

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

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

**TITLE:** Transportation

**SPONSOR(S):** McFarland

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

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 114 Y's 0 N's

**GOVERNOR'S ACTION:** Pending

### SUMMARY

#### Effect of the Bill:

The bill addresses several matters related to the Florida Department of Transportation (DOT) and state transportation policy, including:

- DOT contracting authority and practices.
- Metropolitan Planning Organizations.
- Procedures related to certain traffic violations recorded by school bus infraction detection systems.
- Traffic signal modernization.
- Funding for public-use airports.
- Funding for educational heavy equipment simulators.
- Widening of specified I-4 segments.
- The Sarasota Manatee Airport Authority.
- The Greater Miami Expressway Agency.
- Expectant mother parking permits.
- Micromobility devices and certain bicycles and local regulation of such devices.
- Vehicular traffic on coastal beaches.

#### Fiscal or Economic Impact:

The bill creates new responsibilities and requirements for DOT, however the fiscal impact of these provisions is indeterminate. This bill contains no appropriations, and it is anticipated that any workload or need for increased expenditures will be absorbed within existing Work Program or other operational resources.

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### ANALYSIS

#### **EFFECT OF THE BILL:**

CS/CS/CS/HB 567 passed as [CS/CS/CS/SB 462](#). (Please note that bill section parentheticals do not contain hyperlinks to bill sections for the Senate bill.)

The bill addresses several matters related to the Florida Department of Transportation (DOT) and state transportation policy. Each matter addressed by the bill is discussed below.

#### [Vehicular Traffic on Coastal Beaches](#)

The bill allows for the use of off-highway vehicles<sup>1</sup> to remove rental equipment from coastal beaches, as authorized by the governing body having jurisdiction of the coastal property through formal agreement. (Section 1).

<sup>1</sup> Section [317.003, F.S.](#) provides that "Off-highway vehicle" means any ATV, two-rider ATV, ROV, or OHM that is used off the roads or highways of this state and that is not registered and licensed for highway use pursuant to chapter 320.

## [County Transportation Project Data](#)

The bill requires each county, by January 15 each year, to provide a report to the Office of Economic and Demographic Research (EDR) which includes the following information for revenues received from the Charter County and Regional Transportation System Surtax:

- The total proceeds from the surtax received by the county.
  - The amount allocated by the county for road and bridge projects, both as a total by category and by revenue source by category.
  - The total expenditures for road and bridge projects.
  - The unexpended balances of funds allocated to road and bridge projects by category.
  - A list of current road and bridge projects, including the project cost, location, and scope.
  - The amount allocated by the county to all other authorized uses of the proceeds from the surtax, excluding road and bridge projects and the payment or pledge of bonds for the construction of roads and bridges.
- (Section 2)

The bill requires EDR, in consultation with the Department of Transportation (DOT), to establish and define broad categories for reporting the amount allocated by counties for road and bridge projects, including, but not limited to, widening, repair and rehabilitation, sidewalks, or payment or pledge of bonds for the construction of roads and bridges. (Section 2)

Each county must report the information required in the format specified by EDR, and EDR must compile the information from each county into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and DOT. (Section 2)

## [School Bus Infraction Detection Systems](#)

The bill revises the current enforcement process for violations of law relating to passing a school bus with a stop signal displayed, as recorded by a school bus infraction detection system, by:

- Authorizing the owner of a motor vehicle who receives a notice of violation to request an administrative hearing with the school district or county within 60 days after the notice of violation is sent, rather than being required to contest liability within 30 days and appearing in front of a court that has jurisdiction over traffic violations.
  - Requiring a local hearing officer appointed by the school district or county, rather than a court, to determine during an administrative hearing whether a violation has occurred.
  - Requiring the civil penalties imposed for such violations to be remitted to the school district at least monthly.
  - Providing procedures for the administrative hearing process.
  - Authorizing any hearing for a contested notice of violation that is pending on the effective date of the bill to be conducted pursuant to the procedures created by the bill within one year of the bill's effective date.
- (Sections 4 and 9)

The bill authorizes a school district to appoint as a local hearing officer an attorney who is, and has been for the preceding 5 years, in good standing with the Florida Bar. The bill authorizes a county in which a school district has entered into an interlocal agreement with a law enforcement agency to issue uniform traffic citations to designate existing staff to serve as the local hearing officer. (Section 4)

These provisions of the bill are effective upon the bill becoming law. (Sections 4, 9, and 10)

## [Traffic Signal Modernization Program](#)

The bill directs DOT to implement a Next-generation Traffic Signal Modernization Program. The bill specifies that the purpose of the program is to increase traffic signal interconnectivity and provide real-time optimization to improve traffic flow and enhance safety. (Section 25)

Under the bill, the program must:

- Provide for retrofitting existing traffic signals and controllers and providing a communication backbone for remote and automated operations and management of such signals on the State Highway System and the nonstate highway system.
- Prioritize signal upgrades based on average annual daily traffic and the impact of adding to an existing interconnected system.
- Use at least one advanced traffic management platform that uses state-of-the-art technology and that complies with leading cybersecurity standards, such as SOC 2 and ISO 27001, ensuring robust data protection. (Section 25)

### [Automated Driving Systems](#)

The bill redefines the term “dynamic driving task” to mean all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic within its specific operational design domain, if any, excluding strategic functions such as trip scheduling; provision of event-based information, advice, instruction, or revised goals; and selection of destinations and waypoints. (Section 3)

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

The bill changes the definition of “micromobility device” to mean a motorized transportation device designed for individual use which is typically 20 to 36 inches in width and 50 pounds or less in weight and which operates at a speed of typically less than 15 miles per hour but no more than 28 miles per hour, including both a human-powered and a nonhuman-powered device such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned by an individual or part of a shared fleet. (Section 3)

The bill clarifies that current law related to electric bicycle regulations may not be construed to prevent a local government, through the exercise of specified powers, from adopting an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under **or within** the local government's jurisdiction. (Section 5)

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. (Sections 5 and 6)

### [Driving on Flooded Roads](#)

The bill prohibits operation of a motor vehicle, vessel, or any other conveyance at a speed that creates an excessive wake on a flooded or inundated street or highway. (Section 8)

### [Expectant Mother Parking](#)

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. (Section 11)

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. (Section 11)

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.](#) (Section 11)

### [Eminent Domain Authority](#)

The bill restates DOT's ability to purchase property or property rights in advance to preserve a corridor for future proposed improvements. (Section 17)

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

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. (Section 18)

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. (Section 18)

### [Project Concept Studies](#)

Under the bill, all project concept studies and project development and environmental studies for capacity improvement projects on limited-access facilities<sup>2</sup> 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. (Section 19)

### [DOT Contracting](#)

#### [Awarding Contracts](#)

The bill provides that 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.](#) (Section 20)

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. (Section 20)

<sup>2</sup> 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.

### *Phased Design-Build Contracts*

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. (Section 20)

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 must competitively select 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. (Section 20)

### *Marine General Liability Insurance*

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. (Section 20)

### *Applications for Qualification*

The bill authorizes DOT to waive its prequalification requirements for a push-button (quick response) contract or task work order contract of \$1 million or less. (Section 21)

### *Contractor Certification*

The bill increases the maximum contract amount for which DOT may waive bond requirements from \$150,000 to \$250,000. (Section 21)

### *Maintenance Contracts*

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. (Section 21)

### *State Arbitration Board*

The bill states that a contractor may submit a claim between \$250,000 to \$2 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 trial, only sworn testimony in connection with an arbitration hearing may be used for any purpose otherwise permitted by the Florida evidence code. (Section 22)

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. (Section 22)

### Metropolitan Planning Organizations

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.
- Foster economic growth and development in accordance with DOT's mission statement.
- Remove references to minimizing fuel consumption, air pollution, and greenhouse gas emissions. (Section 23)

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 designated before the 2020 census. The bill removes requirements that new M.P.O.s designated within an existing urbanized area must meet. (Section 23)

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. (Section 23)

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. (Section 23)

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 a provision of law that allows M.P.O.s the discretion and flexibility to coordinate as they see fit with other M.P.O.s and political subdivisions. (Section 23)

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. (Section 23)

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 and electric 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. (Section 23)

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) in collaboration with the M.P.O.'s.
- 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. (Section 23)

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

The bill requires DOT, in its plan of Strategic Intermodal System (SIS) highway corridor projects, to prioritize projects addressing gaps in a corridor so that the corridor becomes contiguous. (Section 24)

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

The bill authorizes DOT, in the fiscal years 2025-2026 through 2029-2030, to expend up to \$5 million per fiscal year from the STTF for grants to state colleges and school districts:

- For the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum;
- For the purchase of instructional aides for use in conjunction with the simulators; and
- To support offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification. (Section 17)

The bill requires that in awarding such grants, DOT must give priority to state colleges and school districts in counties that are rural communities.<sup>3</sup> (Section 17)

### [Landing Fees](#)

The bill prohibits a publicly owned airport from charging a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in Florida which offers a 4-year collegiate aviation program, when such aircraft operations are for flight training necessary for pilot certification and proficiency. (Section 12)

### [Public-Use Airports](#)

The bill amends the [Florida Airport Development and Assistance Act](#) (FADAA) to change various references from “airport” to “[public-use airport](#).” (Sections 13, 14, and 15)

The bill authorizes a municipality, a county, or an authority that owns a public-use airport to participate in the federal [Airport Investment Partnership Program](#) (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, the bill authorizes DOT to provide for certain improvements to a municipality, a county, or an authority that has a private partner under the FAA program for the capital cost of a discretionary improvement project at a public-use airport. (Section 15)

The bill also 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, thus authorizing potential DOT financial assistance for airport projects sponsored by such entities. (Section 13)

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<sup>3</sup> The term “rural communities” is defined in [s. 288.0656\(2\), F.S.](#)

## [Widening of Interstate 4](#)

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. (Section 28)

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. (Section 28)

## [Sarasota Manatee Airport Authority](#)

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. (Section 16)

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. (Section 16)

The bill provides a repeal date for the SMAA pilot program of June 30, 2028, unless reviewed and reenacted by the Legislature. (Section 16)

## [Greater Miami Expressway Agency](#)

The bill provides that the two members of the Greater Miami Expressway Agency appointed by the board of county commissioners of Miami-Dade County must be residents of an unincorporated portion of the county and reside within 15 miles of an agency toll road. (Section 26)

The bill updates cross references in accordance with the provisions of the bill.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2025, except as otherwise expressly provided in the bill. (Section 29)

### **RULEMAKING:**

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

The bill requires 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 creates new responsibilities and requirements for DOT, however, the fiscal impact of these provisions is indeterminate.

The bill authorizes, but does not necessarily require, additional funding within the Work Program or other existing department operational resources. The bill uses permissive language allowing DOT 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.

The bill requires DOT to implement the Next-generation Traffic Signal Modernization Program which would require DOT to retrofit all existing traffic signals and controllers on the State Highway System and nonstate highway system. The fiscal impact of this provision on the department is indeterminant but likely significant. However, there is no completion date established in the bill so it is likely DOT can make these improvements through the Work Program gradually, thus leveling out expenditures over a period of time. DOT will also incur indeterminate costs to develop a report regarding the widening of I-4 as required by the bill. The bill establishes a pilot program regarding alternative permitting procedures at the Sarasota Manatee Airport Authority and requires DOT to adopt rules to implement the program and submit recommendations to the Legislature. This bill contains no appropriations and it is anticipated that any workload or need for increased expenditures will be absorbed within existing Work Program or other operational resources.

The bill requires EDR to collect certain fiscal information from counties and report their findings to the Legislature and DOT.

The DOT has not provided a fiscal impact or policy analysis for this bill.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Vehicular Traffic on Coastal Beaches](#)

Current law provides that vehicular traffic, except that which is necessary for cleanup, repair, or public safety, or for the purpose of maintaining existing licensed and permitted traditional commercial fishing activities or existing authorized public accessways, is prohibited on coastal beaches except where a local government with jurisdiction over a coastal beach or portions of a coastal beach has:

- Authorized such traffic, by at least a three-fifths vote of its governing body, on all or portions of the beaches under its jurisdiction prior to the effective date of this act; and
- Determined, by October 1, 1989, in accordance with the rules of the department, that less than 50 percent of the peak user demand for off-beach parking is available. However, the requirements and department rulemaking authority provided in this paragraph shall not apply to counties that have adopted, prior to January 1, 1988, unified countywide beach regulations pursuant to a county home rule charter.<sup>4</sup>

#### [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.<sup>5</sup>

#### [School Bus Infraction Detection Systems](#)

Under Florida law, a school bus infraction detection system is a camera system affixed to a school bus with two or more camera sensors or computers that produce a recorded video and two or more film or digital photographic still images for the purpose of documenting a motor vehicle being used or operated in a manner that violates the following laws relating to traffic stopping for a school bus:<sup>6</sup>

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<sup>4</sup> S. [161.58\(2\), F.S.](#)

<sup>5</sup> S. [218.322, F.S.](#)

<sup>6</sup> S. [316.003\(78\), F.S.](#)

- Any person using, operating, or driving a vehicle on or over the roads or highways of this state must, upon approaching any school bus which displays a stop signal, bring such vehicle to a full stop while the bus is stopped, and the vehicle must not pass the school bus until the signal has been withdrawn.<sup>7</sup>
- Any person using, operating, or driving a vehicle must not pass a school bus on the side that children enter and exit when the school bus displays a stop signal.<sup>8</sup>

Florida law authorizes school districts to install and operate a school bus infraction detection system on a school bus to enforce such laws.<sup>9</sup>

### [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.<sup>10</sup> To meet this requirement, it has adopted the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).<sup>11</sup> 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.

### [Automated Driving Systems](#)

Current law defines an “automated driving system” as the hardware and software that are collectively capable of performing the entire dynamic driving task of an autonomous vehicle on a sustained basis, regardless of whether it is limited to a specific operational design domain.<sup>12</sup> The term “dynamic driving task” means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic within its specific operational design domain, if any, excluding strategic functions such as trip scheduling and selection of destinations and waypoints.<sup>13</sup>

### [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.<sup>14</sup> These devices are defined in Florida law as follows:

- Electric bicycle:<sup>15</sup> 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:
  - “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.

<sup>7</sup> S. [316.172\(1\)\(a\), F.S.](#)

<sup>8</sup> S. [316.172\(1\)\(b\), F.S.](#)

<sup>9</sup> S. [316.173\(1\)\(a\), F.S.](#) Section [1006.21\(3\)\(h\), F.S.](#), provides that a district school board, after considering recommendations of the district school superintendent, may install and operate, or enter into an agreement with a private vendor or manufacturer to provide, a school bus infraction detection system.

<sup>10</sup> S. [316.0745\(1\), F.S.](#)

<sup>11</sup> R. 14-15.010, F.A.C.

<sup>12</sup> S. [316.003\(b\), F.S.](#)

<sup>13</sup> S. [316.003\(3\)\(b\), F.S.](#)

<sup>14</sup> Ss. 316.20655 and [316.2128, F.S.](#)

<sup>15</sup> S. [316.003\(23\), F.S.](#)

- “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:<sup>16</sup> 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:<sup>17</sup> 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.<sup>18</sup>

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.<sup>19</sup> Helmets are required for operators under the age of 16.<sup>20</sup>

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.<sup>21</sup> The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas.<sup>22</sup>
- 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.<sup>23</sup>
- Adopt an ordinance governing the operation of motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government’s jurisdiction.<sup>24</sup>

### [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,<sup>25</sup> a person with a long-term mobility impairment is issued a 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.<sup>26</sup>

<sup>16</sup> S. [316.003\(48\), F.S.](#)

<sup>17</sup> S. [316.003\(41\), F.S.](#)

<sup>18</sup> S. [316.20655\(6\), F.S.](#)

<sup>19</sup> Ss. [316.20655\(2\)](#) and [316.2128\(2\)&\(3\), F.S.](#)

<sup>20</sup> S. [316.2065\(3\)\(d\), F.S.](#)

<sup>21</sup> S. [316.008\(7\)\(a\), F.S.](#)

<sup>22</sup> *Id.*

<sup>23</sup> S. [316.2128\(1\), F.S.](#)

<sup>24</sup> S. [316.2128\(1\), F.S.](#)

<sup>25</sup> 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.](#)

<sup>26</sup> S. [320.0848\(1\)\(a\), F.S.](#)

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.<sup>27</sup>

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.<sup>28</sup>

### Eminent Domain Authority

Eminent domain refers to the government's power to take private property and convert it into public use.<sup>29</sup> 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.<sup>30</sup>

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."<sup>31</sup>

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.<sup>32</sup>

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.<sup>33</sup> 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.<sup>34</sup>

### 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.<sup>35</sup> 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.<sup>36</sup> 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.<sup>37</sup>

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

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<sup>27</sup> S. [320.0848\(1\)\(b\), F.S.](#)

<sup>28</sup> Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: Question on HB 567 (Mar. 20, 2025).

<sup>29</sup> 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](https://www.law.cornell.edu/wex/eminent_domain#:~:text=Eminent%20domain%20refers%20to%20the,compensation%20to%20the%20property%20owners). (last visited Mar. 18, 2025).

<sup>30</sup> U.S. Const. amend. V.

<sup>31</sup> Florida's eminent domain laws are codified in chapters 73 and 74, F.S.

<sup>32</sup> S. [334.044\(6\), F.S.](#)

<sup>33</sup> S. [337.27\(1\), F.S.](#)

<sup>34</sup> S. [334.03\(29\)\(b\), F.S.](#)

<sup>35</sup> S. [334.065\(1\), F.S.](#)

<sup>36</sup> *Id.*

<sup>37</sup> S. [334.065\(2\), F.S.](#)

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.<sup>38</sup>

### [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 Act<sup>39</sup> 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.<sup>40</sup>

### [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.<sup>41</sup>

### [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.<sup>42</sup>

### [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.<sup>43</sup>

### [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.<sup>44</sup>

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<sup>38</sup> S. [334.065\(3\), F.S.](#)

<sup>39</sup> Pub. L. 91-190; 83 State. 852.

<sup>40</sup> DOT District 7, *What is a PD&E Study*, <https://www.fdotd7studies.com/projects/what-is-a-pde-study/>. (last visited Mar. 18, 2025).

<sup>41</sup> S. [337.11\(1\), F.S.](#)

<sup>42</sup> S. [337.11\(4\), F.S.](#)

<sup>43</sup> S. [337.11\(7\)\(b\), F.S.](#) The project’s budget and scope are as advertised in the request for qualifications.

<sup>44</sup> 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).

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.<sup>45</sup>

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.<sup>46</sup>

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.<sup>47</sup>

### [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.<sup>48</sup> DOT's contractor certification rules address these qualifications and provide requirements regarding a contractor's equipment, past record, experience, financial resources, and organizational personnel.<sup>49</sup>

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.<sup>50</sup>

### [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 must furnish a contract bond. DOT may waive all or a portion of the bonding requirement for contracts of \$150,000 or less.<sup>51</sup>

### [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.<sup>52</sup>

The contractor<sup>53</sup> may submit a claim<sup>54</sup> 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.<sup>55</sup>

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<sup>45</sup> *Id.* at Sections 7-13.2, 7-13.3, and 7-13.4.

<sup>46</sup> 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).

<sup>47</sup> S. [337.11\(15\), F.S.](#)

<sup>48</sup> Certification for qualification is pursuant to [s. 337.14, F.S.](#), and DOT rules.

<sup>49</sup> S. [337.14\(1\), F.S.](#)

<sup>50</sup> S. [337.14\(1\), F.S.](#)

<sup>51</sup> S. [337.14\(2\), F.S.](#)

<sup>52</sup> S. [337.185\(1\), F.S.](#)

<sup>53</sup> 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.

Parties may not make an arbitration request prior to DOT's final acceptance of the project;<sup>56</sup> but such requests must be made within 820 days after final acceptance.<sup>57</sup>

## Metropolitan Planning Organizations

### *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.<sup>58</sup> 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.<sup>59</sup>

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 by the U.S. Census.<sup>60</sup> As seen below, Florida has 27 M.P.O.s, and each have their own geographical boundary and board of voting members.<sup>61</sup>

### *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.<sup>62</sup>

### *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.<sup>63</sup>

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<sup>54</sup> 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.

<sup>55</sup> S. [337.185\(4\), F.S.](#)

<sup>56</sup> 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.

<sup>57</sup> S. [337.185\(5\), F.S.](#)

<sup>58</sup> S. [339.175\(1\), F.S.](#)

<sup>59</sup> *Id.*

<sup>60</sup> 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).

<sup>61</sup> 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](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).

<sup>62</sup> S. [339.175\(2\), F.S.](#)

<sup>63</sup> S. [339.175\(6\)\(j\), F.S.](#)

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),<sup>64</sup> and M.P.O.s responsible for coordinating regional long-range transportation plans.<sup>65</sup> The M.P.O.s develop their Long Range Transportation Plan (LRTP) to implement national and state goals for their metropolitan area.<sup>66</sup> Projects are developed and must be included in the LRTP to be considered for funding.<sup>67</sup> 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).<sup>68</sup> An M.P.O.'s TIP includes a listing of projects planned for the next five fiscal years.<sup>69</sup> 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).<sup>70</sup> To be eligible for federal funding, projects must be included in the LRTP, TIP, and STIP.<sup>71</sup> The projects included in an M.P.O.'s TIP are funded and completed through the Work Program (WP).<sup>72</sup>

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.<sup>73</sup>

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.

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<sup>64</sup> 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).

<sup>65</sup> DOT, *supra* note 90.

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*

<sup>68</sup> *Id.*

<sup>69</sup> DOT, *STIP Information*, <https://www.fdot.gov/workprogram/federal/stip-mpostip.shtm> (last visited Mar. 21, 2025).

<sup>70</sup> DOT, *supra* note 90.

<sup>71</sup> *Id.*

<sup>72</sup> *Id.*

<sup>73</sup> [S. 339.175\(6\)\(b\), F.S.](#)

- 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.<sup>74</sup>

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 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. <sup>75</sup>

#### *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.<sup>76</sup>

#### [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.<sup>77</sup> DOT must plan and develop SIS highway corridors to allow for high-speed and high-volume.<sup>78</sup> 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.<sup>79</sup>

<sup>74</sup> S. [339.175\(7\), F.S.](#)

<sup>75</sup> *Id.*

<sup>76</sup> S. [339.175\(6\)\(i\), F.S.](#)

<sup>77</sup> DOT, *Strategic Intermodal System*, <https://www.fdot.gov/planning/systems/sis> (last visited Mar. 21, 2025).

<sup>78</sup> S. [339.65\(1\), F.S.](#)

<sup>79</sup> 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.<sup>80</sup>

### [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.<sup>81</sup>

#### *Rural Areas of Opportunity*

A Rural Area of Opportunity (RAO) is a rural community,<sup>82</sup> 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.<sup>83</sup> An area may also be designated as an RAO if it presents a unique economic development opportunity of regional impact.<sup>84</sup> 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.<sup>85</sup>

### [Landing Fees](#)

Florida law does not currently address aircraft landing fees charged by airports. A landing fee is an amount levied on an aircraft operator by the airport for landing and use of the runway. These fees help pay the cost of operating the airport and are typically based on the weight of the aircraft.<sup>86</sup>

In 2000, the Federal Aviation Administration (FAA) required aircraft to contain certain aircraft positioning equipment on general aviation equipment operating in certain airspace. This information has allowed airports to automatically invoice landing fees.<sup>87</sup>

Several collegiate institutions in Florida currently offer aviation-related programs, including Embry-Riddle Aeronautical University, Jacksonville University, the Florida Institute of Technology, and Everglades University.

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<sup>80</sup> S. [339.65\(4\), F.S.](#)

<sup>81</sup> Florida College System, Florida Department of Education, <https://www.fldoe.org/schools/higher-ed/fl-college-system/> (last visited Mar. 22, 2025).

<sup>82</sup> S. [288.0656\(2\)\(e\), F.S.](#)

<sup>83</sup> S. [288.0656\(2\)\(d\), F.S.](#)

<sup>84</sup> *Id.*

<sup>85</sup> S. [288.0656\(7\)\(b\), F.S.](#)

<sup>86</sup> Simple Flying, *What Are Landing Fees in Aviation & Why Are They Important?* <https://simpleflying.com/aviation-landing-fees-guide/> (last visited April 7, 2025).

<sup>87</sup> Aircraft Owners and Pilots Association, *Florida cities, county prepare to impose new fees on airport users*, <https://www.aopa.org/news-and-media/all-news/2024/september/04/florida-cities-county-prepare-to-impose-new-fees-on-airport-users> (last visited April, 7, 2025).

## [Florida Airport Development and Assistance Act](#)

The Florida Airport Development and Assistance Act (FADAA)<sup>88</sup> provides DOT with certain statutory duties regarding aviation development and assistance. These duties include providing financial and technical assistance to airports,<sup>89</sup> and encouraging the maximum allocation of federal funds to local airport projects.<sup>90</sup>

For purposes of the FADAA, the term “[public-use airport](#)” means any publicly owned airport which is used or to be used for public purposes.<sup>91</sup> Further, the term “[eligible agency](#)” means a political subdivision of the state or an authority which owns or seeks to develop a public-use airport.<sup>92</sup>

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.<sup>93</sup>

DOT is authorized to fund certain aviation and airport-related projects, subject to certain requirements and limits on airport funding from the State Transportation Trust Fund (STTF). Requirements can be based on the airport type, availability of federal funds, project type, and size of the airport.

## [Federal Airport Investment Partnership Program](#)

The federal Airport Investment Partnership Program,<sup>94</sup> 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 to be used exclusively for airport purposes.<sup>95</sup>

## [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.<sup>96</sup>

## [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 Governor, each serving four-year terms. Three Commissioners reside in Manatee County and three reside in Sarasota County.<sup>97</sup>

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<sup>88</sup> Ss. 332.003-332.007, F.S.

<sup>89</sup> S. [332.006\(4\), F.S.](#)

<sup>90</sup> S. [332.006\(8\), F.S.](#)

<sup>91</sup> S. [332.004\(14\), F.S.](#)

<sup>92</sup> S. [332.004\(7\), F.S.](#)

<sup>93</sup> S. [332.007\(4\)\(a\), F.S.](#)

<sup>94</sup> 49 U.S.C. s. 47134, the program was previously known as the Airport Privatization Pilot Program.

<sup>95</sup> Federal Aviation Administration, *Airport Investment Partnership Program, formerly Airport Privatization Pilot Program*, [https://www.faa.gov/airports/airport\\_compliance/privatization](https://www.faa.gov/airports/airport_compliance/privatization) (last visit March 28, 2025).

<sup>96</sup> DOT, *Moving I-4 Forward*, <https://movingi4forward.com/> (last visited Mar. 21, 2025).

<sup>97</sup> Airport Authority, Sarasota Manatee Airport Authority, <https://flsyrq.com/airport-authority> (last visited Mar. 22, 2025).

[Greater Miami Expressway Agency](#)

The governing body of the Greater Miami Expressway Agency consist of nine voting members. Four members, each of whom must be a permanent resident of Miami-Dade County, are appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature. Two members, who must be residents of an unincorporated portion of the county and residing within 15 miles of an area with the highest amount of agency toll roads, are appointed by the board of county commissioners of Miami-Dade County. Two members, who must be residents of incorporated municipalities within a county served by the agency, are appointed by the metropolitan planning organization for a county served by the agency. The district secretary of DOT serving in the district that contains Miami-Dade County serves as an ex officio voting member of the governing body.<sup>98</sup>

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<sup>98</sup> S. [348.0304\(3\), F.S.](#)