

1                   A bill to be entitled  
2     An act relating to transportation; amending s.  
3     260.0142, F.S.; requiring the Florida Greenways and  
4     Trails Council to meet within a specified timeframe to  
5     update specified recommendations; amending s. 311.14,  
6     F.S.; requiring each seaport to include specified  
7     strategies for obtaining and maintaining critical  
8     infrastructure resources as part of a 10-year  
9     strategic plan; defining the term "critical  
10    infrastructure resources"; creating s. 311.26, F.S.;  
11    requiring the Department of Transportation to  
12    coordinate with certain entities for a specified  
13    purpose; amending s. 316.003, F.S.; revising the  
14    definition of the term "personal delivery device";  
15    amending s. 316.008, F.S.; authorizing a personal  
16    delivery device to be operated in specified areas;  
17    providing an exception; amending s. 316.2071, F.S.;  
18    authorizing a personal delivery device to operate in  
19    specified areas; providing an exception; prohibiting a  
20    personal delivery device or mobile carrier from  
21    interfering with bicyclists and motor vehicles;  
22    prohibiting a personal delivery device or mobile  
23    carrier from operating in specified areas unless  
24    certain conditions are met; authorizing the department  
25    to adopt rules; amending s. 330.41, F.S.; prohibiting

26        a political subdivision from taking certain actions  
27        against a drone delivery service on a commercial  
28        property; removing a limitation relating to drone  
29        ports; providing that the addition of a drone delivery  
30        service within the parking area of a commercial  
31        property does not reduce the number of parking spaces  
32        for a specified purpose; amending s. 332.001, F.S.;  
33        revising powers and duties of the department with  
34        respect to airport systems in this state; amending s.  
35        332.006, F.S.; requiring the department to coordinate  
36        with certain airports for a specified purpose;  
37        amending s. 332.0075, F.S.; requiring commercial  
38        service airports to provide methods for obtaining and  
39        maintaining critical infrastructure resources;  
40        defining the term "critical infrastructure resources";  
41        amending s. 334.03, F.S.; defining the term "advanced  
42        air mobility corridor connection point"; revising the  
43        definition of the term "transportation corridor";  
44        amending s. 334.044, F.S.; providing and revising  
45        powers and duties of the department; amending s.  
46        334.63, F.S.; providing state policy; requiring a  
47        governmental entity to include certain information in  
48        specified publications; defining the terms  
49        "nonpecuniary factor" and "net-zero policies";  
50        amending s. 341.041, F.S.; providing that certain

provisions relating to paratransit services apply only to persons with disabilities; amending s. 790.19, F.S.; providing penalties for shooting into or throwing deadly missiles into an occupied or unoccupied autonomous vehicle; amending s. 806.13, F.S.; providing penalties for defacing, injuring, or damaging an autonomous vehicle; amending ss. 311.07, 316.0777, 316.515, 336.01, 338.222, 341.8225, 376.3071, 403.7211, 479.261, 715.07, 921.0022, and 1006.23, F.S.; conforming cross-references; providing an effective date.

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

**Section 1. Paragraph (h) of subsection (4) of section 260.0142, Florida Statutes, is amended to read:**

260.0142 Florida Greenways and Trails Council; composition; powers and duties.—

(4) The duties of the council include the following:

(h) Make recommendations for updating and revising the implementation plan for the Florida Greenways and Trails System, including, but not limited to, recommendations for prioritization of regionally significant trails within the Florida Shared-Use Nonmotorized Trail Network. The council shall meet within 90 days after the Department of Transportation

76 submits its report pursuant to s. 339.81(8) to update its  
77 recommendations for prioritization of regionally significant  
78 trails within the network.

79 **Section 2. Paragraph (b) of subsection (2) of section**  
80 **311.14, Florida Statutes, is amended to read:**

81 311.14 Seaport planning.—

82 (2) Each port shall develop a strategic plan with a 10-  
83 year horizon. Each plan must include the following:

84 (b) An infrastructure development and improvement  
85 component that identifies all projected infrastructure  
86 improvements within the plan area which require improvement,  
87 expansion, or development in order for a port to attain a  
88 strategic advantage for competition with national and  
89 international competitors. This component must provide  
90 strategies for obtaining and maintaining critical infrastructure  
91 resources for the port and its tenants. Such strategies must  
92 include long-term contracts, rights of first refusal regarding  
93 the sale or lease of property storing such resources, and  
94 contingency plans for obtaining such resources. For purposes of  
95 this paragraph, the term "critical infrastructure resources"  
96 includes, but is not limited to, access to electricity, fuel,  
97 and water resources.

98  
99 To the extent feasible, the port strategic plan must be  
100 consistent with the local government comprehensive plans of the

units of local government in which the port is located. Upon approval of a plan by the port's board, the plan shall be submitted to the Florida Seaport Transportation and Economic Development Council.

**Section 3. Section 311.26, Florida Statutes, is created to read:**

311.26 Florida Seaport Maritime Industrial Base.—The Department of Transportation shall coordinate with the Department of Commerce and the ports listed in s. 311.09, the United States Department of Commerce, and the United States Department of War to identify and prioritize key maritime components in the supply chain which are essential to strengthening and expanding this state's maritime industrial base. The ports listed in s. 311.09 shall support projects evaluated by the Department of Transportation, which shall directly support the construction, maintenance, and modernization of both commercial vessels, including cargo vessels, and vessels designed for national defense. Projects shall be evaluated based on the return on invested capital, job creation, and contribution to the economic competitiveness of this state and based on support for the national security interests of the United States. Additional considerations shall include the anticipated enhancement of this state's commercial maritime capabilities.

**Section 4. Subsection (59) of section 316.003, Florida**

126 **Statutes, is amended to read:**

127       316.003 Definitions.—The following words and phrases, when  
128 used in this chapter, shall have the meanings respectively  
129 ascribed to them in this section, except where the context  
130 otherwise requires:

131       (59) PERSONAL DELIVERY DEVICE.—An electrically powered  
132 device that:

133       (a) Is operated on sidewalks, ~~and~~ crosswalks, bicycle  
134 lanes, bicycle paths, or shoulders on streets, roadways, or  
135 highways, excluding limited access facilities, and intended  
136 primarily for transporting property;

137       (b) Has a weight that does not exceed the maximum weight  
138 established by Department of Transportation rule;

139       (c) Operates at ~~Has~~ a maximum speed of 10 miles per hour  
140 on sidewalks and crosswalks and 20 miles per hour on bicycle  
141 lanes, bicycle paths, or shoulders on streets, roadways, or  
142 highways, excluding limited access facilities; and

143       (d) Is equipped with technology to allow for operation of  
144 the device with or without the active control or monitoring of a  
145 natural person.

146  
147 A personal delivery device is not considered a vehicle unless  
148 expressly defined by law as a vehicle. A mobile carrier is not  
149 considered a personal delivery device. The Department of  
150 Transportation may adopt rules to implement this subsection.

**Section 5. Paragraph (b) of subsection (7) of section 316.008, Florida Statutes, is amended to read:**

316.008 Powers of local authorities.—

(7)

(b)1. Except as provided in subparagraph 2., a personal delivery device may be operated on sidewalks, crosswalks, bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities, and a mobile carrier may be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law. This paragraph does not restrict a county or municipality from otherwise adopting regulations for the safe operation of personal delivery devices and mobile carriers.

2. A personal delivery device may not be operated on the Florida Shared-Use Nonmotorized Trail Network created under s. 339.81 or components of the Florida Greenways and Trails System created under chapter 260.

**Section 6. Subsections (1) and (3) of section 316.2071, Florida Statutes, are amended, and subsection (5) is added to that section, to read:**

316.2071 Personal delivery devices and mobile carriers.—

(1) Notwithstanding any provision of law to the contrary, a personal delivery device may operate on sidewalks, crosswalks, bicycle lanes, bicycle paths, or shoulders on streets, roadways, or highways, excluding limited access facilities, and a ~~or~~

176 mobile carrier may operate on sidewalks and crosswalks, subject  
177 to s. 316.008(7)(b). Such ~~A~~ personal delivery device or mobile  
178 carrier ~~operating on a sidewalk or crosswalk~~ has all the rights  
179 and duties applicable to a pedestrian under the same  
180 circumstances. ~~A, except that the~~ personal delivery device or  
181 mobile carrier may ~~must~~ not unreasonably interfere with  
182 pedestrians, bicyclists, and motor vehicles ~~or traffic~~ and must  
183 yield the right-of-way to pedestrians ~~on the sidewalk or~~  
184 ~~crosswalk~~.

185 (3) A personal delivery device and a mobile carrier may  
186 not:

187 (a) Operate on a sidewalk, crosswalk, bicycle lane, or  
188 shoulder on a street, roadway, or highway, excluding a limited  
189 access facility, unless the personal delivery device or mobile  
190 carrier meets minimum criteria established by the Department of  
191 Transportation ~~public highway except to the extent necessary to~~  
192 ~~cross a crosswalk~~.

193 (b) Operate on a sidewalk, ~~or~~ crosswalk, bicycle lane,  
194 bicycle path, or shoulder on a street, roadway, or highway,  
195 excluding a limited access facility, unless a human who is an  
196 agent of the personal delivery device operator is capable of  
197 actively controlling and ~~or~~ monitoring the navigation and  
198 operation of the personal delivery device or a mobile carrier  
199 owner remains within 25 feet of the mobile carrier.

200 (c) Transport hazardous materials as defined in s.



316.003.

(d) For mobile carriers, transport persons or animals.

(5) The Department of Transportation may adopt rules to implement this section.

**Section 7. Paragraph (c) of subsection (3) of section 330.41, Florida Statutes, is amended, and a new paragraph (e) is added to that subsection, to read:**

330.41 Unmanned Aircraft Systems Act.—

(3) REGULATION.—

(c) Except as otherwise expressly provided, a political subdivision may not withhold issuance of a business tax receipt, development permit, or other conditional use approval to a drone delivery service on a commercial property or enact or enforce an ordinance or resolution that prohibits a drone delivery service's operation ~~based on the location of its drone port~~, notwithstanding part II of chapter 163 and chapter 205. A political subdivision may enforce minimum setback and landscaping regulations that are generally applicable to permitted uses in the drone port site's zoning district. This paragraph may not be construed to authorize a political subdivision to require additional landscaping as a condition of approval ~~of a drone port~~.

(e) The addition of a drone delivery service within the parking area of a commercial property does not reduce the number of parking spaces for the purpose of meeting applicable minimum

226 parking requirements.

227 **Section 8. Subsection (1) of section 332.001, Florida**  
228 **Statutes, is amended to read:**

229 332.001 Aviation; powers and duties of the Department of  
230 Transportation.—

231 (1) It shall be the duty, function, and responsibility of  
232 the Department of Transportation to plan and direct investments  
233 in airport systems in this state to facilitate the efficient  
234 movement of passengers and cargo and to continuously improve the  
235 experience for the flying public and the supply chain of this  
236 state's businesses. In carrying out this duty and  
237 responsibility, the department may assist and advise, cooperate,  
238 and coordinate with the federal, state, local, or private  
239 organizations and individuals in planning such systems of  
240 airports.

241 **Section 9. Subsection (10) is added to section 332.006,**  
242 **Florida Statutes, to read:**

243 332.006 Duties and responsibilities of the Department of  
244 Transportation.—The Department of Transportation shall, within  
245 the resources provided to the department:

246 (10) Coordinate with commercial service airports in this  
247 state to review United States Transportation Security  
248 Administration policies and programs, including programs for  
249 veterans and active duty members of the United States Armed  
250 Forces and their families to increase the efficiency of

passenger screening and the overall customer service experience  
of the flying public.

**Section 10. Subsections (4), (5), and (6) of section  
332.0075, Florida Statutes, are renumbered as subsections (5),  
(6), and (7), respectively, and a new subsection (4) is added to  
that section to read:**

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

(4) Notwithstanding any other provision of law, commercial  
service airports must provide methods for obtaining and  
maintaining critical infrastructure resources for the airport,  
its tenants, and the traveling public. Such strategies must  
include long-term contracts and rights of first refusal  
regarding the sale of and contingency plans for such resources.  
For purposes of this subsection, the term "critical  
infrastructure resources" includes, but is not limited to,  
access to electricity, fuel, and water resources.

**Section 11. Subsections (1) through (37) of section  
334.03, Florida Statutes, are renumbered as subsections (2)  
through (38), respectively, present subsection (29) is amended,  
and a new subsection (1) is added to that section, to read:**

334.03 Definitions.—When used in the Florida  
Transportation Code, the term:

(1) "Advanced air mobility corridor connection point"  
means any land area or transportation facility, including any

276 airspace, designated by the department as suitable to support  
277 the efficient movement of people and goods by use as a  
278 connection point for advanced air mobility.

279 ~~(30)~~~~(29)~~ "Transportation corridor" means any advanced air  
280 mobility corridor connection point or any land area designated  
281 by the state, a county, or a municipality which is between two  
282 geographic points and which area is used or suitable for the  
283 movement of people and goods by one or more modes of  
284 transportation, including areas necessary for management of  
285 access and securing applicable approvals and permits.  
286 Transportation corridors, other than advanced air mobility  
287 corridor connection points, shall contain, but are not limited  
288 to, the following:

289 (a) Existing publicly owned rights-of-way;

290 (b) All property or property interests necessary for  
291 future transportation facilities, including rights of access,  
292 air, view, and light, whether public or private, for the purpose  
293 of securing and utilizing future transportation rights-of-way,  
294 including, but not limited to, any lands reasonably necessary  
295 now or in the future for securing applicable approvals and  
296 permits, borrow pits, drainage ditches, water retention areas,  
297 rest areas, replacement access for landowners whose access could  
298 be impaired due to the construction of a future facility, and  
299 replacement rights-of-way for relocation of rail and utility  
300 facilities.

301       **Section 12. Subsections (5), (20), and (21) of section**  
302       **334.044, Florida Statutes, are amended, and subsections (40),**  
303       **(41), and (42) are added to that section, to read:**

304       334.044 Powers and duties of the department.—The  
305       department shall have the following general powers and duties:

306       (5) To purchase, lease, or otherwise acquire property and  
307       materials, including the purchase of promotional items as part  
308       of public information and education campaigns for the promotion  
309       of environmental management, scenic highways, traffic and train  
310       safety awareness, commercial motor vehicle safety, workforce  
311       development, transportation economic development opportunities  
312       ~~electric vehicle use and charging stations~~, autonomous vehicles,  
313       advanced air mobility, and context classification for electric  
314       vehicles and autonomous vehicles; to purchase, lease, or  
315       otherwise acquire equipment and supplies; and to sell, exchange,  
316       or otherwise dispose of any property that is no longer needed by  
317       the department.

318       (20) To operate and maintain research facilities  
319       designated by the department, to conduct and enter into  
320       contracts and agreements for compensation for conducting  
321       research by the department and private entities ~~studies~~, and to  
322       collect data necessary for the improvement of the state  
323       transportation system.

324       (21) To conduct and enter into contracts and agreements  
325       for research and demonstration projects relative to innovative

326 transportation technologies.

327 (40) To coordinate with local governments and  
328 municipalities to review federal funding grant applications that  
329 impact or may impact state-owned rights-of-way, roads, bridges,  
330 and limited access facilities to the department for review and  
331 approval before submission to the Federal Government or the  
332 Federal Highway Administration.

333 (41) To coordinate with local governments to review and  
334 develop applications for federal funding to ensure that each  
335 project will have the maximum benefit to this state  
336 transportation system, contributing to congestion relief and  
337 infrastructure improvements.

338 (42) Notwithstanding s. 20.255(9), to serve as the point  
339 of contact for statewide topographic aerial light detection and  
340 ranging (LiDAR) procurement and cost sharing related to  
341 statewide geographic information systems and geospatial data  
342 sharing. The department may provide these services to other  
343 state and local agencies by entering into an interagency  
344 agreement consistent with chapter 216. Notwithstanding any other  
345 law, including any charter provision, ordinance, statute, or  
346 special law, all state and local agencies conducting programs or  
347 exercising powers relating to topographic aerial LiDAR may enter  
348 into interagency agreements consistent with chapter 216 with the  
349 department for the provision by the department of topographic  
350 aerial LiDAR procurement and cost-sharing services, and to

delegate such authority to conduct programs or exercise powers relating to topographic aerial LiDAR procurement and cost-sharing services to the department pursuant to such interagency agreements. The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

**Section 13. Subsection (3) is added to section 334.63, Florida Statutes, to read:**

334.63 Project concept studies and project development and environment studies.—

(3)(a) It is the policy of this state that nonpecuniary factors are not considerations in taxpayer-funded project development and environmental studies. To the extent such nonpecuniary factors are a requirement of federal law or as a condition of receipt of federal transportation funding, a governmental entity must include the following in any publication, document, report, presentation, webpage, or digital application:

1. A written statement that federal law requires such considerations as part of the project development and environmental study in question and a reference to such federal law.

2. The amount of taxpayer funding required to make such considerations, including the approximate increase in costs related to nonpecuniary factors.

3. The estimated cost increase for all project phases for

the overall recommended project when nonpecuniary factors are considered.

(b) For purposes of this subsection, the term "nonpecuniary factor" includes any of the following:

1. Considerations related to social justice, including diversity, equity, and inclusion or the placement of highways or transportation facilities having a disproportionate effect or impact on a specific demographic;

2. Considerations related to environmental justice, including the social or cultural environment being impacted by the actions;

3. Sociocultural effect evaluations; or

4. Additional considerations related to climate alarmism, including any benchmark, standard, threshold, goal, or requirement related to emissions, motor vehicle fuel sources, decarbonization, and net-zero policies. For purposes of this subparagraph, the term "net-zero policies" means achieving a balance between the total amount of greenhouse gases released into the atmosphere and the amount removed. The term does not include standard reviews related to section 4(f) requirements outlined in 49 U.S.C. s. 303 and 23 U.S.C. s. 138.

**Section 14. Subsection (16) of section 341.041, Florida Statutes, is amended to read:**

341.041 Transit responsibilities of the department.—The department shall, within the resources provided pursuant to



chapter 216:

(16) Unless otherwise provided by state or federal law, ensure that all grants and agreements between the department and entities providing paratransit services to persons with disabilities include, at a minimum, the following provisions:

(a) Performance requirements for the delivery of services, including clear penalties for repeated or continuing violations;

(b) Minimum liability insurance requirements for all transportation services purchased, provided, or coordinated for the transportation disadvantaged, as defined in s. 427.011(1), through the contracted vendor or subcontractor thereof;

(c) Complaint and grievance processes for users of paratransit services for persons with disabilities ~~users~~, including a requirement that all reported complaints, grievances, and resolutions be reported to the department on a quarterly basis; and

(d) A requirement that the provisions of paragraphs (a), (b), and (c) must be included in any agreement between an entity receiving a grant or an agreement from the department and such entity's contractors or subcontractors that provide paratransit services for persons with disabilities.

**Section 15. Section 790.19, Florida Statutes, is amended to read:**

790.19 Shooting into or throwing deadly missiles into occupied or unoccupied ~~dwellings~~, public or private buildings,

~~occupied or not occupied;~~ vessels, aircraft, public or private  
buses, railroad cars, streetcars, or other vehicles. ~~Any person~~  
~~who~~ ~~Whoever,~~ wantonly or maliciously, ~~shoots at, within, or~~  
into, or throws any missile or hurls or projects a stone or  
other hard substance which would produce death or great bodily  
harm, ~~at, within, or into, in~~ any occupied or unoccupied public  
or private building; ~~any, occupied or unoccupied, or~~ public or  
private bus; ~~or~~ any train, locomotive, railway car, caboose,  
cable railway car, street railway car, monorail car, or vehicle  
of any kind which is being used or occupied by any person; any  
occupied or unoccupied autonomous vehicle; ~~or~~ any boat, vessel,  
ship, or barge lying in or plying the waters of this state; ~~or~~  
any aircraft flying through the airspace of this state commits  
~~shall be guilty of~~ a felony of the second degree, punishable as  
provided in s. 775.082, s. 775.083, or s. 775.084.

**Section 16. Subsections (2) through (12) of section**  
**806.13, Florida Statutes, are renumbered as subsections (3)**  
**through (13), respectively, present subsection (11) is amended,**  
**and a new subsection (2) is added to that section, to read:**

806.13 Criminal mischief; penalties; penalty for minor.—

(2) Any person who willfully or maliciously defaces,  
injures, or damages by any means any autonomous vehicle, as  
defined in s. 316.003(3), commits a felony of the third degree,  
punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
if the damage to the autonomous vehicle is greater than \$200.

451        (12) ~~(11)~~ A minor whose driver license or driving privilege  
452 is revoked, suspended, or withheld under subsection (11) ~~(10)~~  
453 may elect to reduce the period of revocation, suspension, or  
454 withholding by performing community service at the rate of 1 day  
455 for each hour of community service performed. In addition, if  
456 the court determines that due to a family hardship, the minor's  
457 driver license or driving privilege is necessary for employment  
458 or medical purposes of the minor or a member of the minor's  
459 family, the court shall order the minor to perform community  
460 service and reduce the period of revocation, suspension, or  
461 withholding at the rate of 1 day for each hour of community  
462 service performed. As used in this subsection, the term  
463 "community service" means cleaning graffiti from public  
464 property.

465        **Section 17. Paragraph (b) of subsection (3) of section**  
466 **311.07, Florida Statutes, is amended to read:**

467        311.07 Florida seaport transportation and economic  
468 development funding.—

469        (3)

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

473        1. Transportation facilities within the jurisdiction of  
474 the port.

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

476 or harbors.

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

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

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

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

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

495       8. Transportation facilities as defined in s. 334.03(31)  
496 ~~s. 334.03(30)~~ which are not otherwise part of the Department of  
497 Transportation's adopted work program.

498       9. Intermodal access projects.

499       10. Construction or rehabilitation of port facilities as  
500 defined in s. 315.02, excluding any park or recreational

501 facilities, in ports listed in s. 311.09(1) with operating  
502 revenues of \$5 million or less, provided that such projects  
503 create economic development opportunities, capital improvements,  
504 and positive financial returns to such ports.

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

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

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

514 **Section 18. Paragraph (b) of subsection (2) of section**  
515 **316.0777, Florida Statutes, is amended to read:**

516 316.0777 Automated license plate recognition systems;  
517 installation within rights-of-way of State Highway System;  
518 public records exemption.—

519 (2)

520 (b) At the discretion of the Department of Transportation,  
521 an automated license plate recognition system may be installed  
522 within the right-of-way, as defined in s. 334.03(22) ~~s.~~  
523 ~~334.03(21)~~, of a road on the State Highway System when installed  
524 at the request of a law enforcement agency for the purpose of  
525 collecting active criminal intelligence information or active

criminal investigative information as defined in s. 119.011(3).  
An automated license plate recognition system may not be used to  
issue a notice of violation for a traffic infraction or a  
uniform traffic citation. Such installation must be in  
accordance with placement and installation guidelines developed  
by the Department of Transportation. An automated license plate  
recognition system must be removed within 30 days after the  
Department of Transportation notifies the requesting law  
enforcement agency that such removal must occur.

**Section 19. Paragraph (c) of subsection (5) of section  
316.515, Florida Statutes, is amended to read:**

316.515 Maximum width, height, length.—

(5) IMPLEMENTS OF HUSBANDRY AND FARM EQUIPMENT;  
AGRICULTURAL TRAILERS; FORESTRY EQUIPMENT; SAFETY REQUIREMENTS.—

(c) The width and height limitations of this section do  
not apply to farming or agricultural equipment, whether self-  
propelled, pulled, or hauled, when temporarily operated during  
daylight hours upon a public road that is not a limited access  
facility as defined in s. 334.03(13) ~~s. 334.03(12)~~, and the  
width and height limitations may be exceeded by such equipment  
without a permit. To be eligible for this exemption, the  
equipment shall be operated within a radius of 50 miles of the  
real property owned, rented, managed, harvested, or leased by  
the equipment owner. However, equipment being delivered by a  
dealer to a purchaser is not subject to the 50-mile limitation.

Farming or agricultural equipment greater than 174 inches in width must have one warning lamp mounted on each side of the equipment to denote the width and must have a slow-moving vehicle sign. Warning lamps required by this paragraph must be visible from the front and rear of the vehicle and must be visible from a distance of at least 1,000 feet.

**Section 20. Section 336.01, Florida Statutes, is amended to read:**

336.01 Designation of county road system.—The county road system shall be as defined in s. 334.03(9) ~~s. 334.03(8)~~.

**Section 21. Subsection (2) of section 338.222, Florida Statutes, is amended to read:**

338.222 Department of Transportation sole governmental entity to acquire, construct, or operate turnpike projects; exception.—

(2) The department may, but is not required to, contract with any local governmental entity as defined in s. 334.03(14) ~~s. 334.03(13)~~ for the design, right-of-way acquisition, transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, maintenance, or construction of any turnpike project which the Legislature has approved. Local governmental entities may negotiate and contract with the department for the design, right-of-way acquisition, transfer, purchase, sale, acquisition, or other conveyance of the ownership, operation, maintenance, or construction of any

576 section of the turnpike project within areas of their respective  
577 jurisdictions or within counties with which they have interlocal  
578 agreements.

579 **Section 22. Subsection (2) of section 341.8225, Florida**  
580 **Statutes, is amended to read:**

581 341.8225 Department of Transportation sole governmental  
582 entity to acquire, construct, or operate high-speed rail  
583 projects; exception.—

584 (2) Local governmental entities, as defined in s.  
585 334.03(14) ~~s. 334.03(13)~~, may negotiate with the department for  
586 the design, right-of-way acquisition, and construction of any  
587 component of the high-speed rail system within areas of their  
588 respective jurisdictions or within counties with which they have  
589 interlocal agreements.

590 **Section 23. Paragraph (b) of subsection (12) of section**  
591 **376.3071, Florida Statutes, is amended to read:**

592 376.3071 Inland Protection Trust Fund; creation; purposes;  
593 funding.—

594 (12) SITE CLEANUP.—

595 (b) Low-scored site initiative.—Notwithstanding  
596 subsections (5) and (6), a site with a priority ranking score of  
597 29 points or less may voluntarily participate in the low-scored  
598 site initiative regardless of whether the site is eligible for  
599 state restoration funding.

600 1. To participate in the low-scored site initiative, the



property owner, or a responsible party who provides evidence of authorization from the property owner, must submit a "No Further Action" proposal and affirmatively demonstrate that the conditions imposed under subparagraph 4. are met.

2. Upon affirmative demonstration that the conditions imposed under subparagraph 4. are met, the department shall issue a site rehabilitation completion order incorporating the "No Further Action" proposal submitted by the property owner or the responsible party, who must provide evidence of authorization from the property owner. If no contamination is detected, the department may issue a site rehabilitation completion order.

3. Sites that are eligible for state restoration funding may receive payment of costs for the low-scored site initiative as follows:

a. A property owner, or a responsible party who provides evidence of authorization from the property owner, may submit an assessment and limited remediation plan designed to affirmatively demonstrate that the site meets the conditions imposed under subparagraph 4. Notwithstanding the priority ranking score of the site, the department may approve the cost of the assessment and limited remediation, including up to 12 months of groundwater monitoring and 12 months of limited remediation activities in one or more task assignments or modifications thereof, not to exceed the threshold amount

626 provided in s. 287.017 for CATEGORY TWO, for each site where the  
627 department has determined that the assessment and limited  
628 remediation, if applicable, will likely result in a  
629 determination of "No Further Action." The department may not pay  
630 the costs associated with the establishment of institutional or  
631 engineering controls other than the costs associated with a  
632 professional land survey or a specific purpose survey, if such  
633 is needed, and the costs associated with obtaining a title  
634 report and paying recording fees.

635       b. After the approval of initial site assessment results  
636 provided pursuant to state funding under sub-subparagraph a.,  
637 the department may approve an additional amount not to exceed  
638 the threshold amount provided in s. 287.017 for CATEGORY TWO for  
639 limited remediation needed to achieve a determination of "No  
640 Further Action."

641       c. The assessment and limited remediation work shall be  
642 completed no later than 15 months after the department  
643 authorizes the start of a state-funded, low-score site  
644 initiative task. If groundwater monitoring is required after the  
645 assessment and limited remediation in order to satisfy the  
646 conditions under subparagraph 4., the department may authorize  
647 an additional 12 months to complete the monitoring.

648       d. No more than \$15 million for the low-scored site  
649 initiative may be encumbered from the fund in any fiscal year.  
650 Funds shall be made available on a first-come, first-served

basis and shall be limited to 10 sites in each fiscal year for each property owner or each responsible party who provides evidence of authorization from the property owner.

e. Program deductibles, copayments, and the limited contamination assessment report requirements under paragraph (13) (d) do not apply to expenditures under this paragraph.

4. The department shall issue an order incorporating the "No Further Action" proposal submitted by a property owner or a responsible party who provides evidence of authorization from the property owner upon affirmative demonstration that all of the following conditions are met:

a. Soil saturated with petroleum or petroleum products, or soil that causes a total corrected hydrocarbon measurement of 500 parts per million or higher for the Gasoline Analytical Group or 50 parts per million or higher for the Kerosene Analytical Group, as defined by department rule, does not exist onsite as a result of a release of petroleum products.

b. A minimum of 12 months of groundwater monitoring indicates that the plume is shrinking or stable.

c. The release of petroleum products at the site does not adversely affect adjacent surface waters, including their effects on human health and the environment.

d. The area containing the petroleum products' chemicals of concern:

(I) Is confined to the source property boundaries of the

676 real property on which the discharge originated, unless the  
677 property owner has requested or authorized a more limited area  
678 in the "No Further Action" proposal submitted under this  
679 subsection; or

680 (II) Has migrated from the source property onto or beneath  
681 a transportation facility as defined in s. 334.03(31) ~~s.~~  
682 ~~334.03(30)~~ for which the department has approved, and the  
683 governmental entity owning the transportation facility has  
684 agreed to institutional controls as defined in s. 376.301(21).  
685 This sub-sub-subparagraph does not, however, impose any legal  
686 liability on the transportation facility owner, obligate such  
687 owner to engage in remediation, or waive such owner's right to  
688 recover costs for damages.

689 e. The groundwater contamination containing the petroleum  
690 products' chemicals of concern is not a threat to any permitted  
691 potable water supply well.

692 f. Soils onsite found between land surface and 2 feet  
693 below land surface which are subject to human exposure meet the  
694 soil cleanup target levels established in subparagraph (5)(b)9.,  
695 or human exposure is limited by appropriate institutional or  
696 engineering controls.

697  
698 Issuance of a site rehabilitation completion order under this  
699 paragraph acknowledges that minimal contamination exists onsite  
700 and that such contamination is not a threat to the public

health, safety, or welfare; water resources; or the environment. Pursuant to subsection (4), the issuance of the site rehabilitation completion order, with or without conditions, does not alter eligibility for state-funded rehabilitation that would otherwise be applicable under this section.

**Section 24. Paragraph (a) of subsection (2) of section 403.7211, Florida Statutes, is amended to read:**

403.7211 Hazardous waste facilities managing hazardous wastes generated offsite; federal facilities managing hazardous waste.—

(2) The department may not issue any permit under s. 403.722 for the construction, initial operation, or substantial modification of a facility for the disposal, storage, or treatment of hazardous waste generated offsite which is proposed to be located in any of the following locations:

(a) Any area where life-threatening concentrations of hazardous substances could accumulate at any residence or residential subdivision as the result of a catastrophic event at the proposed facility, unless each such residence or residential subdivision is served by at least one arterial road or urban minor arterial road, as determined under the procedures referenced in s. 334.03(11) ~~s. 334.03(10)~~, which provides safe and direct egress by land to an area where such life-threatening concentrations of hazardous substances could not accumulate in a catastrophic event. Egress by any road leading from any

726 residence or residential subdivision to any point located within  
727 1,000 yards of the proposed facility is unsafe for the purposes  
728 of this paragraph. In determining whether egress proposed by the  
729 applicant is safe and direct, the department shall also  
730 consider, at a minimum, the following factors:

731 1. Natural barriers such as water bodies, and whether any  
732 road in the proposed evacuation route is impaired by a natural  
733 barrier such as a water body.

734 2. Potential exposure during egress and potential  
735 increases in the duration of exposure.

736 3. Whether any road in a proposed evacuation route passes  
737 in close proximity to the facility.

738 4. Whether any portion of the evacuation route is  
739 inherently directed toward the facility.

740  
741 For the purposes of this subsection, all distances shall be  
742 measured from the outer limit of the active hazardous waste  
743 management area. "Substantial modification" includes: any  
744 physical change in, change in the operations of, or addition to  
745 a facility which could increase the potential offsite impact, or  
746 risk of impact, from a release at that facility; and any change  
747 in permit conditions which is reasonably expected to lead to  
748 greater potential impacts or risks of impacts, from a release at  
749 that facility. "Substantial modification" does not include a  
750 change in operations, structures, or permit conditions which

751 does not substantially increase either the potential impact  
752 from, or the risk of, a release. Physical or operational changes  
753 to a facility related solely to the management of nonhazardous  
754 waste at the facility is not considered a substantial  
755 modification. The department shall, by rule, adopt criteria to  
756 determine whether a facility has been substantially modified.  
757 "Initial operation" means the initial commencement of operations  
758 at the facility.

759       **Section 25. Subsection (5) of section 479.261, Florida**  
760 **Statutes, is amended to read:**

761       479.261 Logo sign program.—

762       (5) At a minimum, permit fees for businesses that  
763 participate in the program must be established in an amount  
764 sufficient to offset the total cost to the department for the  
765 program, including contract costs. The department shall provide  
766 the services in the most efficient and cost-effective manner  
767 through department staff or by contracting for some or all of  
768 the services. The department shall adopt rules that set  
769 reasonable rates based upon factors such as population, traffic  
770 volume, market demand, and costs for annual permit fees.  
771 However, annual permit fees for sign locations inside an urban  
772 area, as defined in s. 334.03(32) ~~s. 334.03(31)~~, may not exceed  
773 \$3,500, and annual permit fees for sign locations outside an  
774 urban area, as defined in s. 334.03(32) ~~s. 334.03(31)~~, may not  
775 exceed \$2,000. After recovering program costs, the proceeds from

the annual permit fees shall be deposited into the State Transportation Trust Fund and used for transportation purposes.

**Section 26. Paragraph (a) of subsection (2) of section 715.07, Florida Statutes, is amended to read:**

715.07 Vehicles or vessels parked on private property; towing.—

(2) The owner or lessee of real property, or any person authorized by the owner or lessee, which person may be the designated representative of the condominium association if the real property is a condominium, may cause any vehicle or vessel parked on such property without her or his permission to be removed by a person regularly engaged in the business of towing vehicles or vessels, without liability for the costs of removal, transportation, or storage or damages caused by such removal, transportation, or storage, under any of the following circumstances:

(a) The towing or removal of any vehicle or vessel from private property without the consent of the registered owner or other legally authorized person in control of that vehicle or vessel is subject to substantial compliance with the following conditions and restrictions:

1.a. Any towed or removed vehicle or vessel must be stored at a site within a 10-mile radius of the point of removal in any county of 500,000 population or more, and within a 15-mile radius of the point of removal in any county of fewer than



500,000 population. That site must be open for the purpose of redemption of vehicles on any day that the person or firm towing such vehicle or vessel is open for towing purposes, from 8:00 a.m. to 6:00 p.m., and, when closed, shall have prominently posted a sign indicating a telephone number where the operator of the site can be reached at all times. Upon receipt of a telephoned request to open the site to redeem a vehicle or vessel, the operator shall return to the site within 1 hour or she or he will be in violation of this section.

b. If no towing business providing such service is located within the area of towing limitations set forth in sub-subparagraph a., the following limitations apply: any towed or removed vehicle or vessel must be stored at a site within a 20-mile radius of the point of removal in any county of 500,000 population or more, and within a 30-mile radius of the point of removal in any county of fewer than 500,000 population.

2. The person or firm towing or removing the vehicle or vessel shall, within 30 minutes after completion of such towing or removal, notify the municipal police department or, in an unincorporated area, the sheriff, of such towing or removal, the storage site, the time the vehicle or vessel was towed or removed, and the make, model, color, and license plate number of the vehicle or description and registration number of the vessel and shall obtain the name of the person at that department to whom such information was reported and note that name on the

826 trip record.

827       3. A person in the process of towing or removing a vehicle  
828 or vessel from the premises or parking lot in which the vehicle  
829 or vessel is not lawfully parked must stop when a person seeks  
830 the return of the vehicle or vessel. The vehicle or vessel must  
831 be returned upon the payment of a reasonable service fee of not  
832 more than one-half of the posted rate for the towing or removal  
833 service as provided in subparagraph 6. The vehicle or vessel may  
834 be towed or removed if, after a reasonable opportunity, the  
835 owner or legally authorized person in control of the vehicle or  
836 vessel is unable to pay the service fee. If the vehicle or  
837 vessel is redeemed, a detailed signed receipt must be given to  
838 the person redeeming the vehicle or vessel.

839       4. A person may not pay or accept money or other valuable  
840 consideration for the privilege of towing or removing vehicles  
841 or vessels from a particular location.

842       5. Except for property appurtenant to and obviously a part  
843 of a single-family residence, and except for instances when  
844 notice is personally given to the owner or other legally  
845 authorized person in control of the vehicle or vessel that the  
846 area in which that vehicle or vessel is parked is reserved or  
847 otherwise unavailable for unauthorized vehicles or vessels and  
848 that the vehicle or vessel is subject to being removed at the  
849 owner's or operator's expense, any property owner or lessee, or  
850 person authorized by the property owner or lessee, before towing

851 or removing any vehicle or vessel from private property without  
852 the consent of the owner or other legally authorized person in  
853 control of that vehicle or vessel, must post a notice meeting  
854 the following requirements:

855       a. The notice must be prominently placed at each driveway  
856 access or curb cut allowing vehicular access to the property  
857 within 10 feet from the road, as defined in s. 334.03(23) ~~s.~~  
858 ~~334.03(22)~~. If there are no curbs or access barriers, the signs  
859 must be posted not fewer than one sign for each 25 feet of lot  
860 frontage.

861       b. The notice must clearly indicate, in not fewer than 2-  
862 inch high, light-reflective letters on a contrasting background,  
863 that unauthorized vehicles will be towed away at the owner's  
864 expense. The words "tow-away zone" must be included on the sign  
865 in not fewer than 4-inch high letters.

866       c. The notice must also provide the name and current  
867 telephone number of the person or firm towing or removing the  
868 vehicles or vessels.

869       d. The sign structure containing the required notices must  
870 be permanently installed with the words "tow-away zone" not  
871 fewer than 3 feet and not more than 6 feet above ground level  
872 and must be continuously maintained on the property for not  
873 fewer than 24 hours before the towing or removal of any vehicles  
874 or vessels.

875       e. The local government may require permitting and

876 inspection of these signs before any towing or removal of  
877 vehicles or vessels being authorized.

878       f. A business with 20 or fewer parking spaces satisfies  
879 the notice requirements of this subparagraph by prominently  
880 displaying a sign stating "Reserved Parking for Customers Only  
881 Unauthorized Vehicles or Vessels Will be Towed Away At the  
882 Owner's Expense" in not fewer than 4-inch high, light-reflective  
883 letters on a contrasting background.

884       g. A property owner towing or removing vessels from real  
885 property must post notice, consistent with the requirements in  
886 sub-subparagraphs a.-f., which apply to vehicles, that  
887 unauthorized vehicles or vessels will be towed away at the  
888 owner's expense.

889  
890 A business owner or lessee may authorize the removal of a  
891 vehicle or vessel by a towing company when the vehicle or vessel  
892 is parked in such a manner that restricts the normal operation  
893 of business; and if a vehicle or vessel parked on a public  
894 right-of-way obstructs access to a private driveway the owner,  
895 lessee, or agent may have the vehicle or vessel removed by a  
896 towing company upon signing an order that the vehicle or vessel  
897 be removed without a posted tow-away zone sign.

898       6. Any person or firm that tows or removes vehicles or  
899 vessels and proposes to require an owner, operator, or person in  
900 control or custody of a vehicle or vessel to pay the costs of

901 towing and storage before redemption of the vehicle or vessel  
902 must file and keep on record with the local law enforcement  
903 agency a complete copy of the current rates to be charged for  
904 such services and post at the storage site an identical rate  
905 schedule and any written contracts with property owners,  
906 lessees, or persons in control of property which authorize such  
907 person or firm to remove vehicles or vessels as provided in this  
908 section.

909       7. Any person or firm towing or removing any vehicles or  
910 vessels from private property without the consent of the owner  
911 or other legally authorized person in control or custody of the  
912 vehicles or vessels shall, on any trucks, wreckers as defined in  
913 s. 713.78(1), or other vehicles used in the towing or removal,  
914 have the name, address, and telephone number of the company  
915 performing such service clearly printed in contrasting colors on  
916 the driver and passenger sides of the vehicle. The name shall be  
917 in at least 3-inch permanently affixed letters, and the address  
918 and telephone number shall be in at least 1-inch permanently  
919 affixed letters.

920       8. Vehicle entry for the purpose of removing the vehicle  
921 or vessel shall be allowed with reasonable care on the part of  
922 the person or firm towing the vehicle or vessel. Such person or  
923 firm shall be liable for any damage occasioned to the vehicle or  
924 vessel if such entry is not in accordance with the standard of  
925 reasonable care.

9. When a vehicle or vessel has been towed or removed pursuant to this section, it must be released to its owner or person in control or custody within 1 hour after requested. Any vehicle or vessel owner or person in control or custody has the right to inspect the vehicle or vessel before accepting its return, and no release or waiver of any kind which would release the person or firm towing the vehicle or vessel from liability for damages noted by the owner or person in control or custody at the time of the redemption may be required from any vehicle or vessel owner or person in control or custody as a condition of release of the vehicle or vessel to its owner or person in control or custody. A detailed receipt showing the legal name of the company or person towing or removing the vehicle or vessel must be given to the person paying towing or storage charges at the time of payment, whether requested or not.

**Section 27. Paragraph (b) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:**

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

Florida	Felony	
Statute	Degree	Description

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949	365.172 (14) (b) 1.	3rd	Misuse of emergency communications system causing great bodily harm, permanent disfigurement, or permanent disability.
950	379.2431 (1) (e) 3.	3rd	Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.
951	379.2431 (1) (e) 4.	3rd	Possession of more than 11 marine turtle eggs in violation of the Marine Turtle Protection Act.
952	403.413 (6) (c)	3rd	Dumps waste litter exceeding 500 lbs. in weight or 100 cubic feet in volume or any quantity for commercial purposes, or hazardous waste.
953	517.07 (2)	3rd	Failure to furnish a prospectus meeting requirements.

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954	590.28 (1)	3rd	Intentional burning of lands.
955	784.03 (3)	3rd	Battery during a riot or an aggravated riot.
956	784.05 (3)	3rd	Storing or leaving a loaded firearm within reach of minor who uses it to inflict injury or death.
957	787.04 (1)	3rd	In violation of court order, take, entice, etc., minor beyond state limits.
958	806.13 (1) (b) 3.	3rd	Criminal mischief; damage \$1,000 or more to public communication or any other public service.
959	<u>806.13 (4)</u> <del>806.13 (3)</del>	3rd	Criminal mischief; damage of \$200 or more to a memorial or historic property.
	810.061 (2)	3rd	Impairing or impeding telephone or power to a dwelling;



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facilitating or furthering  
burglary.

960

810.09 (2) (d)                      3rd      Trespassing on posted  
commercial horticulture  
property.

961

812.014 (2) (c) 1.                      3rd      Grand theft, 3rd degree; \$750  
or more but less than \$5,000.

962

812.014 (2) (d) 1.                      3rd      Grand theft, 3rd degree; \$40 or  
more but less than \$750, taken  
from dwelling or its unenclosed  
curtilage.

963

812.014 (2) (e) 2.                      3rd      Petit theft, 1st degree; less  
than \$40 taken from dwelling or  
its unenclosed curtilage with  
one prior theft conviction.

964

812.015 (7)                              3rd      Possession, use, or attempted  
use of an antishoplifting or  
inventory control device  
countermeasure.

965

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966	817.234 (1) (a) 2.	3rd	False statement in support of insurance claim.
967	817.481 (3) (a)	3rd	Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over \$300.
968	817.52 (3)	3rd	Failure to redeliver hired vehicle.
969	817.54	3rd	With intent to defraud, obtain mortgage note, etc., by false representation.
970	817.60 (5)	3rd	Dealing in credit cards of another.
971	817.60 (6) (a)	3rd	Forgery; purchase goods, services with false card.
972	817.61	3rd	Fraudulent use of credit cards over \$100 or more within 6 months.

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973	826.04	3rd	Knowingly marries or has sexual intercourse with person to whom related.
974	831.01	3rd	Forgery.
975	831.02	3rd	Uttering forged instrument; utters or publishes alteration with intent to defraud.
976	831.07	3rd	Forging bank bills, checks, drafts, or promissory notes.
977	831.08	3rd	Possessing 10 or more forged notes, bills, checks, or drafts.
978	831.09	3rd	Uttering forged notes, bills, checks, drafts, or promissory notes.
979	831.11	3rd	Bringing into the state forged bank bills, checks, drafts, or notes.

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980	832.05 (3) (a)	3rd	Cashing or depositing item with intent to defraud.
981	836.13 (3)	3rd	Soliciting an altered sexual depiction of an identifiable person without consent.
982	843.01 (2)	3rd	Resist police canine or police horse with violence; under certain circumstances.
983	843.08	3rd	False personation.
984	843.19 (3)	3rd	Touch or strike police, fire, SAR canine or police horse.
985	893.13 (2) (a) 2.	3rd	Purchase of any s. 893.03 (1) (c), (2) (c) 1., (2) (c) 2., (2) (c) 3., (2) (c) 6., (2) (c) 7., (2) (c) 8., (2) (c) 9., (2) (c) 10., (3), or (4) drugs other than cannabis.
	893.147 (2)	3rd	Manufacture or delivery of drug paraphernalia.

**Section 28. Paragraph (a) of subsection (2) of section 1006.23, Florida Statutes, is amended to read:**

1006.23 Hazardous walking conditions.—

(2) HAZARDOUS WALKING CONDITIONS.—

(a) Walkways parallel to the road.—

1. It shall be considered a hazardous walking condition with respect to any road along which students must walk in order to walk to and from school if there is not an area at least 4 feet wide adjacent to the road, not including drainage ditches, sluiceways, swales, or channels, having a surface upon which students may walk without being required to walk on the road surface or if the walkway is along a limited access facility as defined in s. 334.03(13) ~~s. 334.03(12)~~. In addition, whenever the road along which students must walk is uncurbed and has a posted speed limit of 50 miles per hour or greater, the area as described above for students to walk upon shall be set off the road by no less than 3 feet from the edge of the road.

2. Subparagraph 1. does not apply when the road along which students must walk:

a. Is a road on which the volume of traffic is less than 180 vehicles per hour, per direction, during the time students walk to and from school; or

b. Is located in a residential area and has a posted speed limit of 30 miles per hour or less.

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1011 |        **Section 29.**   This act shall take effect July 1, 2026. |