

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 1274

INTRODUCER: Senator DiCeglie

SUBJECT: Transportation

DATE: February 9, 2026 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Johnson	Vickers	TR	Pre-meeting
2.			ATD	
3.			AP	

I. Summary:

SB 1274 addresses a range of issues related to transportation. Specifically, the bill:

- Requires the Florida Department of Transportation (FDOT) to increase the minimum perception reaction time of all steady yellow traffic signals in this state by 0.4 seconds.
- Updates numerous statutes relating to the International Fuel Tax Agreement to reflect the provisions of the current agreement.
- Expands the definition of “off-highway vehicle” and increases penalties for operating such vehicles at locations where they are prohibited.
- Requires seaports located near spaceports using facilities to support space-related activities to annually submit a report on space-related activities to the chair of the Space Florida’s board of directors.
- Requires certain conditions to be met prior to seaports converting infrastructure used for space-related purposes to other purposes.
- Revises the definition of “micromobility device.”
- Authorizes Automated License Plate Recognition Systems to be used by private entities on private property and provides guidelines for such use.
- Revises motor vehicle noise standards from a decibel level standard to a plainly audible standard.
- Authorizes a golf cart to be converted to a low speed vehicle without an inspection by the Department of Highway Safety and Motor Vehicles.
- Provides for verification integrity for digital driver licenses and identification cards.
- Authorizes FDOT to make direct payments to first-tier subcontractors if specified conditions are met.
- Requires completion contractors, in the event of a contract default, to meet the same prequalification requirements as provided in the original contract.
- Establishes a Traffic Signal Modernization Grant program and annually appropriates \$20 million for the program.

This bill may have a fiscal impact on the private and government sectors. See Section V., Fiscal Analysis Section for details.

This bill takes effect July 1, 2026.

II. Present Situation:

For ease of organization and readability, the present situation is discussed below with the effect of proposed changes.

III. Effect of Proposed Changes:

Steady Yellow Traffic Signals (Section 1)

Present Situation

The Florida Department of Transportation (FDOT) is required to adopt a uniform system of traffic control devices for use on the state's streets and highways.¹ To meet this requirement, FDOT has adopted the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).²

The MUTCD provides that the duration of yellow change intervals should be determined using engineering practices, with a minimum duration of three seconds and a maximum duration of six seconds.³ FDOT uses an engineering formula to determine the appropriate yellow change intervals for a particular traffic signal. This formula is based on various inputs, including perception reaction time,⁴ approach speed (speed limit), and the grade (slope) of the road.⁵

Perception-Reaction Time

The term “perception-reaction time” (PRT), is defined to mean the total time it takes a driver to begin an appropriate response to an impending obstacle or hazard.⁶ Historically, FDOT calculated its yellow light intervals using a PRT of 1.0 seconds in accordance with accepted industry standards. In 2013, FDOT increased the PRT in its calculation to 1.4 seconds, based on research showing that the 85th percentile PRT value in the driver population was 1.33 seconds.⁷

¹ Section 316.0745(1), F.S.

² Rule 14-15.010, F.A.C. (adopting the Dec. 2023 version of the MUTCD); *see also* U.S. Department of Transportation, Federal Highway Administration (FHWA), *Manual on Uniform Control Devices (MUTCD)* 11th ed. (Dec. 2023), available at https://mutcd.fhwa.dot.gov/kno_11th_Edition.htm (last visited February 3, 2026).

³ Federal Highway Administration, *MUTCD*, section 4F.17, “Yellow Change and Red Clearance Intervals,” 11th ed. (Dec. 2026), available at https://mutcd.fhwa.dot.gov/pdfs/11th_Edition/part4.pdf (February 3, 2026).

⁴ *See, e.g.*, Marc Green, Ph.D., *Let's Get Real About Perception-Response Time*, available at <https://www.visualexpert.com/Resources/realprt.html> (last visited February 3, 2026).

⁵ Florida Department of Transportation (FDOT), *Traffic Engineering Manual*, section 3.6.2. https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/traffic/trafficservices/studies/tem/tem-2026/2026-tem--chapter-3---signals.pdf?sfvrsn=38939043_2 (last visited February 3, 2026).

⁶ Marc Green, Ph.D., *Let's Get Real About Perception-Response Time*, available at <https://www.visualexpert.com/Resources/realprt.html> (last visited February 3, 2026).

⁷ FDOT, Traffic Operations Bulletin 02-13, Standardization of Yellow Change Intervals for Signalized Intersections, May 31, 2013, available at <https://fdotwww.blob.core.windows.net/sitefinity/docs/default->

Effect of Proposed Changes

The bill requires FDOT to increase the minimum perception reaction time for all steady yellow signals in this state by 0.4 seconds.

International Fuel Tax Agreement (Sections 2-7; 21-28, 30, 32, 35)

Present Situation

In 1981, the Legislature passed ch. 207, F.S., as the “Florida Diesel and Fuel Motor Use Tax Act of 1981,” which levied taxes for the privilege of operating any commercial motor vehicle upon the public highways of this state. In 1987, responsibility was moved from the Department of Revenue to the Department of Highway Safety and Motor Vehicles (DHSMV) and authority to enter into a cooperative reciprocal agreement with other states was enacted. In 1991, the International Fuel Tax Agreement (IFTA) was formed.

In 1992, Florida joined IFTA, and in 1996, Congress required all states (except Alaska and Hawaii) to join IFTA. The legislation provided authority to each state to establish, maintain, or enforce a law or regulation requirement, including any tax reporting form, only if the requirement conforms with IFTA. It also detailed how payment, collection, and proportional sharing of fuel use taxes would work among member states. Chapter 207, F.S., contains provisions that no longer conform with the federal IFTA Articles of Agreement.⁸

International Fuel Tax Agreement (IFTA)

The IFTA simplifies fuel tax reporting for interstate carriers, such as commercial motor vehicles. Commercial motor vehicles qualify for IFTA if they are used, designed, or maintained for the interstate transportation of persons or property and:

- Have two axles and a gross vehicle weight (GVW) or registered GVW exceeding 26,000 pounds; or
- Have three or more axles, regardless of weight; or
- Are used in combination with a trailer, for a combined GVW or registered GVW in excess of 26,000 pounds.⁹

IFTA is a reciprocal agreement, meaning that an IFTA license issued by the jurisdiction where the motor carrier is based, is valid in all the other IFTA member jurisdictions. Additionally, the licensee reports and pays all motor fuel taxes to the base jurisdiction, which handles distribution to all the other member jurisdictions in which the licensee travelled and incurred motor fuel use tax liability. The IFTA member jurisdictions are the lower 48 states and the 10 Canadian provinces.¹⁰

source/content/traffic/doc_library/pdf/traffic-operations-bulletin-02-13.pdf?sfvrsn=ba1d34f0_0 (last visited February 3, 2026).

⁸ Department of Highway Safety and Motor Vehicles (DHSMV), *2026 Legislative Bill Analysis: SB 488* (November 17, 2025) at p. 2-3 (on file with the Senate Committee on Transportation).

⁹ DHSMV, *International Fuel Tax Agreement*, <https://www.flhsmv.gov/driver-licenses-id-cards/commercial-motor-vehicle-drivers/international-fuel-tax-agreement/> (last visited February 3, 2026).

¹⁰ *Id* at 2.

Each calendar year, Florida will issue an IFTA license and a set of two IFTA decals per each qualified vehicle. The original IFTA license is kept with the carrier's records, and copies of the original must be kept in each vehicle, and IFTA decals must be affixed to the outside of each of those vehicles. By having copies of the licenses, and the decals affixed to the outside of the vehicles, it qualifies them to be operational in all other IFTA jurisdictions without the need for obtaining additional licenses from those jurisdictions.¹¹ The IFTA licenses and decals are valid for one calendar year (January 1 – December 31), and reporting for motor fuel taxes is divided into four reporting periods. There is no annual fee associated with the IFTA license, and IFTA decals are \$4.00 per set.¹²

Effect of Proposed Changes

The bill amends various provisions of ch. 207, F.S., to update Florida law to reflect changes in federal regulations pertaining to IFTA so that Florida remains compliant with those federal regulations. For example, the bill:

- Specifies the requirements for calculating and reporting the motor fuel use tax and updates other definitions and requirements under the Florida Motor Fuel Use Tax Act.
- Establishes a licensing system for motor carriers in lieu of registration and mandates electronic submission for tax and licensing documents.
- Creates penalties for counterfeiting or illegally altering fuel tax licenses and the related permits.
- Amends the required procedures for due dates, electronic submissions, and methods of communications related to motor vehicles and fuel taxes.
- Revises penalties and interest calculations for delinquent tax payments and revises the provisions related to the inspection and discontinuation of business operations for motor carriers.
- Provides penalties for specific offenses related to the misuse of motor fuel-tax related documents and establishes detailed requirements for recordkeeping by motor carriers.
- Incorporates numerous conforming provisions throughout ch. 207, F.S.

The bill also makes conforming changes to ss. 212.08, 316.545, 324.171, and 627.7415, F.S.

Off-Highway Vehicles (Sections 8-9)

Present Situation

Florida law defines the term “off-highway vehicle” to mean 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.¹³

¹¹ *Id.*

¹² *Id.*

¹³ Section 261.03(5), F.S.

An “ATV” is defined to mean any motorized off-highway or all-terrain vehicle 55 inches or less which has a dry weight of 1,500 pounds or less, is designed to travel on three or more nonhighway tires, and is manufactured for recreational use by one or more persons.¹⁴

An “OHM” or “off-highway motorcycle” is defined to mean any motor vehicle used off the roads or highways of this state that has a seat or saddle for the use of the rider and is designed to travel with not more than two wheels in contact with the ground, excluding a tractor, an electric bicycle, or a moped.¹⁵

An “ROV” is defined to mean any motorized recreational off-highway vehicle 80 inches or less in width which has a dry weight of 3,500 pounds or less, is designed to travel on four or more nonhighway tires, and is manufactured for recreational use by one or more persons. The term does not include a golf cart or a low-speed vehicle.¹⁶

Off-highway vehicles may not be operated on public roads, streets, or highways, except as otherwise permitted by the managing local, state, or federal agency. A violation is a noncriminal traffic infraction.¹⁷ The statutory base penalty is \$30,¹⁸ but with additional fees and surcharges, the total penalty may be up to \$108.¹⁹

Effect of Proposed Changes

The bill amends s. 261.03(5), F.S., to expand the definition of the term “off-highway vehicle” to include any other vehicle with motive power specifically designed by the manufacturer to be used off road.

The bill amends s. 261.11, F.S., to prohibit the use of off-highway vehicles on sidewalks unless permitted by the managing local, state, or federal agency. The bill also increases penalties of violations to be a moving violation for a first offense and a misdemeanor of the second degree for the second or subsequent offense.

For a moving violation, the statutory base fine is \$60,²⁰ but with additional fees, the total penalty may be up to \$158.²¹ For a misdemeanor of the second degree, the penalty may be imprisonment for up to 60 days²² or a fine of up to \$500.²³

¹⁴ Section 261.03(2), F.S.

¹⁵ Section 261.03(4), F.S.

¹⁶ Section 316.02(8), F.S.

¹⁷ Section 261.11, F.S.

¹⁸ Section 318.18(2), F.S.

¹⁹ Florida Association of Clerks of Court, *2025 Distribution Guide*, p. 43

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-_pdf (last visited February 2, 2026).

²⁰ Section 318.18(3)(a), F.S.

²¹ Florida Association of Clerks of Court, *2025 Distribution Guide*, p. 48

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-_pdf (last visited February 2, 2026).

²² Section 772.082(4)(b), F.S.

²³ Section 775.083(1)(e), F.S.

Seaport – Cargo Facilities (Section 10)

Present Situation

Florida’s seaports include Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.²⁴

Spaceport Territory

Florida law defines the term “spaceport” to mean any area of land or water developed by Space Florida and intended for public use or for the launching, takeoff, and landing of spacecraft and aircraft, and includes any appurtenant areas which are used or intended for public use, for spaceport buildings, or for other spaceport facilities, spaceport projects, or rights-of-way.²⁵

Florida law designates certain real property within the state as spaceport territory, including Cape Canaveral Spaceport in Brevard County, Cecil Spaceport in Duval County, Eglin Air Force Base in Okaloosa County, Cape San Blas in Gulf County, Space Coast Regional Airport and Spaceport in Brevard County, Homestead Air Reserve Base in Miami-Dade County, and Tyndall Air Force Base in Bay County.²⁶

Space Florida

Space Florida was established as an independent special district to foster the growth and development of a sustainable and world-leading aerospace industry in this state. Space Florida is tasked with promoting aerospace business development by facilitating business financing, spaceport operations, research and development, workforce development, and innovative education programs.²⁷

Seaport Support for Spaceports

Section 311.10(4), F.S., provides that as a condition of receiving a project grant under any state seaport program and as a condition of receiving state funds, a seaport located in a county which contains spaceport territory that uses land, facilities, or infrastructure to support spacecraft launch and recovery operations must, in any agreement with FDOT, agree that the seaport may not convert any planned or existing land, facility, or infrastructure that supports cargo purposes²⁸ to any alternative purpose unless the conversion is approved by the seaport's governing board. This approval must take place at a publicly noticed meeting as a separate line on the agenda and with a reasonable opportunity for public comment. The Legislature must expressly approve the use of state funds for a project that includes such a conversion, whether by an amendment to FDOT’s a work program or through the General Appropriations Act.

²⁴ Section 311.09(1), F.S.

²⁵ Section 331.303(17), F.S.

²⁶ Section 331.304, F.S.

²⁷ Section 331.302(1), F.S.

²⁸ As used in s. 311.10(4), F.S., the term “cargo purposes” includes, but is not limited to, any facility, activity, property, energy source, or infrastructure asset that supports spaceport activities.

Effect of Proposed Changes

The bill amends s. 311.15, F.S., to provide requirements for seaports that are located in counties with designated spaceport territory and that use land, facilities, or infrastructure for the purpose of supporting spacecraft launch and recovery operations. Each applicable seaport:

- Beginning February 1, 2027, and each February 1 thereafter, must submit to the chair of Space Florida’s board of directors and post on its website a report describing all measures the seaport has taken to support the commercial space launch industry.²⁹
- May not convert any planned or existing land, facility, or infrastructure that supports cargo purposes³⁰ to any alternative purpose unless all of the following conditions are met:
 - The governing board of the seaport provides public notice³¹ at least 30 days before holding a public meeting on the proposed conversion.
 - The governing board of the seaport must, at least 30 days before holding a public meeting on the proposed conversion, prominently post on the seaport’s website a report estimating the impact of the conversion on the seaport’s cargo operations.
 - The conversion is approved by a two-thirds vote of the governing board of the seaport at a publicly noticed meeting. This must be done as a separate item on the meeting agenda and with a reasonable opportunity for public comment.

The bill requires the Legislature to expressly approve the use of state funds for any seaport projects that includes the conversion of any planned or existing land, facility, or infrastructure that supports cargo purposes to an alternative purpose. This approval may be done through an amendment to FDOT’s work program or through the General Appropriations Act.

Micromobility Devices (Section 11)

Present Situation

Florida law defines the term “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. This term includes 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.³²

Operators of micromobility devices have all of the rights and duties applicable to riders of a bicycles³³ except those duties, which by their nature do not apply. However, this does not prevent a local government from adopting an ordinance governing the operation of

²⁹ The bill defines the term “commercial space launch industry” to mean “any company substantially engaged in the transport, operation, and recovery of space launch or landing services with active maritime operations.”

³⁰ The bill amends the term “cargo purposes” to mean “any facility, activity, property, energy source, or infrastructure asset that is not intended to facilitate the transport of passengers and includes, but is not limited to, such facilities, activities, properties, energy sources, or infrastructure assets that support spaceport activities.”

³¹ The public notice required by the bill must conform to the requirements of s. 50.011, F.S., regarding publication of civil legal notices.

³² Section 316.003(41), F.S.

³³ This is pursuant to s. 316.2065, F.S.

micromobility devices on streets, highways, sidewalks, and sidewalk areas under its jurisdiction.³⁴

A micromobility device is not required to be licensed, registered, or insured.³⁵ Similarly, the operator of a micromobility device is not required to possess a driver's license.³⁶

Effect of Proposed Changes

The bill amends s. 316.003, F.S., to amend the definition of “micromobility device” to provide that the term includes devices such as electric bicycles and motorized scooters. The bill also removes the provision that a micromobility device may be any other device owned by an individual or part of a shared fleet.

Automated License Plate Recognition Systems (Section 12)

Present Situation

An automatic license plate recognition system (ALPRS) uses one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of license plates into computer-readable data.³⁷ ALPRS scan and capture optical license plate information, and can store the digital image of the license plate, the time, date, location of the image capture, and the capturing camera information.³⁸ Stored ALPR data does not include any personal identifying information of individuals associated with the license plate.³⁹ Obtaining personal information associated with license plate information requires a separate, legally authorized, inquiry to another restricted-access database.⁴⁰

Historically, law enforcement has used ALPRS to compare and identify vehicles for law enforcement purposes such as detection, identification, and recovery of stolen vehicles, wanted persons, missing or endangered persons, and persons wanted for crimes.⁴¹

Florida law authorizes ALPRS to be installed within FDOT's right-of-way at the request of a law enforcement agency and for the purpose of collecting active criminal intelligence information or active criminal investigative information.⁴² However, an ALPR cannot be used to issue a notice of violation for a traffic infraction or a uniform traffic citation.⁴³

³⁴ Section 316.2128(1), F.S.

³⁵ Section 316.2128(2), F.S.

³⁶ Section 316.2128(3), F.S.

³⁷ Section 316.0777, F.S.

³⁸ Criminal and Juvenile Justice Information System, *Guidelines for the Use of Automated License Plate Readers*, Nov. 13, 2024, at page 1, available at <https://www.fdle.state.fl.us/getContentAsset/dcdfae6a-0ec7-45e8-9112-b21f0d3415bb/73aabf56-e6e5-4330-95a3-5f2a270a1d2b/CJJIS-Council-ALPR-Guidelines-Revised-Approved-on-11-13-2024.pdf?language=en> (last visited February 2, 2026).

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² Section 316.0777(2)(b), F.S. FDOT's must consent to the installation of a reader on the State Highway System.

⁴³ *Id.*

Some private ALPRS companies compile data into a private database, sometimes in combination with AI-powered recognition technology, and partner with local governments and law enforcement agencies to install and gain access to their private database.⁴⁴

Florida law provides that records gathered by law enforcement agencies that contains images and data generated through the use of an ALPRS is subject to the retention schedule established by the Department of State.⁴⁵ The retention period for such information is prescribed by rule and requires license plate recognition records to be retained until obsolete, superseded, or their administrative value is lost, but for no longer than three years unless retention is otherwise required.⁴⁶

Motor Vehicle Registration Data

The Department of Highway Safety and Motor Vehicles (DHSMV) maintains the Driver and Vehicle Information Database (DAVID), a multifaceted database that affords immediate retrieval of driver and motor vehicle information.⁴⁷ Personal information stored in DAVID is protected by the federal Driver's Privacy Protection Act (DPPA),⁴⁸ which restricts access to such records with specified exceptions, such as a law enforcement agency acting in its official capacity to carry out its duties.⁴⁹ Certain private entities also meet an exception for specified purposes, including:

- Motor vehicle manufacturers, for recalling vehicles or parts.
- Government agencies or private companies, to verify the accuracy of personal information.
- Towing companies, to notify owners of towed or impounded vehicles.
- Companies such as bus lines to verify information on their commercial drivers.
- Any person or agency that receives written permission from the individual whose information is being accessed.⁵⁰

Effect of Proposed Changes

The bill authorizes a private entity to install an automated license plate recognition system solely for use on and within the property it owns or controls for a public safety-related purpose. A private entity that installs such a system:

- May not access vehicle registration data generated by the system, except to the extent that such data cannot be reasonably linked to an identified or identifiable individual.
- May not share or sell images or data generated by the system, except to the extent required to respond to a lawful request from a law enforcement agency.

⁴⁴ Jeff Burlow, *TPD confirms use of controversial Flock cameras amid commission concerns*, Tallahassee Democrat, (Dec. 12, 2025), <https://www.tallahassee.com/story/news/local/2025/12/12/tallahassee-police-department-confirms-use-of-flock-cameras-license-plate-readers/87721042007/> (last visited February 3, 2026).

⁴⁵ Section 316.0778(2), F.S. The Department of State must establish a retention schedule for records containing images and data generated through the use of an automated license plate recognition system.

⁴⁶ Rule 1B-24.003, F.A.C.

⁴⁷ DHSMV, *Driver and Vehicle Information Database (DAVID)*, <https://www.flhsmv.gov/courts-enforcement/david/> (last visited February 3, 2026).

⁴⁸ 18 U.S.C. § 2721.

⁴⁹ DHSMV, *Driver Privacy Protection Act*, <https://www.flhsmv.gov/privacy-statement/driver-privacy-protection-act/> (last visited January 3, 2026).

⁵⁰ *Id.*

- Must contractually obligate any third party that installs, maintains, or operates the system to protect the images or data generated by the systems from disclosure, including a prohibition on sharing or selling such images or data, except to the extent required to respond to a lawful request from a law enforcement agency.
- May not offer or provide as payment or other consideration any portion of the proceeds derived from a fine or charge imposed based on images or data generated by the system to any third party that installs, operates, or maintains the system.

Electric Bicycle Regulation (Section 13)

Present Situation

Florida law defines the term “electric bicycle” to mean 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.
- “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.⁵¹

Section 316.20655, F.S., provides that an electric bicycle or an operator of an electric bicycle is not subject to laws relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles.⁵²

Effect of Proposed Changes

The bill clarifies that an “electric bicycle” is not subject to certain regulations applicable to traditional motorized vehicles.

Motor Vehicle Exhaust Noise (Sections 14-15; 29, 31, 33-34)

Present Situation

Since at least the 1970s, motor vehicle noise has been regulated by the federal government, the state, and local governments. Both federal and state law preempt subordinate governments from adopting or enforcing certain noise regulations, resulting in a complicated framework for such regulations.⁵³

⁵¹ Section 316.003(23), F.S.

⁵² Section 316.20655(2), F.S.

⁵³ Office of Program Policy Analysis and Government Accountability (OPPAGA), *A Review of Exhaust System Noise*, Report 20-04, June 2023. <https://oppaga.fl.gov/Documents/Reports/23-04.pdf> (last visited February 3, 2026).

Motor Vehicle Exhaust Systems

Section 316.272, F.S., requires every motor vehicle to be equipped with an exhaust system in good working order and in constant operation, including muffler, manifold pipe, and tailpiping to prevent excessive or unusual noise. An exhaust system may not allow noise at a level which exceeds Department of Environmental Protection (DEP)-established maximum decibel levels.⁵⁴ A person may not use a muffler cutout, bypass or similar device upon a vehicle on a highway.⁵⁵ A motor vehicle's engine and power mechanism must be equipped and adjusted to prevent excessive fumes or smoke.⁵⁶

A violation is a noncriminal traffic infraction, punishable as a nonmoving violation.⁵⁷ The statutory base penalty is \$30 penalty,⁵⁸ but with additional fees and surcharges, the total penalty may be up to \$108.⁵⁹

Motor Vehicle Noise

Section 316.293, F.S., provides operating noise limits for vehicles, and prohibits a person from operating a vehicle in excess of the statutory decibel noise limits at a distance of 50 feet from the center of the lane of travel. The statutory decibel noise limits are based on vehicle type and weight and the speed limit on the road.⁶⁰

A violation is a noncriminal traffic infraction punishable as a moving violation.⁶¹ The statutory base fine is \$60,⁶² but with additional fees, the total penalty may be up to \$158.⁶³

Operation of Soundmaking Devices in Vehicles

Under Florida law, a person operating or occupying a motor vehicle may not operate or amplify the sound produced by any soundmaking device, which sound emanates from the motor vehicle, so that the sound is:

- Plainly audible at a distance of 25 feet or more from the motor vehicle; or
- Louder than necessary for the convenient hearing by persons inside the vehicle in areas adjoining private residences, churches, schools, or hospitals.⁶⁴

⁵⁴ This is as provided in s. 403.061(11), F.S., and in cooperation with DHSMV.

⁵⁵ Section 316.272(1), F.S.

⁵⁶ Section 316.272(2), F.S.

⁵⁷ Section 316.272(3), F.S.

⁵⁸ Section 318.18(2), F.S.

⁵⁹ Florida Association of Clerks of Court, *2025 Distribution Guide*, p. 43

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-_pdf (last visited February 2, 2026).

⁶⁰ Section 316.293(2), F.S.

⁶¹ Section 316.293(7), F.S.

⁶² Section 318.18(3)(a), F.S.

⁶³ Florida Association of Clerks of Court, *2025 Distribution Guide*, p. 48

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-_pdf (last visited February 2, 2026).

⁶⁴ Section 316.3045(1), F.S.

A violation is a noncriminal traffic infraction, punishable as a nonmoving violation.⁶⁵ The statutory base fine is \$60,⁶⁶ but with additional fees, the total penalty may be up to \$158.⁶⁷

Effect of Proposed Changes

The bill repeals ss. 316.272, F.S., relating to requirements for motor vehicle exhaust systems, including to prevent the escape of excessive fumes or smoke, and s. 316.293, F.S., providing the decibel-based operating noise limits for motor vehicles.

The bill amends 316.3045, F.S., to require every motor vehicle to at all times be equipped with an exhaust system in good working order including muffler, manifold pipe, and tailpiping to prevent excess or unusual noise. The exhaust system may not allow noise at a level plainly audible at a distance of 100 feet or more from motor vehicle.

Violations would be noncriminal traffic infractions, punishable as nonmoving violations. The statutory base fine would be \$60, but with additional fees, the total penalty may be up to \$158.⁶⁸

Titling and Registering Golf Carts Converted to Low Speed Vehicles (Section 16)

Present Situation

Golf Carts

Florida law defines the term “golf cart” to mean a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.⁶⁹ Except as provided in s. 316.212, F.S., authorizing golf carts on certain roadways, golf carts may not be operated on public roads.⁷⁰

Low Speed Vehicles

Florida law defines the term “low-speed vehicle” to mean any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with federal safety standards⁷¹ and s. 316.2122, F.S., relating to their operation.⁷²

⁶⁵ Sections 316.3045(1) and (5), F.S.

⁶⁶ Section 318.18(3)(a), F.S.

⁶⁷ Florida Association of Clerks of Court, *2025 Distribution Guide*, p. 48

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-_pdf (last visited February 2, 2026).

⁶⁸ Florida Association of Clerks of Court, *2025 Distribution Guide*, p. 48

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2025_Distribution_Schedule_-_pdf (last visited February 2, 2026).

⁶⁹ S. Section 320.01(22), F.S, F.S.

⁷⁰ S. 316.212, F.S

⁷¹ 49 C.F.R. s. 571.500

⁷² Section 320.01(41), F.S.

Florida law authorizes the operation of low-speed vehicle on streets where the posted speed limit is 35 miles per hour or less.⁷³ Such vehicles must be equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers. The vehicle must also be registered, insured, and titled. Any person operating a low-speed vehicle must have a valid driver license.⁷⁴

However, FDOT, a county, or a municipality may prohibit the operation of low-speed vehicles on any road under its jurisdiction if such prohibition is necessary in the interest of safety.⁷⁵

Golf Cart Conversions to Low Speed Vehicles

Golf carts may be converted to low speed vehicles, which must be titled and registered. Before titling and registering a converted golf cart, an applicant must present to DHSMV photographs of the front, back, and both sides (4 total) of the converted vehicle along with the following documents and fees for an inspection, vehicle identification number (VIN), title, and registration:

- Manufacturer's Certificate of Origin or a bill of sale for the golf cart;
- DHSMV's Statement of Builder;
- DHSMV's Affidavit for Golf Cart Modified to a Low Speed Vehicle;
- Original bills of sale or receipts for all parts used in the conversion;
- Certified weight slip for the converted golf cart;
- DHSMV's Application for Title form;
- Proof of Florida insurance;
- Sales tax or sales tax exemption information for all parts;
- Identification, such as a driver license, identification card or passport; and
- Applicable fees, including the inspection fee, title fee, license plate fee, initial registration fee (if applicable), and the registration fee.⁷⁶

Effect of Proposed Changes

The bill creates s. 319.1401, F.S., to provide that a golf cart converted to a low-speed vehicle may be titled and registered without a DHSMV inspection.

The owner of the low-speed vehicle must affirm in writing that the vehicle complies with the Florida Uniform Traffic Control Law.⁷⁷ DHSMV must assign such vehicle an identification number, which must be unique to the low-speed vehicle and used for the issuance of the vehicle's title and registration.

⁷³ This does not prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.

⁷⁴ Section 316.2122(1), F.S.

⁷⁵ Sections 316.2122(3) and (4), F.S.

⁷⁶ DHSMV notes that the converted golf cart must be street legal prior to registration and titling. DHSMV, *Low Speed Vehicles*, <https://www.flhsmv.gov/safety-center/consumer-education/low-speed-vehicles/> (last visited January 22, 2026).

⁷⁷ Chapter 316, F.S.

Digital Proof of Driver License or Identification Card/Electronic Credentialing System (Section 17)

Present Situation

DHSMV is required to prepare for the development of a secure and uniform system for issuing an optional digital proof of driver license or identification card. DHSMV may contract with one or more private entities to develop a digital proof of driver license system.⁷⁸ The digital proof of driver license must be in such a format as to allow law enforcement to verify its authenticity.⁷⁹

Florida law provides that a private entity that scans a digital proof of driver license or identification card may not store, sell, or share personal information collected from such scanning of the digital proof of driver license or identification card, except with informed consent of the individual whose credential is being scanned.⁸⁰

Effect of Proposed Changes

The bill amends s. 322.032, F.S., to provide technical requirements for DHSMV's digital driver license and identification card program to establish an electronic credentialing system.

The bill requires that electronic credentialing systems must:

- Require the explicit consent of the credentialholder⁸¹ before performing any communication.
- Provide offline cryptographic verification mechanisms that:
 - Do not require communication with DHSMV.
 - Are fully auditable and interoperable with open standards.
 - Preserve the anonymity and unlinkability of transactions unless explicitly waived by the credentialholder.
- Adhere to fair information practice principles,⁸² including collecting only the minimum data strictly necessary to fulfill the stated purpose of verification.
- Collect data only for a single, clearly defined, and limited purpose that is explicitly communicated to the credentialholder.
- Ensure that data is not reused, repurposed, shared, or transmitted beyond the initial purpose without the explicit consent of the credentialholder.
- Securely delete data or render data irreversibly anonymized immediately upon fulfillment of the stated purpose unless a longer retention period is required by law and narrowly tailored to that legal necessity.
- Implement measures to ensure record integrity.⁸³ The electronic credentials must be verified based solely on the record integrity and without relying on third parties.

⁷⁸ Section 322.032(2), F.S.

⁷⁹ Section 322.032(3), F.S.

⁸⁰ Section 322.032(7), F.S.

⁸¹ The bill defines the term "credentialholder" to mean a person who is issued a digital proof of driver license or identification card.

⁸² The bill defines the term "fair information practice principles" to mean internationally recognized privacy principles, including data minimization, purpose specification, use limitation, transparency, and strict data retention controls.

⁸³ The bill defines the term "record integrity" to mean the capability of ensuring historical continuity and verifiability of electronic credentials by maintaining a tamper-evident, append-only record of digital driver license and identification card issuance, renewal, replacement, or revocation.

- Implement verifiable receipt mechanisms that ensure any changes made to electronic credentials are independently confirmable and auditable by any relying party.

The bill requires that electronic credential verifiers must:

- Perform full cryptographic validation of electronic credential authenticity, integrity, and issuer attribution without requiring online access to external systems, DHSMV's systems, or any state system.
- Retain only temporary user-authorized verification data that is strictly necessary for the transaction.
- Create written strict data minimization principles that must be provided to a credentialholder upon request.
- Provide a credentialholder with the ability to audit verification requests and control the sharing of electronic credential attributes.

The bill that requires electronic credentials must:

- Be issued as tamper-evident, cryptographically verifiable statements capable of being selectively disclosed.
- Contain clear metadata specifying cryptographic material necessary for independent verification.
- Be controlled by the credentialholder, who may choose to disclose only the minimum information necessary for a transaction.
- Use a cryptographically derived identifier format that:
 - Is capable of secure key rotation, recovery, delegation, and revocation without requiring a centralized registry or continuous third-party oversight.
 - Rotates cryptographic keys without requiring reissuance or reregistration with a central authority.
 - Is resolvable to metadata that contains authentication and authorization material without dependence on a single service endpoint or central registry.
 - Implements delegation, recovery, and secure binding to cryptographic keys without requiring persistent correlatable identifiers across contexts.

The bill provides that a private entity that scans a digital proof of driver license or identification to store, sell, or share personal information collected from such scan may only do so if the credentialholder has provided clear, informed, and revocable consent and the private entity's retention serves a legally justified, narrowly tailored, and time-limited purpose.

In addition to a civil penalty of up to \$5,000, the bill provides that a private entity that stores, sells, or shares such personal information contrary to s. 322.032, F.S., is subject to suspension of eligibility to participate in DHSMV's electronic credentialing system and public disclosure of the private entity's noncompliance.

The bill requires courts to afford strict scrutiny of any unnecessary government or commercial surveillance or remote verification practices that do not comply with s. 322.032, F.S.

FDOT Contracting Authority (Section 18)

Present Situation

Florida Prompt Payment Act

Florida law has several “Prompt Payment Acts” regulating various aspects of payments connected to construction projects and services. Part VII of ch. 218, F.S., addresses payment for local government construction projects. Chapter 255, F.S., governs payments connected to state agency construction projects, and payments for private construction projects are regulated in chs. 713 and 715, F.S.

Prompt Payment Act for State Construction Projects

Sections 255.0705 - 255.078, F.S., known as the Florida Prompt Payment Act, governs the timely payment for construction services by the state or any agency thereof (public entity).⁸⁴ This act also governs payments made by contractors to subcontractors and suppliers when the construction services are in connection with a public entity construction project.

Payment Deadline for Public Entity to Contractor

For public entities contracting with a prime contractor, the public entity must submit the contractor’s request to the Chief Financial Officer within 14 days of receiving the payment application.⁸⁵ If a public entity disputes a portion of a payment request, the undisputed portion must be paid by the date required under the contract or by 20 business days after receipt of the request, whichever is earlier.⁸⁶

When a contractor receives payment from a public entity for labor, services, or materials furnished by subcontractors and suppliers hired by the contractor, the contractor is required to remit payment due to those subcontractors and suppliers within 10 days after the contractor’s receipt of payment.⁸⁷ When a subcontractor receives payment from a contractor for labor, services, or materials furnished by subcontractors and suppliers hired by the subcontractor, the subcontractor is required to remit payment due to those subcontractors and suppliers within 7 days after the subcontractor’s receipt of payment.⁸⁸

Penalties for Late Payment

All payments due for the purchase of construction services under the Florida Prompt Payment Act and wrongfully withheld by a public entity or prime contractor bear statutorily imposed interest at the rate of 2 percent per month.⁸⁹

⁸⁴ Section 255.072, F.S., defines the term “public entity” to mean the state, or any office, board, bureau, commission, department, branch, division, or institution thereof, but does not include a local governmental entity as defined in s. 218.72, F.S.

⁸⁵ Section 255.074, F.S.

⁸⁶ Section 255.073(2), F.S.

⁸⁷ Section 255.073(3), F.S.

⁸⁸ *Id.* A contractor or subcontractor is still permitted to dispute, pursuant to the terms of the relevant contract, all or any portion of a payment alleged to be due to another party if the contractor or subcontractor notifies the party whose payment is disputed, in writing, of the amount in dispute and the actions required to cure the dispute. The contractor or subcontractor must pay all undisputed amounts due within the time limits imposed by this subsection.

⁸⁹ Section 255.073(4), F.S.

FDOT Contracting Authority

Section 337.11, F.S., authorizes FDOT to enter into contracts for the construction and maintenance of roads and related facilities under its jurisdiction.⁹⁰

Every contract let by FDOT for the performance of work must require the prime contractor, before receiving any progress payment under such contract, to certify that the prime contractor has disbursed to all of its subcontractors and suppliers their pro rata shares of the payment out of previous progress payments received by the prime contractor for all work completed and materials furnished in the previous period,⁹¹ as FDOT approved payment. FDOT may not make any such progress payment before receiving such certification, unless the contractor demonstrates good cause for not making any such required payment and furnishes written notification of any such good cause to both FDOT and the affected subcontractors and suppliers.⁹²

Every contract let by FDOT for the performance of work must require the prime contractor, within 30 days of receipt of the final progress payment or any other payments received thereafter except the final payment, to pay all of its subcontractors and suppliers their pro rata shares of the payment for all work completed and materials furnished, unless the contractor demonstrates good cause for not making any such required payment and furnishes written notification of any such good cause to both FDOT and the affected subcontractors or suppliers within such 30-day period.⁹³

Effect of Proposed Changes

The bill amends s. 337.11, F.S. to authorize FDOT to make direct payments to first-tier subcontractors if the following conditions are met:

- The contractor has not requested payment from FDOT for at least six months.
- There is a binding, written subcontract between the contractor and the subcontractor, and FDOT is in possession of a complete copy of the contract.
- The subcontractor has performed work that is unpaid by the subcontractor, and FDOT has sufficient documentation of such unpaid work.
- There is no bona fide, documented dispute between the contractor and the subcontractor.

The amounts FDOT pays to the subcontractor must be deducted from amounts otherwise due to the contractor.

⁹⁰ Section 337.11(1), F.S.

⁹¹ This is less any retainage withheld by the prime contractor pursuant to an agreement with a subcontractor.

⁹² Section 337.11(11)(a), F.S.

⁹³ Section 337.11(11)(b), F.S.

Surety Bonds for FDOT Construction and Contracts (Section 19)

Present Situation

Section 337.18, F.S., requires a surety bond of the successful bidder in an amount equal to the awarded contract price for a FDOT contract. However, in limited circumstances, FDOT has the discretion to authorize phased bonding or waive all or a portion of the bond requirement.⁹⁴

FDOT's contracts must provide for the determination of default on the part of any contractor for cause attributable to such contractor. FDOT is not liable for anticipated profits for unfinished work on a contract which it has determined to be in default.⁹⁵

Effect of Proposed Changes

The bill amends s. 337.18(6), F.S., to provide that if FDOT declares a default on the part of a contractor for cause attributable to the contractor and engages the surety to perform pursuant to the surety bond, FDOT and the surety must enter into a takeover agreement requiring the surety's completion contractor to meet the prequalification requirements in the original contract's bid solicitation. The bill also requires the surety to follow the contract's procedures regarding completion contractor default and certification of disbursement of payment to the subcontractors.

Next-generation Traffic Signal Modernization Grant Program (Section 20)

Present Situation

In 2025, the Legislature created the Next-generation Traffic Signal Modernization Program. The program's purpose is to increase traffic signal interconnectivity and provide real-time traffic optimization to improve traffic flow and enhance safety. 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.⁹⁶

Effect of Proposed Changes

The bill substantially rewrites s. 339.85, F.S., to create a Next-generation Traffic Signal Modernization Grant Program, replacing the existing program. The bill provides legislative findings that:

- The state's growing population and economic activity place increasing demands on public roads, resulting in congestion, delay, and avoidable crashes at signalized intersections.
- Modern signal control systems that incorporate artificial intelligence and machine learning (AI/ML) can dynamically optimize timing plans in response to real-time conditions,

⁹⁴ Section 337.18(1)(a), F.S.

⁹⁵ Section 337.18(2), F.S.

⁹⁶ See ch. 2025-149, Laws of Fla., codified at s. 338.95, F.S.

improving travel time reliability, reducing secondary crashes, and lowering emissions from idling vehicles.

- Intersections are often owned or operated by local governments, yet the benefits of improved operations accrue to the traveling public statewide; therefore, a coordinated state-local partnership is in the public interest.
- Leveraging AI/ML for signal operations complements existing investments in managed lanes, transit priority, connected vehicle pilots, emergency preemption, and freight corridors, and can be deployed at a comparatively low cost and high speed.
- A voluntary, performance-based grant program with local matching funds will accelerate deployment of signal modernization while protecting taxpayers through measurable outcomes with transparent reporting.

The bill requires FDOT to implement a Next-generation Traffic Signalization Modernization Grant Program to assist counties and municipalities in upgrading eligible signalized intersections with AI/ML-enabled detection, controllers, communications, and software that prioritizes modernization in key corridors across the state.

The bill requires FDOT to implement a state-local partnership through a cost-sharing arrangement to authorize FDOT to fund:

- Up to 80 percent of eligible costs for first-year pilot corridors, with a minimum 20 percent contribution.
- Fifty percent of ensuing year research, development, and installation.

The bill provides that after signal modernization, the local government and the vendor are responsible for the ongoing maintenance of the signal.

The bill authorizes FDOT to waive any local match requirement for state-owned or state-operated intersections.

The bill requires FDOT to prioritize grant applications for intersections at which a signal modernization will measurably:

- Reduce average control delay and corridor travel times.
- Improve surrogate safety measures⁹⁷ and support emergency vehicle preemption.
- Provide transit signal priority and multimodal benefits to pedestrians and cyclists.

The bill requires FDOT to use competitive procurement⁹⁸ to find a vendor or vendors that use state-of-the-art technology that complies with leading cybersecurity standards⁹⁹ ensuring robust data protection. The program must also:

- Require open, interoperable, and secure systems that avoid vendor lock in and protect cybersecurity.
- Ensure data transparency through standardized performance dashboards and annual public reports demonstrating benefits relative to cost.

⁹⁷ Surrogate safety measures include failures to stop at red lights and hard-braking events.

⁹⁸ This is as provided in ch. 287, F.S.

⁹⁹ These security standards include SOC 2 and ISO 27001.

- Coordinate with metropolitan planning organizations, regional traffic management centers, law enforcement, fire rescue, and transit agencies to maximize systemwide benefits.
- Encourage use of state-based pilots, sandboxes, and independent evaluations to validate performance before large-scale rollout.
- Support workforce development and local operations staff training so upgrades remain effective over the life of the equipment.

Beginning in fiscal year 2026-2027, the bill annually appropriates \$20 million from the State Transportation Trust Fund to FDOT to fund the Next-generation Traffic Signal Modernization Grant Program.

Effective Date (Section 36)

This bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Authorizing private entities to install automated license plate recognition systems on their property may have a positive indeterminate fiscal impact on vendors of such systems. (Section 12)

Allowing owners of golf carts that have been converted to low-speed vehicles to self-certify compliance with ch. 316, F.S., may result in indeterminate costs savings. (Section 16)

Authorizing FDOT to directly pay subcontractors if specified conditions are met may have a positive fiscal impact on such subcontractors. However, the amount is indeterminate. (Section 18)

C. Government Sector Impact:

FDOT's will incur costs associated with adjusting the length of yellow lights for each traffic signal in this state. However, this cost is indeterminate. (Section 1)

Increases in penalties for violations related to the use of off-highway vehicles may result in a positive fiscal impact on state and local governments. (Section 9)

Beginning in fiscal year 2026-2027, the bill annually appropriates \$20 million from the State Transportation Trust Fund to FDOT to fund the Next Generation Traffic Signal Modernization Grant Program. (Section 20)

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 207.001, 207.002, 207.004, 207.005, 207.007, 207.019, 261.03, 261.11, 311.10, 316.003, 316.0777, 316.20655, 316.3045, 322.032, 337.11, 337.18, 339.85, 207.003, 207.008, 207.011, 207.013, 207.014, 207.023, 207.0281, 212.08, 316.455, 316.545, 318.18, 324.171, 403.061, 403.415, and 627.7415.

This bill creates the following sections of the Florida Statutes: 311.15 and 319.141.

This bill repeals the following sections of the Florida Statutes: 316.272 and 316.293.

This bill creates one undesignated section of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
