on the region; and
- Review all proposed regionally significant transportation projects in the TIPs.¹⁰⁵

Metropolitan Planning Organization Advisory Council (MPOAC)

Under Florida law, the MPOAC was established with the purpose to augment, and not supplant, the role of the individual M.P.O.s in the cooperative transportation planning process.¹⁰⁶ The council consists of one representative from each M.P.O. and annually elects a chairperson from its membership.¹⁰⁷

The main powers and duties of the council are to:

- Establish bylaws by action of its governing board providing procedural rules to guide its proceedings and consideration of matters before the council, or, alternatively, adopt rules to implement provisions of law conferring powers or duties upon the council;
- Assist M.P.O.s in carrying out the urbanized area transportation planning process by serving as the principal forum for collective policy discussion;
- Serve as a clearinghouse for review and comment by M.P.O.s on the FTP and on other issues required to comply with federal or state law in carrying out the urbanized area transportation and systematic planning processes;
- Employ an executive director and such other staff as necessary to perform adequately the functions of the council, within budgetary limitations;
- Deliver training on federal and state program requirements and procedures to M.P.O. board members and M.P.O. staff; and
- Adopt an agency strategic plan that prioritizes steps the agency will take to carry out its mission within the context of the state comprehensive plan and any other statutory mandates and directives.¹⁰⁸

The council may also enter into contracts to support its duties.¹⁰⁹

[Strategic Intermodal System Highway Corridors](#)

Florida's Strategic Intermodal System (SIS) is its high priority network of transportation facilities important to the state's economy and mobility.¹¹⁰ DOT must plan and develop SIS highway corridors to allow for high-speed and high-volume.¹¹¹ SIS highway corridors include facilities on State Highway System that meet DOT-adopted criteria, including Interstate highways, the Florida Turnpike System, interregional and intercity limited access facilities, existing interregional and intercity arterial highways meeting certain standards, and new limited access facilities necessary to complete a balanced statewide system.¹¹²

¹⁰⁴ *Id.*

¹⁰⁵ S. [339.175\(6\)\(i\), F.S.](#)

¹⁰⁶ S. [339.175\(11\)\(a\), F.S.](#)

¹⁰⁷ S. [339.175\(11\)\(b\), F.S.](#)

¹⁰⁸ S. [339.175\(11\)\(c\), F.S.](#)

¹⁰⁹ S. [339.175\(11\)\(d\), F.S.](#)

¹¹⁰ DOT, *Strategic Intermodal System*, <https://www.fdot.gov/planning/systems/sis> (last visited Mar. 21, 2025).

¹¹¹ S. [339.65\(1\), F.S.](#)

¹¹² S. [339.65\(2\), F.S.](#)

DOT must develop and maintain a plan of SIS highway corridor projects that it anticipates, to contract for construction within at least 20 the next years. This plan must also identify when SIS Highway Corridor segments will SIS standards and criteria.¹¹³

[Funding for Florida College System Equipment Simulators](#)

Florida College System

The Florida College System provides higher education for Floridians, including recent high school graduates and returning adult students. The 28-member colleges of the Florida College System respond quickly and efficiently to meet the demand of employers by aligning certificate and degree programs with regional workforce needs. With an array of programs and services, our colleges serve individuals, communities and the state with low-cost, high-quality education opportunities.¹¹⁴

Rural Areas of Opportunity

A Rural Area of Opportunity (RAO) is a rural community,¹¹⁵ or region comprised of rural communities, designated by the Governor, that has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster.¹¹⁶ An area may also be designated as an RAO if it presents a unique economic development opportunity of regional impact.¹¹⁷ The designation of an RAO must be agreed upon by the Department of Commerce, as well as the county and municipal governments to be included in the RAO.¹¹⁸

[Widening of Interstate 4](#)

Included in DOT's Moving Florida Forward Initiative, is the acceleration of the addition of two new express lanes in each direction along I-4 from west of U.S. 27 in Polk County to east of World Center Drive (S.R. 536) in Orange County. DOT is also accelerating the construction of two new congestion relief lanes, one in each direction, between U.S. 27 and east of World Drive.¹¹⁹

[DOT District Boundaries](#)

DOT is a decentralized agency divided up into geographic districts. There are currently seven DOT districts: Southwest Florida, Northeast Florida, Northwest Florida, Southeast Florida, Central Florida, South Florida, and West Central Florida. DOT's headquarters is in Tallahassee, and each of the seven districts have at least one office in the district.¹²⁰

Each DOT district varies in organizational structure, but in general, each has major divisions for Administration, Planning, Production, and Operations. Additionally, each district has a Public Information Office that reports to the District Secretary and a District Chief Counsel who reports to the DOT General Counsel in Tallahassee.¹²¹

[Sarasota Manatee Airport Authority](#)

The Sarasota Manatee Airport Authority was created as a public agency by the State of Florida to operate and manage the Sarasota Bradenton International Airport. The Authority has six Commissioners appointed by the

¹¹³ S. [339.65\(4\), F.S.](#)

¹¹⁴ Florida College System, Florida Department of Education, <https://www.fldoe.org/schools/higher-ed/fl-college-system/> (last visited Mar. 22, 2025).

¹¹⁵ S. [288.0656\(2\)\(e\), F.S.](#)

¹¹⁶ S. [288.0656\(2\)\(d\), F.S.](#)

¹¹⁷ *Id.*

¹¹⁸ S. [288.0656\(7\)\(b\), F.S.](#)

¹¹⁹ DOT, *Moving I-4 Forward*, <https://movingi4forward.com/> (last visited Mar. 21, 2025).

¹²⁰ DOT, *Districts*, <https://www.fdot.gov/agencyresources/districts/index.shtm> (last visited Mar. 21, 2025).

¹²¹ *Id.*

Governor, each serving four-year terms. Three Commissioners reside in Manatee County and three reside in Sarasota County.¹²²

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee	16 Y, 0 N, As CS	3/27/2025	Keating	Bauldree
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Clarified the method of distribution of certain tax proceeds to the STTF. • Required DOT to implement the Next-Generation Traffic Signal Modernization Program. • Required DOT to determine the safe and available minimum speed limit on specified highways. • Increased the maximum allowable speed limits on specified highways and roadways. • Amended the Florida Airport Development and Assistance Act to change various references to airports to “public-use” airports. • Removed language that provided that contractors provide a service to DOT, • Removed a provision related to projects for which DOT’s estimate is \$100 million or less. • Revised provisions related to utility use of the public ROW, including provisions related to the relocation of utility facilities. • Clarified training provisions for metropolitan planning organizations. • Streamlined provisions that create a pilot program for the Sarasota Manatee Airport Authority and removes duplicative provisions. • Authorized local governments to adopt ordinances pertaining to the operation of electric bicycles, motorized scooters, or micromobility devices. • Authorized local governments to provide training on the safe operation of any of electric bicycles, motorized scooters, or micromobility devices and on compliance with applicable state traffic laws. 			
Transportation & Economic Development Budget Subcommittee				
Commerce Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

¹²² Airport Authority, Sarasota Manatee Airport Authority, <https://flysrq.com/airport-authority> (last visited Mar. 22, 2025).