

Transportation & Economic Development Budget Subcommittee

Wednesday, April 2, 2025
1:30 PM
Mashburn Hall (314 HOB)

Daniel Perez
Speaker

Jason Shoaf
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Transportation & Economic Development Budget Subcommittee

Start Date and Time: Wednesday, April 02, 2025 01:30 PM

End Date and Time: Wednesday, April 02, 2025 03:30 PM

Location: Mashburn Hall (314 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 1165 Mobile Cranes and Accessory Support Vehicles by Owen
CS/HB 1397 Transportation by Economic Infrastructure Subcommittee, Abbott, Bankson

NOTICE FINALIZED on 03/31/2025 4:33PM by SKB

HB 1165

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

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

BILL #: HB 1165	**COMPANION BILL:** CS/SB 1502 (Collins)
TITLE: Mobile Cranes and Accessory Support Vehicles	**LINKED BILLS:** None
SPONSOR(S): Owen	**RELATED BILLS:** None

Committee References

Economic Infrastructure 17 Y, 0 N	➤ Transportation & Economic Development Budget	➤ Commerce

SUMMARY

Effect of the Bill:

The bill authorizes the Florida Department of Transportation (FDOT) to issue special blanket permits that allow:

- Mobile cranes and accessory support vehicles up to a specified size to travel on and off the Interstate Highway System at all hours, subject to local curfews.
- Mobile cranes operating on and off Interstate highways to tow certain motor vehicles, subject to a combined weight limit.
- Mobile cranes and accessory support vehicles which, due to their design for use, exceed established weight limits for travel on and off Interstate highways.

Fiscal or Economic Impact:

None.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill authorizes FDOT to issue a special blanket permit to mobile cranes and accessory support vehicles to travel on and off the Interstate Highway System at all hours. To receive such a permit, mobile crane and accessory support vehicle dimensions must not exceed 12 feet wide, 14 feet 6 inches high, and 100 feet long. Any local travel-related curfews still apply. (Section 2).

The bill also allows FDOT to issue a special blanket permit to mobile cranes operating on and off the Interstate Highway System to tow certain motor vehicles. (Section 2).

The bill allows FDOT to issue a special blanket permit to mobile cranes and accessory support vehicles which exceed the weight limits established under s. 316.535 to travel on and off the Interstate Highway System. (Section 2).

Additionally, the bill revises the definition of "special mobile equipment" to include mobile cranes, accessory support vehicles, and self-propelled earthmoving equipment. (Section 1).

The bill has an effective date of July 1, 2025. (Section 3).

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Special Mobile Equipment

Florida law defines "special mobile equipment" as any vehicle not designated or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway. Special mobile equipment includes, but is not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, and self-propelled cranes and earthmoving equipment.

Special mobile equipment 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.[1]

Special Permits for Oversize or Overweight Vehicles

FDOT has jurisdiction to control traffic over all state roads throughout Florida. FDOT has the authority to regulate, warn, or guide traffic as it deems necessary.[2] No vehicle or combination of vehicles exceeding established gross weight provisions are permitted to travel on the public highways of the state unless specifically provided by law.[3] Local authorities do not have the power to alter this limitation unless the Legislature has expressly granted authority under ch. 316, F.S.[4]

To operate on public roads, oversized or overweight vehicles must obtain a special permit from the appropriate governing jurisdiction.[5] FDOT or the local authority may, at its discretion, issue or withhold a permit. If a permit is issued, FDOT or the local authority may limit or prescribe the conditions of operation of such vehicle or vehicles.[6] Under DOT guidelines, blanket permits are issued to cover multiple trips for a period not to exceed 12 months.[7]

Current Law

Special permits may authorize a self-propelled truck crane operating off the Interstate Highway System to tow certain vehicles.[8]

For nighttime movement, when FDOT's criteria for issuing a permit are met, FDOT must issue a permit provided that:

- Nighttime travel is recommended by the appropriate FDOT District Traffic Engineering office or determined to be a permit requirement.
- Law enforcement escorts are used.
- Warning lights delineate the load's shape and size.
- The sides and rear of trailers and loads are as prescribed in state law and federal regulations.[9]

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[1] S. 316.003(83), F.S.
[2] S. 316.006(1), F.S.
[3] The gross weight imposed on the highway by the wheels of any one axle of a vehicle cannot exceed 20,000 pounds. S. 316.535, F.S.
[4] S. 316.500, F.S.
[5] S. 316.550(1), F.S.
[6] S. 316.550(2), F.S.
[7] Florida Department of Transportation, *WHEN DO YOU NEED A PERMIT*, https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/maintenance/str/owodp/when-do-you-need-a-permit.pdf?sfvrsn=45e8edf1_0 (last visited March 17, 2025).
[8] The towed motor vehicle may not weigh more than 5,000 pounds if the combined weight of the crane and the vehicle does not exceed 95,000 pounds. S. 316.550(3), F.S.; Florida Department of Transportation, *Blanket Permit Movement Conditions*, blanket-permit-movement-conditions-02-13-2020.pdf (last visited March 17, 2025).
[9] Rule 14-26.012(5)(f), F.A.C.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee	17 Y, 0 N	3/19/2025	Keating	Garcia
Transportation & Economic Development Budget Subcommittee			Davis	McAuliffe
Commerce Committee				

A bill to be entitled

An act relating to mobile cranes and accessory support vehicles; amending s. 316.003, F.S.; revising the definition of the term "special mobile equipment"; amending s. 316.550, F.S.; authorizing the Department of Transportation to issue a special blanket permit for a mobile crane operating on and off the Interstate Highway System to tow a certain motor vehicle; authorizing the department to issue a special blanket permit for a mobile crane and accessory support vehicle of certain dimensions to travel on and off the Interstate Highway System at all hours, subject to local restrictions; authorizing the department to issue a special blanket permit for a mobile crane and accessory support vehicle exceeding certain weight limits to travel on and off the Interstate Highway System; providing an effective date.

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

Section 1. 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

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

otherwise requires:

(83) SPECIAL MOBILE EQUIPMENT.—Any vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to, ditchdigging apparatus, well-boring apparatus, and road construction and maintenance machinery, such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earthmoving carryalls and scrapers, power shovels and draglines, mobile ~~and self-propelled~~ cranes and accessory support vehicles, and self-propelled 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 2. Subsection (3) of section 316.550, Florida Statutes, is amended to read:

316.550 Operations not in conformity with law; special permits.—

(3)(a) The Department of Transportation may issue a mobile crane special blanket permit to authorize a mobile ~~A permit may authorize a self-propelled truck~~ crane operating on and off the Interstate Highway System to tow a motor vehicle 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), 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) The Department of Transportation may issue a mobile crane special blanket permit to authorize a mobile crane and accessory support vehicle of up to 12 feet wide, 14 feet 6 inches high, and 100 feet long to travel on and off the Interstate Highway System at all hours except as restricted under local travel-related curfews.

(c) The Department of Transportation may issue a mobile crane special blanket permit to authorize a mobile crane and accessory support vehicle which, due to its design for use, exceeds the weight limits established in s. 316.535 to travel on and off the Interstate Highway System.

Section 3. This act shall take effect July 1, 2025.

CS/HB 1397

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

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

BILL #: CS/HB 1397	**COMPANION BILL:** CS/SB 1662 (Collins)
TITLE: Transportation	**LINKED BILLS:** None
SPONSOR(S): Abbott, Bankson	**RELATED BILLS:** None

Committee References

Economic Infrastructure
14 Y, 0 N, As CS
➤
Transportation & Economic Development Budget
➤
Commerce

SUMMARY

Effect of the Bill:

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

- Organization, duties, and powers of FDOT and the Florida Transportation Commission.
- Seaport project funding, planning, and reporting.
- Development of advanced air mobility.
- Spaceport project funding.
- Use of airport property during a state of emergency.
- Airport project funding and commercial airport requirements.
- Transportation workforce development.
- Contracting for transportation projects.
- Funding for certain small county support programs.
- Governance and duties of the Jacksonville Transportation Authority.

Fiscal or Economic Impact:

The bill authorizes, but does not necessarily require, additional funding within the FDOT Work Program for certain infrastructure projects related to spaceports, airports, and seaports; and the bill also adjusts the maximum and minimum funding levels for certain county programs. Any adjustments in spending will not have an overall increase in state expenditures as these activities are funded within the confines of the Work Program as appropriated by the Legislature. The workforce development requirements in the bill will have an indeterminate fiscal impact, but the department can absorb these costs within existing resources.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

The bill addresses several matters related to the Florida Department of Transportation (FDOT) and state transportation policy.

Organization of FDOT

The bill provides that the three assistant secretaries currently appointed by the FDOT Secretary shall serve under the titles of Chief Operations Officer, Chief Finance and Administration Officer, and Chief Strategic Development Officer. The bill also provides that the FDOT Secretary may appoint an Executive Director of Transportation Technology. Under the bill, each of these positions maintain Senior Management Status and are exempt from career service under s. 110.205(2), F.S.

The bill expands the areas of program responsibility for which the FDOT Secretary may appoint deputy assistant secretaries or directors to include "operational technology." The bill renames the "modal development" area as "supply chain and modal development" and renames the "information systems" area as "information technology." (Section 1)

FDOT Powers and Duties

The bill adds the following to DOT's power and duties:

- Purchasing, leasing, or acquiring promotional items as part of public information and education campaigns that promote environmental management, workforce development, or "context classification."
- Entering into contracts for insurance that FDOT is contractually and legally obligated to provide directly from local, national, or international insurance companies.
- Purchasing, leasing, or acquiring heavy equipment and motor vehicles for roadway operations and emergency response purposes without the need to remove or cease operation of any existing FDOT fleet motor vehicles or heavy equipment.
- Adopting rules to comply with requirements of 49 C.F.R. part 26 and applicable federal law, which addresses participation by disadvantaged business enterprises in financial assistance programs under the U.S. Department of Transportation. (Section 14)

The bill eliminates FDOT's power and duty to:

- Purchase, lease, or acquire promotional items as part of public information and education campaigns that promote alternatives to single-occupant vehicle travel, electric vehicle (EV) use and charging stations, autonomous vehicles, and design for EVs. (Section 14)

Florida Transportation Commission

The bill provides that at least three members of the nine-member Florida Transportation Commission (FTC) shall represent or have expertise in higher education, transportation, or workforce development. The bill eliminates requirements that each FTC member must be a registered voter and citizen of Florida and possess private sector business managerial experience. The bill removes the prohibition on FTC members having any interest in any contract, franchise, privilege, or other benefit granted or awarded by FDOT and replaces this prohibition with a requirement that each FTC member must follow the standards of conduct for public officers provided in s. 112.313, F.S.

The bill expands FTC's duties to include monitoring the efficiency, productivity, and management of any transit entity that is a recipient of funding from FDOT's public transit block grant program under s. 341.052, F.S. (Section 1)

Transportation Research and Innovation

The bill creates the Florida Transportation Research Institute (Institute) as a consortium of higher education professionals to "drive cutting-edge research, innovation, transformational technologies, and breakthrough solutions and to support workforce development efforts that contribute to the state's transportation system.

The bill provides that the Institute shall include membership from the University of Florida, Indian River State College, the University of Central Florida, and Florida International University. The bill requires FDOT to select a representative from one of these entities to serve as the Institute's administrative lead. The bill also requires FDOT to coordinate with these entities to adopt and approve policies establishing the Institute's executive committee and mission statement.

The bill requires the Institute to report to FDOT and requires the FDOT Secretary to appoint a member of FDOT to serve as the Institute's executive director. The bill requires FDOT to assess the performance of the administrative lead periodically to ensure accountability and assess the attainment of performance expectations. The bill does not specify how these performance expectations will be set.

The bill authorizes the Institute to award grants consistent with its mission. Grants may be directed to member and nonmember institutions that have a proven expertise relevant to the grant, including not-for-profit organizations and institutions of higher education. The bill authorizes the Institute to expend state funds as allocated by FDOT from the State Transportation Trust Fund (STTF) for the Institute's operations and programs.

The bill requires the Institute to submit an annual report to the FDOT Secretary's office and to the FTC containing performance metrics, including, but not limited to, expenditures of appropriated funds allocated by FDOT, ongoing and proposed research efforts, and the application and success of past research efforts. (Section 1)

Florida Seaport Transportation and Economic Development

The bill adds that the following port facilities or port transportation projects are eligible for funding under the Florida Seaport Transportation and Economic Development Program (FSTED):

- Spaceport or space-related planning or construction of facilities on seaport property which is necessary or useful to advance the space industry in this state when the project provides economic benefit to the community.
- Commercial shipbuilding and manufacturing facilities when such project provides economic benefit to the community. (Section 2)

Under the bill, the FSTED Council is directed to support the growth of the seaports of Florida through the review, development, and financing of port transportation and port facilities. (Section 3)

The bill directs the FSTED Council to include in the council's 5-year Florida Seaport Mission Plan specific recommendations for the construction of transportation facilities connecting any port to the space and aerospace industries. (Section 3)

Each port member of the FSTED Council is required by the bill to submit semiannual reports to FDOT relating to seaport operations and their support of this state's economic competitiveness and supply chain. Each of these reports must include information prescribed by FDOT and the Department of Commerce, including, but not limited to:

- Bulk break capacity,
- Liquid storage and capacity,
- Fuel storage and capacity,
- Container capacity, and
- Supply chain disruptions (Section 3)

Airport Operations and Funding

Private Airports of Public Interest

The bill defines a "private airport of public interest" as a private airport serving any of the following operations: air ambulance operation,[1] commercial air tour operation,[2] commuter operation,[3] on-demand operation,[4] public

[1] The bill defines "air ambulance operation" as a flight with a patient or medical personnel on board for the purpose of medical transportation.
[2] The bill defines "commercial air tour operation" as a flight conducted for compensation or hire in an aircraft when the purpose of the flight is sightseeing.
[3] The bill defines "commuter operation" as any scheduled operation conducted by a person operating an aircraft with a frequency of operations of at least five round trips per week on at least one route between two or more points according to the published flight schedule.
[4] The bill defines "on-demand operation" as any scheduled passenger-carrying operation for compensation or hire conducted by a person operating an aircraft with a frequency of operations of fewer than five round trips per week on at least one route between two or more points according to the published flight schedule.

charter operation,[5] scheduled operation,[6] or supplemental operation.[7] The bill requires a private airport of public interest to obtain a certificate from FDOT before allowing aircraft operations. FDOT may issue a certificate if FDOT finds after a final inspection that the airport is in compliance with all requirements for a certificate. The certificate may be subject to any reasonable conditions FDOT deems necessary to protect the public health, safety, or welfare.

A private airport that was engaged in operations associated with a private airport of public interest on or before July 1, 2025, may continue its operations but must obtain a certificate from FDOT before July 1, 2030. A certificate issued to a private airport of public interest expires five years after its effective date. (Sections 5, 6).

Advanced Air Mobility

The bill requires FDOT, within the resources provided in ch. 216, F.S, to carry out specific tasks related to the adoption of advanced air mobility (AAM) as a new mode of transportation. Specifically, the bill requires DOT to:

- Address the need for vertiports, AAM, and other advances in aviation technology in the statewide aviation plan and, as appropriate, in FDOT's work program.
- Designate a subject matter expert on AAM within FDOT to serve as a resource for local jurisdictions navigating advances in aviation technology.
- Conduct a review of airport hazard zone regulations.
- Work with the Department of Commerce to provide coordination and assistance for the development of a viable AAM system in the state and incorporate these plans in the statewide aviation system plan to develop and identify the statewide corridors of need and opportunities for growth of the industry. (Section 13)

The bill modifies the existing definitions of "aircraft" and "airport" and defines new terms[8] to account for the operations and infrastructure associated with AAM. The bill modifies the definition of "aircraft" to specifically include an airplane, autogyro, glider, gyrodyne, helicopter, lift and cruise, multicopter, paramotor, powered lift, seaplane, tiltrotor, ultralight, or vectored thrust. The bill modifies the definition of "airport" to specifically include an airpark, airport, gliderport, heliport, helistop, seaplane base, ultralight flightpark, vertiport, or vertistop. (Section 5)

Florida Airport Development and Accountability Act

The bill renames the Florida Airport Development and Assistance Act as the Florida Airport Development and Accountability Act (the Act). (Section 8)

Use of Airport Property During State of Emergency

As an exception to provisions of the Act that specifically prohibit FDOT from participating in or exercising control in the management and operation of a sponsor's airport, the bill requires that an airport must provide FDOT, at no cost, the opportunity to use any property not within the air navigation facility[9] for the staging of equipment and personnel to support emergency preparedness and response operations during a declared state of emergency issued by the Governor in response to a natural disaster. (Section 9)

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[5] The bill defines "public charter operation" as a one-way or round-trip charter flight performed by one or more direct air carriers which is arranged and sponsored by a charter operator.

[6] The bill defines "scheduled operation" as any common carriage 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.

[7] The bill defines "supplemental operation" as 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.

[8] *See supra*, notes 1-7.

[9] An "air navigation facility" is any facility used in, available for use in, or designed for use in, aid of air navigation. Air navigation facilities include airports, restricted landing areas, and any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport, or restricted landing area, and any combination of any or all of such facilities. S. 332.01(4), F.S.

FDOT Duties

The bill expands FDOT's duties under the Act to include developing, promoting, and distributing supporting information and education services, including, but not limited to, educational services which focus on the aviation industry workforce's retention and growth. (Section 10)

Administration and Funding of Airport Programs and Projects

The bill requires each airport to submit annually to FDOT a comprehensive maintenance[10] program report. At a minimum, the report must include:

- A schedule of inspections.
- The locations being inspected.
- Any probable cause for such inspection.
- A list of the airport's required needs.
- Any remedial actions to be taken.
- Any required follow-up inspections and maintenance.

The bill also requires airports to retain all records of materials and equipment used for the airport's maintenance and repair work.

The bill allows FDOT to withhold state funds from any of the airport's capital expansion projects if it determines that, based on the annual comprehensive maintenance program, there is evidence an airport has failed to perform routine maintenance. The bill allows FDOT to withhold such funds until the airport corrects any deficiencies. (Section 11)

The bill also adds the following project priorities for FDOT funding:

- Terminal and parking expansion projects that increase the capacity of airports that provide commercial service in counties with a population of 500,000 or less.
- Projects that improve the safe and efficient operation of Florida airports.
- Emerging technology, workforce development projects, and projects that benefit the strategic intermodal system through intermodal connectivity.

The bill makes the following programs eligible to receive FDOT funding:

- Projects performed by postsecondary education institutions which support the training of pilots, air traffic control personnel, or aircraft maintenance technical personnel.
- Programs that support the transition of honorably discharged military personnel to the aviation industry.[11]
- Capital improvement programs that strategically position the state to maximize tourism opportunities.

Commercial Service Airports

The bill expands existing commercial service airport reporting requirements to include nonhub airports, as classified by the Federal Aviation Administration.[12] Based on data for 2023, Florida's nonhub commercial service airports include Daytona Beach International Airport, Gainesville Regional Airport, Melbourne International Airport, Tallahassee International Airport, and Vero Beach Regional Airport.[13]

[10] For purposes of this section, the bill provides that "maintenance" includes any preventive and regular or recurring work that is necessary to preserve the airport infrastructure in good condition.
[11] The bill provides that FDOT may match funds provided by the Department of Commerce for such programs.
[12] A commercial service airport is classified as a "nonhub" airport if it receives less than 0.05 percent but more than 10,000 of the annual U.S. commercial enplanements. *See* Federal Aviation administration, *Airport Categories*, https://www.faa.gov/airports/planning_capacity/categories (last visited Mar. 22, 2025).
[13] Federal Aviation Administration, *CY 2023 Enplanements at All Commercial Service Airports*, https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/cy23_commercial_service_enplanements (last visited Mar. 22, 2025).

The bill provides that information relating to the operation of a commercial service airport which must be posted on a website maintained by an airport's governing body[14] must remain on the website for 5 years or for as long as the information is actively in use by the entity. The bill expands the information that must be posted by a commercial service airport on its website to include copies of the airport's current Airport Master Plan and the immediately preceding Airport Master Plan. The bill requires that information related to employee positions and pay rates must be updated quarterly on the website.

The bill also expands the type of information that a commercial service airport must provide to FDOT each year to include the most recent copy of the airport's strategic plan or plans and contracts related to financial awards received through federally funded grant programs for the preceding year.

The bill also requires commercial service airports to notify FDOT:

- Within 48 hours after receiving a communication or directive from a federal agency with respect to accommodating public health testing or the transfer of unauthorized aliens into the state.
- As soon as reasonably possible, but no later than 48 hours after discovery, of incidents including, but not limited to, those related to the safety of the public when traveling, potential breaches or security risks associated with cybersecurity, or other issues of statewide concern as defined by FDOT.

Spaceport Infrastructure Investment

The bill expands DOT's ability to fund spaceport discretionary capacity improvement projects by requiring projects to meet only one, rather than all, of the existing criteria for funding, which include:

- Important access and on-spaceport-territory space transportation capacity improvements are provided.
- Capital improvements that strategically position the state to maximize opportunities in international trade are achieved.
- Goals of an integrated intermodal transportation system for the state are achieved.
- Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.

The bill authorizes FDOT, in consultation with Department of Commerce and the Department of Environmental Protection to fund wastewater projects, stormwater projects, water capacity projects, or projects associated with critical infrastructure facilities as defined in s. 692.201, F.S., within or outside the jurisdictional boundary of a spaceport territory. The project must support aerospace or launch support facilities within an adjacent spaceport territory boundary. The named departments must coordinate to maximize and optimize available funding for such projects. (Section 7)

Noncompliance with Uniform System of Traffic Control Devices

The bill expands FDOT's power to enforce compliance by public agencies with FDOT's adopted uniform system of traffic control devices. Currently, state funds *for traffic control purposes* may be withheld if a public body or official is found to have installed a noncompliant traffic control device after the public agency has already been directed to remove a noncompliant device or bring it into compliance. The bill provides that *any* state funds may be withheld in this situation until the public body or official demonstrates to FDOT that it is in compliance. (Section 4)

Access to and Use of the State Highway System

The bill provides that FDOT may modify or revoke an access permit for connection of a street, driveway, or other facility to the state highway system if the connection would jeopardize the safety of the public or have a negative impact on the operational characteristics of the highway. (Section 18)

The bill modifies the definition of "significant change" for purposes of establishing whether FDOT may require a permit for such a change to a previously unpermitted connection to the State Highway System, require

[14] The term "governing body" means the governing body of the county, municipality, or special district that operates a commercial service airport. S. 332.075(1)(d), F.S. The bill provides that this term includes an appointed board or oversight entity serving as the governing body on behalf of the county, municipality, or special district.

modification of the connection, or modify or revoke an existing access permit. The modified definition includes development of the land or an expansion of the size of the property. The bill also creates a definition for the term "modification of a connection" as the "relocation, alteration, or closure of a connection." (Section 17)

The bill prohibits camping on any portion of the right-of-way of the State Highway System but provides an exception for persons actively navigating the Florida National Scenic Trail and who have obtained the associated permits. (Section 23)

Surety Bonds for Construction or Maintenance Contracts

The bill authorizes FDOT to require, at the discretion of the FDOT Secretary, that the amount of a surety bond or bonds for construction or maintenance contracts be less than the awarded contract price. Otherwise, the law requires that a successful bidder for a construction or maintenance contract is required to provide a surety bond in an amount equal to the awarded contract price, which may be split into incremental annual contract bonds for multiyear maintenance contracts or into multiple contract or payment bonds in succession that align with each phases of a phased design-build contract.[15] (Section 21)

Small County Funding Assistance

The bill increases the maximum annual funding amount for the Small County Road Assistance Program from $25 million to $50 million beginning in Fiscal Year 2025-2026. The bill provides that the minimum annual funding amount for the Small County Outreach Program is $50 million beginning in Fiscal Year 2025-2026. Funding for both programs comes from the State Transportation Trust Fund (STTF). (Sections 25 and 26)

Strategic Intermodal System

The bill authorizes FDOT to make funds available each year, from existing work program revenues, that meet the public purpose of providing increased capacity and enhanced capabilities to move and store transportation infrastructure-related materials. The bill removes an existing *requirement* that FDOT make up to $20 million available annually for such purposes (as well as for the purpose of moving and storing construction aggregate, as provided in current law), instead providing that FDOT *may* make up to $20 million available for these purposes. The bill makes this authority permanent. Applicants eligible for this type of project funding are seaports listed in s. 311.09, F.S., and rail lines and rail facilities.[16] (Section 28)

The bill provides that funds allocated to a project that qualifies for the New Starts Transit Program in the current fiscal year must be reallocated for the purpose of the Strategic Intermodal System for the next fiscal year if the transit project will not be ready for production by June 30. The bill removes a provision of current law which provides that unallocated funds for the New Starts Transit Program remaining as of June 30, 2024, must be reallocated for the purpose of the Strategic Intermodal System, with an expiration of June 30, 2026. (Section 29)

Jacksonville Transportation Authority (JTA)

The bill modifies the seven-member governing board of JTA as follows:

- Eliminates the FDOT District 2 Secretary from the board.
- Increases the number of Governor's appointments from three to four, and provides that, of these four members, one must be a City of Jacksonville resident and the remaining three must be residents of Clay County, Duval County, or St. Johns County.
- Provides that the three members appointed by the mayor of the City of Jacksonville must be residents and qualified electors of Duval County.

The bill requires JTA to follow FDOT's small business program and establish protocols and systems in accordance with the statewide travel management system developed by the Department of Management Services (DMS), the

[15] S. 337.18, F.S.
[16] S. 339.651(3), F.S.

publication of employee salary and pay information on a DMS-maintained website, and the publication of certain contract information on a website maintained by the state's Chief Financial Officer.

Florida Transportation Academy

The bill creates the Florida Transportation Academy in order to prioritize the continued need for transportation industry workforce development programs. The bill directs FDOT to work with state agencies, industry organizations, and private sector businesses to support, promote, and sustain workforce development efforts of the transportation sector.

Under the bill, FDOT may coordinate with all of the following entities:

- The Department of Corrections to identify and create certification and training opportunities for nonviolent inmates and create a process to allow the Department of Corrections to notify FDOT when a nonviolent inmate who is seeking employment has received a scheduled release date.
- The Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.
- Veterans' organizations to encourage honorably discharged veterans to pursue opportunities within the transportation industry, including, but not limited to, employment as pilots, mechanics, and air traffic controllers.
- The Department of Commerce, CareerSource Florida, and regional business communities, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.
- The American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess the future needs of the transportation industry and this state. (Section 16)

Prioritization of Small Businesses

The bill refocuses FDOT's priorities on small businesses by consistently replacing language throughout the Florida Transportation Code related to minority, socially and economically disadvantaged, and woman-owned business enterprises with language favoring small businesses. (Sections 15, 19, 20, 22, 24, 27, 30, 32)

The bill requires FDOT to adopt rules to comply with requirements of 49 C.F.R. part 26 and applicable federal law, which addresses participation by disadvantaged business enterprises in financial assistance programs under the U.S. Department of Transportation. (Section 14)

With regard to FDOT's authority to implement a business development program, the bill adjusts the definition for "small business" to include businesses with yearly average gross receipts of less than $25 million for road and bridge contracts and less than $10 million for professional and nonprofessional services contracts. (Section 19)

The bill repeals sections of current law related to:

- Participation by women, minorities, and socially and economically disadvantaged business enterprises in the design, development, construction, maintenance, and operation of spaceports;
- FDOT notice requirements for socially and economically disadvantaged business enterprises;
- Penalties for individuals that fraudulently represents an entity as a socially and economically disadvantaged business enterprise for purposes of qualifying for certification as such an enterprise under a program of FDOT designed to assist socially and economically disadvantaged business enterprises in the receipt of contracts with FDOT;
- FDOT developing and implementing activities to encourage the participation of disadvantaged business enterprises in the contracting process; and
- Providing contracting opportunities and financial assistance to certified disadvantaged business enterprises to remedy the effects of past economic disparity. (Section 32)

Repeals

The bill repeals provisions of current law related to high-occupancy-vehicle (HOV) lanes and obsolete provisions related to the development of an electric vehicle charging stations master plan. (Section 32)

The bill updates cross references and makes conforming changes to reflect the provisions of the bill. (Sections 33, 34, 35, 36, 37, 38)

The bill has an effective date of July 1, 2025. (Section 39)

RULEMAKING:

The bill authorizes FDOT to adopt rules to comply with the requirements of 49 C.F.R. part 26 and applicable federal law.

The bill modifies provisions related to surety bond requirements which FDOT has existing rulemaking authority to implement under s. 337,18(1), F.S.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill authorizes, but does not necessarily require, additional funding within the Work Program. The bill uses permissive language allowing FDOT to fund certain infrastructure projects, including capacity projects, related to spaceports, airports, and seaports; workforce development; and also adjusts the maximum amount of funding for the Small County Road Assistance Program and the minimum amount of funding for the Small County Outreach Program. Such projects or programs are funded within the confines of the Work Program and will not have an increased impact on state expenditures. Funding for the Work Program is established in the annual General Appropriations Act on a nonrecurring basis by the Legislature and these appropriations are tied to available revenues. The bill also specifically requires FDOT to use current resources to carry out tasks related to the adoption of advanced air mobility as a new mode of transportation, and provide education services related to the growth of the aviation industry workforce.

The bill requires FDOT to appoint a department employee to be executive director of the Florida Transportation Research Institute created in the bill, and gives the institute the ability to award grants from the State Transportation Trust Fund. The bill specifies that state funding is allocated by the department to the institute. The impact of this provision is indeterminate, but because there is no appropriation in the bill, and to the extent such grants are awarded, funding will come from Work Program or other existing department operational resources. The bill additionally creates and requires FDOT to coordinate the Florida Transportation Academy to prioritize the continued need for transportation industry workforce development programs. Similarly, the fiscal impact of this provision is indeterminate but is expected to be absorbed within existing department resources.

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

RELEVANT INFORMATION

SUBJECT OVERVIEW:

FDOT's mission is to provide a safe statewide transportation system that promotes the efficient movement of people and goods, supports the state's economic competitiveness, prioritizes Florida's environment and natural resources, and preserves the quality of life and connectedness of the state's communities.[17]

Organization of FDOT

[17] FDOT, *About DOT,* https://www.fdot.gov/agencyresources/aboutfdot.shtm (last visited Mar. 23, 2025).

The Secretary of FDOT is appointed by the Governor and subject to confirmation by the Senate. The Secretary may appoint up to three assistant secretaries.[18] Currently, these three assistant secretaries are the Assistant Secretary for Engineering and Operations, the Assistant Secretary for Finance and Administration, and the Assistant Secretary for Strategic Development.[19]

The Secretary may appoint positions at the level of deputy assistant secretary or director which the Secretary deems necessary to accomplish FDOT's mission and goals, including, but not limited to, specified areas of program responsibility.[20] The Secretary may combine, separate, or delete these offices as needed in consultation with the Executive Office of the Governor.[21]

Florida Transportation Commission

The FTC was created in 1987 to serve as an oversight board for FDOT. This oversight also includes Florida's expressway authorities and regional transportation authorities. In addition, its primary functions include reviewing major transportation policy initiatives or revisions and recommending major transportation policy to the Governor and Legislature.[22]

The FTC is assigned to FDOT for administrative and fiscal purposes, but functions independently of the control and direction of FDOT.[23]

The FTC is composed of nine Commissioners appointed by the Governor and confirmed by the Florida Senate for four-year terms. Members must be appointed in a manner that equitably represents all geographic areas of the state. Each member must be a registered voter and a citizen of the state and must possess business managerial experience in the private sector.[24] Members may not have any interest, direct or indirect, in any contract, franchise, privilege, or other benefit granted or awarded by FDOT during the term of his or her appointment and for two years after the termination of such appointment.[25]

Standard of Conduct for Public Officers

Part III of chapter 112, F.S., establishes a code of ethics for public officers and employees. Generally, this code prohibits public officers from soliciting or accepting anything of value to influence a vote or official action, using their official position to secure a special benefit, disclosing or using non-public information for personal benefit, soliciting gifts from lobbyists, and soliciting an honorarium from anyone or accepting an honorarium from a lobbyist. This code also establishes restrictions on public officers from doing business with one's own agency, having outside employment or contractual relationships that conflict with public duties, representing any party before one's agency for compensation for a specified time after leaving office, and employing relatives in the agency. Finally, this code requires that public officers to disclose voting conflicts when a vote would result in a special private gain or loss, file quarterly reports for certain gifts, file quarterly reports for receipt of honorarium related expenses from lobbyists, and disclose certain financial interests.[26]

Florida Seaport Transportation and Economic Development Program and Council

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[18] S. 20.23(1), F.S.
[19] FDOT, *Meet the Secretary and Executive Team*, https://www.fdot.gov/info/moredot/mission.shtm (last visited Mar. 23, 2025).
[20] These areas of program responsibility are listed in s. 20.23(3)(b), F.S.
[21] s. 20.23(3)(b), F.S.
[22] Florida Transportation Commission, *About Us*, http://www.ftc.state.fl.us/aboutus.shtm (last visited Mar. 23, 2025).
[23] S. 20.23(2), F.S.
[24] *Id.*
[25] *Id.*
[26] For a more thorough discussion of the Florida Code of Ethics for public officers and employees, see Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code Of Ethics for Public Officers and Employees*, https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf (last visited Mar. 23, 2025).

Section 311.07, F.S, creates the Florida Seaport Transportation and Economic Development (FSTED) Program within FDOT to finance port transportation or port facilities projects that will improve the movement and intermodal transportation of cargo or passengers in commerce and trade and support the interests, purposes, and requirements of each of the ports of Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.[27]

The FSTED Council[28] staff, the FDOT, and the Florida Department of Commerce work in cooperation to review projects and allocate funds such that approved projects may be included in the annual development of the FDOT's tentative work program.[29] Generally, FSTED Program funds must be used to fund approved projects on a 50-50 matching basis with the specified ports. However, projects that involve rehabilitation of wharves, docks, berths, bulkheads, or similar structures require only a 25 percent match.[30]

Projects eligible for FSTED grant funding are limited to the following port facilities or port transportation projects:[31]

- Transportation facilities within the jurisdiction of the port.
- Dredging or deepening of channels, turning basins, or harbors.
- 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.
- Acquisition of vessel tracking systems, container cranes, or other mechanized equipment used in the movement of cargo or passengers in international commerce.
- Acquisition of land to be used for port purposes.
- Acquisition, improvement, enlargement, or extension of existing port facilities.
- 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.
- Transportation facilities[32] which are not otherwise part of the FDOT's adopted work program.
- Intermodal access projects.
- Construction or rehabilitation of port facilities,[33] excluding any park or recreational facilities, 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.
- Seaport master plan or strategic plan development or updates, including the purchase of data to support such plans.

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[27] S. 311.09(1), F.S.

[28] The FSTED Council consists of the port directors (or their designees), the FDOT secretary or designee, and the Florida Department of Commerce secretary or designee. S. 311.09(1), F.S.

[29] S. 311.07(2), F.S. Essentially, as the first year of the annually-adopted five-year work program is completed, the second year becomes the first year of the next adopted five-year work program, and a new fifth year is added based on projects in the tentative work program, which is the 5-year listing of all transportation projects planned for each fiscal year, developed by the FDOT central office based on the district work programs. S. 339.135, F.S.

[30] S. 311.07(3), F.S.

[31] S. 311.07(3)(b), F.S.

[32] Meaning any means for the transportation of people or property from place to place which is constructed, operated, or maintained in whole or in part from public funds. The term includes the property or property rights, both real and personal, which have been or may be established by public bodies for the transportation of people or property from place to place. S. 334.03(30), F.S.

[33] Defined to mean harbor, shipping, and port facilities, and improvements of every kind, nature, and description, including, but without limitation, channels, turning basins, jetties, breakwaters, public landings, wharves, docks, markets, parks, recreational facilities, structures, buildings, piers, storage facilities, including facilities that may be used for warehouse, storage, and distribution of cargo transported or to be transported through an airport or port facility, specified security measures, public buildings and plazas, anchorages, utilities, bridges, tunnels, roads, causeways, and any and all property and facilities necessary or useful in connection with the foregoing, and any one or more or any combination thereof and any extension, addition, betterment, or improvement of any thereof. S.315.02(6), F.S.

A minimum of $25 million annually must be made available from the State Transportation Trust Fund within the FDOT to fund the FSTED Program,[34] and the FDOT is required to include at least $25 million in its annual legislative budget request for the program.[35]

The FSTED Council is a public entity created by statute and charged with carrying out the state's economic development mission through implementation of seaport capital improvement projects at the local level. The FSTED Council consists of the port directors of the 16 publicly owned seaports (or his/her designees), the FDOT secretary or designee, and the Florida Department of Commerce secretary or designee.[36]

Under current law, the FSTED Council is required to prepare a 5-year Florida Seaport Mission Plan defining the goals and objectives of the council concerning the development of port facilities and an intermodal transportation system consistent with the goals of the Florida Transportation Plan.[37]

Certification of Airports

Under Florida law, an owner or lessee of a proposed airport must, before site acquisition or construction or establishment of the proposed airport, obtain approval of the airport site from FDOT. Applications for approval of a site are made in a form and manner prescribed by FDOT.[38]

If the airport is public, then site approval must be granted after a favorable FDOT inspection of the proposed site.[39] If the airport is a private entity, then no inspection of the proposed site is required in order to receive approval.[40] Site approval may be granted subject to any reasonable conditions FDOT deems necessary to protect the public health, safety, or welfare.[41]

Approval as a public airport or a private airport must remain valid for 2 years after the date of issue unless revoked by FDOT or unless a public airport license is issued or a private airport registration is completed before the expiration date.[42]

FDOT must issue a license for a *public* airport if such airport was granted site approval and passes a final airport inspection by FDOT that determines if the airport is in compliance with all requirements for the license. The license may be subject to any reasonable conditions FDOT deems necessary to protect the public health, safety, or welfare.[43]

FDOT must issue a license for a *private* airport if such airport was granted site approval and completes the registration process. Registration must be completed upon self-certification by the registrant of operational and configuration data deemed necessary by FDOT.[44]

Advanced Air Mobility

Advanced Air Mobility (AAM) is an umbrella term for aircraft that are typically highly automated, electrically powered, and have vertical take-off and landing capability. Many of these aircraft fall into the powered-lift category and are often referred to as air taxis. As powered-lift aircraft, they have characteristics of both airplanes and

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[34] S. 311.07(2), F.S. These funds are in addition to the annual appropriation of $15M in license tag fees to the FSTED Program required under s. 320.20, F.S., and in addition to any amounts not used for the payment of bonds from the annual $10 million to be used for any seaport project identified in the FDOT's adopted work program, known as the Seaport Investment Program, per section 339.0801(1)(f), F.S. The latter funding began in 2013-2014 and is currently required for 30 years thereafter.
[35] S. 311.09(9), F.S.
[36] S. 311.09(1), F.S.
[37] S. 311.09(3), F.S.
[38] S. 330.30(1)(a), F.S.
[39] S. 330.30(1)(b), F.S.
[40] S. 330.30(1)(c), F.S.
[41] S. 330.30(1)(f), F.S.
[42] S. 330.30(1)(g), F.S.
[43] S. 330.30(2)(a), F.S.
[44] *Id.*

helicopters. Their vertical take-off and landing capabilities and low speed flight are similar to a helicopter, while they fly using a wing during cruise flight similar to an airplane. AAM aircraft could be used to transport cargo and passengers, help with firefighting, and provide search and rescue operations.[45]

Florida Airport Development and Assistance Act

The Florida Airport Development and Assistance Act sets forth a number of duties and responsibilities of the FDOT, including, but not limited to:

- Providing coordination and assistance for the development of a viable aviation system.
- Advising and assisting the Governor in all aviation matters.
- Providing financial and technical assistance to public agencies operating public-use airports[46] by making resources available on a cost-reimbursement basis to such agencies for special needs of limited duration.
- Participating in research and development programs relating to airports.
- Administering FDOT's participation in the program of aviation and airport grants.
- Developing, promoting, and distributing supporting information and education services.
- Encouraging the maximum allocation of federal funds to local airports in the state.

Administration and Funding of Airport Programs and Projects

Current law requires FDOT to continuously update an aviation and airport work program based on a collection of local sponsors'[47] proposed projects to be included in FDOT's work program. The airport work program must separately identify "development projects"[48] and "discretionary capacity improvement projects."[49] The aviation and airport work program must be consistent with the statewide aviation system plan[50] and, to the maximum extent feasible, with approved local government comprehensive plans. Projects involving funds administered by FDOT to be undertaken and implemented by the airport sponsor must be included in the aviation and airport work program, and assistance may only be provided for projects which are so included.[51]

The annual legislative budget request for aviation and airport development projects must be based on the funding required for development projects in the aviation and airport work program. FDOT must provide priority funding

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[45] FAA, *Advanced Air Mobility | Air Taxis*, https://www.faa.gov/air-taxis (last visited Mar. 23, 2025).
[46] Section 332.004(14), F.S., defines the term "public-use airport" as any publicly owned airport which is used or to be used for public purposes.
[47] Section 332.004(15), F.S., defines the term "sponsor" as any eligible agency which, either individually or jointly with one or more eligible agencies, submits to FDOT an application for financial assistance for an airport development project. Federal funding of individual local airport projects is wholly between the local airport sponsors and the appropriate federal agencies; however, FDOT is authorized to receive federal grants for statewide projects when no local sponsor is available. S. 332.007(1), F.S.
[48] Section 332.004(4), F.S., defines the term "airport or aviation development project" or "development project" to mean any activity associated with the design, construction, purchase, improvement, or repair of a public-use airport or portion thereof, including, but not limited to: the purchase of equipment; the acquisition of land, including land required as a condition of a federal, state, or local permit or agreement for environmental mitigation; off-airport noise mitigation projects; the removal, lowering, relocation, marking, and lighting of airport hazards; the installation of navigation aids used by aircraft in landing at or taking off from a public airport; the installation of safety equipment required by rule or regulation for certification of the airport under s. 612 of the Federal Aviation Act of 1958, and amendments thereto; and the improvement of access to the airport by road or rail system which is on airport property and which is consistent, to the maximum extent feasible, with the approved local government comprehensive plan of the units of local government in which the airport is located.
[49] Section 332.004(5), F.S., defines the term "airport or aviation discretionary capacity improvement projects" or "discretionary capacity improvement projects" to mean capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the airport is located, and which enhance intercontinental capacity at airports which: are international airports with United States Bureau of Customs and Border Protection; had one or more regularly scheduled intercontinental flights during the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled intercontinental flights upon the commitment of funds for stipulated airport capital improvements; and have available or planned public ground transportation between the airport and other major transportation facilities.
[50] Pursuant to s. 332.006, F.S., FDOT is required to develop and periodically update a statewide aviation system plan that summarizes 5-year, 10-year, and 20-year airport and aviation needs within the state.
[51] S. 332.007(1)-(3), F.S.

in support of the planning, design, and construction of proposed projects by local sponsors, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.[52]

No single airport may receive airport or aviation development project funds in excess of 25 percent of the total airport or aviation development project funds available in any given budget year. However, any airport which receives discretionary capacity improvement project funds in a given fiscal year may not receive greater than ten percent of total aviation and airport development project funds appropriated in that fiscal year.[53]

Commercial Service Airports

Each governing body that operates a commercial service airport must establish and maintain a website to post information relating to the operation of a commercial service airport, including:

- All published notices of meetings and published meeting agendas of the governing body.
- The official minutes of each meeting of the governing body, which shall be posted within 7 business days after the date of the meeting in which the minutes were approved.
- 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 2 years after the conclusion of the fiscal year for which they were adopted.
- A link to the Airport Master Plan for the commercial service airport on the commercial service airport's website.
- A link to all financial and statistical reports for the commercial service airport on the FAA's website.
- 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 a specified threshold amount, which must be posted no later than 7 business days after the commercial service airport executes the contract or contract amendment, provided that a contract or contract amendment may not reveal information made confidential or exempt by law.
- Position and rate information for each employee of the commercial service airport, including, at a minimum, the employee's position title, position description, and annual or hourly salary. This information shall be updated annually.[54]

Each November 1, the governing body of each commercial service airport must submit the following information to FDOT:

- Its approved budget for the current fiscal year.
- Any financial reports submitted to the FAA during the previous calendar year.
- A link to its website.
- A verified statement that it has complied with part III of chapter 112, F.S., chapter 287, F.S., and the requirements of s. 332.0075, F.S.[55]

FDOT may not expend any funds allocated to a commercial service airport as contained in the adopted work program, unless pledged for debt service, until the commercial service airport demonstrates its compliance with these requirements and others in s. 332.0075, F.S.[56]

Strategic Space Infrastructure Investment

[52] S. 332.007(4)(a), F.S.
[53] S. 332.007(4)(c), F.S.
[54] S. 332.0075(2), F.S.
[55] S. 332.075(5), F.S.
[56] S. 332.075(6), F.S.

Under s. 331.371, F.S., FDOT is authorized to, in consultation with Space Florida,[57] fund spaceport discretionary capacity improvement projects[58] at up to 100 percent of the project's cost if:

- Important access and on-spaceport-territory space transportation capacity improvements are provided;
- Capital improvements that strategically position the state to maximize opportunities in international trade are achieved;
- Goals of an integrated intermodal transportation system for the state are achieved; and
- Feasibility and availability of matching funds through federal, local, or private partners are demonstrated.[59]

Uniform System of Traffic Control Devices

FDOT is required by Florida law to adopt a uniform system of traffic control devices for use on the streets and highways of the state.[60] To meet this requirement, it has adopted the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD).[61] The MUTCD is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals. The MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel.

Upon receipt and investigation of reported noncompliance with the MUTCD, FDOT is authorized to require removal of noncompliant devices. FDOT may withhold state funds for traffic control purposes if additional violations by a public body or official occur, until such violations are remedied.[62]

Small County Road Assistance Program

The Small County Road Assistance Program assists small county governments in resurfacing and reconstructing county roads.[63] Up to $25 million annually is available to be allocated for funding this program.[64] Available funds are allocated to FDOT's districts based on the number of eligible counties.[65]

For purposes of this program, the term "small county" means any county that has a population of 75,000 or less according to the 1990 Federal census data. Small counties are eligible to compete for funds that have been designated to the program for resurfacing or reconstruction projects on county roads that were part of the county road system on June 10, 1995. Capacity improvements on county roads are not eligible for funding under the program.[66]

Small County Outreach Program

The Small County Outreach Program assists small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road-related drainage improvements, resurfacing or reconstructing

[57] Section 331.302, F.S., establishes Space Florida as an independent special district, a body politic and corporate, and a subdivision of the state, to foster the growth and development of a sustainable and world-leading aerospace industry in this state. Space Florida Promotes aerospace business development by facilitating business financing, spaceport operations, research and development, workforce development, and innovative education programs.
[58] Section 331.303(18), F.S., defines "spaceport discretionary capacity improvement projects" as capacity improvements that enhance space transportation capacity at spaceports or on spaceport territory.
[59] S. 331.371, F.S.
[60] S. 316.0745(1), F.S.
[61] R. 14-15.010, F.A.C.
[62] S. 316.0745(7), F.S.
[63] S. 339.2816, F.S.
[64] *Id.*
[65] FDOT, *Small County Road Assistance Program*, https://www.fdot.gov/programmanagement/LP/SCRAP/Default.shtm (last visited Mar. 23, 2025).
[66] S. 339.2816, F.S.

county roads, or constructing capacity or safety improvements to county roads.[67] Available funds are allocated to FDOT's districts based on the number of eligible counties.[68]

For purpose of this program, the term "small county" means any county that has a population 200,000 or less as determined by the most recent official estimate pursuant s . 186.901, F.S. Small counties are eligible to compete for funds that have been designated for the program for projects on county roads. FDOT must fund 75% of the cost of projects on county roads funded under the program.[69] Any initial bid costs or project overruns that exceed FDOT's participation are at the county's expense.[70]

Strategic Intermodal System

The Strategic Intermodal System (SIS) is Florida's high priority network of transportation facilities important to the state's economy and mobility. The SIS was established in 2003 to focus the state's limited transportation resources on the facilities most significant for interregional, interstate, and international travel. The SIS is the state's highest priority for transportation capacity investments and a primary focus for implementing the Florida Transportation Plan (FTP), the state's long-range transportation vision and policy plan.[71]

Jacksonville Transportation Authority

The Jacksonville Transportation Authority (JTA) is created as an agency of the state to serve the Jacksonville, Duval County, metropolitan area.[72] JTA designs and constructs bridges and highways and provides varied mass transit services. These include express and regular bus service, community shuttles for a neighborhood ride, a downtown Skyway monorail, the St. Johns River Ferry, the Gameday Xpress for various sporting events at Everbank Stadium, Paratransit for the disabled and elderly, and Ride Request on-demand services.[73]

JTA's governing body consists of seven members. Three members are appointed by the Governor and confirmed by the Senate. Three members are appointed by the mayor of the City of Jacksonville subject to confirmation by the council of the City of Jacksonville. The seventh member is the district secretary of the Department of Transportation serving in the district that contains the City of Jacksonville. Except for the seventh member, members must be residents and qualified electors of Duval County.[74]

Small, Minority, Woman-Owned, and Disadvantaged Businesses in the Florida Transportation Code

Under current law, the Florida Transportation Code contemplates practices supporting minority and disadvantaged businesses in the following ways:

- The Florida Transportation Commission is required to measure and assess the performance of FDOT in disadvantaged business enterprise and minority business programs.[75]
- FDOT is required to give consideration to disadvantaged business enterprises when considering bids of qualified contractors.[76]
- FDOT and the Department of Management Services are required to implement an outreach program designed to enhance participation of minority persons and minority business enterprises in all contracts entered into for services related to the FDOT projects for the Strategic Intermodal System Plan developed under s. 339.64, F.S.[77]

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[67] S. 339.2818, F.S.
[68] FDOT, *Small County Outreach Program*, https://www.fdot.gov/programmanagement/lp/scop/default.shtm (last visited Mar. 23, 2025).
[69] S. 339.2818, F.S.
[70] *Supra*, note 75.
[71] FDOT, *Florida's Strategic Intermodal System (SIS)*, https://www.fdot.gov/planning/systems/sis (last visited Mar. 23, 2025).
[72] *See* ch. 349, F.S.
[73] Jacksonville Transportation Authority, *About JTA*, https://www.jtafla.com/about-jta/ (last visited Mar. 23, 2025).
[74] S. 349.03(2), F.S.
[75] S. 334.045(1)(f), F.S.
[76] S. 337.11(6)(c), F.S.
[77] S. 338.27(4), F.S.

- FDOT must ensure that small and minority businesses have equal access to participate in economic development transportation projects under s. 339.2821, F.S.[78]
- The Central Florida Expressway Authority is required to encourage the inclusion of local, small, minority, and women-owned businesses in procuring and contracting opportunities.[79]
- Space Florida is required to involve and utilize women, minorities, and socially and economically disadvantaged business enterprises in all phases of the design, development, construction, maintenance, and operation of spaceports.[80]
- FDOT must provide socially and economically disadvantaged business enterprises with certain notices with regard to contracting practices.[81]
- Penalties are provided for during the contracting process with FDOT when an individual that fraudulently represents an entity as a socially and economically disadvantaged business enterprise for purposes of qualifying for certification as such an enterprise under a program of FDOT designed to assist socially and economically disadvantaged business enterprises in the receipt of contracts with FDOT for the provision of goods or services.[82]
- FDOT must develop and implement activities to encourage the participation of disadvantaged business enterprises in the contracting process.[83]
- FDOT must provide contracting opportunities to certified disadvantaged business enterprises and expend funds in a way that provides such business enterprises with financial assistance in the form of bond guarantees, to primarily remedy the effects of past economic disparity.[84]

Under current law, FDOT is authorized to implement a business development program for highway projects which would assist small businesses.[85] For the purpose of this program, "small business" is defined as a business with yearly average gross receipts of less than $15 million for road and bridge contracts and less than $6.5 million for professional and nonprofessional services contracts. A business' average gross receipts is determined by averaging its annual gross receipts over the last 3 years, including the receipts of any affiliate as defined in s. 337.165, F.S.[86]

High-Occupancy Vehicle Lanes

Section 316.0741, F.S., lays out the guidelines for HOV lanes, which are generally meant for vehicles in which there is more than one occupant. Current law authorizes inherently low-emission vehicles and hybrid vehicles to use the HOV lanes under specified circumstances and requires all hybrid and other low-emission and energy-efficient vehicles that do not meet the minimum occupancy requirement and are driven in an HOV lane to comply with federally mandated minimum fuel economy standards.[87]

Electric Vehicle Charging Stations Master Plan

In 2020, the Legislature directed FDOT, in consultation with the Public Service Commission and the Office of Energy within the Department of Agriculture and Consumer Services, to develop and recommend a master plan for current and future plans for the development of EV charging station infrastructure along the State Highway System.[88] The plan was completed and submitted by the July 1, 2021, deadline provided by the law.[89] The law does not require further action beyond submission of the plan.

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[78] S. 339.2821(3)(b), F.S.
[79] S. 348.754(5), F.S.
[80] S. 331.351, F.S.
[81] S. 337.125, F.S.
[82] S. 337.135, F.S.
[83] S. 337.139, F.S.
[84] S. 339.0805, F.S.
[85] S. 337.027(1), F.S.
[86] S. 337.027(2), F.S.
[87] S. 316.0741, F.S.
[88] Ch. 2020-21, s. 3, Laws of Fla., codified at s. 339.287, F.S.
[89] FDOT, *EV Infrastructure Master Plan*, July 2021, https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/emergingtechnologies/evprogram/fdotevmp.pdf?sfvrsn=b5888a_2 (last visited Mar. 23. 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee	14 Y, 0 N, As CS	3/25/2025	Keating	Bauldree
THE CHANGES ADOPTED BY THE COMMITTEE:	• Reinstated existing law pertaining to Legislative Budget Commission approval of certain matters. • Reinstated existing provisions of the law related to the Florida Transportation Commission. • Reinstated existing law related to staffing of the Florida Ports Council and port usage. • Eliminated a provision related to the distribution of electricity sales tax revenues to the STTF. • Eliminated a provision that would authorize DOT to inspect certain aspects of commercial service airport facilities. • Eliminated provisions related to project consistency with state energy policy. • Removed provisions of the bill related to landscaping requirements for transportation projects.			
Transportation & Economic Development Budget Subcommittee			Davis	McAuliffe
Commerce Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

A bill to be entitled

An act relating to transportation; amending s. 20.23, F.S.; authorizing the Secretary of Transportation to appoint certain officers; providing that such officers maintain their Senior Management Service status; providing legislative findings; creating and providing membership of the Florida Transportation Research Institute; requiring the Department of Transportation to select an administrative lead for the Institute and periodically assess his or her performance; authorizing the Institute to award certain grants and expend certain funds; providing for the appointment of an executive director and establishing an executive committee; requiring the Institute to provide specified annual reports; requiring at least a specified number of members of the Florida Transportation Commission to represent or have expertise in certain industries; authorizing the commission to monitor certain transit entities; requiring members of the commission to follow specified standards of conduct; revising the department's areas of program responsibility; removing obsolete provisions; amending s. 311.07, F.S.; adding projects eligible for 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; revising the recommendations included in the Florida Seaport Mission Plan; requiring council members to submit specified reports; amending s. 316.0745, F.S.; specifying that any state funds may be withheld under certain circumstances; amending s. 330.27, F.S.; revising and providing definitions; amending s. 330.30, F.S.; requiring a private airport of public interest to obtain a specified certificate; providing procedures for the issuance of, conditions for the renewal of, and the expiration periods of such certificates; grandfathering in certain airports, but requiring such airports to obtain a certificate by a specified date; amending s. 331.371, F.S.; authorizing the department, in consultation with other entities, to fund certain projects associated with critical infrastructure facilities; amending s. 332.003, F.S.; revising a short title; amending s. 332.005, F.S.; requiring an airport to provide support to the department during a declared state of emergency; amending s. 332.006, F.S.; revising duties of the department; amending s. 332.007, F.S.; requiring airports to submit an annual comprehensive maintenance

program report to the department; providing reporting requirements; defining the term "maintenance"; requiring airports to retain certain records; authorizing the department to withhold certain state funds under certain circumstances; requiring the department to provide priority funding for certain projects and technology; authorizing the department to fund certain projects at postsecondary education institutions; authorizing the department to fund, and match funds provided by the Department of Commerce for, programs that help transition certain military personnel to the aviation industry; authorizing the Department of Transportation to fund strategic airport investment projects to maximize tourism opportunities; amending s. 332.0075, F.S.; revising definitions; requiring certain information to remain on a governing body's website for 5 years; requiring certain information to be updated quarterly rather than annually; revising the information that certain governing bodies must submit to the department; providing requirements for commercial service airports; creating s. 332.15, F.S.; providing requirements for the department relating to advanced air mobility; amending s. 334.044, F.S.; revising and providing powers and duties of the department;

amending s. 334.045, F.S.; conforming a provision to changes made by the act; creating s. 334.62, F.S.; providing legislative findings; creating the Florida Transportation Academy for a specified purpose; authorizing the department to work with certain entities to support, promote, and sustain certain workforce development efforts; authorizing the department to coordinate with specified entities for certain purposes; amending s. 335.182, F.S.; revising the definition of the term "significant change"; defining the term "modification of a connection"; amending s. 335.187, F.S.; revising the conditions under which the department may modify or revoke a permit; amending s. 337.027, F.S.; revising the definition of the term "small business"; amending ss. 337.11 and 337.251, F.S.; conforming provisions to changes made by the act; amending s. 337.18, F.S.; authorizing the department to require the amount of certain bonds to be less than a certain price; amending s. 337.406, F.S.; providing an exception to the prohibition of camping on any portion of the right-of-way of the State Highway System; amending s. 338.227, F.S.; conforming a provision to changes made by the act; providing applicability; amending s. 339.2816, F.S.; increasing the required funding for

the Small County Road Assistance Program; amending s. 339.2818, F.S.; revising the definition of the term "small county"; authorizing specified funding to be used to fund the Small County Outreach Program; amending s. 339.2821, F.S.; conforming provisions to changes made by the act; amending s. 339.651, F.S.; authorizing, rather than requiring, the department to make certain funds available each year for certain projects; removing a scheduled repeal; amending s. 341.051, F.S.; requiring the department to reallocate certain funds under certain circumstances; amending s. 348.754, F.S.; conforming a provision to changes made by the act; amending s. 349.03, F.S.; providing appointment procedures for the governing body of the Jacksonville Transportation Authority; providing requirements for the authority; repealing ss. 316.0741, 331.351, 337.125, 337.135, 337.139, 339.0805, and 339.287, F.S., relating to high-occupancy-vehicle lanes; participation by women, minorities, and socially and economically disadvantaged business enterprises; notice requirements for socially and economically disadvantaged business enterprises; penalties for false representation of socially and economically disadvantaged business enterprises; awarding contracts

to disadvantaged business enterprises; funds to be expended with certified disadvantaged business enterprises, the construction management development program, and the bond guarantee program; and infrastructure plan development for electric vehicle charging stations, respectively; amending ss. 110.205, 322.27, 365.172, 379.2293, 493.6101, and 493.6403, F.S.; conforming cross-references; providing an effective date.

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

Section 1. Subsections (2) through (6) of section 20.23, Florida Statutes, are renumbered as subsections (3) through (7), respectively, paragraph (d) of subsection (1), paragraphs (a), (b), and (g) of present subsection (2), and paragraph (b) of present subsection (3) are amended, and a new subsection (2) is added to that section, 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; be directly responsible to the secretary; and ~~who shall~~ perform such duties as are assigned by the secretary. The secretary may also appoint an Executive Director of Transportation Technology. These assistant secretaries and the Executive Director of Transportation Technology shall maintain their Senior Management Service status and are exempt from career service under s. 110.205(2). The secretary shall designate to an assistant secretary the duties related to enhancing economic prosperity, including, but not limited to, the responsibility of liaison with the head of economic development in the Executive Office of the Governor. Such assistant secretary shall be directly responsible for providing the Executive Office of the Governor with investment opportunities and transportation projects that expand the state's role as a global hub for trade and investment and enhance the supply chain system in the state to process, assemble, and ship goods to markets throughout the eastern United States, Canada, the Caribbean, and Latin America. The secretary may delegate to any assistant secretary the authority to act in the absence of the secretary.

(2) The Legislature finds that the transportation industry is critical to the economic future of this state and that the competitiveness of the industry in this state depends upon the development and maintenance of a qualified workforce and cutting-edge research and innovation. The Legislature further

finds that the transportation industry in this state has varied and complex workforce needs ranging from technical and mechanical training to continuing education opportunities for workers with advanced degrees and certifications. The timely need also exists for coordinated research and innovation efforts to promote emerging technologies and innovative construction methods and tools and to address alternative funding mechanisms.

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

(b) The Institute shall report to the department and include membership from the University of Florida, Indian River State College, the University of Central Florida, and Florida International University.

(c) The department shall select a representative from one of the entities referenced in paragraph (b) to serve as the administrative lead for the Institute. The department shall assess the performance of the administrative lead periodically to ensure accountability and assess the attainment of performance expectations.

(d) The Institute may award grants in alignment with its mission of furthering research and innovation and supporting

workforce development in this state to support the needs of the transportation industry. Such grants may be directed to member and nonmember institutions that have a proven expertise relevant to the grant, including not-for-profit organizations and institutions of higher education.

(e) The Institute may expend state funds as allocated by the department from the State Transportation Trust Fund. Annual funding may be expended for the Institute's operations and programs to support research and innovation projects that provide solutions to this state's transportation needs.

(f) The secretary shall appoint a member of the department to serve as the executive director of the Institute. The department shall coordinate with the entities referenced in paragraph (b) to adopt and approve additional policies establishing the Institute's executive committee and mission statement.

(g) The Institute shall submit an annual report to the Office of the Secretary and the commission containing performance metrics, including, but not limited to, expenditures of appropriated funds provided by the department, ongoing and proposed research efforts, and the application and success of past research efforts.

(3)~~(2)~~(a)1. The Florida Transportation Commission is hereby created and shall consist of nine members appointed by the Governor subject to confirmation by the Senate. Members of

the commission shall serve terms of 4 years each.

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

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

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

(b) The commission shall:

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

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

Legislature.

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

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

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

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

7. Recommend to the Governor and the Legislature improvements to the department's organization in order to streamline and optimize the efficiency of the department. In reviewing the department's organization, the commission shall

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

8. Monitor the efficiency, productivity, and management of the agencies and authorities created under chapters 348 and 349; the Mid-Bay Bridge Authority re-created pursuant to chapter 2000-411, Laws of Florida; ~~and~~ any authority formed under chapter 343; and any transit entity that is a recipient of funding from the department's public transit block grant program as created in s. 341.052. The commission shall also conduct periodic reviews of each agency's and authority's operations and budget, acquisition of property, management of revenue and bond proceeds, and compliance with applicable laws and generally accepted accounting principles.

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

(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.
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.

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 is necessary or useful to advance the space industry in this state when such project provides economic benefit to the community.

13. Commercial shipbuilding and manufacturing facilities when such project provides economic benefit to the community.

Section 3. Subsections (1), (3), and (11) of section 311.09, Florida Statutes, are amended to read:

311.09 Florida Seaport Transportation and Economic Development Council.—

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

(3) The council shall prepare a 5-year Florida Seaport Mission Plan defining the goals and objectives of the council

concerning the development of port facilities and an intermodal transportation system consistent with the goals of the Florida Transportation Plan developed pursuant to s. 339.155. The Florida Seaport Mission Plan shall include specific recommendations for the construction of transportation facilities connecting any port to another transportation mode, the construction of transportation facilities connecting any port to the space and aerospace industries, and ~~for~~ the efficient, cost-effective development of transportation facilities or port facilities for the purpose of enhancing trade, promoting cargo flow, increasing cruise passenger movements, increasing port revenues, and providing economic benefits to this ~~the~~ state. The council shall develop a priority list of projects based on these recommendations annually and submit the list to the Department of Transportation. The council shall update the 5-year Florida Seaport Mission Plan annually and shall submit the plan no later than February 1 of each year to the President of the Senate, the Speaker of the House of Representatives, the Department of Commerce, and the Department of Transportation. The council shall develop programs, based on an examination of existing programs in Florida and other states, for the training of ~~minorities and~~ secondary school students in job skills associated with employment opportunities in the maritime industry, and report on progress and recommendations for further action to the President of the Senate and the

Speaker of the House of Representatives annually. Each member of the council shall submit semiannual reports to the Department of Transportation relating to seaport operations and their support of this state's economic competitiveness and supply chain. Each report must include information prescribed by the Department of Transportation, in consultation with the Department of Commerce, including, but, not limited to:

(a) Bulk break capacity.

(b) Liquid storage and capacity.

(c) Fuel storage and capacity.

(d) Container capacity.

(e) Supply chain disruptions.

(11) Members of the council shall serve without compensation but are entitled to receive reimbursement for per diem and travel expenses as provided in s. 112.061. The council may elect to provide an administrative staff to provide services to the council on matters relating to the Florida Seaport Transportation and Economic Development Program and the council. The cost for such administrative services shall be paid by all ports that receive funding from the Florida Seaport Transportation and Economic Development Program, based upon a pro rata formula measured by each recipient's share of the funds as compared to the total funds disbursed to all recipients during the year. The share of costs for administrative services shall be paid in its total amount by the recipient port upon

execution by the port and the Department of Transportation of a joint participation agreement for each council-approved project, and such payment is in addition to the matching funds required to be paid by the recipient port. Except as otherwise exempted by law, all moneys derived from the Florida Seaport Transportation and Economic Development Program shall be expended in accordance with ~~the provisions of~~ s. 287.057. Seaports subject to competitive negotiation requirements of a local governing body shall abide by ~~the provisions of~~ s. 287.055.

Section 4. 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 ~~for traffic control purposes~~ until such public body or official demonstrates to the Department of Transportation that it is complying with this section.

Section 5. Section 330.27, Florida Statutes, is amended to read:

330.27 Definitions~~, when used in ss. 330.29-330.39~~.—As used in ss. 330.29-330.39, the term:

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

(2)~~(1)~~ "Aircraft" means a powered or unpowered machine or device capable of atmospheric flight, including, but not limited to, an airplane, autogyro, glider, gyrodyne, helicopter, lift and cruise, multicopter, paramotor, powered lift, seaplane, tiltrotor, ultralight, or 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, ~~landing and takeoff of~~ aircraft operations, which may include ~~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, an airpark, airport, gliderport, heliport, helistop, seaplane base, ultralight flightpark, vertiport, or vertistop.

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

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

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

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

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

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

owner or manager.

(10) "Private airport of public interest" means a private airport serving any of the following operations: air ambulance operation, commercial air tour operation, commuter operation, on-demand operation, public charter operation, scheduled operation, or supplemental operation.

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

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

(13) "Scheduled operation" means any common carriage 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 6. Paragraphs (a) and (d) of subsection (2) and subsection (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, CERTIFICATES, 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.

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

2. For a private airport, upon granting site approval, the department shall provide controlled electronic access to the

state aviation facility data system to permit the applicant to complete the registration process. Registration shall be completed upon self-certification by the registrant of operational and configuration data deemed necessary by the department.

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

4. A private airport of public interest as defined in s. 330.27 must obtain a certificate from the department before

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

(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 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 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 in compliance with all of the requirements for a certificate after a final inspection of the private airport of public interest. The certificate is subject to any reasonable conditions that the department deems necessary to protect the

health, safety, or welfare of the public. A certificate issued to a private airport of public interest expires 5 years after the effective date of the certificate.

(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 7. 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) In consultation with the Department of Commerce and

the Department of Environmental Protection, the Department of Transportation may fund wastewater projects, stormwater projects, water capacity projects, or projects associated with critical infrastructure facilities as defined in s. 692.201 within or outside the jurisdictional boundary of a spaceport territory so long as the project supports aerospace or launch support facilities within an adjacent spaceport territory boundary. The Department of Transportation shall coordinate with the Department of Commerce and the Department of Environmental Protection in order to maximize and optimize available funding for such projects.

Section 8. 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 9. 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) 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, an airport as defined in s. 332.004 must provide the department, at no cost, with the opportunity to use any property not within the air navigation facility as defined in s. 332.01(4) for the staging of equipment and personnel to support emergency preparedness and response operations.

Section 10. Subsection (7) of section 332.006, Florida Statutes, is amended to read:

332.006 Duties and responsibilities of the Department of Transportation.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(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.

Section 11. Paragraph (a) of subsection (7), subsection (8), and paragraph (b) of subsection (9) of section 332.007, Florida Statutes, are amended, and paragraph (c) is added to

subsection (2) of that section, to read:

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

(2)

(c) Annually, each airport must submit to the department a comprehensive maintenance program report detailing the maintenance and inspection of such airport's infrastructure. At a minimum, the report must include a schedule of inspections, the locations being inspected, any probable cause for such inspection, a list of the airport's required needs, any remedial actions to be taken, and any required follow-up inspections and maintenance. For purposes of this paragraph, the term "maintenance" includes any preventive and regular or recurring work that is necessary to preserve the airport infrastructure in good condition. Timely maintenance and repair, including routine maintenance, rehabilitation, and upgrading, are essential for the safe operation of airport infrastructure. An airport must retain all records of materials and equipment used for the airport's maintenance and repair work. If the department determines, based on the annual comprehensive maintenance program report, that there is evidence that an airport failed to perform routine maintenance, the department may withhold state funds for any of the airport's capital expansion projects until such airport corrects any deficiencies.

(7) Subject to the availability of appropriated funds in

addition to aviation fuel tax revenues, the department may participate in the capital cost of eligible public airport and aviation discretionary capacity improvement projects. The annual legislative budget request shall be based on the funding required for discretionary capacity improvement projects in the aviation and airport work program.

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

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

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

3.~~2.~~ Runway and taxiway projects that add capacity or are necessary to accommodate technological changes in the aviation industry.

4.~~3.~~ Airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

5.~~4.~~ International terminal projects that increase international gate capacity.

6. Projects that improve the safe and efficient operation of this state's airports.

7. Emerging technology, workforce development projects, and projects that benefit the strategic intermodal system

through intermodal connectivity.

(8) The department may also fund eligible projects performed by not-for-profit organizations and postsecondary education institutions, as defined in s. 1008.47(1), which support the training of pilots, air traffic control personnel, or aircraft maintenance technical personnel ~~that represent a majority of public airports in this state~~. Eligible projects may include activities associated with aviation master planning, professional education, safety and security planning, enhancing economic development and efficiency at airports in this state, or other planning efforts to improve the viability and safety of airports in this state. The department may also fund programs that support the transition of honorably discharged military personnel to the aviation industry. The department may match funds provided by the Department of Commerce for such programs.

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

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

Section 12. Subsections (1), (2), and (5) of section 332.0075, Florida Statutes, are amended 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 services, 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.

(c) "Department" means the Department of Transportation.

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

(2) Each governing body shall establish and maintain a website to post information relating to the operation of a commercial service airport, and such information must remain on the website for at least 5 years or for as long as the information is actively in use by the entity. Information that must be posted on the governing body's website includes ~~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 ~~A link to~~ 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 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. However, a contract or contract amendment may not reveal information made confidential or exempt by law. Each commercial service airport must redact confidential or exempt information from each contract or contract amendment before posting a copy on its website.

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

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

1. Its approved budget for the current fiscal year.

2. Any financial reports submitted to the Federal Aviation Administration during the previous calendar year.

3. A link to its website.

4. A statement, verified as provided in s. 92.525, that it has complied with part III of chapter 112, chapter 287, and this section.

5. The most recent copy of its strategic plan or plans.

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

(b) The department shall review the information submitted by the governing body of the commercial service airport and posted on the airport's website to determine the accuracy of such information. Each January 15, the department shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing commercial service airport compliance with this section.

(c) In addition to the requirements of this section, a commercial service airport must:

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

2. Notify the department as soon as reasonably possible, but no later than 48 hours after discovery, of incidents including, but not limited to, those related to the safety of the public when traveling, potential breaches or security risks associated with cybersecurity, or other issues of statewide concern as defined by the department.

Section 13. Section 332.15, Florida Statutes, is created to read:

332.15 Advanced air mobility.—The Department of Transportation shall, within the resources provided pursuant to chapter 216:

(1) Address the need for vertiports, advanced air mobility, and other advances in aviation technology in the statewide aviation system plan as 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) Work with the Department of Commerce to provide coordination and assistance for the development of a viable advanced air mobility system in this state and incorporate those plans in the statewide aviation system plan as required under s. 332.006(1) in order to develop and identify the statewide corridors of need and opportunities for growth of the industry.

Section 14. Subsection (5) of section 334.044, Florida Statutes, is amended, and subsections (37), (38), and (39) are added to that section, to read:

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

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

(37) Notwithstanding s. 287.022 or s. 287.025, to enter into contracts for insurance that the department is

contractually and legally obligated to provide directly from local, national, or international insurance companies.

(38) Notwithstanding s. 287.14, to purchase, lease, or acquire heavy equipment and motor vehicles for roadway operations and emergency response purposes, regardless of whether the department has exchanged or ceased the operation of motor vehicles or heavy equipment already under the department's ownership.

(39) To adopt rules to comply with the requirements of 49 C.F.R. part 26 and applicable federal law.

Section 15. Paragraph (f) of subsection (1) of section 334.045, Florida Statutes, is amended to read:

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

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

(f) Small ~~Disadvantaged business enterprise and minority~~ business programs as established in s. 337.027.

Section 16. Section 334.62, Florida Statutes, is created to read:

334.62 Florida Transportation Academy.—

(1) The Legislature finds that the growth and sustainability of the transportation workforce industry is vital to the continued success and efficiency of this state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established.

(2) In order to support, promote, and sustain workforce development efforts of the transportation sector, the department may work with state agencies referenced in this chapter, industry organizations, and private sector businesses, as appropriate.

(3) The department may coordinate with all of the following entities:

(a) The Department of Corrections to identify and create certification and training opportunities for nonviolent inmates and create a process to allow the Department of Corrections to notify the department when a nonviolent inmate who is seeking employment has received a scheduled release date.

(b) The Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.

(c) Veterans' organizations to encourage honorably discharged veterans to pursue opportunities within the transportation industry, including, but not limited to,

employment as pilots, mechanics, and air traffic controllers.

(d) The Department of Commerce, CareerSource Florida, and regional business communities, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.

(e) The American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess the future needs of the transportation industry and this state.

Section 17. Subsection (3) of section 335.182, Florida Statutes, is amended to read:

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

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

(a) "Connection" means driveways, streets, turnouts, or other means of providing for the right of reasonable access to or from the State Highway System.

(b) "Modification of a connection" means relocation, alteration, or closure of a connection.

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

1. A change in the use of the property, including development of the 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 18. 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 maximum vehicular use of the connection and may impose conditions ~~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) The connection would jeopardize the safety of the public or have a negative impact on the operational characteristics of the highway.

Section 19. Subsection (2) of section 337.027, Florida

Statutes, is amended to read:

337.027 Authority to implement a business development program.—

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

Section 20. Subsection (6) of section 337.11, Florida Statutes, is amended to read:

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

(6)(a) If the secretary determines that an emergency in regard to the restoration or repair of any state transportation facility exists such that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, the provisions for competitive bidding do not apply; and the department may enter into contracts for restoration or repair without giving opportunity for competitive bidding on such contracts. Within 30 days after such

determination and contract execution, the head of the department shall file with the Executive Office of the Governor a written statement of the conditions and circumstances constituting such emergency.

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

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

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

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

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

The department shall make a good faith effort to obtain two or 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 21. 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. Notwithstanding any bonding requirement under this section, the department may require, at the discretion of the secretary, that the amount of the surety bond or bonds be less than the contract price.

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

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

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

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

2. If the department determines that it is in the best interests of the department to reduce the bonding requirement for a project and that to do so will not endanger public health, safety, or property, the department may waive the requirement of a surety bond in an amount equal to the awarded contract price for a project having a contract price of $250 million or more and, in its place, may set a surety bond amount that is a portion of the total contract price and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond or provide for incremental surety bonding and provide an alternate means of security for the balance of the contract amount that is not covered by the surety bond. Such alternative means of security may include letters of credit, United States bonds and notes, parent company guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is $25,000 or less, the security may, in

the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 22. Subsection (3) of section 337.251, Florida Statutes, is amended to read:

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

(3) A proposal must be selected by the department based on competitive bidding, except that the department may consider other relevant factors specified in the request for proposals. The department may consider such factors as the value of property exchanges, the cost of construction, and other recurring costs for the benefit of the department by the lessee in lieu of direct revenue to the department if such other factors are of equal value including innovative proposals to involve small ~~minority~~ businesses. The department may name a board of advisers which may be composed of accountants, real estate appraisers, design engineers, or other experts experienced in the type of development proposed. The board of advisers shall review the feasibility of the proposals,

recommend acceptance or rejection of each proposal, and rank each feasible proposal in the order of technical feasibility and benefit provided to the department. The board of advisers shall be reasonably compensated for the services provided and all department costs for evaluating the proposals shall be reimbursed from a proposal application fee to be set by the department and paid by the applicants. The board of advisers shall not be subject to selection under the provisions of chapter 287.

Section 23. 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) Camping is prohibited on any portion of the right-of-way of the State Highway System. This subsection does not apply to persons who are actively navigating the federally designated Florida National Scenic Trail as recognized in s. 260.012(6) and have acquired the associated permits ~~that is within 100 feet of a bridge, causeway, overpass, or ramp~~.

Section 24. 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 on or after July 1, 2025, 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 25. Subsection (3) of section 339.2816, Florida Statutes, is amended to read:

339.2816 Small County Road Assistance Program.—

(3) Beginning in ~~with~~ fiscal year 2025-2026 ~~1999-2000 until fiscal year 2009-2010, and beginning again with fiscal year 2012-2013~~, up to $50 ~~$25~~ million annually from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.

Section 26. Subsections (2), (7), and (8) of section 339.2818, Florida Statutes, are amended to read:

339.2818 Small County Outreach Program.—

(2) For the purposes of this section, the term "small county" means any county that has a population of 200,000 or less as determined by the most recent official estimate pursuant to s. 186.901. The term includes:

(a) A municipality within a rural area of opportunity designated under s. 288.0656(7)(a), which may compete for the additional project funding using the criteria listed in

paragraph (4)(c) at up to 100 percent of project costs, excluding capacity improvement projects.

(b) A local government either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15), the Peace River Basin, or the Suwannee River Basin, which may compete for additional funding using the criteria listed in paragraph (4)(c) at up to 100 percent of project costs on state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.

(7) Beginning in fiscal year 2025-2026, and annually thereafter, at least $50 million from the State Transportation Trust Fund may be used for the purposes of funding the Small County Outreach Program ~~Subject to a specific appropriation in addition to funds annually appropriated for projects under this section, A municipality within a rural area of opportunity or a rural area of opportunity community designated under s. 288.0656(7)(a) may compete for the additional project funding using the criteria listed in subsection (4) at up to 100 percent of project costs, excluding capacity improvement projects~~.

~~(8) Subject to a specific appropriation in addition to funds appropriated for projects under this section, A local government either wholly or partially within the Everglades Agricultural Area as defined in s. 373.4592(15), the Peace River Basin, or the Suwannee River Basin may compete for additional~~

~~funding using the criteria listed in paragraph (4)(c) at up to 100 percent of project costs on state or county roads used primarily as farm-to-market connections between rural agricultural areas and market distribution centers, excluding capacity improvement projects.~~

Section 27. 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 supports 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~~.

(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 28. 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 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 and transportation infrastructure-related materials. 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 29. 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, the department must reallocate such funds for the purpose of the Strategic Intermodal System within the State Transportation

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

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

Section 30. 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~~-, small-, minority-, and women-owned~~ businesses in its procurement and contracting opportunities.

Section 31. Subsection (2) of section 349.03, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

349.03 Jacksonville Transportation Authority.—

(2) The governing body of the authority shall 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 member must be a resident of the City of Jacksonville and the remaining three members must be residents of Clay County, Duval County, or St. Johns 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. All ~~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.

(4) The authority shall:

(a) Follow the department's small business program as described in s. 337.027.

(b) Establish protocols and systems in accordance with the requirements established in s. 112.061(16) and s. 215.985(6) and (14) and post all related information on its publicly available website.

Section 32. Sections 316.0741, 331.351, 337.125, 337.135, 337.139, 339.0805, and 339.287, Florida Statutes, are repealed.

Section 33. 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 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

accordance with the rules established for the Selected Exempt Service.

Section 34. 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.

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

365.172 Emergency communications.—

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

property or structure owned by such entity for the placement, construction, or modification of wireless communications facilities. In the use of property or structures owned by the local government, however, a local government may not use its regulatory authority so as to avoid compliance with, or in a manner that does not advance, the provisions of this subsection.

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

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

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

(II) The colocation does not increase the ground space

area, commonly known as the compound, approved in the site plan for equipment enclosures and ancillary facilities; and

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

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

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

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

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

c. Regulations, restrictions, conditions, or permits of

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

d. If only a portion of the colocation does not meet the requirements of this subparagraph, such as an increase in the height of the proposed antennae over the existing structure height or a proposal to expand the ground space approved in the site plan for the equipment enclosure, where all other portions of the colocation meet the requirements of this subparagraph, that portion of the colocation only may be reviewed under the local government's regulations applicable to an initial placement of that portion of the facility, including, but not limited to, its land development regulations, and within the review timeframes of subparagraph (d)2., and the rest of the colocation shall be reviewed in accordance with this subparagraph. A colocation proposal under this subparagraph that increases the ground space area, otherwise known as the compound, approved in the original site plan for equipment enclosures and ancillary facilities by no more than a cumulative amount of 400 square feet or 50 percent of the original compound size, whichever is greater, shall, however, require no more than administrative review for compliance with the local government's regulations, including, but not limited to, land development regulations review, and building permit review, with no public

hearing review. This sub-subparagraph does not preclude a public hearing for any appeal of the decision on the colocation application.

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

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

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

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 construction regulations for wireless communications facilities and the local government's review of an application for the placement, construction, or modification of a wireless communications facility shall only address land development or zoning issues. In such local government regulations or review, the local government may not require information on or evaluate a wireless provider's business decisions about its service, customer demand for its service, or quality of its service to or from a particular area or site, unless the wireless provider voluntarily offers this information to the local government. In such local government regulations or review, a local government may not require information on or evaluate the wireless provider's designed service unless the information or materials are directly related to an identified land development or zoning issue or unless the wireless provider voluntarily offers the information. Information or materials directly related to an identified land development or zoning issue may include, but are not limited to, evidence that no existing structure can

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

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

3. A local government may exclude the placement of wireless communications facilities in a residential area or residential zoning district but only in a manner that does not constitute an actual or effective prohibition of the provider's service in that residential area or zoning district. If a wireless provider demonstrates to the satisfaction of the local government that the provider cannot reasonably provide its service to the residential area or zone from outside the

residential area or zone, the municipality or county and provider shall cooperate to determine an appropriate location for a wireless communications facility of an appropriate design within the residential area or zone. The local government may require that the wireless provider reimburse the reasonable costs incurred by the local government for this cooperative determination. An application for such cooperative determination may not be considered an application under paragraph (d).

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

5. A local government may impose design requirements, such as requirements for designing towers to support colocation or aesthetic requirements, except as otherwise limited in this section, but may not impose or require information on compliance with building code type standards for the construction or

modification of wireless communications facilities beyond those adopted by the local government under chapter 553 and that apply to all similar types of construction.

(c) Local governments may not require wireless providers to provide evidence of a wireless communications facility's compliance with federal regulations, except evidence of compliance with applicable Federal Aviation Administration requirements under 14 C.F.R. part 77, as amended, and evidence of proper Federal Communications Commission licensure, or other evidence of Federal Communications Commission authorized spectrum use, but may request the Federal Communications Commission to provide information as to a wireless provider's compliance with federal regulations, as authorized by federal law.

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

2. A local government shall grant or deny each properly completed application for any other wireless communications

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

3.a. An application is deemed submitted or resubmitted on the date the application is received by the local government. If the local government does not notify the applicant in writing that the application is not completed in compliance with the local government's regulations within 20 business days after the date the application is initially submitted or additional information resubmitted, the application is deemed, for administrative purposes only, to be properly completed and properly submitted. However, the determination may not be deemed as an approval of the application. If the application is not completed in compliance with the local government's regulations, the local government shall so notify the applicant in writing and the notification must indicate with specificity any deficiencies in the required documents or deficiencies in the content of the required documents which, if cured, make the application properly completed. Upon resubmission of information to cure the stated deficiencies, the local government shall notify the applicant, in writing, within the normal timeframes

of review, but in no case longer than 20 business days after the additional information is submitted, of any remaining deficiencies that must be cured. Deficiencies in document type or content not specified by the local government do not make the application incomplete. Notwithstanding this sub-subparagraph, if a specified deficiency is not properly cured when the applicant resubmits its application to comply with the notice of deficiencies, the local government may continue to request the information until such time as the specified deficiency is cured. The local government may establish reasonable timeframes within which the required information to cure the application deficiency is to be provided or the application will be considered withdrawn or closed.

b. If the local government fails to grant or deny a properly completed application for a wireless communications facility within the timeframes set forth in this paragraph, the 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 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-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 36. 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 37. Subsection (22) of section 493.6101, Florida Statutes, is amended to read:

493.6101 Definitions.—

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

provision of services. A repossession is complete when a licensed recovery agent is in control, custody, and possession of such repossessed property. Property that is being repossessed shall be considered to be in the control, custody, and 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 38. Paragraph (c) of subsection (1) of section 493.6403, Florida Statutes, is amended to read:

493.6403 License requirements.—

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

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

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

defined under s. 686.402, or industrial equipment as defined in s. 493.6101(22).

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

Section 39. This act shall take effect July 1, 2025.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	____	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Transportation & Economic Development Budget Subcommittee
Representative Abbott offered the following:

Amendment (with title amendment)

Remove lines 949-1184 and insert:

Section 16. Subsection (3) is added to section 334.27, Florida Statutes, to read:

334.27 Governmental transportation entities; property acquired for transportation purposes; limitation on soil or groundwater contamination liability.—

(3) Any authority established under the laws of this state or any of its counties, municipalities, or political subdivisions, including, but not limited to, transportation, parking, and economic development authorities, shall have full power to conduct business; to operate, manage, and control

facilities; and to provide services beyond the geographical boundaries of such counties, municipalities, or political subdivisions that originally chartered such authority, subject to this subsection. The authority may engage in activities outside of its chartering jurisdiction upon entering into an interlocal agreement with the governing body of the affected county, municipality, or political subdivision, as applicable.

Section 17. Section 334.62, Florida Statutes, is created to read:

334.62 Florida Transportation Academy.—

(1) The Legislature finds that the growth and sustainability of the transportation workforce industry is vital to the continued success and efficiency of this state's supply chain and economic competitiveness. In order to prioritize the continued need for transportation industry workforce development programs, the Florida Transportation Academy is established.

(2) In order to support, promote, and sustain workforce development efforts of the transportation sector, the department may work with state agencies referenced in this chapter, industry organizations, and private sector businesses, as appropriate.

(3) The department may coordinate with all of the following entities:

(a) The Department of Corrections to identify and create certification and training opportunities for nonviolent inmates

and create a process to allow the Department of Corrections to notify the department when a nonviolent inmate who is seeking employment has received a scheduled release date.

(b) The Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.

(c) Veterans' organizations to encourage honorably discharged veterans to pursue opportunities within the transportation industry, including, but not limited to, employment as pilots, mechanics, and air traffic controllers.

(d) The Department of Commerce, CareerSource Florida, and regional business communities, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.

(e) The American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess the future needs of the transportation industry and this state.

Section 18. Subsection (3) of section 335.182, Florida Statutes, is amended to read:

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

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

(a) "Connection" means driveways, streets, turnouts, or other means of providing for the right of reasonable access to or from the State Highway System.

(b) "Modification of a connection" means relocation, alteration, or closure of a connection.

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

1. A change in the use of the property, including development of the 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 19. 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 maximum vehicular use of the connection and may impose conditions ~~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) The connection would jeopardize the safety of the public or have a negative impact on the operational characteristics of the highway.

Section 20. Subsection (2) of section 337.027, Florida Statutes, is amended to read:

337.027 Authority to implement a business development program.—

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

Section 21. Subsection (6) of section 337.11, Florida Statutes, is amended to read:

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

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

(b) If the secretary determines that delays on a contract for maintenance exist due to administrative challenges, bid protests, defaults or terminations and the further delay would reduce safety on the transportation facility or seriously hinder the department's ability to preserve the state's investment in that facility, competitive bidding provisions may be waived and the department may enter into a contract for maintenance on the facility. However, contracts for maintenance executed under the provisions of this paragraph shall be interim in nature and

shall be limited in duration to a period of time not to exceed the length of the delay necessary to complete the competitive bidding process and have the contract in place.

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

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

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

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

The department shall make a good faith effort to obtain two or 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 22. 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. Notwithstanding any bonding requirement under this section, the department may require, at the discretion of the secretary, that the amount of the surety bond or bonds be less than the contract price.

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

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

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

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

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

credit, United States bonds and notes, parent company guarantees, and cash collateral. The department may require alternate means of security if a surety bond is waived. The surety on such bond shall be a surety company authorized to do business in the state. All bonds shall be payable to the department and conditioned for the prompt, faithful, and efficient performance of the contract according to plans and specifications and within the time period specified, and for the prompt payment of all persons defined in s. 713.01 furnishing labor, material, equipment, and supplies for work provided in the contract; however, whenever an improvement, demolition, or removal contract price is $25,000 or less, the security may, in the discretion of the bidder, be in the form of a cashier's check, bank money order of any state or national bank, certified check, or postal money order. The department shall adopt rules to implement this subsection. Such rules shall include provisions under which the department shall refuse to accept bonds on contracts when a surety wrongfully fails or refuses to settle or provide a defense for claims or actions arising under a contract for which the surety previously furnished a bond.

Section 23. Subsection (3) of section 337.251, Florida Statutes, is amended to read:

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

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

Section 24. 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 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 to this subsection ~~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 county or municipality may not adopt a rule or regulation that prohibits or requires a permit for the installation of a public sewer

transmission line that is placed and maintained within and under publicly dedicated rights-of-way as part of a septic-to-sewer conversion project in which the department and the Department of Environmental Protection or its designee have issued permits under this chapter or chapter 403, respectively.

T I T L E A M E N D M E N T

Remove lines 77-94 and insert:
changes made by the act; amending s. 334.27, F.S.; providing that certain authorities have full power to conduct business, provide services, and take certain actions beyond certain geographical boundaries; requiring an interlocal agreement; creating s. 334.62, F.S.; providing legislative findings; creating the Florida Transportation Academy for a specified purpose; authorizing the department to work with certain entities to support, promote, and sustain certain workforce development efforts; authorizing the department to coordinate with specified entities for certain purposes; amending s. 335.182, F.S.; revising the definition of the term "significant change"; defining the term "modification of a connection"; amending s. 335.187, F.S.; revising the conditions under which the department may modify or revoke a

permit; amending s. 337.027, F.S.; revising the definition of the term "small business"; amending ss. 337.11 and 337.251, F.S.; conforming provisions to changes made by the act; amending s. 337.18, F.S.; authorizing the department to require the amount of certain bonds to be less than a certain price; amending s. 337.401, F.S.; prohibiting counties and municipalities from adopting certain rules and regulations relating to permits for the installation of a public sewer transmission line under certain circumstances;