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A bill to be entitled

An act relating to transportation; amending s. 20.23, F.S.; authorizing the Secretary of Transportation to appoint a specified number of assistant secretaries; specifying titles for such assistant secretaries; authorizing the secretary to appoint an Executive Director of Transportation Technology; specifying that such assistant secretaries and executive director positions are exempt from career service and are included in the Senior Management Service; revising qualifications for members of the Florida Transportation Commission; requiring the commission to monitor transit entities that receive certain funding; requiring members of the commission to follow certain standards of conduct; providing legislative findings and intent; creating the Florida Transportation Research Institute; specifying the purpose and mission of the institute; requiring the institute to report to the Department of Transportation; providing for membership of the institute; requiring the department to select a member to serve as the administrative lead of the institute; requiring the Secretary of Transportation to appoint a representative of the department to serve as the executive director of the institute; requiring the department to coordinate with the members of the institute to adopt certain policies; authorizing the institute to award certain grants; authorizing the department to allocate funds to the institute from the State Transportation Trust

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Fund; authorizing the institute to expend funds for certain operations and programs; requiring the institute to submit an annual report to the Secretary of Transportation and the commission; revising the department's areas of program responsibility; amending s. 311.07, F.S.; providing that certain spaceport and space industry-related facility projects and commercial shipbuilding and manufacturing facility projects are eligible for grant funding under the Florida Seaport Transportation and Economic Development Program; amending s. 311.09, F.S.; revising the purpose of the Florida Seaport Transportation and Economic Development Council; requiring that the Florida Seaport Mission Plan include certain recommendations; requiring each port member of the council to submit a certain semiannual report to the department; amending s. 311.10, F.S.; requiring seaports located in specified counties to include certain statements in any agreement with the department as a condition of receiving certain grants or state funds; requiring that express approval for certain seaport conversions be obtained by specified entities upon recommendation by the funding agency; defining the term "cargo purposes"; amending s. 311.101, F.S.; revising the definition of the term "intermodal logistics center"; creating an intermodal logistics center working group within the department; providing the composition of the working group membership; specifying that members of the working

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group serve without compensation but are eligible for per diem and travel expenses; providing responsibilities of the working group; requiring the working group to submit a report to the Governor and the Legislature by a specified date; providing for the future repeal of the working group; amending s. 316.003, F.S.; revising the definition of the term "special mobile equipment"; repealing s. 316.0741, F.S., relating to high-occupancy-vehicle lanes; amending s. 316.0745, F.S.; deleting language limiting the state funds that may be withheld due to certain violations by a public body or official to state funds for traffic control purposes; providing that such violations are cause for the withholding of state funds deposited in the State Transportation Trust Fund; amending s. 316.550, F.S.; authorizing the department to issue a mobile crane special blanket permit for certain purposes; amending s. 320.084, F.S.; providing for disabled veteran motor vehicle license plates in lieu of "DV" motor vehicle license plates; revising construction; amending s. 320.0848, F.S.; conforming a provision to changes made by the act; amending s. 330.27, F.S.; revising definitions and defining terms; amending s. 330.30, F.S.; requiring a private airport of public interest to obtain a certain certificate from the department before allowing aircraft operations; requiring certain private airports to obtain a certain certificate from the department by a specified date; creating s.

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330.355, F.S.; prohibiting publicly owned airports from charging a landing fee established on or after a specified date for certain aircraft operations; amending s. 331.371, F.S.; authorizing the department, in consultation with the Department of Commerce and the Department of Environmental Protection, to fund certain infrastructure projects and projects associated with certain critical infrastructure projects; requiring such departments to coordinate in funding certain projects for a specified purpose; amending s. 332.003, F.S.; revising a short title; amending s. 332.005, F.S.; requiring airports to provide the Department of Transportation with the opportunity to use certain airport property for a specified purpose during a declared state of emergency; requiring that such use be conducted pursuant to a written agreement after a certain period of use; amending s. 332.006, F.S.; deleting a requirement that the department meet certain duties and responsibilities within the resources provided pursuant to a specified chapter; providing duties and responsibilities of the department relating to certain educational services; amending s. 332.007, F.S.; requiring commercial service airports to establish and maintain a certain program; defining the term "airport infrastructure"; requiring that such airports provide a certain annual certification to the department; requiring that a certain program report be open to department inspection and maintained for a specified

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117 period; providing requirements for such program;
118 revising the list of projects for which the department
119 must provide priority funding; authorizing the
120 department to fund eligible projects performed by
121 certain organizations and postsecondary education
122 institutions; providing that certain programs are
123 eligible projects; authorizing the department to
124 provide certain matching funds; revising the
125 circumstances in which the department may fund
126 strategic airport investment projects; amending s.
127 332.0075, F.S.; revising definitions; requiring that
128 certain information remain posted on a governing
129 body's website for a certain period; revising the
130 information that must be included on such website;
131 requiring the quarterly, rather than annual, update of
132 certain information; revising information that the
133 governing body of a commercial service airport must
134 submit to the department annually; requiring a
135 commercial service airport to provide certain
136 notifications to the department; creating s. 332.15,
137 F.S.; requiring the department to address certain
138 needs in the statewide aviation system plan and the
139 department's work program, designate a certain subject
140 matter expert, conduct a specified review, and, in
141 coordination with the Department of Commerce, provide
142 certain coordination and assistance for the
143 development of a viable advanced air mobility system
144 plan; amending s. 334.044, F.S.; revising the general
145 powers and duties of the department; amending s.

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334.045, F.S.; requiring certain measures developed and adopted by the Florida Transportation Commission to assess performance in a specified business development program, instead of disadvantaged business enterprise and minority business programs; creating s. 334.615, F.S.; authorizing certain parking authorities to operate, manage, and control certain parking facilities upon entering into certain interlocal agreements; creating s. 334.62, F.S.; providing legislative findings; establishing the Florida Transportation Academy within the department; authorizing the department to coordinate with certain entities for specified purposes; amending s. 335.182, F.S.; defining the term "modification of an existing connection"; revising the definition of the term "significant change"; amending s. 335.187, F.S.; authorizing the department to modify or revoke certain access permits by requiring modification of an existing connection in certain circumstances; amending s. 337.027, F.S.; revising the definition of the term "small business"; authorizing the department to provide notice of certain opportunities; amending s. 337.11, F.S.; requiring the department to give consideration to small business participation, instead of disadvantaged business enterprise participation; repealing s. 337.125, F.S., relating to socially and economically disadvantaged business enterprises and notice requirements; repealing s. 337.135, F.S., relating to socially and economically disadvantaged

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business enterprises and punishment for false representation; repealing s. 337.139, F.S., relating to efforts to encourage awarding contracts to disadvantaged business enterprises; amending s. 337.18, F.S.; authorizing the Secretary of Transportation to require a surety bond in an amount that is less than the awarded contract price; amending s. 337.251, F.S.; revising factors that may be considered by the department when selecting certain proposals; amending s. 337.401, F.S.; prohibiting a municipality from prohibiting, or requiring a permit for, the installation of certain public sewer transmission lines; amending s. 337.406, F.S.; prohibiting camping on any portion of the right-of-way of the State Highway System; providing applicability; amending s. 338.227, F.S.; revising the purpose for which the department and the Department of Management Services shall create and implement a certain outreach program; amending s. 339.08, F.S.; defining the term "energy policy of the state"; prohibiting the department from expending state funds to support projects or programs of certain entities in certain circumstances; repealing s. 339.0805, F.S., relating to funds to be expended with certified disadvantaged business enterprises, a construction management development program, and a bond guarantee program; amending s. 339.135, F.S.; requiring that funds for rural transit operating block grants be allocated in a certain manner; amending s. 339.2821, F.S.; requiring

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the department to ensure that it is supportive of small businesses, rather than ensuring that small and minority businesses have equal access to participation in certain transportation projects; repealing s. 339.287, F.S., relating to electric vehicle charging stations and infrastructure plan development; amending s. 339.63, F.S.; deleting the definition of the term "intermodal logistics center"; amending s. 339.651, F.S.; authorizing, rather than requiring, the department to make a certain amount available from the existing work program to fund certain projects annually; deleting the scheduled repeal of provisions relating to Strategic Intermodal System supply chain demands; amending s. 341.051, F.S.; providing for the reallocation of certain funds; deleting the scheduled repeal of provisions providing for the reallocation of certain funds; amending s. 341.052, F.S.; revising the list of providers to which certain block grant funds shall be provided; revising the specified report used to verify certain data; creating s. 341.0525, F.S.; creating a rural transit operating block grant program to be administered by the department; requiring the annual allocation of certain funds from the State Transportation Trust Fund for the program; providing for the distribution of funds to each eligible public transit provider in at least a certain amount; providing authorized uses of grant funds; prohibiting state participation in certain costs above a specified percentage or amount; prohibiting an eligible public

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transit provider from using block grant funds in a certain manner; providing an exception; prohibiting the state from giving a county more than a specified percentage of available funds or a certain amount; providing eligibility requirements; requiring an eligible provider to return funds under certain circumstances; authorizing the department to consult with an eligible provider before distributing funds to make a certain determination; requiring an eligible provider to repay to the department funds expended on unauthorized uses if revealed in an audit; requiring the department to redistribute returned and repaid funds to other eligible providers; amending s. 348.754, F.S.; revising the types of businesses the Central Florida Expressway Authority is required to encourage the inclusion of in certain opportunities; amending s. 349.03, F.S.; revising membership requirements for the governing body of the Jacksonville Transportation Authority; amending ss. 110.205, 322.27, 365.172, 379.2293, 493.6101, and 493.6403, F.S.; conforming cross-references and provisions to changes made by the act; requiring the department to coordinate with state agencies and water management districts to establish a workgroup for a certain purpose relating to statewide mapping programs; providing that the department is the lead agency for the development and review of certain policies, practices, and standards for a specified fiscal year; authorizing the department to issue a

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request for proposals for the procurement of a program to manage certain survey, mapping, and data collection; requiring the department, in coordination with the workgroup, to review state statutes and policies related to geospatial data sharing and make certain recommendations to the Legislature by a certain date; providing requirements for such recommendations; providing an effective date.

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

Section 1. Present subsections (3) through (6) of section 20.23, Florida Statutes, are redesignated as subsections (4) through (7), respectively, a new subsection (3) is added to that section, and paragraph (d) of subsection (1), paragraphs (a), (b), and (g) of subsection (2), and paragraph (b) of present subsection (3) of that section are amended, to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(1)

(d) The secretary may appoint ~~up to~~ three assistant secretaries, who shall serve as the Chief Operations Officer, Chief Finance and Administration Officer, and Chief Strategic Development Officer, respectively; be directly responsible to the secretary; and ~~who shall~~ perform such duties as are assigned by the secretary. The secretary may also appoint an Executive Director of Transportation Technology. Such assistant secretary and executive director positions are exempt from career service

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291 pursuant to s. 110.205(2)(j) and are included in the Senior
292 Management Service. The secretary shall designate to an
293 assistant secretary the duties related to enhancing economic
294 prosperity, including, but not limited to, the responsibility of
295 liaison with the head of economic development in the Executive
296 Office of the Governor. Such assistant secretary shall be
297 directly responsible for providing the Executive Office of the
298 Governor with investment opportunities and transportation
299 projects that expand the state's role as a global hub for trade
300 and investment and enhance the supply chain system in the state
301 to process, assemble, and ship goods to markets throughout the
302 eastern United States, Canada, the Caribbean, and Latin America.
303 The secretary may delegate to any assistant secretary the
304 authority to act in the absence of the secretary.

305 (2)(a)1. The Florida Transportation Commission is hereby
306 created and shall be composed ~~consist~~ of nine members appointed
307 by the Governor subject to confirmation by the Senate. Members
308 of the commission shall serve terms of 4 years each.

309 2. Members shall be appointed in such a manner as to
310 equitably represent all geographic areas of the state. Each
311 member must be a registered voter and a citizen of the state. At
312 least three members of the commission must be representatives of
313 or possess expertise in the higher education, transportation, or
314 workforce development industries ~~Each member of the commission~~
315 ~~must also possess business managerial experience in the private~~
316 ~~sector.~~

317 3. A member of the commission shall represent the
318 transportation needs of the state as a whole and may not
319 subordinate the needs of the state to those of any particular

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320 area of the state.

321 4. The commission is assigned to the Office of the
322 Secretary of the Department of Transportation for administrative
323 and fiscal accountability purposes, but it shall otherwise
324 function independently of the control and direction of the
325 department.

326 (b) The commission shall:

327 1. Recommend major transportation policies for the
328 Governor's approval and assure that approved policies and any
329 revisions are properly executed.

330 2. Periodically review the status of the state
331 transportation system, including highway, transit, rail,
332 seaport, intermodal development, and aviation components of the
333 system, and recommend improvements to the Governor and the
334 Legislature.

335 3. Perform an in-depth evaluation of the annual department
336 budget request, the Florida Transportation Plan, and the
337 tentative work program for compliance with all applicable laws
338 and established departmental policies. Except as specifically
339 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
340 not consider individual construction projects but shall consider
341 methods of accomplishing the goals of the department in the most
342 effective, efficient, and businesslike manner.

343 4. Monitor the financial status of the department on a
344 regular basis to assure that the department is managing revenue
345 and bond proceeds responsibly and in accordance with law and
346 established policy.

347 5. Monitor on at least a quarterly basis the efficiency,
348 productivity, and management of the department using performance

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and production standards developed by the commission pursuant to s. 334.045.

6. Perform an in-depth evaluation of the factors causing disruption of project schedules in the adopted work program and recommend to the Governor and the Legislature methods to eliminate or reduce the disruptive effects of these factors.

7. Recommend to the Governor and the Legislature improvements to the department's organization in order to streamline and optimize the efficiency of the department. In reviewing the department's organization, the commission shall determine if the current district organizational structure is responsive to this state's changing economic and demographic development patterns. The report by the commission must be delivered to the Governor and the Legislature by December 15 each year, as appropriate. The commission may retain experts as necessary to carry out this subparagraph, and the department shall pay the expenses of the experts.

8. Monitor the efficiency, productivity, and management of the agencies and authorities created under chapters 348 and 349; the Mid-Bay Bridge Authority re-created pursuant to chapter 2000-411, Laws of Florida; ~~and~~ any authority formed under chapter 343; and any transit entity that receives funding under the public transit block grant program pursuant to s. 341.052.

The commission shall also conduct periodic reviews of each agency's and authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.

(g) A member of the commission shall follow the standards

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378 of conduct for public officers provided in s. 112.313 ~~may not~~
379 ~~have any interest, direct or indirect, in any contract,~~
380 ~~franchise, privilege, or other benefit granted or awarded by the~~
381 ~~department~~ during the term of his or her appointment and for 2
382 years after the termination of such appointment.

383 (3) The Legislature finds that the transportation industry
384 is critical to the economic future of this state and that the
385 competitiveness of the industry in this state depends upon the
386 development and maintenance of a qualified workforce and
387 cutting-edge research and innovation. The Legislature further
388 finds that the transportation industry in this state has varied
389 and complex workforce needs ranging from technical and
390 mechanical training to continuing education opportunities for
391 workers with advanced degrees and certifications. The timely
392 need also exists for coordinated research and innovation efforts
393 to promote emerging technologies and innovative construction
394 methods and tools and to address alternative funding mechanisms.
395 It is the intent of the Legislature to support programs designed
396 to address the workforce development needs of the state's
397 transportation industry.

398 (a) The Florida Transportation Research Institute is
399 created as a consortium of higher education professionals. The
400 purpose of the institute is to drive cutting-edge research,
401 innovation, transformational technologies, and breakthrough
402 solutions and to support workforce development efforts that
403 contribute to this state's transportation industry.

404 (b) The mission of the institute is to advance the state's
405 transportation infrastructure and systems through research,
406 education, and engagement for a safer and more efficient,

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407 resilient, and innovative movement of people and goods
408 throughout this state.

409 (c) The institute shall report to the department and shall
410 be composed of members from the University of Florida, Indian
411 River State College, the University of Central Florida, the
412 University of South Florida, and Florida International
413 University. The department shall select a member to serve as the
414 administrative lead of the institute. The department shall
415 assess the performance of the administrative lead periodically
416 to ensure accountability and assess the attainment of
417 performance goals.

418 (d) The Secretary of Transportation shall appoint a
419 representative of the department to serve as the executive
420 director of the institute. The department shall coordinate with
421 the members of the institute to adopt policies establishing the
422 institute's executive committee and mission statement.

423 (e) The institute may award grants in alignment with its
424 purpose. Such grants may be directed to member and nonmember
425 institutions that have a proven expertise relevant to the grant,
426 including not-for-profit organizations and institutions of
427 higher education.

428 (f) The department may allocate funds to the institute from
429 the State Transportation Trust Fund. The institute may expend
430 such funds for the institute's operations and programs to
431 support research and innovation projects that provide solutions
432 for this state's transportation needs.

433 (g) The institute shall submit an annual report of
434 performance metrics to the Secretary of Transportation and the
435 commission. The report must include, but is not limited to,

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436 expenditures of funds allocated to the institute by the
437 department, ongoing and proposed research efforts, and the
438 application and success of past research efforts.

439 (4)~~(3)~~

440 (b) The secretary may appoint positions at the level of
441 deputy assistant secretary or director which the secretary deems
442 necessary to accomplish the mission and goals of the department,
443 including, but not limited to, the areas of program
444 responsibility provided in this paragraph, each of whom shall be
445 appointed by and serve at the pleasure of the secretary. The
446 secretary may combine, separate, or delete offices as needed in
447 consultation with the Executive Office of the Governor. The
448 department's areas of program responsibility include, but are
449 not limited to, all of the following:

- 450 1. Administration.
- 451 2. Planning.
- 452 3. Supply chain and modal development.
- 453 4. Design.
- 454 5. Highway operations.
- 455 6. Right-of-way.
- 456 7. Toll operations.
- 457 8. Transportation technology.
- 458 9. Information technology ~~systems~~.
- 459 10. Motor carrier weight inspection.
- 460 11. Work program and budget.
- 461 12. Comptroller.
- 462 13. Construction.
- 463 14. Statewide corridors.
- 464 15. Maintenance.

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16. Forecasting and performance.

17. Emergency management.

18. Safety.

19. Materials.

20. Infrastructure and innovation.

21. Permitting.

22. Traffic operations.

23. Operational technology.

Section 2. Paragraph (b) of subsection (3) of section 311.07, Florida Statutes, is amended to read:

311.07 Florida seaport transportation and economic development funding.—

(3)

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

1. Transportation facilities within the jurisdiction of the port.

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

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

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

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

6. The acquisition, improvement, enlargement, or extension

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of existing port facilities.

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

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

9. Intermodal access projects.

10. Construction or rehabilitation of port facilities as defined in s. 315.02, excluding any park or recreational facilities, in ports listed in s. 311.09(1) with operating revenues of \$5 million or less, provided that such projects create economic development opportunities, capital improvements, and positive financial returns to such ports.

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

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

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

Section 3. Subsections (1) and (3) of section 311.09,

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Florida Statutes, are amended to read:

311.09 Florida Seaport Transportation and Economic
Development Council.—

(1) The Florida Seaport Transportation and Economic
Development Council is created within the Department of
Transportation. The purpose of the council is to support the
growth of seaports in this state through review, development,
and financing of port transportation and port facilities. The
council is composed ~~consists~~ of the following 18 members: the
port director, or the port director's designee, of each of the
ports of 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; the secretary of the
Department of Transportation or his or her designee; and the
secretary of the Department of Commerce or his or her designee.

(3) The council shall prepare a 5-year Florida Seaport
Mission Plan defining the goals and objectives of the council
concerning the development of port facilities and an intermodal
transportation system consistent with the goals of the Florida
Transportation Plan developed pursuant to s. 339.155. The
Florida Seaport Mission Plan shall include specific
recommendations for the construction of transportation
facilities connecting any port to another transportation mode,
the construction of transportation facilities connecting any
port to the space and aerospace industries, and ~~for~~ the
efficient, cost-effective development of transportation
facilities or port facilities for the purpose of enhancing
trade, promoting cargo flow, increasing cruise passenger

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movements, increasing port revenues, and providing economic benefits to the state. The council shall develop a priority list of projects based on these recommendations annually and submit the list to the Department of Transportation. The council shall update the 5-year Florida Seaport Mission Plan annually and shall submit the plan no later than February 1 of each year to the President of the Senate, the Speaker of the House of Representatives, the Department of Commerce, and the Department of Transportation. The council shall develop programs, based on an examination of existing programs in Florida and other states, for the training of ~~minorities and~~ secondary school students in job skills associated with employment opportunities in the maritime industry, and report on progress and recommendations for further action to the President of the Senate and the Speaker of the House of Representatives annually. Each port member of the council shall submit a semiannual report related to his or her port's operations and support of the state's economic competitiveness and supply chain. Reports must be submitted to the Department of Transportation and include any information required by the Department of Transportation in consultation with the Department of Commerce. Such reports must include, but are not limited to, all of the following information:

(a) Bulk break capacity.

(b) Liquid storage and capacity.

(c) Fuel storage and capacity.

(d) Container capacity.

(e) A description of any supply chain disruption.

Section 4. Subsection (4) is added to section 311.10,

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Florida Statutes, to read:

311.10 Strategic Port Investment Initiative.—

(4) As a condition of receiving a project grant under any program established in this chapter and as a condition of receiving state funds as described in s. 215.31, a seaport located in any county identified in s. 331.304(1), (5), or (7) must include in any agreement with the Department of Transportation that the seaport may not convert any planned or existing land, facility, or infrastructure designated for cargo purposes to any alternative purpose unless the conversion is approved by the seaport at a publicly noticed meeting as a separate line item on the agenda and with a reasonable opportunity for public comment. If the conversion is approved by the seaport, express approval must be obtained by the Florida Seaport Transportation and Economic Development Council and the Florida Transportation Commission upon recommendation by the funding agency. As used in this subsection, the term "cargo purposes" includes, but is not limited to, any facility, activity, property, energy source, or infrastructure asset that supports spaceport activities.

Section 5. Present subsection (8) of section 311.101, Florida Statutes, is redesignated as subsection (9), a new subsection (8) is added to that section, and subsection (2) of that section is amended, to read:

311.101 Intermodal Logistics Center Infrastructure Support Program.—

(2) For the purposes of this section, the term "intermodal logistics center," including, but not limited to, an "inland port," means a facility or group of facilities serving as a

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point of intermodal transfer of freight in a specific area physically separated from a seaport where activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by conveyance or shipping through one or more seaports listed in s. 311.09 or airports as defined in s. 330.27.

(8) (a) There is created within the Department of Transportation an intermodal logistics center working group. The purpose of the working group is to coordinate the planning and development of intermodal logistics centers across this state. The working group shall be composed of the following members:

1. The Secretary of Transportation, or his or her designee.
2. The Secretary of Commerce, or his or her designee.
3. The Commissioner of Agriculture, or his or her designee.
4. One member from a seaport listed in s. 311.09(1), appointed by the Secretary of Transportation.
5. One member from an airport, appointed by the Secretary of Transportation.
6. One member from an intermodal logistics center, appointed by the Secretary of Transportation.
7. One member from the agricultural industry, appointed by the Commissioner of Agriculture.
8. One member from the trucking industry, appointed by the Secretary of Transportation.
9. One member from the freight rail industry, appointed by the Secretary of Transportation.
10. One member from the passenger rail industry, appointed by the Secretary of Transportation.

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639 11. One member from a business located within an intermodal
640 logistics center, appointed by the Secretary of Commerce.

641 12. One member from a local workforce development board
642 created pursuant to chapter 445, appointed by the president of
643 CareerSource Florida, Inc.

644 (b) The Secretary of Transportation, or his or her
645 designee, shall serve as the chair of the working group. The
646 Secretary of Commerce, or his or her designee, shall serve as
647 vice chair of the working group.

648 (c) Members of the working group shall serve without
649 compensation but are eligible for per diem and travel expenses
650 pursuant to s. 112.061.

651 (d) The working group is responsible for all of the
652 following:

653 1. Conducting a study of regional needs regarding
654 intermodal logistics centers, including a breakdown of urban
655 versus rural locations for intermodal logistics centers.

656 2. Determining the statewide benefits of intermodal
657 logistics centers.

658 3. Evaluating the impact of existing and proposed freight
659 and passenger rail service on existing rail corridors and the
660 need for any additional rail capacity.

661 4. Evaluating key criteria used by the state to expand and
662 develop the intermodal logistics center network through the use
663 of the Strategic Intermodal System created pursuant to ss.
664 339.61-339.651, including any recommended changes to state law.

665 5. Evaluating the readiness of existing and proposed
666 locations for intermodal logistics centers and developing a list
667 of improvements that may be necessary to attract businesses to

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those centers.

6. Evaluating and recommending potential state policies that would enhance the development of a long-term statewide strategy regarding intermodal logistics centers.

7. Evaluating the operations of freight logistics zones as defined in s. 311.103(1), including the processes for their designation and funding.

(e) On or before January 1, 2027, the working group shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing the working group's findings and recommendations regarding the responsibilities listed in paragraph (d).

(f) This subsection is repealed on June 30, 2027.

Section 6. Subsection (83) of section 316.003, Florida Statutes, is amended to read:

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

(83) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, mobile and self-propelled cranes and accessory support vehicles,

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and earthmoving equipment. The term does not include house trailers, dump trucks, truck-mounted transit mixers, ~~cranes or shovels~~, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Section 7. Section 316.0741, Florida Statutes, is repealed.

Section 8. Subsection (7) of section 316.0745, Florida Statutes, is amended to read:

316.0745 Uniform signals and devices.—

(7) The Department of Transportation may, upon receipt and investigation of reported noncompliance and after hearing pursuant to 14 days' notice, direct the removal of any purported traffic control device that fails to meet the requirements of this section, wherever the device is located and without regard to assigned responsibility under s. 316.1895. The public agency erecting or installing the same shall immediately bring it into compliance with the requirements of this section or remove said device or signal upon the direction of the Department of Transportation and may not, for a period of 5 years, install any replacement or new traffic control devices paid for in part or in full with revenues raised by the state unless written prior approval is received from the Department of Transportation. Any additional violation by a public body or official shall be cause for the withholding of state funds deposited in the State Transportation Trust Fund ~~for traffic control purposes~~ until such public body or official demonstrates to the Department of Transportation that it is complying with this section.

Section 9. Subsection (3) of section 316.550, Florida Statutes, is amended to read:

316.550 Operations not in conformity with law; special

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permits.—

(3) Notwithstanding subsection (2), the Department of Transportation may issue a mobile crane special blanket permit for any of the following purposes:

(a) To authorize a mobile crane to operate on and ~~A permit may authorize a self-propelled truck crane operating off the~~ Interstate Highway System while towing ~~to tow~~ a motor vehicle that ~~which~~ does not weigh more than 5,000 pounds if the combined weight of the crane and such motor vehicle does not exceed 95,000 pounds. Notwithstanding s. 320.01(7) or (12), mobile truck cranes that tow another motor vehicle under the provision ~~of this subsection shall be taxed under the provisions of s. 320.08(5) (b).~~

(b) To authorize a mobile crane and accessory support vehicles that are up to 12 feet in width, 14 feet 6 inches in height, and 100 feet in length to operate on and off the Interstate Highway System at all hours except as restricted under a local travel-related curfew.

(c) To authorize a mobile crane and accessory support vehicles that, due to their design for special use, exceed the weight limits established in s. 316.535 to operate on and off the Interstate Highway System.

Section 10. Subsections (1) and (3), paragraphs (a) and (c) of subsection (4), and subsection (6) of section 320.084, Florida Statutes, are amended to read:

320.084 Free motor vehicle license plate to certain disabled veterans.—

(1) One free disabled veteran ~~"DV"~~ motor vehicle license number plate shall be issued by the department for use on any

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motor vehicle owned or leased by any disabled veteran who has been a resident of this state continuously for the preceding 5 years or has established a domicile in this state as provided by s. 222.17(1), (2), or (3), and who has been honorably discharged from the United States Armed Forces, upon application, accompanied by proof that:

(a) A vehicle was initially acquired through financial assistance by the United States Department of Veterans Affairs or its predecessor specifically for the purchase of an automobile;

(b) The applicant has been determined by the United States Department of Veterans Affairs or its predecessor to have a service-connected 100-percent disability rating for compensation; or

(c) The applicant has been determined to have a service-connected disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services.

(3) The department shall, as it deems necessary, require each person to whom a motor vehicle license plate has been issued pursuant to subsection (1) to apply to the department for reissuance of his or her registration license plate. Upon receipt of the application and proof of the applicant's continued eligibility, the department shall issue a new permanent disabled veteran ~~"DV" numerical~~ motor vehicle license plate which shall be of the colors red, white, and blue similar to the colors of the United States flag. The operation of a motor vehicle displaying a disabled veteran ~~"DV"~~ license plate from a previous issue period or a noncurrent validation sticker

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after the date specified by the department shall subject the owner if he or she is present, otherwise the operator, to the penalty provided in s. 318.18(2). Such permanent license plate shall be removed upon sale of the vehicle, but may be transferred to another vehicle owned by such veteran in the manner prescribed by law. ~~The license number of each plate issued under this section shall be identified by the letter designation "DV."~~ Upon request of any such veteran, the department is authorized to issue a designation plate containing only the letters "DV," to be displayed on the front of the vehicle.

(4) (a) With the issuance of each new permanent disabled veteran ~~"DV" numerical~~ motor vehicle license plate, the department shall initially issue, without cost to the applicant, a validation sticker reflecting the owner's birth month and a serially numbered validation sticker reflecting the year of expiration. The initial sticker reflecting the year of expiration may not exceed 27 months.

(c) Registration under this section shall be renewed annually or biennially during the applicable renewal period on forms prescribed by the department, which shall include, in addition to any other information required by the department, a certified statement as to the continued eligibility of the applicant to receive the special disabled veteran ~~"DV"~~ license plate. Any applicant who falsely or fraudulently submits to the department the certified statement required by this paragraph is guilty of a noncriminal violation and is subject to a civil penalty of \$50.

(6) (a) A disabled veteran who meets the requirements of

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subsection (1) may be issued, in lieu of the disabled veteran
"DV" license plate, a military license plate for which he or she
is eligible or a specialty license plate embossed with the
initials "DV" in the top left-hand corner. A disabled veteran
electing a military license plate or specialty license plate
under this subsection must pay all applicable fees related to
such license plate, except for fees otherwise waived under
subsections (1) and (4).

(b) A military license plate or specialty license plate
elected under this subsection:

~~1. Does not provide the protections or rights afforded by
ss. 316.1955, 316.1964, 320.0848, 526.141, and 553.5041.~~

~~2.~~ is not eligible for the international symbol of
accessibility as described in s. 320.0842.

Section 11. Paragraph (e) of subsection (2) of section
320.0848, Florida Statutes, is amended to read:

320.0848 Persons who have disabilities; issuance of
disabled parking permits; temporary permits; permits for certain
providers of transportation services to persons who have
disabilities.—

(2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
MOBILITY PROBLEMS.—

(e) A person who qualifies for a disabled parking permit
under this section may be issued an international wheelchair
user symbol license plate under s. 320.0843 in lieu of the
disabled parking permit; or, if the person qualifies for a
disabled veteran "DV" license plate under s. 320.084, such a
license plate may be issued to him or her in lieu of a disabled
parking permit.

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842 Section 12. Section 330.27, Florida Statutes, is amended to
843 read:

844 330.27 Definitions, when used in ss. 330.29-330.39.—

845 (1) "Air ambulance operation" means a flight with a patient
846 or medical personnel on board for the purpose of medical
847 transportation.

848 (2) "Aircraft" means a powered or unpowered machine or
849 device capable of atmospheric flight, including, but not limited
850 to, an airplane, an autogyro, a glider, a gyrodyne, a
851 helicopter, a lift and cruise, a multicopter, paramotors, a
852 powered lift, a seaplane, a tiltrotor, an ultralight, and a
853 vectored thrust. The term does not include ~~except~~ a parachute or
854 other such device used primarily as safety equipment.

855 (3)~~(2)~~ "Airport" means a specific ~~an~~ area of land or water
856 or a structure used for, or intended to be used for, aircraft
857 operations, which may include ~~landing and takeoff of aircraft,~~
858 ~~including~~ appurtenant areas, buildings, facilities, or rights-
859 of-way necessary to facilitate such use or intended use. The
860 term includes, but is not limited to, airparks, airports,
861 gliderports, heliports, helistops, seaplane bases, ultralight
862 flightparks, vertiports, and vertistops.

863 (4) "Commercial air tour operation" means a flight
864 conducted for compensation or hire in an aircraft where a
865 purpose of the flight is sightseeing.

866 (5) "Commuter operation" means any scheduled operation
867 conducted by a person operating an aircraft with a frequency of
868 operations of at least five round trips per week on at least one
869 route between two or more points according to the published
870 flight schedule.

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871 (6)~~(3)~~ "Department" means the Department of Transportation.

872 (7)~~(4)~~ "Limited airport" means any airport limited
873 exclusively to the specific conditions stated on the site
874 approval order or license.

875 (8) "On-demand operation" means any scheduled passenger-
876 carrying operation for compensation or hire conducted by a
877 person operating an aircraft with a frequency of operations of
878 fewer than five round trips per week on at least one route
879 between two or more points according to the published flight
880 schedule.

881 (9)~~(5)~~ "Private airport" means an airport, publicly or
882 privately owned, which is not open or available for use by the
883 public, but may be made available to others by invitation of the
884 owner or manager.

885 (10) "Private airport of public interest" means a private
886 airport engaged in air ambulance operations, commercial air tour
887 operations, commuter operations, on-demand operations, public
888 charter operations, scheduled operations, or supplemental
889 operations.

890 (11)~~(6)~~ "Public airport" means an airport, publicly or
891 privately owned, which is open for use by the public.

892 (12) "Public charter operation" means a one-way or round-
893 trip charter flight performed by one or more direct air carriers
894 which is arranged and sponsored by a charter operator.

895 (13) "Scheduled operation" means any common carriage
896 passenger-carrying operation for compensation or hire conducted
897 by an air carrier or commercial operator for which the
898 certificateholder or its representative offers in advance the
899 departure location, departure time, and arrival location.

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900 (14) "Supplemental operation" means any common carriage
901 operation for compensation or hire conducted with an aircraft
902 for which the departure time, departure location, and arrival
903 location are specifically negotiated with the customer or
904 customer's representative.

905 (15)~~(7)~~ "Temporary airport" means an airport at which
906 flight operations are conducted under visual flight rules
907 established by the Federal Aviation Administration and which is
908 used for less than 30 consecutive days with no more than 10
909 operations per day.

910 ~~(8) "Ultralight aircraft" means any aircraft meeting the~~
911 ~~criteria established by part 103 of the Federal Aviation~~
912 ~~Regulations.~~

913 Section 13. Subsections (2) and (4) of section 330.30,
914 Florida Statutes, are amended to read:

915 330.30 Approval of airport sites; registration,
916 certification, and licensure of airports.-

917 (2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS;
918 REQUIREMENTS, RENEWAL, REVOCATION.-

919 (a) Except as provided in subsection (3), the owner or
920 lessee of an airport in this state shall have a public airport
921 license, private airport registration, or temporary airport
922 registration before the operation of aircraft to or from the
923 airport. Application for a license or registration shall be made
924 in a form and manner prescribed by the department.

925 1. For a public airport, upon granting site approval, the
926 department shall issue a license after a final airport
927 inspection finds the airport to be in compliance with all
928 requirements for the license. The license may be subject to any

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reasonable conditions the department deems necessary to protect the public health, safety, or welfare.

2. For a private airport, upon granting site approval, the department shall provide controlled electronic access to the state aviation facility data system to permit the applicant to complete the registration process. Registration shall be completed upon self-certification by the registrant of operational and configuration data deemed necessary by the department.

3. For a temporary airport, the department must publish notice of receipt of a completed registration application in the next available publication of the Florida Administrative Register and may not approve a registration application less than 14 days after the date of publication of the notice. The department must approve or deny a registration application within 30 days after receipt of a completed application and must issue the temporary airport registration concurrent with the airport site approval. A completed registration application that is not approved or denied within 30 days after the department receives the completed application is considered approved and shall be issued, subject to such reasonable conditions as are authorized by law. An applicant seeking to claim registration by default under this subparagraph must notify the agency clerk of the department, in writing, of the intent to rely upon the default registration provision of this subparagraph and may not take any action based upon the default registration until after receipt of such notice by the agency clerk.

4. A private airport of public interest must obtain a certificate from the department before allowing aircraft

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958 operations. The department shall issue a certificate after a
959 final inspection finds the airport to be in compliance with all
960 certificate requirements. The certificate is subject to any
961 reasonable conditions the department deems necessary to protect
962 the public. A private airport that was engaged in operations
963 associated with a private airport of public interest on or
964 before July 1, 2025, must obtain a certificate from the
965 department by July 1, 2030.

966 (b) The department may license a public airport that does
967 not meet standards only if it determines that such exception is
968 justified by unusual circumstances or is in the interest of
969 public convenience and does not endanger the public health,
970 safety, or welfare. Such a license shall bear the designation
971 "special" and shall state the conditions subject to which the
972 license is granted.

973 (c) A temporary airport license or registration shall be
974 valid for less than 30 days and is not renewable. The department
975 may not approve a subsequent temporary airport registration
976 application for the same general location if the purpose or
977 effect is to evade otherwise applicable airport permitting or
978 licensure requirements.

979 (d)1. Each public airport license shall expire no later
980 than 1 year after the effective date of the license, except that
981 the expiration date of a license may be adjusted to provide a
982 maximum license period of 18 months to facilitate airport
983 inspections, recognize seasonal airport operations, or improve
984 administrative efficiency.

985 2. Registration for private airports shall remain valid
986 provided specific elements of airport data, established by the

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department, are periodically recertified by the airport registrant. The ability to recertify private airport registration data shall be available at all times by electronic submittal. A private airport registration that has not been recertified in the 24-month period following the last certification shall expire, unless the registration period has been adjusted by the department for purposes of informing private airport owners of their registration responsibilities or promoting administrative efficiency. The expiration date of the current registration period will be clearly identifiable from the state aviation facility data system.

3. The effective date and expiration date shall be shown on public airport licenses. Upon receiving an application for renewal of an airport license in a form and manner prescribed by the department and receiving a favorable inspection report indicating compliance with all applicable requirements and conditions, the department shall renew the license, subject to any conditions deemed necessary to protect the public health, safety, or welfare.

4. The department may require a new site approval for any airport if the license or registration has expired.

5. If the renewal application for a public airport license has not been received by the department or no private airport registration recertification has been accomplished within 15 days after the date of expiration, the department may revoke the airport license or registration.

6. After initial registration, the department may issue a certificate to a private airport of public interest if the airport is found, after a physical inspection, to be in

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compliance with all certificate requirements. The certificate is
subject to any reasonable condition that the department deems
necessary to protect the public health, safety, or welfare. A
private airport of public interest certificate expires 5 years
after the effective date of the certificate.

(e) The department may revoke, or refuse to allow or issue, any airport registration or recertification, or any license or license renewal, if it determines:

1. That the site has been abandoned as an airport;
2. That the airport does not comply with the conditions of the license, license renewal, or site approval;
3. That the airport has become either unsafe or unusable for flight operation due to physical or legal changes in conditions that were the subject of approval; or
4. That an airport required to file or update a security plan pursuant to paragraph (f) has failed to do so.

(f)1. After initial licensure, a license of a publicly or privately owned general aviation airport that is open to the public, that has at least one runway greater than 4,999 feet in length, and that does not host scheduled passenger-carrying commercial service operations regulated under 14 C.F.R. part 139 shall not be renewed or reissued unless an approved security plan has been filed with the department, except when the department determines that the airport is working in good faith toward completion and filing of the plan.

2. Security plans required by this paragraph must be developed in accordance with the 2004 Security Planning for General Aviation Airports guidelines published by the Florida Airports Council. Certain administrative data from the approved

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security plan shall be submitted to the Department of Law Enforcement, in a format prescribed by the Department of Law Enforcement, for use in protecting critical infrastructure of the state.

3. The department shall not approve a security plan for filing unless it is consistent with Florida Airports Council guidelines.

4. An airport required to file a security plan pursuant to this paragraph shall update its plan at least once every 2 years after the initial filing date and file the updated plan with the department. The department shall review the updated plan prior to approving it for filing to determine whether it is consistent with Florida Airports Council guidelines. No renewal license shall be issued to the airport unless the department approves the updated security plan or determines that the airport is working in good faith to update it.

(4) EXCEPTIONS.—Private airports with 10 or more based aircraft may request to be inspected and licensed by the department. Private airports licensed according to this subsection shall be considered private airports as defined in s. 330.27 ~~s. 330.27(5)~~ in all other respects.

Section 14. Section 330.355, Florida Statutes, is created to read:

330.355 Prohibition on landing fees for certain aircraft operations.—A publicly owned airport in this state may not charge a landing fee established on or after January 1, 2025, for aircraft operations conducted by an accredited nonprofit institution located in this state which offers a 4-year collegiate aviation program, if such aircraft operations are for

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1074 flight training necessary for pilot certification and
1075 proficiency.

1076 Section 15. Section 331.371, Florida Statutes, is amended
1077 to read:

1078 331.371 Strategic space infrastructure investment.—

1079 (1) In consultation with Space Florida, the Department of
1080 Transportation may fund spaceport discretionary capacity
1081 improvement projects, as defined in s. 331.303, at up to 100
1082 percent of the project's cost if:

1083 (a)~~(1)~~ Important access and on-spaceport-territory space
1084 transportation capacity improvements are provided;

1085 (b)~~(2)~~ Capital improvements that strategically position the
1086 state to maximize opportunities in international trade are
1087 achieved;

1088 (c)~~(3)~~ Goals of an integrated intermodal transportation
1089 system for the state are achieved; and

1090 (d)~~(4)~~ Feasibility and availability of matching funds
1091 through federal, local, or private partners are demonstrated.

1092 (2) (a) In consultation with the Department of Commerce and
1093 the Department of Environmental Protection, the Department of
1094 Transportation may fund infrastructure projects, and projects
1095 associated with critical infrastructure facilities as defined in
1096 s. 692.201, within or outside of a spaceport territory as long
1097 as the project supports aerospace or launch support facilities
1098 within an adjacent spaceport territory boundary.

1099 (b) The Department of Transportation, the Department of
1100 Commerce, and the Department of Environmental Protection shall
1101 coordinate in funding projects under this subsection to optimize
1102 the use of available funds.

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1103 Section 16. Section 332.003, Florida Statutes, is amended
1104 to read:

1105 332.003 Florida Airport Development and Accountability
1106 ~~Assistance~~ Act; short title.—Sections 332.003–332.007 may be
1107 cited as the “Florida Airport Development and Accountability
1108 ~~Assistance~~ Act.”

1109 Section 17. Section 332.005, Florida Statutes, is amended
1110 to read:

1111 332.005 Restrictions on authority of Department of
1112 Transportation.—

1113 (1) This act specifically prohibits the Department of
1114 Transportation from regulating commercial air carriers operating
1115 within the state pursuant to federal authority and regulations;
1116 from participating in or exercising control in the management
1117 and operation of a sponsor’s airport, except when officially
1118 requested by the sponsor; or from expanding the design or
1119 operational capability of the department in the area of airport
1120 and aviation consultants’ contract work, other than to provide
1121 technical assistance as requested.

1122 (2)(a) Notwithstanding subsection (1), upon the declaration
1123 of a state of emergency issued by the Governor in preparation
1124 for or in response to a natural disaster, airports shall, at no
1125 cost to the state, provide the Department of Transportation with
1126 the opportunity to use any property that is not subject to an
1127 existing lease agreement with a third party and that is not
1128 within the air navigation facility as defined in s. 332.01(4)
1129 for the staging of equipment and personnel to support emergency
1130 preparedness and response operations.

1131 (b) After 60 days of use under paragraph (a), any further

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1132 use of airport property by the Department of Transportation must
1133 be conducted pursuant to a written agreement between the airport
1134 and the department.

1135 Section 18. Section 332.006, Florida Statutes, is amended
1136 to read:

1137 332.006 Duties and responsibilities of the Department of
1138 Transportation.—The Department of Transportation shall, within
1139 the resources provided to the department ~~pursuant to chapter~~
1140 ~~216~~:

1141 (1) Provide coordination and assistance for the development
1142 of a viable aviation system in this state. To support the
1143 system, a statewide aviation system plan shall be developed and
1144 periodically updated which summarizes 5-year, 10-year, and 20-
1145 year airport and aviation needs within the state. The statewide
1146 aviation system plan shall be consistent with the goals of the
1147 Florida Transportation Plan developed pursuant to s. 339.155.
1148 The statewide aviation system plan shall not preempt local
1149 airport master plans adopted in compliance with federal and
1150 state requirements.

1151 (2) Advise and assist the Governor in all aviation matters.

1152 (3) Upon request, assist airport sponsors, both financially
1153 and technically, in airport master planning.

1154 (4) Upon request, provide financial and technical
1155 assistance to public agencies which operate public-use airports
1156 by making department personnel and department-owned facilities
1157 and equipment available on a cost-reimbursement basis to such
1158 agencies for special needs of limited duration. The requirement
1159 relating to reimbursement of personnel costs may be waived by
1160 the department in those cases in which the assistance provided

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by its personnel was of a limited nature or duration.

(5) Participate in research and development programs relating to airports.

(6) Administer department participation in the program of aviation and airport grants as provided for in ss. 332.003-332.007.

(7) Develop, promote, and distribute supporting information and educational services, including, but not limited to, educational services with a focus on retention and growth of the aviation industry workforce.

(8) Encourage the maximum allocation of federal funds to local airport projects in this state.

(9) Support the development of land located within the boundaries of airports for the purpose of industrial or other uses compatible with airport operations with the objective of assisting airports in this state to become fiscally self-supporting. Such assistance may include providing state moneys on a matching basis to airport sponsors for capital improvements, including, but not limited to, fixed-base operation facilities, parking areas, industrial park utility systems, and road and rail transportation systems which are on airport property.

Section 19. Subsection (5), paragraph (a) of subsection (7), and subsections (8) and (9) of section 332.007, Florida Statutes, are amended, and paragraph (c) is added to subsection (2) of that section, to read:

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

(2)

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(c) Each commercial service airport as defined in s. 332.0075 shall establish and maintain a comprehensive airport infrastructure program to ensure the ongoing preservation of airport infrastructure and facilities in safe and serviceable condition. For purposes of this paragraph, the term "airport infrastructure" means the facilities, systems, and structural components of an airport necessary for the safe and efficient movement of people and goods. Beginning November 1, 2025, and annually thereafter, each commercial service airport shall provide a certification to the department, in a manner prescribed by the department, that it has established and maintains a comprehensive airport infrastructure program. The comprehensive airport infrastructure program report, and related documents and records, must be open to inspection by the department and maintained by the airport for at least 5 years. The comprehensive airport infrastructure program must, at a minimum, include all of the following:

1. Identification of airport infrastructure subject to inspection and the schedule for the completion of such inspections, taking into consideration the age, type, intended use, and criticality of the infrastructure to uninterrupted commercial or cargo operations.

2. A preventative maintenance program for routine maintenance of airport infrastructure, for both commercial and cargo operations.

3. A plan to complete any necessary repairs to, or rehabilitation or reconstruction of, airport infrastructure, including prioritization and anticipated timeframe for completion of the work.

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1219 4. A progress report of inspections and their outcomes,
1220 preventative maintenance, and previously identified repair to,
1221 or rehabilitation or reconstruction of, airport infrastructure.
1222 The progress report must include any changes in timeline for
1223 completion, changes in cost estimates, and reasons any
1224 inspection, preventative maintenance, or repair or
1225 rehabilitation did not take place.

1226 (5) Only those projects or programs provided for in this
1227 act that will contribute to the implementation of the state
1228 aviation system plan, that are consistent with the energy policy
1229 of the state as defined in s. 339.08(6)(a), that are consistent
1230 with and will contribute to the implementation of any airport
1231 master plan or layout plan, and that are consistent, to the
1232 maximum extent feasible, with the approved local government
1233 comprehensive plans of the units of government in which the
1234 airport is located are eligible for the expenditure of state
1235 funds in accordance with fund participation rates and priorities
1236 established herein.

1237 (7) Subject to the availability of appropriated funds in
1238 addition to aviation fuel tax revenues, the department may
1239 participate in the capital cost of eligible public airport and
1240 aviation discretionary capacity improvement projects. The annual
1241 legislative budget request shall be based on the funding
1242 required for discretionary capacity improvement projects in the
1243 aviation and airport work program.

1244 (a) The department shall provide priority funding in
1245 support of:

1246 1. Terminal and parking expansion projects that increase
1247 capacity at airports providing commercial service in counties

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1248 with a population of 500,000 or less.

1249 2. Land acquisition which provides additional capacity at
1250 the qualifying international airport or at that airport's
1251 supplemental air carrier airport.

1252 3.2. Runway and taxiway projects that add capacity or are
1253 necessary to accommodate technological changes in the aviation
1254 industry.

1255 4.3. Airport access transportation projects that improve
1256 direct airport access and are approved by the airport sponsor.

1257 5.4. International terminal projects that increase
1258 international gate capacity.

1259 6. Projects that improve safety and efficiency of airport
1260 operations.

1261 7. Emerging technology projects, workforce development
1262 projects, and projects that benefit the strategic intermodal
1263 system through intermodal connectivity.

1264 (8) The department may also fund eligible projects
1265 performed by not-for-profit organizations that represent a
1266 majority of public airports in this state and postsecondary
1267 education institutions as defined in s. 1008.47 that support the
1268 training of pilots, air traffic control personnel, or aircraft
1269 maintenance technical personnel. Eligible projects may include
1270 activities associated with aviation master planning,
1271 professional education, safety and security planning, enhancing
1272 economic development and efficiency at airports in this state,
1273 or other planning efforts to improve the viability and safety of
1274 airports in this state. Programs that support the transition of
1275 honorably discharged military personnel to the aviation industry
1276 are also eligible projects under this subsection. The department

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may provide matching funds for eligible projects funded by the
Department of Commerce.

(9) The department may fund strategic airport investment projects at up to 100 percent of the project's cost if:

(a) Important access and on-airport capacity improvements are provided;

(b) Capital improvements that strategically position the state to maximize opportunities in tourism, international trade, logistics, and the aviation industry are provided;

(c) Goals of an integrated intermodal transportation system for the state are achieved; and

(d) Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.

Section 20. Paragraphs (a), (b), and (d) of subsection (1), subsection (2), and paragraph (a) of subsection (5) of section 332.0075, Florida Statutes, are amended, and paragraph (c) is added to subsection (5) of that section, to read:

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

(1) As used in this section, the term:

(a) "Commercial service airport" means an airport providing commercial service, including large, medium, small, and nonhub airports as classified ~~a primary airport as defined in 49 U.S.C. s. 47102 which is classified as a large, medium, or small hub airport~~ by the Federal Aviation Administration.

(b) "Consent agenda" means an agenda which consists of items voted on collectively or as a group and which does not provide the opportunity for public comment on each such item before approval or disapproval by the governing body.

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(d) "Governing body" means the governing body of the county, municipality, or special district that operates a commercial service airport. The term also includes an appointed board or oversight entity serving as the governing body for purposes of a commercial service airport on behalf of a county, municipality, or special district.

(2) Each governing body shall establish and maintain a website to post information relating to the operation of a commercial service airport. The information must remain posted on the website for 5 years or for the entirety of the period during which the document is actively in use, whichever is longer, and must include all of the following, including:

(a) All published notices of meetings and published meeting agendas of the governing body.

(b) The official minutes of each meeting of the governing body, which must ~~shall~~ be posted within 7 business days after the date of the meeting in which the minutes were approved.

(c) The approved budget for the commercial service airport for the current fiscal year, which shall be posted within 7 business days after the date of adoption. Budgets must remain on the website for 5 ~~2~~ years after the conclusion of the fiscal year for which they were adopted.

(d) Copies of the current airport master plan and the immediately preceding airport master plan for the commercial service airport and a link to the current airport master plan ~~for the commercial service airport~~ on the commercial service airport's website.

(e) A link to all financial and statistical reports for the commercial service airport on the Federal Aviation

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Administration's website.

(f) Any contract or contract amendment for the purchase of commodities or contractual services executed by or on behalf of the commercial service airport in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE, which must ~~shall~~ be posted no later than 7 business days after the commercial service airport executes the contract or contract amendment. However, a contract or contract amendment may not reveal information made confidential or exempt by law. Each commercial service airport must redact confidential or exempt information from each contract or contract amendment before posting a copy on its website.

(g) Position and rate information for each employee of the commercial service airport, including, at a minimum, the employee's position title, position description, and annual or hourly salary. This information must ~~shall~~ be updated quarterly ~~annually~~.

(5)(a) Each November 1, the governing body of each commercial service airport shall submit the following information to the department:

1. Its approved budget for the current fiscal year.
2. Any financial reports submitted to the Federal Aviation Administration during the previous calendar year.
3. A link to its website.
4. A statement, verified as provided in s. 92.525, that it has complied with part III of chapter 112, chapter 287, and this section.
5. The most recent copies of its strategic plans.
6. Contracts related to any financial awards received

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through federally funded grant programs for the preceding year.

(c) A commercial service airport shall:

1. Notify the department within 48 hours after receiving a communication or directive from a federal agency relating to public health testing or the transfer of unauthorized aliens into this state.

2. Notify the department as soon as is reasonably possible, but no later than 48 hours, after the discovery of a potential cybersecurity breach or other occurrence impacting the traveling public, a disruption in state aviation operations directly impacting multiple airports within this state, or an incident occurring on airport property which requires coordination with multiple local, state, or federal agencies.

Section 21. Section 332.15, Florida Statutes, is created to read:

332.15 Advanced air mobility.—The Department of Transportation shall:

(1) Address the need for vertiports, advanced air mobility, and other advances in aviation technology in the statewide aviation system plan required under s. 332.006(1) and, as appropriate, in the department's work program.

(2) Designate a subject matter expert on advanced air mobility within the department to serve as a resource for local jurisdictions navigating advances in aviation technology.

(3) Conduct a review of airport hazard zone regulations.

(4) In coordination with the Department of Commerce, provide coordination and assistance for the development of a viable advanced air mobility system plan in this state. The department shall incorporate the plan into the statewide

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aviation system plan required under s. 332.006(1) to identify and develop statewide corridors of need and opportunities for industry growth.

Section 22. Subsections (5) and (26) of section 334.044, Florida Statutes, are amended, and subsections (37), (38), and (39) are added to that section, to read:

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

(5) To purchase, lease, or otherwise acquire property and materials, including the purchase of promotional items as part of public information and education campaigns for the promotion of environmental management, scenic highways, traffic and train safety awareness, ~~alternatives to single-occupant vehicle travel~~, commercial motor vehicle safety, workforce development, electric vehicle use and charging stations, autonomous vehicles, and context classification design for electric vehicles and autonomous vehicles; to purchase, lease, or otherwise acquire equipment and supplies; and to sell, exchange, or otherwise dispose of any property that is no longer needed by the department.

(26) To provide for the enhancement of environmental benefits, including air and water quality; to prevent roadside erosion; to conserve the natural roadside growth and scenery; and to provide for the implementation and maintenance of roadside conservation, enhancement, and stabilization programs.

(a) On an annual basis, an amount equal to at least 1.5 percent of the total amount contracted for the average of the previous 3 completed fiscal years of construction projects shall be allocated by the department on a statewide basis for the

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1422 purchase of plant materials to enhance State Highway System
1423 rights-of-way and arterial facilities. Such funds must be
1424 allocated on a statewide basis. ~~Department districts may not~~
1425 ~~expend funds for landscaping in connection with any project that~~
1426 ~~is limited to resurfacing existing lanes unless the expenditure~~
1427 ~~has been approved by the department's secretary or the~~
1428 ~~secretary's designee.~~

1429 (b) To the greatest extent practical, at least 50 percent
1430 of the funds allocated under paragraph (a) ~~this subsection~~ shall
1431 be allocated for large plant materials and the remaining funds
1432 for other plant materials.

1433 (c) Except as prohibited by applicable federal law or
1434 regulation, all plant materials shall be purchased from Florida
1435 commercial nursery stock in this state on a uniform competitive
1436 bid basis. The department shall develop grades and standards for
1437 landscaping materials purchased through this process, which must
1438 include standards for landscaping materials native to specific
1439 regions of this state which are reflective of this state's
1440 heritage and natural landscapes. ~~To accomplish these activities,~~
1441 ~~the department may contract with nonprofit organizations having~~
1442 ~~the primary purpose of developing youth employment~~
1443 ~~opportunities.~~

1444 (37) Notwithstanding s. 287.022 or s. 287.025, to directly
1445 enter into insurance contracts with local, national, or
1446 international insurance companies for the purchase of insurance
1447 coverage that the department is contractually and legally
1448 required to provide.

1449 (38) Notwithstanding s. 287.14, to purchase or acquire
1450 heavy equipment and motor vehicles for roadway operations and

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emergency response purposes regardless of whether the department exchanges or ceases to operate any department-owned heavy equipment or motor vehicles.

(39) To adopt rules for the purpose of compliance with 49 C.F.R. part 26 and any other applicable federal law.

Section 23. Subsection (1) of section 334.045, Florida Statutes, is amended to read:

334.045 Transportation performance and productivity standards; development; measurement; application.—

(1) The Florida Transportation Commission shall develop and adopt measures for evaluating the performance and productivity of the department. The measures may be both quantitative and qualitative and must, to the maximum extent practical, assess those factors that are within the department's control. The measures must, at a minimum, assess performance in the following areas:

- (a) Production;
- (b) Finance and administration;
- (c) Preservation of the current state system;
- (d) Safety of the current state system;
- (e) Capacity improvements: highways and all public transportation modes; and

(f) The business development program established under s. 337.027 ~~Disadvantaged business enterprise and minority business programs.~~

Section 24. Section 334.615, Florida Statutes, is created to read:

334.615 Parking authority operations; interlocal agreements.—A parking authority created by special act may

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operate, manage, and control parking facilities in contiguous counties, municipalities, or other local governmental entities upon entering into interlocal agreements with the governing bodies of the appropriate contiguous counties, municipalities, or local governmental entities.

Section 25. Section 334.62, Florida Statutes, is created to read:

334.62 Florida Transportation Academy.—The Legislature finds that the growth and sustainability of the transportation industry workforce is vital to the continued success and efficiency of the state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established within the department. In order to support, promote, and sustain workforce development efforts in the transportation sector, the department may do all of the following:

(1) Coordinate with the Department of Corrections to identify and create certification and training opportunities for nonviolent, scheduled-release inmates and create a notification process between the Department of Corrections and the department for nonviolent inmates with imminent scheduled-release dates who are expected to seek employment upon release.

(2) Coordinate with the Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.

(3) Coordinate with veterans' organizations to encourage veterans with honorable military discharge to pursue employment opportunities within the transportation industry, including, but

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not limited to, employment as pilots, mechanics, and air traffic controllers.

(4) Coordinate with the Department of Commerce, CareerSource Florida, Inc., and regional business organizations, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.

(5) Coordinate with the American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess future needs across the transportation industry in this state.

Section 26. Present paragraph (b) of subsection (3) of section 335.182, Florida Statutes, is redesignated as paragraph (c) and amended, and a new paragraph (b) is added to that subsection, to read:

335.182 Regulation of connections to roads on State Highway System; definitions.—

(3) As used in this act, the term:

(b) "Modification of an existing connection" means the relocation, alteration, or closure of the connection.

(c) ~~(b)~~ "Significant change" means:

1. A change in the use of the property, including the development of land, structures, or facilities; ~~or~~

2. An expansion of the size of the property, structures, or facilities causing an increase in the trip generation of the property exceeding 25 percent more trip generation, either peak hour or daily, ~~and exceeding 100 vehicles per day more than the existing use.~~

Section 27. Subsections (3) and (4) of section 335.187,

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Florida Statutes, are amended to read:

335.187 Unpermitted connections; existing access permits; nonconforming permits; modification and revocation of permits.—

(3) The department may issue a nonconforming access permit if denying ~~after finding that to deny~~ an access permit would leave the property without a reasonable means of access to the State Highway System. The department may specify limits on the maximum vehicular use of the connection and may condition ~~be conditioned on~~ the availability of future alternative means of access for which access permits can be obtained.

(4) After written notice and the opportunity for a hearing, as provided for in s. 120.60, the department may modify or revoke an access permit issued after July 1, 1988, by requiring modification ~~Relocation, alteration, or closure~~ of an existing connection if:

(a) A significant change occurs in the use, design, or traffic flow of the connection; or

(b) It would jeopardize the safety of the public or have a negative impact upon the operational characteristics of the highway.

Section 28. Section 337.027, Florida Statutes, is amended to read:

337.027 Authority to implement a business development program.—

(1) The department may establish a program for highway projects which would assist small businesses. The purpose of this program is to increase competition, lower prices, and provide increased support to meet the department's future work program. The program may include, but is not limited to, setting

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1567 aside contracts, providing preference points for the use of
1568 small businesses, providing special assistance in bidding and
1569 contract completion, waiving bond requirements, and implementing
1570 other strategies that would increase competition.

1571 (2) For purposes of this section, the term "small business"
1572 means a business with yearly average gross receipts of less than
1573 \$25 ~~\$15~~ million for road and bridge contracts and less than \$10
1574 ~~\$6.5~~ million for professional and nonprofessional services
1575 contracts. A business' average gross receipts is determined by
1576 averaging its annual gross receipts over the last 3 years,
1577 including the receipts of any affiliate as defined in s.
1578 337.165.

1579 (3) The department may provide notice of opportunities for
1580 businesses qualified for this program.

1581 (4) The department may adopt rules to implement this
1582 section.

1583 Section 29. Subsection (6) of section 337.11, Florida
1584 Statutes, is amended to read:

1585 337.11 Contracting authority of department; bids; emergency
1586 repairs, supplemental agreements, and change orders; combined
1587 design and construction contracts; progress payments; records;
1588 requirements of vehicle registration.—

1589 (6) (a) If the secretary determines that an emergency in
1590 regard to the restoration or repair of any state transportation
1591 facility exists such that the delay incident to giving
1592 opportunity for competitive bidding would be detrimental to the
1593 interests of the state, the provisions for competitive bidding
1594 do not apply; and the department may enter into contracts for
1595 restoration or repair without giving opportunity for competitive

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bidding on such contracts. Within 30 days after such determination and contract execution, the head of the department shall file with the Executive Office of the Governor a written statement of the conditions and circumstances constituting such emergency.

(b) If the secretary determines that delays on a contract for maintenance exist due to administrative challenges, bid protests, defaults or terminations and the further delay would reduce safety on the transportation facility or seriously hinder the department's ability to preserve the state's investment in that facility, competitive bidding provisions may be waived and the department may enter into a contract for maintenance on the facility. However, contracts for maintenance executed under the provisions of this paragraph shall be interim in nature and shall be limited in duration to a period of time not to exceed the length of the delay necessary to complete the competitive bidding process and have the contract in place.

(c) When the department determines that it is in the best interest of the public for reasons of public concern, economy, improved operations, or safety, and only when circumstances dictate rapid completion of the work, the department may, up to the amount of \$500,000, enter into contracts for construction and maintenance without advertising and receiving competitive bids. The department may enter into such contracts only upon a determination that the work is necessary for one of the following reasons:

1. To ensure timely completion of projects or avoidance of undue delay for other projects;
2. To accomplish minor repairs or construction and

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1625 maintenance activities for which time is of the essence and for
1626 which significant cost savings would occur; or

1627 3. To accomplish nonemergency work necessary to ensure
1628 avoidance of adverse conditions that affect the safe and
1629 efficient flow of traffic.

1630
1631 The department shall make a good faith effort to obtain two or
1632 more quotes, if available, from qualified contractors before
1633 entering into any contract. The department shall give
1634 consideration to small disadvantaged business enterprise
1635 participation. However, when the work exists within the limits
1636 of an existing contract, the department shall make a good faith
1637 effort to negotiate and enter into a contract with the prime
1638 contractor on the existing contract.

1639 Section 30. Section 337.125, Florida Statutes, is repealed.

1640 Section 31. Section 337.135, Florida Statutes, is repealed.

1641 Section 32. Section 337.139, Florida Statutes, is repealed.

1642 Section 33. Paragraph (a) of subsection (1) of section
1643 337.18, Florida Statutes, is amended to read:

1644 337.18 Surety bonds for construction or maintenance
1645 contracts; requirement with respect to contract award; bond
1646 requirements; defaults; damage assessments.—

1647 (1)(a) A surety bond shall be required of the successful
1648 bidder in an amount equal to the awarded contract price.
1649 However, the department may choose, in its discretion and
1650 applicable only to multiyear maintenance contracts, to allow for
1651 incremental annual contract bonds that cumulatively total the
1652 full, awarded, multiyear contract price; ~~the department may~~
1653 ~~also choose,~~ in its discretion and applicable only to phased

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design-build contracts under s. 337.11(7)(b), to allow the issuance of multiple contract performance and payment bonds in succession to align with each phase of the contract to meet the bonding requirement in this subsection; and, at the discretion of the Secretary of Transportation and notwithstanding any bonding requirement under s. 337.18, to require a surety bond in an amount that is less than the awarded contract price.

1. The department may waive the requirement for all or a portion of a surety bond if:

a. The contract price is \$250,000 or less and the department determines that the project is of a noncritical nature and that nonperformance will not endanger public health, safety, or property;

b. The prime contractor is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2); or

c. The prime contractor is using a subcontractor that is a qualified nonprofit agency for the blind or for the other severely handicapped under s. 413.036(2). However, the department may not waive more than the amount of the subcontract.

2. If the department determines that it is in the best interests of the department to reduce the bonding requirement for a project and that to do so will not endanger public health, safety, or property, the department may waive the requirement of a surety bond in an amount equal to the awarded contract price for a project having a contract price of \$250 million or more and, in its place, may set a surety bond amount that is a portion of the total contract price and provide an alternate

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means of security for the balance of the contract amount that is not covered by the surety bond or provide for incremental surety bonding and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond. Such alternative means of security may include letters of credit, United States bonds and notes, parent company guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is \$25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 34. Subsection (3) of section 337.251, Florida Statutes, is amended to read:

337.251 Lease of property for joint public-private development and areas above or below department property.—

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(3) A proposal must be selected by the department based on competitive bidding, except that the department may consider other relevant factors specified in the request for proposals. The department may consider such factors as the value of property exchanges, the cost of construction, and other recurring costs for the benefit of the department by the lessee in lieu of direct revenue to the department if such other factors are of equal value including innovative proposals to involve small ~~minority~~ businesses. The department may name a board of advisers which may be composed of accountants, real estate appraisers, design engineers, or other experts experienced in the type of development proposed. The board of advisers shall review the feasibility of the proposals, recommend acceptance or rejection of each proposal, and rank each feasible proposal in the order of technical feasibility and benefit provided to the department. The board of advisers shall be reasonably compensated for the services provided and all department costs for evaluating the proposals shall be reimbursed from a proposal application fee to be set by the department and paid by the applicants. The board of advisers shall not be subject to selection under the provisions of chapter 287.

Section 35. Section (2) of section 337.401, Florida Statutes, is amended to read:

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

(2) (a) The authority may grant to any person who is a resident of this state, or to any corporation which is organized under the laws of this state or licensed to do business within

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1741 this state, the use of a right-of-way for the utility in
1742 accordance with such rules or regulations as the authority may
1743 adopt. A utility may not be installed, located, or relocated
1744 unless authorized by a written permit issued by the authority.
1745 However, for public roads or publicly owned rail corridors under
1746 the jurisdiction of the department, a utility relocation
1747 schedule and relocation agreement may be executed in lieu of a
1748 written permit. The permit must require the permitholder to be
1749 responsible for any damage resulting from the issuance of such
1750 permit. The authority may initiate injunctive proceedings as
1751 provided in s. 120.69 to enforce provisions of this subsection
1752 or any rule or order issued or entered into pursuant thereto. A
1753 permit application required under this subsection by a county or
1754 municipality having jurisdiction and control of the right-of-way
1755 of any public road must be processed and acted upon in
1756 accordance with the timeframes provided in subparagraphs
1757 (7)(d)7., 8., and 9.

1758 (b) Notwithstanding paragraph (a), a municipality may not
1759 prohibit, or require a permit for, the installation of a public
1760 sewer transmission line placed and maintained within and under
1761 publicly dedicated rights-of-way as part of a septic-to-sewer
1762 conversion where the work is being performed under permits
1763 issued by the Department of Transportation pursuant to this
1764 chapter and the Department of Environmental Protection, or its
1765 delegate, pursuant to chapter 403.

1766 Section 36. Subsection (4) of section 337.406, Florida
1767 Statutes, is amended to read:

1768 337.406 Unlawful use of state transportation facility
1769 right-of-way; penalties.—

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1770 (4) (a) Camping is prohibited on any portion of the right-
1771 of-way of the State Highway System ~~that is within 100 feet of a~~
1772 ~~bridge, causeway, overpass, or ramp.~~

1773 (b) This subsection does not apply to a person who has
1774 acquired the appropriate permits and is actively navigating the
1775 federally designated Florida National Scenic Trail recognized by
1776 the state in s. 260.012(6).

1777 Section 37. Subsection (4) of section 338.227, Florida
1778 Statutes, is amended to read:

1779 338.227 Turnpike revenue bonds.—

1780 (4) The Department of Transportation and the Department of
1781 Management Services shall create and implement an outreach
1782 program designed to enhance the participation of small ~~minority~~
1783 ~~persons and minority~~ business enterprises in all contracts
1784 entered into by their respective departments for services
1785 related to the financing of department projects for the
1786 Strategic Intermodal System Plan developed pursuant to s.
1787 339.64. These services ~~shall~~ include, but are not limited to,
1788 bond counsel and bond underwriters.

1789 Section 38. Subsection (6) is added to section 339.08,
1790 Florida Statutes, to read:

1791 339.08 Use of moneys in State Transportation Trust Fund.—

1792 (6) (a) As used in this subsection, the term "energy policy
1793 of the state" means the energy policy described in s. 377.601
1794 and includes any intended or actual measure, obligation, target,
1795 or timeframe related to a reduction in carbon dioxide emissions.

1796 (b) The department may not expend any state funds as
1797 described in s. 215.31 to support a project or program of any of
1798 the following entities if such entities adopt or promote energy

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policy goals inconsistent with the energy policy of the state:

1. A public transit provider as defined in s. 341.031(1).

2. An authority created pursuant to chapter 343, chapter 348, or chapter 349.

3. A public-use airport as defined in s. 332.004.

4. A port listed in s. 311.09(1).

Section 39. Section 339.0805, Florida Statutes, is repealed.

Section 40. Paragraph (a) of subsection (4) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(a)1. To assure that no district or county is penalized for local efforts to improve the State Highway System, the department shall, for the purpose of developing a tentative work program, allocate funds for new construction to the districts, except for the turnpike enterprise, based on equal parts of population and motor fuel tax collections. Funds for resurfacing, bridge repair and rehabilitation, bridge fender system construction or repair, public transit projects except public transit block grants as provided in s. 341.052 and rural transit operating block grants as provided in s. 341.0525, and other programs with quantitative needs assessments shall be allocated based on the results of these assessments. The department may not transfer any funds allocated to a district under this paragraph to any other district except as provided in subsection (7). Funds for public transit block grants shall be allocated to the districts pursuant to s. 341.052. Funds for

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1828 rural transit operating block grants shall be allocated to the
1829 districts pursuant to s. 341.0525. Funds for the intercity bus
1830 program provided for under s. 5311(f) of the federal
1831 nonurbanized area formula program shall be administered and
1832 allocated directly to eligible bus carriers as defined in s.
1833 341.031(12) at the state level rather than the district. In
1834 order to provide state funding to support the intercity bus
1835 program provided for under provisions of the federal 5311(f)
1836 program, the department shall allocate an amount equal to the
1837 federal share of the 5311(f) program from amounts calculated
1838 pursuant to s. 206.46(3).

1839 2. Notwithstanding the provisions of subparagraph 1., the
1840 department shall allocate at least 50 percent of any new
1841 discretionary highway capacity funds to the Florida Strategic
1842 Intermodal System created pursuant to s. 339.61. Any remaining
1843 new discretionary highway capacity funds shall be allocated to
1844 the districts for new construction as provided in subparagraph
1845 1. For the purposes of this subparagraph, the term "new
1846 discretionary highway capacity funds" means any funds available
1847 to the department above the prior year funding level for
1848 capacity improvements, which the department has the discretion
1849 to allocate to highway projects.

1850 Section 41. Paragraph (b) of subsection (3) and paragraph
1851 (c) of subsection (4) of section 339.2821, Florida Statutes, are
1852 amended to read:

1853 339.2821 Economic development transportation projects.—

1854 (3)

1855 (b) The department must ensure that it is supportive of
1856 small businesses as defined in s. 337.027(2) ~~small and minority~~

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businesses have equal access to participate in transportation projects funded pursuant to this section.

(4) A contract between the department and a governmental body for a transportation project must:

(c) Require that the governmental body provide the department with progress reports. Each progress report must contain:

1. A narrative description of the work completed and whether the work is proceeding according to the transportation project schedule;

2. A description of each change order executed by the governmental body;

3. A budget summary detailing planned expenditures compared to actual expenditures; and

4. The identity of each small ~~or minority~~ business used as a contractor or subcontractor.

Section 42. Section 339.287, Florida Statutes, is repealed.

Section 43. Paragraph (a) of subsection (5) of section 339.63, Florida Statutes, is amended to read:

339.63 System facilities designated; additions and deletions.—

(5) (a) The Secretary of Transportation shall designate a planned facility as part of the Strategic Intermodal System upon request of the facility if it meets the criteria and thresholds established by the department pursuant to subsection (4), is ~~meets the definition of an "intermodal logistics center"~~ as defined in s. 311.101(2), and has been designated in a local comprehensive plan or local government development order as an intermodal logistics center or an equivalent planning term. ~~For~~

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~~the purpose of this section, the term "intermodal logistics center" means a facility or group of facilities, including, but not limited to, an inland port, serving as a point of intermodal transfer of freight in a specific area physically separated from a seaport whose activities relating to transport, logistics, goods distribution, consolidation, or value-added activities are carried out and whose activities and services are designed to support or be supported by one or more seaports, as provided in s. 311.09, or an airport whose activities and services are designed to support the transport, logistics, goods distribution, consolidation, or value-added activities related to airborne cargo.~~

Section 44. Subsections (3) and (7) of section 339.651, Florida Statutes, are amended to read:

339.651 Strategic Intermodal System supply chain demands.—

(3) The department may ~~shall~~ make up to \$20 million available each year ~~for fiscal years 2023-2024 through 2027-2028,~~ from the existing work program ~~revenues,~~ to fund projects that meet the public purpose of providing increased capacity and enhanced capabilities to move and store construction aggregate. Applicants eligible for project funding under this section are seaports listed in s. 311.09 and rail lines and rail facilities.

~~(7) This section shall stand repealed on July 1, 2028.~~

Section 45. Paragraph (b) of subsection (6) of section 341.051, Florida Statutes, is amended to read:

341.051 Administration and financing of public transit and intercity bus service programs and projects.—

(6) ANNUAL APPROPRIATION.—

(b) If funds are allocated to projects that qualify for the

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1915 New Starts Transit Program in the current fiscal year and a
1916 project will not be ready for production by June 30, those funds
1917 must ~~The remaining unallocated New Starts Transit Program funds~~
1918 ~~as of June 30, 2024, shall~~ be reallocated for the purpose of the
1919 Strategic Intermodal System within the State Transportation
1920 Trust Fund for the next fiscal year. ~~This paragraph expires June~~
1921 ~~30, 2026.~~

1922
1923 For purposes of this section, the term "net operating costs"
1924 means all operating costs of a project less any federal funds,
1925 fares, or other sources of income to the project.

1926 Section 46. Subsections (1) and (6) of section 341.052,
1927 Florida Statutes, are amended to read:

1928 341.052 Public transit block grant program; administration;
1929 eligible projects; limitation.—

1930 (1) There is created a public transit block grant program
1931 which shall be administered by the department. Block grant funds
1932 shall only be provided to ~~"Section 9" providers and "Section 18"~~
1933 providers designated by the United States Department of
1934 Transportation pursuant to 49 U.S.C. s. 5307 and community
1935 transportation coordinators as defined in chapter 427. Eligible
1936 providers must establish public transportation development plans
1937 consistent, to the maximum extent feasible, with approved local
1938 government comprehensive plans of the units of local government
1939 in which the provider is located and the long-range
1940 transportation plans of the metropolitan planning organization
1941 in which the provider is located. In developing public
1942 transportation development plans, eligible providers must
1943 solicit comments from local workforce development boards

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established under chapter 445. The development plans must address how the public transit provider will work with the appropriate local workforce development board to provide services to participants in the welfare transition program. Eligible providers must provide information to the local workforce development board serving the county in which the provider is located regarding the availability of transportation services to assist program participants.

(6) The department shall distribute 85 percent of the public transit block grant funds to ~~"Section 9" and "Section 18"~~ providers designated by the United States Department of Transportation pursuant to 49 U.S.C. s. 5307. The funds shall be distributed to such ~~"Section 9"~~ providers, and to ~~"Section 18"~~ providers that are not designated as community transportation coordinators pursuant to chapter 427, according to the following formula, except that at least \$20,000 shall be distributed to each eligible provider if application of the formula provides less than that amount for any such provider:

(a) One-third shall be distributed according to the percentage that an eligible provider's county population in the most recent year for which those population figures are available from the state census repository is of the total population of all counties served by eligible providers.

(b) One-third shall be distributed according to the percentage that the total revenue miles provided by an eligible provider, as verified by the most recent National Transit Database ~~"Section 15"~~ report to the Federal Transit Administration or a similar audited report submitted to the department, is of the total revenue miles provided by eligible

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providers in the state in that year.

(c) One-third shall be distributed according to the percentage that the total passengers carried by an eligible provider, as verified by the most recent National Transit Database ~~"Section 15"~~ report submitted to the Federal Transit Administration or a similar audited report submitted to the department, is of the total number of passengers carried by eligible providers in the state in that year.

Section 47. Section 341.0525, Florida Statutes, is created to read:

341.0525 Rural transit operating block grant program; administration; eligible projects.—

(1) There is created a rural transit operating block grant program that shall be administered by the department. Rural transit block grant funds are available only to public transit providers not eligible to receive public transit block grants pursuant to s. 341.052.

(2) At least \$3 million must be allocated annually from the State Transportation Trust Fund for the program. At least \$20,000 must be distributed to each eligible provider if application of the following formula provides less than that amount for any such provider:

(a) One-third must be distributed according to the percentage that an eligible provider's non-urbanized county population in the most recent year official population estimate pursuant to s. 186.901 is of the total population of all counties served by eligible providers.

(b) One-third must be distributed according to the percentage that the total non-urbanized revenue miles provided

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by an eligible provider, as verified by the most recent National Transit Database report or a similar audited report submitted to the department, is of the total rural revenue miles provided by eligible providers in the state in that year.

(c) One-third must be distributed according to the percentage that the total non-urbanized passengers carried by an eligible provider, as verified by the most recent National Transit Database report or a similar audited report submitted to the department, is of the total number of passengers carried by eligible providers in the state in that year.

(3) Grant funds must be used to pay public transit operating costs. State participation in such costs may not exceed 50 percent of such costs or an amount equal to the total revenue, excluding farebox, charter, and advertising revenue and federal funds, received by the provider for operating costs, whichever amount is less.

(4) (a) An eligible public transit provider may not use block grant funds to supplant local tax revenues made available to such provider for operations in the previous year; however, the Secretary of Transportation may waive this provision for public transit providers located in a county recovering from a state of emergency declared pursuant to part I of chapter 252.

(b) The state may not give any county more than 39 percent of the funds available for distribution under this section or more than the amount that local revenue sources provide to that county for its transit system.

(5) To remain eligible to receive funding under the program, eligible public transit providers must comply with s. 341.071(1) and (2).

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(6) (a) Any funds distributed to an eligible provider pursuant to subsection (2) which cannot be expended within the limitations of the program must be returned to the department for redistribution to other eligible providers.

(b) The department may consult with an eligible provider, before distributing funds to that provider, to determine whether the provider can expend its total block grant within the limitations of the program. If the department and the provider agree that the total block grant amount cannot be expended, the provider may agree to accept a block grant amount of less than the total amount, in which case the funds that exceed such lesser agreed-upon amount must be redistributed to other eligible providers.

(c) If an audit reveals that an eligible provider expended block grant funds on unauthorized uses, the provider must repay to the department an amount equal to the funds expended for unauthorized uses. The department shall redistribute such repayments to other eligible providers.

Section 48. Subsection (5) of section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(5) The authority shall encourage the inclusion of local and small ~~local, small, minority, and women-owned~~ businesses in its procurement and contracting opportunities.

Section 49. Subsection (2) of section 349.03, Florida Statutes, is amended to read:

349.03 Jacksonville Transportation Authority.—

(2) The governing body of the authority shall be composed ~~consist~~ of seven members. Four ~~Three~~ members shall be appointed

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by the Governor and confirmed by the Senate. Of the four members
appointed by the Governor, one must be a resident of Duval
County and three must be residents of Clay County, St. Johns
County, or Nassau County. Three members shall be appointed by
the mayor of the City of Jacksonville subject to confirmation by
the council of the City of Jacksonville. ~~The seventh member~~
~~shall be the district secretary of the Department of~~
~~Transportation serving in the district that contains the City of~~
~~Jacksonville. Except for the seventh member,~~ Members appointed
by the mayor of the City of Jacksonville must ~~shall~~ be residents
and qualified electors of Duval County.

Section 50. Paragraphs (j) and (m) of subsection (2) of
section 110.205, Florida Statutes, are amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not
covered by this part include the following:

(j) The appointed secretaries and the State Surgeon
General, assistant secretaries, deputy secretaries, and deputy
assistant secretaries of all departments; the executive
directors, assistant executive directors, deputy executive
directors, and deputy assistant executive directors of all
departments; the directors of all divisions and those positions
determined by the department to have managerial responsibilities
comparable to such positions, which positions include, but are
not limited to, program directors, assistant program directors,
district administrators, deputy district administrators, the
Director of Central Operations Services of the Department of
Children and Families, the State Transportation Development
Administrator, the State Public Transportation and Modal

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2089 Administrator, district secretaries, district directors of
2090 transportation development, transportation operations,
2091 transportation support, and the managers of the offices of the
2092 Department of Transportation specified in s. 20.23(4)(b) ~~s.~~
2093 ~~20.23(3)(b)~~. Unless otherwise fixed by law, the department shall
2094 set the salary and benefits of these positions and the positions
2095 of county health department directors and county health
2096 department administrators of the Department of Health in
2097 accordance with the rules of the Senior Management Service.

2098 (m) All assistant division director, deputy division
2099 director, and bureau chief positions in any department, and
2100 those positions determined by the department to have managerial
2101 responsibilities comparable to such positions, which include,
2102 but are not limited to:

2103 1. Positions in the Department of Health and the Department
2104 of Children and Families which are assigned primary duties of
2105 serving as the superintendent or assistant superintendent of an
2106 institution.

2107 2. Positions in the Department of Corrections which are
2108 assigned primary duties of serving as the warden, assistant
2109 warden, colonel, or major of an institution or that are assigned
2110 primary duties of serving as the circuit administrator or deputy
2111 circuit administrator.

2112 3. Positions in the Department of Transportation which are
2113 assigned primary duties of serving as regional toll managers and
2114 managers of offices, as specified in s. 20.23(4)(b) and (5)(c)
2115 ~~s. 20.23(3)(b) and (4)(c)~~.

2116 4. Positions in the Department of Environmental Protection
2117 which are assigned the duty of an Environmental Administrator or

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2118 program administrator.

2119 5. Positions in the Department of Health which are assigned
2120 the duties of Environmental Administrator, Assistant County
2121 Health Department Director, and County Health Department
2122 Financial Administrator.

2123 6. Positions in the Department of Highway Safety and Motor
2124 Vehicles which are assigned primary duties of serving as
2125 captains in the Florida Highway Patrol.

2126
2127 Unless otherwise fixed by law, the department shall set the
2128 salary and benefits of the positions listed in this paragraph in
2129 accordance with the rules established for the Selected Exempt
2130 Service.

2131 Section 51. Paragraph (d) of subsection (3) of section
2132 322.27, Florida Statutes, is amended to read:

2133 322.27 Authority of department to suspend or revoke driver
2134 license or identification card.—

2135 (3) There is established a point system for evaluation of
2136 convictions of violations of motor vehicle laws or ordinances,
2137 and violations of applicable provisions of s. 403.413(6)(b) when
2138 such violations involve the use of motor vehicles, for the
2139 determination of the continuing qualification of any person to
2140 operate a motor vehicle. The department is authorized to suspend
2141 the license of any person upon showing of its records or other
2142 good and sufficient evidence that the licensee has been
2143 convicted of violation of motor vehicle laws or ordinances, or
2144 applicable provisions of s. 403.413(6)(b), amounting to 12 or
2145 more points as determined by the point system. The suspension
2146 shall be for a period of not more than 1 year.

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(d) The point system shall have as its basic element a graduated scale of points assigning relative values to convictions of the following violations:

1. Reckless driving, willful and wanton—4 points.

2. Leaving the scene of a crash resulting in property damage of more than \$50—6 points.

3. Unlawful speed, or unlawful use of a wireless communications device, resulting in a crash—6 points.

4. Passing a stopped school bus:

a. Not causing or resulting in serious bodily injury to or death of another—4 points.

b. Causing or resulting in serious bodily injury to or death of another—6 points.

c. Points may not be imposed for a violation of passing a stopped school bus as provided in s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173. In addition, a violation of s. 316.172(1)(a) or (b) when enforced by a school bus infraction detection system pursuant to s. 316.173 may not be used for purposes of setting motor vehicle insurance rates.

5. Unlawful speed:

a. Not in excess of 15 miles per hour of lawful or posted speed—3 points.

b. In excess of 15 miles per hour of lawful or posted speed—4 points.

c. Points may not be imposed for a violation of unlawful speed as provided in s. 316.1895 or s. 316.183 when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896. In addition, a violation of s. 316.1895 or s. 316.183

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when enforced by a traffic infraction enforcement officer pursuant to s. 316.1896 may not be used for purposes of setting motor vehicle insurance rates.

6. A violation of a traffic control signal device as provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points. However, points may not be imposed for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer. In addition, a violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to stop at a traffic signal and when enforced by a traffic infraction enforcement officer may not be used for purposes of setting motor vehicle insurance rates.

7. Unlawfully driving a vehicle through a railroad-highway grade crossing—6 points.

8. All other moving violations (including parking on a highway outside the limits of a municipality)—3 points. However, points may not be imposed for a violation of ~~s. 316.0741~~ or s. 316.2065(11); and points may be imposed for a violation of s. 316.1001 only when imposed by the court after a hearing pursuant to s. 318.14(5).

9. Any moving violation covered in this paragraph, excluding unlawful speed and unlawful use of a wireless communications device, resulting in a crash—4 points.

10. Any conviction under s. 403.413(6)(b)—3 points.

11. Any conviction under s. 316.0775(2)—4 points.

12. A moving violation covered in this paragraph which is committed in conjunction with the unlawful use of a wireless communications device within a school safety zone—2 points, in

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addition to the points assigned for the moving violation.

Section 52. Subsection (13) of section 365.172, Florida Statutes, is amended to read:

365.172 Emergency communications.—

(13) FACILITATING EMERGENCY COMMUNICATIONS SERVICE IMPLEMENTATION.—To balance the public need for reliable emergency communications services through reliable wireless systems and the public interest served by governmental zoning and land development regulations and notwithstanding any other law or local ordinance to the contrary, the following standards shall apply to a local government's actions, as a regulatory body, in the regulation of the placement, construction, or modification of a wireless communications facility. This subsection may not, however, be construed to waive or alter the provisions of s. 286.011 or s. 286.0115. For the purposes of this subsection only, "local government" shall mean any municipality or county and any agency of a municipality or county only. The term "local government" does not, however, include any airport, as defined in s. 330.27 ~~by s. 330.27(2)~~, even if it is owned or controlled by or through a municipality, county, or agency of a municipality or county. Further, notwithstanding anything in this section to the contrary, this subsection does not apply to or control a local government's actions as a property or structure owner in the use of any property or structure owned by such entity for the placement, construction, or modification of wireless communications facilities. In the use of property or structures owned by the local government, however, a local government may not use its regulatory authority so as to avoid compliance with, or in a

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manner that does not advance, the provisions of this subsection.

(a) Colocation among wireless providers is encouraged by the state.

1.a. Colocations on towers, including nonconforming towers, that meet the requirements in sub-sub-subparagraphs (I), (II), and (III), are subject to only building permit review, which may include a review for compliance with this subparagraph. Such colocations are not subject to any design or placement requirements of the local government's land development regulations in effect at the time of the colocation that are more restrictive than those in effect at the time of the initial antennae placement approval, to any other portion of the land development regulations, or to public hearing review. This sub-subparagraph may not preclude a public hearing for any appeal of the decision on the colocation application.

(I) The colocation does not increase the height of the tower to which the antennae are to be attached, measured to the highest point of any part of the tower or any existing antenna attached to the tower;

(II) The colocation does not increase the ground space area, commonly known as the compound, approved in the site plan for equipment enclosures and ancillary facilities; and

(III) The colocation consists of antennae, equipment enclosures, and ancillary facilities that are of a design and configuration consistent with all applicable regulations, restrictions, or conditions, if any, applied to the initial antennae placed on the tower and to its accompanying equipment enclosures and ancillary facilities and, if applicable, applied to the tower supporting the antennae. Such regulations may

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include the design and aesthetic requirements, but not procedural requirements, other than those authorized by this section, of the local government's land development regulations in effect at the time the initial antennae placement was approved.

b. Except for a historic building, structure, site, object, or district, or a tower included in sub-subparagraph a., colocations on all other existing structures that meet the requirements in sub-sub-subparagraphs (I)-(IV) shall be subject to no more than building permit review, and an administrative review for compliance with this subparagraph. Such colocations are not subject to any portion of the local government's land development regulations not addressed herein, or to public hearing review. This sub-subparagraph may not preclude a public hearing for any appeal of the decision on the colocation application.

(I) The colocation does not increase the height of the existing structure to which the antennae are to be attached, measured to the highest point of any part of the structure or any existing antenna attached to the structure;

(II) The colocation does not increase the ground space area, otherwise known as the compound, if any, approved in the site plan for equipment enclosures and ancillary facilities;

(III) The colocation consists of antennae, equipment enclosures, and ancillary facilities that are of a design and configuration consistent with any applicable structural or aesthetic design requirements and any requirements for location on the structure, but not prohibitions or restrictions on the placement of additional colocations on the existing structure or

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procedural requirements, other than those authorized by this section, of the local government's land development regulations in effect at the time of the colocation application; and

(IV) The colocation consists of antennae, equipment enclosures, and ancillary facilities that are of a design and configuration consistent with all applicable restrictions or conditions, if any, that do not conflict with sub-sub-paragraph (III) and were applied to the initial antennae placed on the structure and to its accompanying equipment enclosures and ancillary facilities and, if applicable, applied to the structure supporting the antennae.

c. Regulations, restrictions, conditions, or permits of the local government, acting in its regulatory capacity, that limit the number of colocations or require review processes inconsistent with this subsection do not apply to colocations addressed in this subparagraph.

d. If only a portion of the colocation does not meet the requirements of this subparagraph, such as an increase in the height of the proposed antennae over the existing structure height or a proposal to expand the ground space approved in the site plan for the equipment enclosure, where all other portions of the colocation meet the requirements of this subparagraph, that portion of the colocation only may be reviewed under the local government's regulations applicable to an initial placement of that portion of the facility, including, but not limited to, its land development regulations, and within the review timeframes of subparagraph (d)2., and the rest of the colocation shall be reviewed in accordance with this subparagraph. A colocation proposal under this subparagraph that

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increases the ground space area, otherwise known as the compound, approved in the original site plan for equipment enclosures and ancillary facilities by no more than a cumulative amount of 400 square feet or 50 percent of the original compound size, whichever is greater, shall, however, require no more than administrative review for compliance with the local government's regulations, including, but not limited to, land development regulations review, and building permit review, with no public hearing review. This sub-subparagraph does not preclude a public hearing for any appeal of the decision on the colocation application.

2. If a colocation does not meet the requirements of subparagraph 1., the local government may review the application under the local government's regulations, including, but not limited to, land development regulations, applicable to the placement of initial antennae and their accompanying equipment enclosure and ancillary facilities.

3. If a colocation meets the requirements of subparagraph 1., the colocation may not be considered a modification to an existing structure or an impermissible modification of a nonconforming structure.

4. The owner of the existing tower on which the proposed antennae are to be colocated shall remain responsible for compliance with any applicable condition or requirement of a permit or agreement, or any applicable condition or requirement of the land development regulations to which the existing tower had to comply at the time the tower was permitted, including any aesthetic requirements, provided the condition or requirement is not inconsistent with this paragraph.

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2350 5. An existing tower, including a nonconforming tower, may
2351 be structurally modified in order to permit colocation or may be
2352 replaced through no more than administrative review and building
2353 permit review, and is not subject to public hearing review, if
2354 the overall height of the tower is not increased and, if a
2355 replacement, the replacement tower is a monopole tower or, if
2356 the existing tower is a camouflaged tower, the replacement tower
2357 is a like-camouflaged tower. This subparagraph may not preclude
2358 a public hearing for any appeal of the decision on the
2359 application.

2360 (b)1. A local government's land development and
2361 construction regulations for wireless communications facilities
2362 and the local government's review of an application for the
2363 placement, construction, or modification of a wireless
2364 communications facility shall only address land development or
2365 zoning issues. In such local government regulations or review,
2366 the local government may not require information on or evaluate
2367 a wireless provider's business decisions about its service,
2368 customer demand for its service, or quality of its service to or
2369 from a particular area or site, unless the wireless provider
2370 voluntarily offers this information to the local government. In
2371 such local government regulations or review, a local government
2372 may not require information on or evaluate the wireless
2373 provider's designed service unless the information or materials
2374 are directly related to an identified land development or zoning
2375 issue or unless the wireless provider voluntarily offers the
2376 information. Information or materials directly related to an
2377 identified land development or zoning issue may include, but are
2378 not limited to, evidence that no existing structure can

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reasonably be used for the antennae placement instead of the construction of a new tower, that residential areas cannot be served from outside the residential area, as addressed in subparagraph 3., or that the proposed height of a new tower or initial antennae placement or a proposed height increase of a modified tower, replacement tower, or colocation is necessary to provide the provider's designed service. Nothing in this paragraph shall limit the local government from reviewing any applicable land development or zoning issue addressed in its adopted regulations that does not conflict with this section, including, but not limited to, aesthetics, landscaping, land use-based location priorities, structural design, and setbacks.

2. Any setback or distance separation required of a tower may not exceed the minimum distance necessary, as determined by the local government, to satisfy the structural safety or aesthetic concerns that are to be protected by the setback or distance separation.

3. A local government may exclude the placement of wireless communications facilities in a residential area or residential zoning district but only in a manner that does not constitute an actual or effective prohibition of the provider's service in that residential area or zoning district. If a wireless provider demonstrates to the satisfaction of the local government that the provider cannot reasonably provide its service to the residential area or zone from outside the residential area or zone, the municipality or county and provider shall cooperate to determine an appropriate location for a wireless communications facility of an appropriate design within the residential area or zone. The local government may require that the wireless

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provider reimburse the reasonable costs incurred by the local government for this cooperative determination. An application for such cooperative determination may not be considered an application under paragraph (d).

4. A local government may impose a reasonable fee on applications to place, construct, or modify a wireless communications facility only if a similar fee is imposed on applicants seeking other similar types of zoning, land use, or building permit review. A local government may impose fees for the review of applications for wireless communications facilities by consultants or experts who conduct code compliance review for the local government but any fee is limited to specifically identified reasonable expenses incurred in the review. A local government may impose reasonable surety requirements to ensure the removal of wireless communications facilities that are no longer being used.

5. A local government may impose design requirements, such as requirements for designing towers to support colocation or aesthetic requirements, except as otherwise limited in this section, but may not impose or require information on compliance with building code type standards for the construction or modification of wireless communications facilities beyond those adopted by the local government under chapter 553 and that apply to all similar types of construction.

(c) Local governments may not require wireless providers to provide evidence of a wireless communications facility's compliance with federal regulations, except evidence of compliance with applicable Federal Aviation Administration requirements under 14 C.F.R. part 77, as amended, and evidence

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of proper Federal Communications Commission licensure, or other evidence of Federal Communications Commission authorized spectrum use, but may request the Federal Communications Commission to provide information as to a wireless provider's compliance with federal regulations, as authorized by federal law.

(d)1. A local government shall grant or deny each properly completed application for a colocation under subparagraph (a)1. based on the application's compliance with the local government's applicable regulations, as provided for in subparagraph (a)1. and consistent with this subsection, and within the normal timeframe for a similar building permit review but in no case later than 45 business days after the date the application is determined to be properly completed in accordance with this paragraph.

2. A local government shall grant or deny each properly completed application for any other wireless communications facility based on the application's compliance with the local government's applicable regulations, including but not limited to land development regulations, consistent with this subsection and within the normal timeframe for a similar type review but in no case later than 90 business days after the date the application is determined to be properly completed in accordance with this paragraph.

3.a. An application is deemed submitted or resubmitted on the date the application is received by the local government. If the local government does not notify the applicant in writing that the application is not completed in compliance with the local government's regulations within 20 business days after the

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date the application is initially submitted or additional information resubmitted, the application is deemed, for administrative purposes only, to be properly completed and properly submitted. However, the determination may not be deemed as an approval of the application. If the application is not completed in compliance with the local government's regulations, the local government shall so notify the applicant in writing and the notification must indicate with specificity any deficiencies in the required documents or deficiencies in the content of the required documents which, if cured, make the application properly completed. Upon resubmission of information to cure the stated deficiencies, the local government shall notify the applicant, in writing, within the normal timeframes of review, but in no case longer than 20 business days after the additional information is submitted, of any remaining deficiencies that must be cured. Deficiencies in document type or content not specified by the local government do not make the application incomplete. Notwithstanding this sub-subparagraph, if a specified deficiency is not properly cured when the applicant resubmits its application to comply with the notice of deficiencies, the local government may continue to request the information until such time as the specified deficiency is cured. The local government may establish reasonable timeframes within which the required information to cure the application deficiency is to be provided or the application will be considered withdrawn or closed.

b. If the local government fails to grant or deny a properly completed application for a wireless communications facility within the timeframes set forth in this paragraph, the

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2495 application shall be deemed automatically approved and the
2496 applicant may proceed with placement of the facilities without
2497 interference or penalty. The timeframes specified in
2498 subparagraph 2. may be extended only to the extent that the
2499 application has not been granted or denied because the local
2500 government's procedures generally applicable to all other
2501 similar types of applications require action by the governing
2502 body and such action has not taken place within the timeframes
2503 specified in subparagraph 2. Under such circumstances, the local
2504 government must act to either grant or deny the application at
2505 its next regularly scheduled meeting or, otherwise, the
2506 application is deemed to be automatically approved.

2507 c. To be effective, a waiver of the timeframes set forth in
2508 this paragraph must be voluntarily agreed to by the applicant
2509 and the local government. A local government may request, but
2510 not require, a waiver of the timeframes by the applicant, except
2511 that, with respect to a specific application, a one-time waiver
2512 may be required in the case of a declared local, state, or
2513 federal emergency that directly affects the administration of
2514 all permitting activities of the local government.

2515 (e) The replacement of or modification to a wireless
2516 communications facility, except a tower, that results in a
2517 wireless communications facility not readily discernibly
2518 different in size, type, and appearance when viewed from ground
2519 level from surrounding properties, and the replacement or
2520 modification of equipment that is not visible from surrounding
2521 properties, all as reasonably determined by the local
2522 government, are subject to no more than applicable building
2523 permit review.

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(f) Any other law to the contrary notwithstanding, the Department of Management Services shall negotiate, in the name of the state, leases for wireless communications facilities that provide access to state government-owned property not acquired for transportation purposes, and the Department of Transportation shall negotiate, in the name of the state, leases for wireless communications facilities that provide access to property acquired for state rights-of-way. On property acquired for transportation purposes, leases shall be granted in accordance with s. 337.251. On other state government-owned property, leases shall be granted on a space available, first-come, first-served basis. Payments required by state government under a lease must be reasonable and must reflect the market rate for the use of the state government-owned property. The Department of Management Services and the Department of Transportation are authorized to adopt rules for the terms and conditions and granting of any such leases.

(g) If any person adversely affected by any action, or failure to act, or regulation, or requirement of a local government in the review or regulation of the wireless communication facilities files an appeal or brings an appropriate action in a court or venue of competent jurisdiction, following the exhaustion of all administrative remedies, the matter shall be considered on an expedited basis.

Section 53. Subsection (2) of section 379.2293, Florida Statutes, is amended to read:

379.2293 Airport activities within the scope of a federally approved wildlife hazard management plan or a federal or state permit or other authorization for depredation or harassment.—

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(2) An airport authority or other entity owning or operating an airport, as defined in s. 330.27 ~~s. 330.27(2)~~, is not subject to any administrative or civil penalty, restriction, or other sanction with respect to any authorized action taken in a non-negligent manner for the purpose of protecting human life or aircraft safety from wildlife hazards.

Section 54. Subsection (22) of section 493.6101, Florida Statutes, is amended to read:

493.6101 Definitions.—

(22) "Repossession" means the recovery of a motor vehicle as defined under s. 320.01(1), a mobile home as defined in s. 320.01(2), a motorboat as defined under s. 327.02, an aircraft as defined in s. 330.27 ~~s. 330.27(1)~~, a personal watercraft as defined in s. 327.02, an all-terrain vehicle as defined in s. 316.2074, farm equipment as defined under s. 686.402, or industrial equipment, by an individual who is authorized by the legal owner, lienholder, or lessor to recover, or to collect money payment in lieu of recovery of, that which has been sold or leased under a security agreement that contains a repossession clause. As used in this subsection, the term "industrial equipment" includes, but is not limited to, tractors, road rollers, cranes, forklifts, backhoes, and bulldozers. The term "industrial equipment" also includes other vehicles that are propelled by power other than muscular power and that are used in the manufacture of goods or used in the provision of services. A repossession is complete when a licensed recovery agent is in control, custody, and possession of such repossessed property. Property that is being repossessed shall be considered to be in the control, custody, and

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possession of a recovery agent if the property being repossessed is secured in preparation for transport from the site of the recovery by means of being attached to or placed on the towing or other transport vehicle or if the property being repossessed is being operated or about to be operated by an employee of the recovery agency.

Section 55. Paragraph (c) of subsection (1) of section 493.6403, Florida Statutes, is amended to read:

493.6403 License requirements.—

(1) In addition to the license requirements set forth in this chapter, each individual or agency shall comply with the following additional requirements:

(c) An applicant for a Class "E" license shall have at least 1 year of lawfully gained, verifiable, full-time experience in one, or a combination of more than one, of the following:

1. Repossession of motor vehicles as defined in s. 320.01(1), mobile homes as defined in s. 320.01(2), motorboats as defined in s. 327.02, aircraft as defined in s. 330.27 ~~s. 330.27(1)~~, personal watercraft as defined in s. 327.02, all-terrain vehicles as defined in s. 316.2074, farm equipment as defined under s. 686.402, or industrial equipment as defined in s. 493.6101(22).

2. Work as a Class "EE" licensed intern.

Section 56. (1) The Department of Transportation shall coordinate with all state agencies, including the Department of Environmental Protection, and water management districts to establish a workgroup to review state statutes, policies, practices, and standards relating to statewide mapping programs.

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2611 Notwithstanding s. 20.255(9), Florida Statutes, the Department
2612 of Transportation is the lead agency for the development and
2613 review of policies, practices, and standards related to
2614 geospatial data managed by state agencies and water management
2615 districts under this section for the 2025-2026 fiscal year.

2616 (2) The Department of Transportation may issue a request
2617 for proposals pursuant to s. 287.057, Florida Statutes, for the
2618 procurement of a program to manage all surveys, mapping, and
2619 data collection that use light detection and ranging (LiDAR),
2620 high-resolution aerial imagery, including orthoimagery and
2621 oblique imagery, and other similar mapping technologies. The
2622 proposals may provide for co-collection of data by aerial
2623 imagery, LiDAR, and other methods. Surveying, mapping, and data
2624 collection must be conducted in a manner that considers United
2625 States Geological Survey recommendations for technologies,
2626 standards, and specifications.

2627 (3) The Department of Transportation, in coordination with
2628 the workgroup, shall review state statutes and policies related
2629 to geospatial data sharing throughout state government and make
2630 recommendations to the President of the Senate and the Speaker
2631 of the House of Representatives by November 15, 2025, for any
2632 legislative action necessary to establish the Department of
2633 Transportation as the primary point of contact for statewide
2634 geographic information systems and to update statutes relating
2635 to geographic information systems and geospatial data sharing to
2636 allow for coordination and access to such systems and geospatial
2637 data. The recommendations must provide a survey of data needs,
2638 including minimum density and elevation; consider means to
2639 ensure accuracy, consistency, and interoperability that

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effectively support critical functions across all users; and
provide recommendations necessary to make the data collected
available to all users, including information technology needs
and any recommendations for cost sharing or interagency
agreements. The recommendations must take into account
anticipated efficiencies and cost savings while balancing the
need for different types and densities of data and their uses.

Section 57. This act shall take effect July 1, 2025.