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1
2 An act relating to transportation; amending s. 20.23,
3 F.S.; authorizing the Secretary of Transportation to
4 appoint a specified number of assistant secretaries;
5 specifying titles for such assistant secretaries;
6 authorizing the secretary to appoint an Executive
7 Director of Transportation Technology; specifying that
8 such assistant secretaries and executive director
9 positions are exempt from career service and are
10 included in the Senior Management Service; revising
11 qualifications for members of the Florida
12 Transportation Commission; requiring the commission to
13 monitor transit entities that receive certain funding;
14 requiring members of the commission to follow certain
15 standards of conduct; providing legislative findings
16 and intent; creating the Florida Transportation
17 Research Institute; specifying the purpose and mission
18 of the institute; requiring the institute to report to
19 the Department of Transportation; providing for
20 membership of the institute; requiring the department
21 to select a member to serve as the administrative lead
22 of the institute; requiring the Secretary of
23 Transportation to appoint a representative of the
24 department to serve as the executive director of the
25 institute; requiring the department to coordinate with
26 the members of the institute to adopt certain
27 policies; authorizing the institute to award certain
28 grants; authorizing the department to allocate funds
29 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; 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 group serve without compensation but are eligible for per diem and travel expenses; providing responsibilities of the working group; requiring the

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59 working group to submit a report to the Governor and
60 the Legislature by a specified date; providing for the
61 future repeal of the working group; amending s.
62 316.003, F.S.; revising the definition of the term
63 "special mobile equipment"; repealing s. 316.0741,
64 F.S., relating to high-occupancy-vehicle lanes;
65 amending s. 316.0745, F.S.; deleting language limiting
66 the state funds that may be withheld due to certain
67 violations by a public body or official to state funds
68 for traffic control purposes; providing that such
69 violations are cause for the withholding of state
70 funds deposited in the State Transportation Trust
71 Fund; amending s. 316.550, F.S.; authorizing the
72 department to issue a mobile crane special blanket
73 permit for certain purposes; amending s. 320.084,
74 F.S.; providing for disabled veteran motor vehicle
75 license plates in lieu of "DV" motor vehicle license
76 plates; revising construction; amending s. 320.0848,
77 F.S.; conforming a provision to changes made by the
78 act; amending s. 330.27, F.S.; revising definitions
79 and defining terms; amending s. 330.30, F.S.;
80 requiring a private airport of public interest to
81 obtain a certain certificate from the department
82 before allowing aircraft operations; requiring certain
83 private airports to obtain a certain certificate from
84 the department by a specified date; creating s.
85 330.355, F.S.; prohibiting publicly owned airports
86 from charging a landing fee established on or after a
87 specified date for certain aircraft operations;

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88 amending s. 331.371, F.S.; authorizing the department,
89 in consultation with the Department of Commerce and
90 the Department of Environmental Protection, to fund
91 certain infrastructure projects and projects
92 associated with certain critical infrastructure
93 projects; requiring such departments to coordinate in
94 funding certain projects for a specified purpose;
95 amending s. 332.003, F.S.; revising a short title;
96 amending s. 332.005, F.S.; requiring airports to
97 provide the Department of Transportation with the
98 opportunity to use certain airport property for a
99 specified purpose during a declared state of
100 emergency; requiring that such use be conducted
101 pursuant to a written agreement after a certain period
102 of use; amending s. 332.006, F.S.; deleting a
103 requirement that the department meet certain duties
104 and responsibilities within the resources provided
105 pursuant to a specified chapter; providing duties and
106 responsibilities of the department relating to certain
107 educational services; amending s. 332.007, F.S.;
108 requiring commercial service airports to establish and
109 maintain a certain program; defining the term "airport
110 infrastructure"; requiring that such airports provide
111 a certain annual certification to the department;
112 requiring that a certain program report be open to
113 department inspection and maintained for a specified
114 period; providing requirements for such program;
115 revising the list of projects for which the department
116 must provide priority funding; authorizing the

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department to fund eligible projects performed by certain organizations and postsecondary education institutions; providing that certain programs are eligible projects; authorizing the department to provide certain matching funds; revising the circumstances in which the department may fund strategic airport investment projects; amending s. 332.0075, F.S.; revising definitions; requiring that certain information remain posted on a governing body's website for a certain period; revising the information that must be included on such website; requiring the quarterly, rather than annual, update of certain information; revising information that the governing body of a commercial service airport must submit to the department annually; requiring a commercial service airport to provide certain notifications to the department; creating s. 332.15, F.S.; requiring the department to address certain needs in the statewide aviation system plan and the department's work program, designate a certain subject matter expert, conduct a specified review, and, in coordination with the Department of Commerce, provide certain coordination and assistance for the development of a viable advanced air mobility system plan; amending s. 334.044, F.S.; revising the general powers and duties of the department; amending s. 334.045, F.S.; requiring certain measures developed and adopted by the Florida Transportation Commission to assess performance in a specified business

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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 business enterprises and punishment for false representation; repealing s. 337.139, F.S., relating to efforts to encourage awarding contracts to

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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; 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.; revising the reports
required to be submitted to the legislative
appropriations committees by the department for
purposes of legislative budget requests and requests
for lists of additional transportation projects;
amending s. 339.2821, F.S.; requiring 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,

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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; 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

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policies, practices, and standards for a specified fiscal year; authorizing the department to issue a 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

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262 Director of Transportation Technology. Such assistant secretary
263 and executive director positions are exempt from career service
264 pursuant to s. 110.205(2)(j) and are included in the Senior
265 Management Service. The secretary shall designate to an
266 assistant secretary the duties related to enhancing economic
267 prosperity, including, but not limited to, the responsibility of
268 liaison with the head of economic development in the Executive
269 Office of the Governor. Such assistant secretary shall be
270 directly responsible for providing the Executive Office of the
271 Governor with investment opportunities and transportation
272 projects that expand the state's role as a global hub for trade
273 and investment and enhance the supply chain system in the state
274 to process, assemble, and ship goods to markets throughout the
275 eastern United States, Canada, the Caribbean, and Latin America.
276 The secretary may delegate to any assistant secretary the
277 authority to act in the absence of the secretary.

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

282 2. Members shall be appointed in such a manner as to
283 equitably represent all geographic areas of the state. Each
284 member must be a registered voter and a citizen of the state. At
285 least three members of the commission must be representatives of
286 or possess expertise in the higher education, transportation, or
287 workforce development industries ~~Each member of the commission~~
288 ~~must also possess business managerial experience in the private~~
289 ~~sector.~~

290 3. A member of the commission shall represent the

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291 transportation needs of the state as a whole and may not
292 subordinate the needs of the state to those of any particular
293 area of the state.

294 4. The commission is assigned to the Office of the
295 Secretary of the Department of Transportation for administrative
296 and fiscal accountability purposes, but it shall otherwise
297 function independently of the control and direction of the
298 department.

299 (b) The commission shall:

300 1. Recommend major transportation policies for the
301 Governor's approval and assure that approved policies and any
302 revisions are properly executed.

303 2. Periodically review the status of the state
304 transportation system, including highway, transit, rail,
305 seaport, intermodal development, and aviation components of the
306 system, and recommend improvements to the Governor and the
307 Legislature.

308 3. Perform an in-depth evaluation of the annual department
309 budget request, the Florida Transportation Plan, and the
310 tentative work program for compliance with all applicable laws
311 and established departmental policies. Except as specifically
312 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
313 not consider individual construction projects but shall consider
314 methods of accomplishing the goals of the department in the most
315 effective, efficient, and businesslike manner.

316 4. Monitor the financial status of the department on a
317 regular basis to assure that the department is managing revenue
318 and bond proceeds responsibly and in accordance with law and
319 established policy.

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320 5. Monitor on at least a quarterly basis the efficiency,
321 productivity, and management of the department using performance
322 and production standards developed by the commission pursuant to
323 s. 334.045.

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

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

339 8. Monitor the efficiency, productivity, and management of
340 the agencies and authorities created under chapters 348 and 349;
341 the Mid-Bay Bridge Authority re-created pursuant to chapter
342 2000-411, Laws of Florida; ~~and~~ any authority formed under
343 chapter 343; and any transit entity that receives funding under
344 the public transit block grant program pursuant to s. 341.052.

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

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349 accounting principles.

350 (g) A member of the commission shall follow the standards
351 of conduct for public officers provided in s. 112.313 ~~may not~~
352 ~~have any interest, direct or indirect, in any contract,~~
353 ~~franchise, privilege, or other benefit granted or awarded by the~~
354 ~~department~~ during the term of his or her appointment and for 2
355 years after the termination of such appointment.

356 (3) The Legislature finds that the transportation industry
357 is critical to the economic future of this state and that the
358 competitiveness of the industry in this state depends upon the
359 development and maintenance of a qualified workforce and
360 cutting-edge research and innovation. The Legislature further
361 finds that the transportation industry in this state has varied
362 and complex workforce needs ranging from technical and
363 mechanical training to continuing education opportunities for
364 workers with advanced degrees and certifications. The timely
365 need also exists for coordinated research and innovation efforts
366 to promote emerging technologies and innovative construction
367 methods and tools and to address alternative funding mechanisms.
368 It is the intent of the Legislature to support programs designed
369 to address the workforce development needs of the state's
370 transportation industry.

371 (a) The Florida Transportation Research Institute is
372 created as a consortium of higher education professionals. The
373 purpose of the institute is to drive cutting-edge research,
374 innovation, transformational technologies, and breakthrough
375 solutions and to support workforce development efforts that
376 contribute to this state's transportation industry.

377 (b) The mission of the institute is to advance the state's

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378 transportation infrastructure and systems through research,
379 education, and engagement for a safer and more efficient,
380 resilient, and innovative movement of people and goods
381 throughout this state.

382 (c) The institute shall report to the department and shall
383 be composed of members from the University of Florida, Indian
384 River State College, the University of Central Florida, the
385 University of South Florida, and Florida International
386 University. The department shall select a member to serve as the
387 administrative lead of the institute. The department shall
388 assess the performance of the administrative lead periodically
389 to ensure accountability and assess the attainment of
390 performance goals.

391 (d) The Secretary of Transportation shall appoint a
392 representative of the department to serve as the executive
393 director of the institute. The department shall coordinate with
394 the members of the institute to adopt policies establishing the
395 institute's executive committee and mission statement.

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

401 (f) The department may allocate funds to the institute from
402 the State Transportation Trust Fund. The institute may expend
403 such funds for the institute's operations and programs to
404 support research and innovation projects that provide solutions
405 for this state's transportation needs.

406 (g) The institute shall submit an annual report of

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performance metrics to the Secretary of Transportation and the commission. The report must include, but is not limited to, expenditures of funds allocated to the institute by the department, ongoing and proposed research efforts, and the application and success of past research efforts.

(4) ~~(3)~~

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

1. Administration.
2. Planning.
3. Supply chain and modal development.
4. Design.
5. Highway operations.
6. Right-of-way.
7. Toll operations.
8. Transportation technology.
9. Information technology ~~systems~~.
10. Motor carrier weight inspection.
11. Work program and budget.
12. Comptroller.
13. Construction.

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14. Statewide corridors.
15. Maintenance.
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.

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

6. The acquisition, improvement, enlargement, or extension 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

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494 to the community in which the seaport is located.

495 Section 3. Subsections (1) and (3) of section 311.09,
496 Florida Statutes, are amended to read:

497 311.09 Florida Seaport Transportation and Economic
498 Development Council.—

499 (1) The Florida Seaport Transportation and Economic
500 Development Council is created within the Department of
501 Transportation. The purpose of the council is to support the
502 growth of seaports in this state through review, development,
503 and financing of port transportation and port facilities. The
504 council is composed ~~consists~~ of the following 18 members: the
505 port director, or the port director's designee, of each of the
506 ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce,
507 Palm Beach, Port Everglades, Miami, Port Manatee, St.
508 Petersburg, Putnam County, Tampa, Port St. Joe, Panama City,
509 Pensacola, Key West, and Fernandina; the secretary of the
510 Department of Transportation or his or her designee; and the
511 secretary of the Department of Commerce or his or her designee.

512 (3) The council shall prepare a 5-year Florida Seaport
513 Mission Plan defining the goals and objectives of the council
514 concerning the development of port facilities and an intermodal
515 transportation system consistent with the goals of the Florida
516 Transportation Plan developed pursuant to s. 339.155. The
517 Florida Seaport Mission Plan shall include specific
518 recommendations for the construction of transportation
519 facilities connecting any port to another transportation mode,
520 the construction of transportation facilities connecting any
521 port to the space and aerospace industries, and ~~for~~ the
522 efficient, cost-effective development of transportation

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523 facilities or port facilities for the purpose of enhancing
524 trade, promoting cargo flow, increasing cruise passenger
525 movements, increasing port revenues, and providing economic
526 benefits to the state. The council shall develop a priority list
527 of projects based on these recommendations annually and submit
528 the list to the Department of Transportation. The council shall
529 update the 5-year Florida Seaport Mission Plan annually and
530 shall submit the plan no later than February 1 of each year to
531 the President of the Senate, the Speaker of the House of
532 Representatives, the Department of Commerce, and the Department
533 of Transportation. The council shall develop programs, based on
534 an examination of existing programs in Florida and other states,
535 for the training of ~~minorities~~ and secondary school students in
536 job skills associated with employment opportunities in the
537 maritime industry, and report on progress and recommendations
538 for further action to the President of the Senate and the
539 Speaker of the House of Representatives annually. Each port
540 member of the council shall submit a semiannual report related
541 to his or her port's operations and support of the state's
542 economic competitiveness and supply chain. Reports must be
543 submitted to the Department of Transportation and include any
544 information required by the Department of Transportation in
545 consultation with the Department of Commerce. Such reports must
546 include, but are not limited to, all of the following
547 information:

- 548 (a) Bulk break capacity.
- 549 (b) Liquid storage and capacity.
- 550 (c) Fuel storage and capacity.
- 551 (d) Container capacity.

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(e) A description of any supply chain disruption.

Section 4. Subsection (4) is added to section 311.10, 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 that is located in a county in which real property is designated as spaceport territory under s. 331.304 and that uses land, facilities, or infrastructure for the purpose of supporting spacecraft launch and recovery operations must, in any agreement with the Department of Transportation, agree that the seaport may not convert any planned or existing land, facility, or infrastructure that supports cargo purposes to any alternative purpose unless the conversion is approved by the seaport's governing board at a publicly noticed meeting as a separate line on the agenda and with a reasonable opportunity for public comment, and, if approved, the Legislature expressly approves the use of state funds for a project that includes such a conversion, whether by a work program amendment or through the General Appropriations Act. 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

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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 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.

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610 9. One member from the freight rail industry, appointed by
611 the Secretary of Transportation.

612 10. One member from the passenger rail industry, appointed
613 by the Secretary of Transportation.

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

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

619 (b) The Secretary of Transportation, or his or her
620 designee, shall serve as the chair of the working group. The
621 Secretary of Commerce, or his or her designee, shall serve as
622 vice chair of the working group.

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

626 (d) The working group is responsible for all of the
627 following:

628 1. Conducting a study of regional needs regarding
629 intermodal logistics centers, including a breakdown of urban
630 versus rural locations for intermodal logistics centers.

631 2. Determining the statewide benefits of intermodal
632 logistics centers.

633 3. Evaluating the impact of existing and proposed freight
634 and passenger rail service on existing rail corridors and the
635 need for any additional rail capacity.

636 4. Evaluating key criteria used by the state to expand and
637 develop the intermodal logistics center network through the use
638 of the Strategic Intermodal System created pursuant to ss.

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339.61-339.651, including any recommended changes to state law.

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

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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, 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

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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 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:

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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 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

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755 plate which shall be of the colors red, white, and blue similar
756 to the colors of the United States flag. The operation of a
757 motor vehicle displaying a disabled veteran ~~"DV"~~ license plate
758 from a previous issue period or a noncurrent validation sticker
759 after the date specified by the department shall subject the
760 owner if he or she is present, otherwise the operator, to the
761 penalty provided in s. 318.18(2). Such permanent license plate
762 shall be removed upon sale of the vehicle, but may be
763 transferred to another vehicle owned by such veteran in the
764 manner prescribed by law. ~~The license number of each plate~~
765 ~~issued under this section shall be identified by the letter~~
766 ~~designation "DV."~~ Upon request of any such veteran, the
767 department is authorized to issue a designation plate containing
768 only the letters "DV," to be displayed on the front of the
769 vehicle.

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

777 (c) Registration under this section shall be renewed
778 annually or biennially during the applicable renewal period on
779 forms prescribed by the department, which shall include, in
780 addition to any other information required by the department, a
781 certified statement as to the continued eligibility of the
782 applicant to receive the special disabled veteran ~~"DV"~~ license
783 plate. Any applicant who falsely or fraudulently submits to the

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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 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

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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.

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

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

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

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

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

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

(5) "Commuter operation" means any scheduled operation

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842 conducted by a person operating an aircraft with a frequency of
843 operations of at least five round trips per week on at least one
844 route between two or more points according to the published
845 flight schedule.

846 (6)~~(3)~~ "Department" means the Department of Transportation.

847 (7)~~(4)~~ "Limited airport" means any airport limited
848 exclusively to the specific conditions stated on the site
849 approval order or license.

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

856 (9)~~(5)~~ "Private airport" means an airport, publicly or
857 privately owned, which is not open or available for use by the
858 public, but may be made available to others by invitation of the
859 owner or manager.

860 (10) "Private airport of public interest" means a private
861 airport engaged in air ambulance operations, commercial air tour
862 operations, commuter operations, on-demand operations, public
863 charter operations, scheduled operations, or supplemental
864 operations.

865 (11)~~(6)~~ "Public airport" means an airport, publicly or
866 privately owned, which is open for use by the public.

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

870 (13) "Scheduled operation" means any common carriage

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passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for which the certificateholder or its representative offers in advance the departure location, departure time, and arrival location.

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

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

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

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

330.30 Approval of airport sites; registration, certification, and licensure of airports.—

(2) LICENSES, CERTIFICATIONS, AND REGISTRATIONS; REQUIREMENTS, RENEWAL, REVOCATION.—

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

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900 1. For a public airport, upon granting site approval, the
901 department shall issue a license after a final airport
902 inspection finds the airport to be in compliance with all
903 requirements for the license. The license may be subject to any
904 reasonable conditions the department deems necessary to protect
905 the public health, safety, or welfare.

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

913 3. For a temporary airport, the department must publish
914 notice of receipt of a completed registration application in the
915 next available publication of the Florida Administrative
916 Register and may not approve a registration application less
917 than 14 days after the date of publication of the notice. The
918 department must approve or deny a registration application
919 within 30 days after receipt of a completed application and must
920 issue the temporary airport registration concurrent with the
921 airport site approval. A completed registration application that
922 is not approved or denied within 30 days after the department
923 receives the completed application is considered approved and
924 shall be issued, subject to such reasonable conditions as are
925 authorized by law. An applicant seeking to claim registration by
926 default under this subparagraph must notify the agency clerk of
927 the department, in writing, of the intent to rely upon the
928 default registration provision of this subparagraph and may not

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

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

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

(d)1. Each public airport license shall expire no later than 1 year after the effective date of the license, except that the expiration date of a license may be adjusted to provide a maximum license period of 18 months to facilitate airport

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inspections, recognize seasonal airport operations, or improve administrative efficiency.

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

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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 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.

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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 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

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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
flight training necessary for pilot certification and
proficiency.

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

331.371 Strategic space infrastructure investment.—

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

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

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

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

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

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

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

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

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

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

332.005 Restrictions on authority of Department of Transportation.—

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

(2) (a) Notwithstanding subsection (1), upon the declaration of a state of emergency issued by the Governor in preparation for or in response to a natural disaster, airports shall, at no cost to the state, provide the Department of Transportation with the opportunity to use any property that is not subject to an existing lease agreement with a third party and that is not

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1103 within the air navigation facility as defined in s. 332.01(4)
1104 for the staging of equipment and personnel to support emergency
1105 preparedness and response operations.

1106 (b) After 60 days of use under paragraph (a), any further
1107 use of airport property by the Department of Transportation must
1108 be conducted pursuant to a written agreement between the airport
1109 and the department.

1110 Section 18. Section 332.006, Florida Statutes, is amended
1111 to read:

1112 332.006 Duties and responsibilities of the Department of
1113 Transportation.—The Department of Transportation shall, within
1114 the resources provided to the department ~~pursuant to chapter~~
1115 ~~216~~:

1116 (1) Provide coordination and assistance for the development
1117 of a viable aviation system in this state. To support the
1118 system, a statewide aviation system plan shall be developed and
1119 periodically updated which summarizes 5-year, 10-year, and 20-
1120 year airport and aviation needs within the state. The statewide
1121 aviation system plan shall be consistent with the goals of the
1122 Florida Transportation Plan developed pursuant to s. 339.155.
1123 The statewide aviation system plan shall not preempt local
1124 airport master plans adopted in compliance with federal and
1125 state requirements.

1126 (2) Advise and assist the Governor in all aviation matters.

1127 (3) Upon request, assist airport sponsors, both financially
1128 and technically, in airport master planning.

1129 (4) Upon request, provide financial and technical
1130 assistance to public agencies which operate public-use airports
1131 by making department personnel and department-owned facilities

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and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance provided 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. 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

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1161 read:

1162 332.007 Administration and financing of aviation and
1163 airport programs and projects; state plan.—

1164 (2)

1165 (c) Each commercial service airport as defined in s.
1166 332.0075 shall establish and maintain a comprehensive airport
1167 infrastructure program to ensure the ongoing preservation of
1168 airport infrastructure and facilities in safe and serviceable
1169 condition. For purposes of this paragraph, the term "airport
1170 infrastructure" means the facilities, systems, and structural
1171 components of an airport necessary for the safe and efficient
1172 movement of people and goods. Beginning November 1, 2025, and
1173 annually thereafter, each commercial service airport shall
1174 provide a certification to the department, in a manner
1175 prescribed by the department, that it has established and
1176 maintains a comprehensive airport infrastructure program. The
1177 comprehensive airport infrastructure program report, and related
1178 documents and records, must be open to inspection by the
1179 department and maintained by the airport for at least 5 years.
1180 The comprehensive airport infrastructure program must, at a
1181 minimum, include all of the following:

1182 1. Identification of airport infrastructure subject to
1183 inspection and the schedule for the completion of such
1184 inspections, taking into consideration the age, type, intended
1185 use, and criticality of the infrastructure to uninterrupted
1186 commercial or cargo operations.

1187 2. A preventative maintenance program for routine
1188 maintenance of airport infrastructure, for both commercial and
1189 cargo operations.

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1190 3. A plan to complete any necessary repairs to, or
1191 rehabilitation or reconstruction of, airport infrastructure,
1192 including prioritization and anticipated timeframe for
1193 completion of the work.

1194 4. A progress report of inspections and their outcomes,
1195 preventative maintenance, and previously identified repair to,
1196 or rehabilitation or reconstruction of, airport infrastructure.
1197 The progress report must include any changes in timeline for
1198 completion, changes in cost estimates, and reasons any
1199 inspection, preventative maintenance, or repair or
1200 rehabilitation did not take place.

1201 (7) Subject to the availability of appropriated funds in
1202 addition to aviation fuel tax revenues, the department may
1203 participate in the capital cost of eligible public airport and
1204 aviation discretionary capacity improvement projects. The annual
1205 legislative budget request shall be based on the funding
1206 required for discretionary capacity improvement projects in the
1207 aviation and airport work program.

1208 (a) The department shall provide priority funding in
1209 support of:

1210 1. Terminal and parking expansion projects that increase
1211 capacity at airports providing commercial service in counties
1212 with a population of 500,000 or less.

1213 2. Land acquisition which provides additional capacity at
1214 the qualifying international airport or at that airport's
1215 supplemental air carrier airport.

1216 ~~3.2.~~ Runway and taxiway projects that add capacity or are
1217 necessary to accommodate technological changes in the aviation
1218 industry.

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1219 ~~4.3.~~ Airport access transportation projects that improve
1220 direct airport access and are approved by the airport sponsor.

1221 ~~5.4.~~ International terminal projects that increase
1222 international gate capacity.

1223 6. Projects that improve safety and efficiency of airport
1224 operations.

1225 7. Emerging technology projects, workforce development
1226 projects, and projects that benefit the strategic intermodal
1227 system through intermodal connectivity.

1228 (8) The department may also fund eligible projects
1229 performed by not-for-profit organizations that represent a
1230 majority of public airports in this state and postsecondary
1231 education institutions as defined in s. 1008.47 that support the
1232 training of pilots, air traffic control personnel, or aircraft
1233 maintenance technical personnel. Eligible projects may include
1234 activities associated with aviation master planning,
1235 professional education, safety and security planning, enhancing
1236 economic development and efficiency at airports in this state,
1237 or other planning efforts to improve the viability and safety of
1238 airports in this state. Programs that support the transition of
1239 honorably discharged military personnel to the aviation industry
1240 are also eligible projects under this subsection. The department
1241 may provide matching funds for eligible projects funded by the
1242 Department of Commerce.

1243 (9) The department may fund strategic airport investment
1244 projects at up to 100 percent of the project's cost if:

1245 (a) Important access and on-airport capacity improvements
1246 are provided;

1247 (b) Capital improvements that strategically position the

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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.

(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

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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 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.

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1306 However, a contract or contract amendment may not reveal
1307 information made confidential or exempt by law. Each commercial
1308 service airport must redact confidential or exempt information
1309 from each contract or contract amendment before posting a copy
1310 on its website.

1311 (g) Position and rate information for each employee of the
1312 commercial service airport, including, at a minimum, the
1313 employee's position title, position description, and annual or
1314 hourly salary. This information must ~~shall~~ be updated quarterly
1315 ~~annually~~.

1316 (5) (a) Each November 1, the governing body of each
1317 commercial service airport shall submit the following
1318 information to the department:

- 1319 1. Its approved budget for the current fiscal year.
- 1320 2. Any financial reports submitted to the Federal Aviation
1321 Administration during the previous calendar year.
- 1322 3. A link to its website.
- 1323 4. A statement, verified as provided in s. 92.525, that it
1324 has complied with part III of chapter 112, chapter 287, and this
1325 section.

1326 5. The most recent copies of its strategic plans.

1327 6. Contracts related to any financial awards received
1328 through federally funded grant programs for the preceding year.

1329 (c) A commercial service airport shall:

1330 1. Notify the department within 48 hours after receiving a
1331 communication or directive from a federal agency relating to
1332 public health testing or the transfer of unauthorized aliens
1333 into this state.

1334 2. Notify the department as soon as is reasonably possible,

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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 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

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

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1393 **(b)** To the greatest extent practical, at least 50 percent
1394 of the funds allocated under paragraph (a) ~~this subsection~~ shall
1395 be allocated for large plant materials and the remaining funds
1396 for other plant materials.

1397 **(c)** Except as prohibited by applicable federal law or
1398 regulation, all plant materials shall be purchased from Florida
1399 commercial nursery stock in this state on a uniform competitive
1400 bid basis. The department shall develop grades and standards for
1401 landscaping materials purchased through this process, which must
1402 include standards for landscaping materials native to specific
1403 regions of this state which are reflective of this state's
1404 heritage and natural landscapes. ~~To accomplish these activities,~~
1405 ~~the department may contract with nonprofit organizations having~~
1406 ~~the primary purpose of developing youth employment~~
1407 ~~opportunities.~~

1408 **(37)** Notwithstanding s. 287.022 or s. 287.025, to directly
1409 enter into insurance contracts with local, national, or
1410 international insurance companies for the purchase of insurance
1411 coverage that the department is contractually and legally
1412 required to provide.

1413 **(38)** Notwithstanding s. 287.14, to purchase or acquire
1414 heavy equipment and motor vehicles for roadway operations and
1415 emergency response purposes regardless of whether the department
1416 exchanges or ceases to operate any department-owned heavy
1417 equipment or motor vehicles.

1418 **(39)** To adopt rules for the purpose of compliance with 49
1419 C.F.R. part 26 and any other applicable federal law.

1420 Section 23. Subsection (1) of section 334.045, Florida
1421 Statutes, is amended to read:

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1422 334.045 Transportation performance and productivity
1423 standards; development; measurement; application.—

1424 (1) The Florida Transportation Commission shall develop and
1425 adopt measures for evaluating the performance and productivity
1426 of the department. The measures may be both quantitative and
1427 qualitative and must, to the maximum extent practical, assess
1428 those factors that are within the department's control. The
1429 measures must, at a minimum, assess performance in the following
1430 areas:

- 1431 (a) Production;
- 1432 (b) Finance and administration;
- 1433 (c) Preservation of the current state system;
- 1434 (d) Safety of the current state system;
- 1435 (e) Capacity improvements: highways and all public
1436 transportation modes; and

1437 (f) The business development program established under s.
1438 337.027 Disadvantaged business enterprise and minority business
1439 programs.

1440 Section 24. Section 334.615, Florida Statutes, is created
1441 to read:

1442 334.615 Parking authority operations; interlocal
1443 agreements.—A parking authority created by special act may
1444 operate, manage, and control parking facilities in contiguous
1445 counties, municipalities, or other local governmental entities
1446 upon entering into interlocal agreements with the governing
1447 bodies of the appropriate contiguous counties, municipalities,
1448 or local governmental entities.

1449 Section 25. Section 334.62, Florida Statutes, is created to
1450 read:

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1451 334.62 Florida Transportation Academy.—The Legislature
1452 finds that the growth and sustainability of the transportation
1453 industry workforce is vital to the continued success and
1454 efficiency of the state’s supply chain and economic
1455 competitiveness. In order to prioritize the continued need for
1456 transportation industry workforce development programs, the
1457 Florida Transportation Academy is established within the
1458 department. In order to support, promote, and sustain workforce
1459 development efforts in the transportation sector, the department
1460 may do all of the following:

1461 (1) Coordinate with the Department of Corrections to
1462 identify and create certification and training opportunities for
1463 nonviolent, scheduled-release inmates and create a notification
1464 process between the Department of Corrections and the department
1465 for nonviolent inmates with imminent scheduled-release dates who
1466 are expected to seek employment upon release.

1467 (2) Coordinate with the Department of Juvenile Justice and
1468 its educational partners to create certification and training
1469 opportunities for eligible youth.

1470 (3) Coordinate with veterans’ organizations to encourage
1471 veterans with honorable military discharge to pursue employment
1472 opportunities within the transportation industry, including, but
1473 not limited to, employment as pilots, mechanics, and air traffic
1474 controllers.

1475 (4) Coordinate with the Department of Commerce,
1476 CareerSource Florida, Inc., and regional business organizations,
1477 within and outside of the transportation industry, to further
1478 understand recruitment and retention needs and job-seeker
1479 pipelines.

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(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, 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

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

(2) For purposes of this section, the term "small business"
means a business with yearly average gross receipts of less than
\$25 ~~\$15~~ million for road and bridge contracts and less than \$10

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1538 ~~\$6.5~~ million for professional and nonprofessional services
1539 contracts. A business' average gross receipts is determined by
1540 averaging its annual gross receipts over the last 3 years,
1541 including the receipts of any affiliate as defined in s.
1542 337.165.

1543 (3) The department may provide notice of opportunities for
1544 businesses qualified for this program.

1545 (4) The department may adopt rules to implement this
1546 section.

1547 Section 29. Subsection (6) of section 337.11, Florida
1548 Statutes, is amended to read:

1549 337.11 Contracting authority of department; bids; emergency
1550 repairs, supplemental agreements, and change orders; combined
1551 design and construction contracts; progress payments; records;
1552 requirements of vehicle registration.—

1553 (6)(a) If the secretary determines that an emergency in
1554 regard to the restoration or repair of any state transportation
1555 facility exists such that the delay incident to giving
1556 opportunity for competitive bidding would be detrimental to the
1557 interests of the state, the provisions for competitive bidding
1558 do not apply; and the department may enter into contracts for
1559 restoration or repair without giving opportunity for competitive
1560 bidding on such contracts. Within 30 days after such
1561 determination and contract execution, the head of the department
1562 shall file with the Executive Office of the Governor a written
1563 statement of the conditions and circumstances constituting such
1564 emergency.

1565 (b) If the secretary determines that delays on a contract
1566 for maintenance exist due to administrative challenges, bid

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1567 protests, defaults or terminations and the further delay would
1568 reduce safety on the transportation facility or seriously hinder
1569 the department's ability to preserve the state's investment in
1570 that facility, competitive bidding provisions may be waived and
1571 the department may enter into a contract for maintenance on the
1572 facility. However, contracts for maintenance executed under the
1573 provisions of this paragraph shall be interim in nature and
1574 shall be limited in duration to a period of time not to exceed
1575 the length of the delay necessary to complete the competitive
1576 bidding process and have the contract in place.

1577 (c) When the department determines that it is in the best
1578 interest of the public for reasons of public concern, economy,
1579 improved operations, or safety, and only when circumstances
1580 dictate rapid completion of the work, the department may, up to
1581 the amount of \$500,000, enter into contracts for construction
1582 and maintenance without advertising and receiving competitive
1583 bids. The department may enter into such contracts only upon a
1584 determination that the work is necessary for one of the
1585 following reasons:

1586 1. To ensure timely completion of projects or avoidance of
1587 undue delay for other projects;

1588 2. To accomplish minor repairs or construction and
1589 maintenance activities for which time is of the essence and for
1590 which significant cost savings would occur; or

1591 3. To accomplish nonemergency work necessary to ensure
1592 avoidance of adverse conditions that affect the safe and
1593 efficient flow of traffic.

1594
1595 The department shall make a good faith effort to obtain two or

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more quotes, if available, from qualified contractors before entering into any contract. The department shall give consideration to small ~~disadvantaged~~ business enterprise participation. However, when the work exists within the limits of an existing contract, the department shall make a good faith effort to negotiate and enter into a contract with the prime contractor on the existing contract.

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

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

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

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

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

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

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1625 1. The department may waive the requirement for all or a
1626 portion of a surety bond if:

1627 a. The contract price is \$250,000 or less and the
1628 department determines that the project is of a noncritical
1629 nature and that nonperformance will not endanger public health,
1630 safety, or property;

1631 b. The prime contractor is a qualified nonprofit agency for
1632 the blind or for the other severely handicapped under s.
1633 413.036(2); or

1634 c. The prime contractor is using a subcontractor that is a
1635 qualified nonprofit agency for the blind or for the other
1636 severely handicapped under s. 413.036(2). However, the
1637 department may not waive more than the amount of the
1638 subcontract.

1639 2. If the department determines that it is in the best
1640 interests of the department to reduce the bonding requirement
1641 for a project and that to do so will not endanger public health,
1642 safety, or property, the department may waive the requirement of
1643 a surety bond in an amount equal to the awarded contract price
1644 for a project having a contract price of \$250 million or more
1645 and, in its place, may set a surety bond amount that is a
1646 portion of the total contract price and provide an alternate
1647 means of security for the balance of the contract amount that is
1648 not covered by the surety bond or provide for incremental surety
1649 bonding and provide an alternate means of security for the
1650 balance of the contract amount that is not covered by the surety
1651 bond. Such alternative means of security may include letters of
1652 credit, United States bonds and notes, parent company
1653 guarantees, and cash collateral. The department may require

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1654 alternate means of security if a surety bond is waived. The
1655 surety on such bond shall be a surety company authorized to do
1656 business in the state. All bonds shall be payable to the
1657 department and conditioned for the prompt, faithful, and
1658 efficient performance of the contract according to plans and
1659 specifications and within the time period specified, and for the
1660 prompt payment of all persons defined in s. 713.01 furnishing
1661 labor, material, equipment, and supplies for work provided in
1662 the contract; however, whenever an improvement, demolition, or
1663 removal contract price is \$25,000 or less, the security may, in
1664 the discretion of the bidder, be in the form of a cashier's
1665 check, bank money order of any state or national bank, certified
1666 check, or postal money order. The department shall adopt rules
1667 to implement this subsection. Such rules shall include
1668 provisions under which the department shall refuse to accept
1669 bonds on contracts when a surety wrongfully fails or refuses to
1670 settle or provide a defense for claims or actions arising under
1671 a contract for which the surety previously furnished a bond.

1672 Section 34. Subsection (3) of section 337.251, Florida
1673 Statutes, is amended to read:

1674 337.251 Lease of property for joint public-private
1675 development and areas above or below department property.—

1676 (3) A proposal must be selected by the department based on
1677 competitive bidding, except that the department may consider
1678 other relevant factors specified in the request for proposals.
1679 The department may consider such factors as the value of
1680 property exchanges, the cost of construction, and other
1681 recurring costs for the benefit of the department by the lessee
1682 in lieu of direct revenue to the department if such other

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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. Subsection (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 this state, the use of a right-of-way for the utility in accordance with such rules or regulations as the authority may adopt. A utility may not be installed, located, or relocated unless authorized by a written permit issued by the authority. However, for public roads or publicly owned rail corridors under the jurisdiction of the department, a utility relocation schedule and relocation agreement may be executed in lieu of a

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written permit. The permit must require the permitholder to be responsible for any damage resulting from the issuance of such permit. The authority may initiate injunctive proceedings as provided in s. 120.69 to enforce provisions of this subsection or any rule or order issued or entered into pursuant thereto. A permit application required under this subsection by a county or municipality having jurisdiction and control of the right-of-way of any public road must be processed and acted upon in accordance with the timeframes provided in subparagraphs (7)(d)7., 8., and 9.

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

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

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

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

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

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

338.227 Turnpike revenue bonds.—

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

Section 38. Section 339.0805, Florida Statutes, is repealed.

Section 39. Paragraph (c) of subsection (2) of section 339.135, Florida Statutes, is amended to read:

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

(2) SUBMISSION OF LEGISLATIVE BUDGET REQUEST AND REQUEST FOR LIST OF ADDITIONAL TRANSPORTATION PROJECTS.—

(c) The department shall submit the list of projects prepared pursuant to this subsection to the legislative appropriations committees, together with the following plans and reports:

1. An enhanced program and resource plan that adds the list of projects and required support costs to the projects and other programs of the tentative work program required to be submitted by the department pursuant to this section.

2. A variance report comparing the enhanced plan with the

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plan for the tentative work program covering the same period of time.

3. A 36-month cash forecast identifying the additional revenues needed to finance the enhanced plan.

4. A report identifying any of the following entities that has adopted or promoted energy policy goals inconsistent with the energy policy of this state set forth in s. 377.601, as determined by the department after consultation with the Department of Agriculture and Consumer Services, the Public Service Commission, and the Department of Environmental Protection:

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

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

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

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

The report shall include a written statement that explains the basis for the department's determination for each entity identified in the report.

Section 40. Paragraph (b) of subsection (3) and paragraph (c) of subsection (4) of section 339.2821, Florida Statutes, are amended to read:

339.2821 Economic development transportation projects.—

(3)

(b) The department must ensure that it is supportive of small businesses as defined in s. 337.027(2) ~~small and minority businesses have equal access to participate in transportation projects funded pursuant to this section.~~

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(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 41. Section 339.287, Florida Statutes, is repealed.

Section 42. 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 the purpose of this section, the term "intermodal logistics center" means a facility or group of facilities, including, but~~

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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 43. 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 44. 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 New Starts Transit Program in the current fiscal year and a project will not be ready for production by June 30, those funds

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1857 must ~~The remaining unallocated New Starts Transit Program funds~~
1858 ~~as of June 30, 2024,~~ shall be reallocated for the purpose of the
1859 Strategic Intermodal System within the State Transportation
1860 Trust Fund for the next fiscal year. ~~This paragraph expires June~~
1861 ~~30, 2026.~~

1862
1863 For purposes of this section, the term "net operating costs"
1864 means all operating costs of a project less any federal funds,
1865 fares, or other sources of income to the project.

1866 Section 45. Subsections (1) and (6) of section 341.052,
1867 Florida Statutes, are amended to read:

1868 341.052 Public transit block grant program; administration;
1869 eligible projects; limitation.—

1870 (1) There is created a public transit block grant program
1871 which shall be administered by the department. Block grant funds
1872 shall only be provided to ~~"Section 9" providers and "Section 18"~~
1873 providers designated by the United States Department of
1874 Transportation pursuant to 49 U.S.C. s. 5307 and community
1875 transportation coordinators as defined in chapter 427. Eligible
1876 providers must establish public transportation development plans
1877 consistent, to the maximum extent feasible, with approved local
1878 government comprehensive plans of the units of local government
1879 in which the provider is located and the long-range
1880 transportation plans of the metropolitan planning organization
1881 in which the provider is located. In developing public
1882 transportation development plans, eligible providers must
1883 solicit comments from local workforce development boards
1884 established under chapter 445. The development plans must
1885 address how the public transit provider will work with the

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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 providers in the state in that year.

(c) One-third shall be distributed according to the

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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 46. 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 47. 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 by the Governor and confirmed by the Senate. Of the four members appointed by the Governor, one must be a resident of Duval County, one must be a resident of Clay County, one must be a resident of St. Johns County, and one must be a resident of 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.

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Section 48. 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 Administrator, district secretaries, district directors of transportation development, transportation operations, transportation support, and the managers of the offices of the Department of Transportation specified in s. 20.23(4)(b) ~~s. 20.23(3)(b)~~. Unless otherwise fixed by law, the department shall set the salary and benefits of these positions and the positions of county health department directors and county health department administrators of the Department of Health in accordance with the rules of the Senior Management Service.

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and

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those positions determined by the department to have managerial responsibilities comparable to such positions, which include, but are not limited to:

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

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

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

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

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

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

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in

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accordance with the rules established for the Selected Exempt Service.

Section 49. Paragraph (d) of subsection (3) of section 322.27, Florida Statutes, is amended to read:

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

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

(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.

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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 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

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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 addition to the points assigned for the moving violation.

Section 50. 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

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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 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

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2118 antennae placement approval, to any other portion of the land
2119 development regulations, or to public hearing review. This sub-
2120 subparagraph may not preclude a public hearing for any appeal of
2121 the decision on the colocation application.

2122 (I) The colocation does not increase the height of the
2123 tower to which the antennae are to be attached, measured to the
2124 highest point of any part of the tower or any existing antenna
2125 attached to the tower;

2126 (II) The colocation does not increase the ground space
2127 area, commonly known as the compound, approved in the site plan
2128 for equipment enclosures and ancillary facilities; and

2129 (III) The colocation consists of antennae, equipment
2130 enclosures, and ancillary facilities that are of a design and
2131 configuration consistent with all applicable regulations,
2132 restrictions, or conditions, if any, applied to the initial
2133 antennae placed on the tower and to its accompanying equipment
2134 enclosures and ancillary facilities and, if applicable, applied
2135 to the tower supporting the antennae. Such regulations may
2136 include the design and aesthetic requirements, but not
2137 procedural requirements, other than those authorized by this
2138 section, of the local government's land development regulations
2139 in effect at the time the initial antennae placement was
2140 approved.

2141 b. Except for a historic building, structure, site, object,
2142 or district, or a tower included in sub-subparagraph a.,
2143 colocations on all other existing structures that meet the
2144 requirements in sub-sub-subparagraphs (I)-(IV) shall be subject
2145 to no more than building permit review, and an administrative
2146 review for compliance with this subparagraph. Such colocations

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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 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-subparagraph (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.

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2176 c. Regulations, restrictions, conditions, or permits of the
2177 local government, acting in its regulatory capacity, that limit
2178 the number of colocations or require review processes
2179 inconsistent with this subsection do not apply to colocations
2180 addressed in this subparagraph.

2181 d. If only a portion of the colocation does not meet the
2182 requirements of this subparagraph, such as an increase in the
2183 height of the proposed antennae over the existing structure
2184 height or a proposal to expand the ground space approved in the
2185 site plan for the equipment enclosure, where all other portions
2186 of the colocation meet the requirements of this subparagraph,
2187 that portion of the colocation only may be reviewed under the
2188 local government's regulations applicable to an initial
2189 placement of that portion of the facility, including, but not
2190 limited to, its land development regulations, and within the
2191 review timeframes of subparagraph (d)2., and the rest of the
2192 colocation shall be reviewed in accordance with this
2193 subparagraph. A colocation proposal under this subparagraph that
2194 increases the ground space area, otherwise known as the
2195 compound, approved in the original site plan for equipment
2196 enclosures and ancillary facilities by no more than a cumulative
2197 amount of 400 square feet or 50 percent of the original compound
2198 size, whichever is greater, shall, however, require no more than
2199 administrative review for compliance with the local government's
2200 regulations, including, but not limited to, land development
2201 regulations review, and building permit review, with no public
2202 hearing review. This sub-subparagraph does not preclude a public
2203 hearing for any appeal of the decision on the colocation
2204 application.

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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.

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

(b)1. A local government's land development and

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2234 construction regulations for wireless communications facilities
2235 and the local government's review of an application for the
2236 placement, construction, or modification of a wireless
2237 communications facility shall only address land development or
2238 zoning issues. In such local government regulations or review,
2239 the local government may not require information on or evaluate
2240 a wireless provider's business decisions about its service,
2241 customer demand for its service, or quality of its service to or
2242 from a particular area or site, unless the wireless provider
2243 voluntarily offers this information to the local government. In
2244 such local government regulations or review, a local government
2245 may not require information on or evaluate the wireless
2246 provider's designed service unless the information or materials
2247 are directly related to an identified land development or zoning
2248 issue or unless the wireless provider voluntarily offers the
2249 information. Information or materials directly related to an
2250 identified land development or zoning issue may include, but are
2251 not limited to, evidence that no existing structure can
2252 reasonably be used for the antennae placement instead of the
2253 construction of a new tower, that residential areas cannot be
2254 served from outside the residential area, as addressed in
2255 subparagraph 3., or that the proposed height of a new tower or
2256 initial antennae placement or a proposed height increase of a
2257 modified tower, replacement tower, or colocation is necessary to
2258 provide the provider's designed service. Nothing in this
2259 paragraph shall limit the local government from reviewing any
2260 applicable land development or zoning issue addressed in its
2261 adopted regulations that does not conflict with this section,
2262 including, but not limited to, aesthetics, landscaping, land

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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 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

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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 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

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2321 within the normal timeframe for a similar building permit review
2322 but in no case later than 45 business days after the date the
2323 application is determined to be properly completed in accordance
2324 with this paragraph.

2325 2. A local government shall grant or deny each properly
2326 completed application for any other wireless communications
2327 facility based on the application's compliance with the local
2328 government's applicable regulations, including but not limited
2329 to land development regulations, consistent with this subsection
2330 and within the normal timeframe for a similar type review but in
2331 no case later than 90 business days after the date the
2332 application is determined to be properly completed in accordance
2333 with this paragraph.

2334 3.a. An application is deemed submitted or resubmitted on
2335 the date the application is received by the local government. If
2336 the local government does not notify the applicant in writing
2337 that the application is not completed in compliance with the
2338 local government's regulations within 20 business days after the
2339 date the application is initially submitted or additional
2340 information resubmitted, the application is deemed, for
2341 administrative purposes only, to be properly completed and
2342 properly submitted. However, the determination may not be deemed
2343 as an approval of the application. If the application is not
2344 completed in compliance with the local government's regulations,
2345 the local government shall so notify the applicant in writing
2346 and the notification must indicate with specificity any
2347 deficiencies in the required documents or deficiencies in the
2348 content of the required documents which, if cured, make the
2349 application properly completed. Upon resubmission of information

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

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application is deemed to be automatically approved.

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

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

(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-

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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 51. 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.—

(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 52. 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.

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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 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 53. 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

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

(2) The Department of Transportation may issue a request for proposals pursuant to s. 287.057, Florida Statutes, for the procurement of a program to manage all surveys, mapping, and data collection that use light detection and ranging (LiDAR), high-resolution aerial imagery, including orthoimagery and oblique imagery, and other similar mapping technologies. The

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proposals may provide for co-collection of data by aerial imagery, LiDAR, and other methods. Surveying, mapping, and data collection must be conducted in a manner that considers United States Geological Survey recommendations for technologies, standards, and specifications.

(3) The Department of Transportation, in coordination with the workgroup, shall review state statutes and policies related to geospatial data sharing throughout state government and make recommendations to the President of the Senate and the Speaker of the House of Representatives by November 15, 2025, for any legislative action necessary to establish the Department of Transportation as the primary point of contact for statewide geographic information systems and to update statutes relating to geographic information systems and geospatial data sharing to allow for coordination and access to such systems and geospatial data. The recommendations must provide a survey of data needs, including minimum density and elevation; consider means to ensure accuracy, consistency, and interoperability that 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 55. This act shall take effect July 1, 2025.