CHAPTER 2025-149

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 462

An act relating to transportation; amending s. 161.58, F.S.; revising an exception to a prohibition on vehicular traffic on coastal beaches; creating s. 218.3215, F.S.; requiring counties to report certain information to the Office of Economic and Demographic Research annually by a specified date; requiring counties to report the information in the format specified by the office; requiring the office to provide a certain report to the Legislature and the Department of Transportation; amending s. 316.003, F.S.; revising the definitions of the terms "dynamic driving task," "micromobility device," and "vehicle"; amending s. 316.173, F.S.; authorizing a person to request an administrative hearing with a school district or county within a specified timeframe after receiving a notice of violation; specifying that the mailing of the notice of violation constitutes notification; deleting a provision requiring a court with jurisdiction over traffic violations to determine whether a specified violation has occurred; authorizing school districts and counties to appoint local hearing officers to conduct certain administrative hearings; providing eligibility requirements for such officers; providing duties of such officers; providing for penalties and costs; providing procedures for an administrative hearing; providing a specified date by which certain administrative hearings may be conducted; amending s. 316.20655, F.S.; authorizing a local government to adopt certain ordinances and provide certain training relating to the safe operation of electric bicycles; amending s. 316.2128, F.S.; authorizing a local government to adopt certain ordinances and provide certain training relating to the safe operation of motorized scooters and micromobility devices; amending s. 316.650, F.S.; revising the entity required to provide citation data in the case of a traffic enforcement agency that has an automated citation issuance system; creating s. 316.88, F.S.; prohibiting excessive wakes under certain circumstances; amending s. 318.18, F.S.; providing minimum civil penalties for a specified violation enforced by a school bus infraction detection system; requiring such penalties to be remitted to the school district at least monthly and used for specified purposes; requiring specified administrative costs to be imposed for specified violations; requiring that such costs be used by a school district or county, as applicable, for specified purposes; requiring that certain costs be remitted to the county at least monthly; conforming a cross-reference; amending s. 318.21, F.S.; requiring that specified penalties be distributed in a specified manner; conforming a cross-reference; creating s. 320.0849, F.S.; requiring the department to issue expectant mother parking permits upon application; specifying the validity period thereof; providing design requirements for expectant mother parking permit placards or decals; providing application requirements; authorizing such permitholders to park in certain spaces; creating s. 330.355, F.S.; prohibiting publicly owned airports from charging a landing fee

established on or after a specified date for certain aircraft operations; amending s. 332.004, F.S.; revising definitions; amending s. 332.006, F.S.; revising duties and responsibilities of the department relating to airports; amending s. 332.007, F.S.; revising provisions relating to the administration and financing of certain aviation and airport programs and projects; authorizing certain airports to participate in a specified federal program in a certain manner; authorizing the department to provide for improvements to certain entities for the capital cost of a discretionary improvement project at a public-use airport, subject to the availability of certain funds; creating s. 332.136, F.S.; establishing an airport pilot program at the Sarasota Manatee Airport Authority; providing the purpose of the pilot program; requiring the department to adopt rules; requiring the department, by a specified date, to submit certain recommendations to the Governor and the Legislature; providing for the future repeal of specified provisions; amending s. 334.044, F.S.; authorizing the department to acquire property or property rights in advance to preserve a corridor for future proposed improvements; authorizing the department to expend from the State Transportation Trust Fund a certain amount of grant funds annually to state colleges and school districts for certain construction workforce development programs; requiring that priority be given to certain colleges and school districts; amending s. 334.065, F.S.; deleting a provision specifying that the Florida Center for Urban Transportation Research shall be administered by the Board of Governors of the State University System; deleting a provision prohibiting the undertaking of certain projects without the approval of the Center for Urban Transportation Research advisory board; revising membership of such advisory board; creating s. 334.63, F.S.; providing requirements for certain project concept studies and project development and environment studies; amending s. 337.11, F.S.; revising the bidding and award process for contracts for road construction and maintenance projects; revising the circumstances in which the department must competitively award a phased design-build contract for phase one; requiring the department to select a single design-build firm to perform the work associated with phase two under certain circumstances; authorizing a design-build firm to self-perform portions of work under a contract; requiring that contracts let by the department on or after a certain date for bridge construction or maintenance over navigable waters include protection and indemnity coverage; amending s. 337.14, F.S.; authorizing the department to waive contractor certification requirements for certain projects; revising the threshold value of contracts for which the department may waive a contract bond requirement; requiring that a contractor seeking to bid on certain maintenance contracts possess certain qualifications; amending s. 337.185, F.S.; increasing the limits of claims per contract which a contractor may submit to the State Arbitration Board; revising the period in which an arbitration request may be made for a claim related to a warranty notice; amending s. 339.175, F.S.; revising legislative intent; revising requirements for the designation of additional metropolitan planning organizations (M.P.O.'s); revising projects and strategies to be considered in developing an M.P.O.'s long-range

transportation plan and transportation improvement program; deleting obsolete provisions; requiring the department to convene M.P.O.'s of similar size to exchange best practices at least annually; authorizing M.P.O.'s to develop committees or working groups; requiring training for new M.P.O. governing board members to be provided by the department or another specified entity; deleting provisions relating to M.P.O. coordination mechanisms; including public-private partnerships in authorized financing techniques; revising proposed transportation enhancement activities that must be indicated by the long-range transportation plan; authorizing each M.P.O. to execute a written agreement with the department regarding state and federal transportation planning requirements; requiring the department, in collaboration with M.P.O.'s, to establish certain quality performance metrics and develop certain performance targets; requiring the department to evaluate and post on its website whether each M.P.O. has made significant progress toward such targets; amending s. 339.65, F.S.; requiring the department to prioritize certain Strategic Intermodal System highway corridor projects; creating s. 339.85, F.S.; requiring the department to implement a Next-generation Traffic Signal Modernization Program; providing program requirements; amending s. 348.0304, F.S.; revising membership of the governing body of the Greater Miami Expressway Agency; reenacting s. 332.115(1), F.S., relating to joint project agreements with port districts for transportation corridors between airports and port facilities, to incorporate the amendment made to s. 332.004, F.S., in a reference thereto; providing a legislative finding; requiring the department to develop a report on widening Interstate 4; providing requirements for the report; requiring the department to submit the report to the Governor and the Legislature by a specified date; providing effective dates.

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

Section 1. Subsection (2) of section 161.58, Florida Statutes, is amended to read:

161.58 Vehicular traffic on coastal beaches.—

(2) Vehicular traffic, except that which is necessary for cleanup, repair, or public safety; for removal of rental equipment using off-highway vehicles as defined in s. 317.0003, as authorized by the governing body having jurisdiction of the coastal property through formal agreement;, or for the purpose of maintaining existing licensed and permitted traditional commercial fishing activities or existing authorized public accessways, is prohibited on coastal beaches except where a local government with jurisdiction over a coastal beach or portions of a coastal beach has:

(a) Authorized such traffic, by at least a three-fifths vote of its governing body, on all or portions of the beaches under its jurisdiction prior to the effective date of this act; and

(b) Determined, by October 1, 1989, in accordance with the rules of the department, that less than 50 percent of the peak user demand for off-beach parking is available. However, the requirements and department rulemaking authority provided in this paragraph shall not apply to counties that have adopted, prior to January 1, 1988, unified countywide beach regulations pursuant to a county home rule charter.

Section 2. Section 218.3215, Florida Statutes, is created to read:

218.3215 County transportation project data.—

(1) Each county shall, annually by January 15, report to the Office of Economic and Demographic Research all of the following information, by county fiscal year, for surtax revenues received pursuant to s. 212.055(1):

(a) Total proceeds from the surtax received by the county.

(b) The amount allocated by the county for road and bridge projects. The Office of Economic and Demographic Research, in consultation with the Department of Transportation, shall define broad categories, including, but not limited to, widening, repair and rehabilitation, sidewalks, or payment or pledge of bonds for the construction of roads or bridges, for reporting this information. This information must be reported as a total by category and by revenue source by category.

(c) The total expenditure on road and bridge projects by category.

(d) The unexpended balances of funds allocated to road and bridge projects by category.

(e) A list of current road and bridge projects, including the project cost, location, and scope.

(f) The amount allocated by the county to all other permissible uses of the proceeds from the surtax, excluding road and bridge projects and the payment or pledge of bonds for the construction of roads or bridges.

(2) Counties shall report the information required by this section in the format specified by the Office of Economic and Demographic Research. The Office of Economic and Demographic Research shall compile the information into a report and provide the report to the President of the Senate, the Speaker of the House of Representatives, and the Department of Transportation.

Section 3. Paragraph (b) of subsection (3) and subsections (41) and (109) of section 316.003, Florida Statutes, are amended to read:

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

(3) AUTOMATED DRIVING SYSTEM.—The hardware and software that are collectively capable of performing the entire dynamic driving task of an autonomous vehicle on a sustained basis, regardless of whether it is limited to a specific operational design domain. The term:

(b) "Dynamic driving task" means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic within its specific operational design domain, if any, excluding strategic functions such as trip scheduling; provision of event-based information, advice, instruction, or revised goals; and selection of destinations and waypoints.

(41) MICROMOBILITY DEVICE.—A motorized transportation device designed for individual use which is typically 20 to 36 inches in width and 50 pounds or less in weight and which operates at a speed of typically less than 15 miles per hour but no more than 28 miles per hour. This term includes both a human-powered and a nonhuman-powered device such as a bicycle, electric bicycle, motorized scooter, or any other device that is owned by an individual or part of a shared fleet ~~Any motorized transportation device made available for private use by reservation through an online application, website, or software for point-to-point trips and which is not capable of traveling at a speed greater than 20 miles per hour on level ground. This term includes motorized scooters and bicycles as defined in this chapter~~.

(109) VEHICLE.—Every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except personal delivery devices, mobile carriers, and devices used exclusively upon stationary rails or tracks.

Section 4. Effective upon this act becoming a law, present subsections (6) through (19) of section 316.173, Florida Statutes, are redesignated as subsections (7) through (20), respectively, a new subsection (6) is added to that section, and paragraph (c) of subsection (1), subsection (5), and present subsections (8), (10), (11), and (12) of that section are amended, to read:

316.173 School bus infraction detection systems.—

(1)

(c) The school district must ensure that each school bus infraction detection system meets the requirements of subsection (19) ~~(18)~~.

(5) Within 30 days after receiving the information required in subsection (4), the law enforcement agency or its designee must, if it is determined that the motor vehicle violated s. 316.172(1)(a) or (b), send a notice of violation to the registered owner of the motor vehicle involved in the violation specifying the remedies available under s. 318.14 and that the violator must pay the penalty under s. 318.18(5), ~~or~~ furnish an affidavit in accordance with subsection (11), or request an administrative hearing with the school district or county, as applicable, ~~subsection (10)~~ within 60 ~~30~~ days after the notice of violation is sent in order to avoid court fees, costs, and the issuance of a

uniform traffic citation. The mailing of the notice of violation constitutes notification. The notice of violation must be sent by first-class mail and include all of the following:

(a) A copy of one or more recorded images showing the motor vehicle involved in the violation, including an image showing the license plate of the motor vehicle.

(b) The date, time, and location of the violation.

(c) The amount of the civil penalty, the date by which the civil penalty must be paid, and instructions on how to pay the civil penalty.

(d) Instructions on how to request a hearing to contest liability or the notice of violation.

(e) A notice that the owner has the right to review, in person or remotely, the video and images recorded by the school bus infraction detection system which constitute a rebuttable presumption against the owner of the motor vehicle that the motor vehicle was used in violation of s. 316.172(1)(a) or (b).

(f) The time when, and the place or website at which, the recorded video and images may be examined and observed.

(g) A warning that failure to pay the civil penalty or to contest liability within 60 ~~30~~ days after the notice is sent will result in the issuance of a uniform traffic citation. ~~A court that has jurisdiction over traffic violations shall determine whether a violation of this section has occurred. If a court finds by a preponderance of the evidence that a violation occurred, the court must uphold the violation. If the notice of violation is upheld, the court must require the petitioner to pay the penalty previously assessed under s. 318.18(5), and may also require the petitioner to pay costs, not to exceed those established in s. 316.0083(5)(e).~~

(6)(a) A local hearing officer appointed by the school district or county shall administer an administrative hearing process for a contested notice of violation. The school district may appoint an attorney who is, and has been for the preceding 5 years, a member in good standing with The Florida Bar to serve as a local hearing officer. The county in which a school district has entered into an interlocal agreement with a law enforcement agency to issue uniform traffic citations may designate by resolution existing staff to serve as the local hearing officer. At the administrative hearing, the local hearing officer shall determine whether a violation of s. 316.172(1)(a) or (b) has occurred. If the local hearing officer finds by a preponderance of the evidence that a violation has occurred, the local hearing officer must uphold the notice of violation and require the petitioner to pay the penalty previously assessed under s. 318.18(5). The local hearing officer shall also require the petitioner to pay costs consistent with this subsection.

(b) Procedures for an administrative hearing conducted under this subsection are as follows:

1. The department shall make available electronically to the school district or its designee or the county a Request for Hearing form to assist each district or county with administering this subsection.

2. A person, referred to in this paragraph as the petitioner, who elects to request a hearing under this subsection shall be scheduled for a hearing. The hearing may be conducted either virtually via live video conferencing or in person.

3. Within 120 days after receipt of a timely request for a hearing, the law enforcement agency or its designee shall provide a replica of the notice of violation data to the school district or county by manual or electronic transmission, and thereafter the school district or its designee or the county shall mail a notice of hearing, which shall include a hearing date and may at the discretion of the district or county include virtual and in-person hearing options, to the petitioner by first-class mail. Mailing of the notice of hearing constitutes notification. Upon receipt of the notice of hearing, the petitioner may reschedule the hearing once by submitting a written request to the local hearing officer at least 5 calendar days before the day of the originally scheduled hearing. The petitioner may cancel his or her hearing by paying the penalty assessed in the notice of violation.

4. All testimony at the hearing shall be under oath. The local hearing officer shall take testimony from the law enforcement agency and the petitioner, and may take testimony from others. The local hearing officer shall review the video and images recorded by a school bus infraction detection system. Formal rules of evidence do not apply, but due process shall be observed and govern the proceedings.

5. At the conclusion of the hearing, the local hearing officer shall determine by a preponderance of the evidence whether a violation has occurred and shall uphold or dismiss the violation. The local hearing officer shall issue a final administrative order including the determination and, if the notice of violation is upheld, require the petitioner to pay the civil penalty previously assessed in the notice of violation, and shall also require the petitioner to pay costs, not to exceed those established in s. 316.0083(5)(e), to be used by the county for operational costs relating to the hearing process or by the school district for technology and operational costs relating to the hearing process as well as school transportation safety-related initiatives. The final administrative order shall be mailed to the petitioner by first-class mail.

6. An aggrieved party may appeal a final administrative order consistent with the process provided in s. 162.11.

(c) Any hearing for a contested notice of violation that has not been conducted before July 1, 2025, may be conducted pursuant to the procedures in this subsection within 1 year after such date.

(9)~~(8)~~ A uniform traffic citation must be issued by mailing the uniform traffic citation by certified mail to the address of the registered owner of the motor vehicle involved in the violation if, within 60 days after notification under subsection (5), payment has not been made, ~~within 30 days after notification under subsection (5) and if~~ the registered owner has not submitted an affidavit in accordance with subsection (11), or the registered owner has not requested an administrative hearing with the school district or county, as applicable, contesting the notice of violation pursuant to subsection (6) ~~(10)~~.

(a) Delivery of the uniform traffic citation constitutes notification of a violation under this subsection. If the registered owner or co-owner of the motor vehicle; the person identified as having care, custody, or control of the motor vehicle at the time of the violation; or a duly authorized representative of the owner, co-owner, or identified person initiates a proceeding to challenge the citation, such person waives any challenge or dispute as to the delivery of the uniform traffic citation.

(b) In the case of joint ownership of a motor vehicle, the uniform traffic citation must be mailed to the first name appearing on the motor vehicle registration, unless the first name appearing on the registration is a business organization, in which case the second name appearing on the registration may be used.

(c) The uniform traffic citation mailed to the registered owner of the motor vehicle involved in the violation must be accompanied by information described in paragraphs (5)(a)-(f).

(11)~~(10)~~ To establish such facts under subsection (10) ~~(9)~~, the registered owner of the motor vehicle must, within 60 ~~30~~ days after the date of issuance of the notice of violation or the uniform traffic citation, furnish to the law enforcement agency that issued the notice of violation or uniform traffic citation an affidavit setting forth information supporting an exception under subsection (10) ~~(9)~~.

(a) An affidavit supporting the exception under paragraph (10)(a) ~~(9)(a)~~ must include the name, address, date of birth, and, if known, the driver license number of the person who leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the alleged violation. If the motor vehicle was stolen at the time of the alleged violation, the affidavit must include the police report indicating that the motor vehicle was stolen.

(b) If a uniform traffic citation for a violation of s. 316.172(1)(a) or (b) was issued at the location of the violation by a law enforcement officer, the affidavit must include the serial number of the uniform traffic citation.

(c) If the motor vehicle's owner to whom a notice of violation or a uniform traffic citation has been issued is deceased, the affidavit must include a certified copy of the owner's death certificate showing that the date of death

occurred on or before the date of the alleged violation and one of the following:

1. A bill of sale or other document showing that the deceased owner's motor vehicle was sold or transferred after his or her death but on or before the date of the alleged violation.

2. Documented proof that the registered license plate belonging to the deceased owner's motor vehicle was returned to the department or any branch office or authorized agent of the department after his or her death but on or before the date of the alleged violation.

3. A copy of the police report showing that the deceased owner's registered license plate or motor vehicle was stolen after his or her death but on or before the date of the alleged violation.

Upon receipt of the affidavit and documentation required under paragraphs (b) and (c), or 60 ~~30~~ days after the date of issuance of a notice of violation sent to a person identified as having care, custody, or control of the motor vehicle at the time of the violation under paragraph (a), the law enforcement agency must dismiss the notice or citation and provide proof of such dismissal to the person who submitted the affidavit. If, within 60 ~~30~~ days after the date of a notice of violation sent to a person under subsection (12) ~~(11)~~, the law enforcement agency receives an affidavit under subsection (13) ~~(12)~~ from the person who was sent a notice of violation affirming that the person did not have care, custody, or control of the motor vehicle at the time of the violation, the law enforcement agency must notify the registered owner that the notice or citation will not be dismissed due to failure to establish that another person had care, custody, or control of the motor vehicle at the time of the violation.

(12)~~(11)~~ Upon receipt of an affidavit under paragraph (10)(a) ~~(9)(a)~~**,** the law enforcement agency may issue the person identified as having care, custody, or control of the motor vehicle at the time of the violation a notice of violation pursuant to subsection (5) for a violation of s. 316.172(1)(a) or (b). The affidavit is admissible in a proceeding pursuant to this section for the purpose of providing evidence that the person identified in the affidavit was in actual care, custody, or control of the motor vehicle. The owner of a leased motor vehicle for which a uniform traffic citation is issued for a violation of s. 316.172(1)(a) or (b) is not responsible for paying the uniform traffic citation and is not required to submit an affidavit as specified in subsection (11) ~~(10)~~ if the motor vehicle involved in the violation is registered in the name of the lessee of such motor vehicle.

(13)~~(12)~~ If a law enforcement agency receives an affidavit under paragraph (10)(a) ~~(9)(a)~~, the notice of violation required under subsection (5) must be sent to the person identified in the affidavit within 30 days after receipt of the affidavit. The person identified in an affidavit and sent a notice of violation may ~~also~~ affirm he or she did not have care, custody, or control of the motor vehicle at the time of the violation by furnishing to the appropriate

law enforcement agency within 60 ~~30~~ days after the date of the notice of violation an affidavit stating such.

Section 5. Subsection (1) of section 316.20655, Florida Statutes, is amended, and subsections (8) and (9) are added to that section, to read:

316.20655 Electric bicycle regulations.—

(1) Except as otherwise provided in this section, an electric bicycle or an operator of an electric bicycle shall be afforded all the rights and privileges, and be subject to all of the duties, of a bicycle or the operator of a bicycle, including s. 316.2065. An electric bicycle is a vehicle to the same extent as a bicycle. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the operation of electric bicycles on streets, highways, sidewalks, and sidewalk areas under or within the local government's jurisdiction; to prevent a municipality, county, or agency of the state having jurisdiction over a bicycle path, multiuse path, or trail network from restricting or prohibiting the operation of an electric bicycle on a bicycle path, multiuse path, or trail network; or to prevent a municipality, county, or agency of the state having jurisdiction over a beach as defined in s. 161.54(3) or a dune as defined in s. 161.54(4) from restricting or prohibiting the operation of an electric bicycle on such beach or dune.

(8) A local government may adopt an ordinance providing one or more minimum age requirements to operate an electric bicycle and may adopt an ordinance requiring an operator of an electric bicycle to possess a government-issued photographic identification while operating the electric bicycle.

(9) A local government may provide training on the safe operation of electric bicycles and compliance with the traffic laws of this state that apply to electric bicycles.

Section 6. Subsections (7) and (8) are added to section 316.2128, Florida Statutes, to read:

316.2128 Micromobility devices, motorized scooters, and miniature motorcycles; requirements.—

(7) A local government may adopt an ordinance providing one or more minimum age requirements to operate a motorized scooter or micromobility device and may adopt an ordinance requiring a person who operates a motorized scooter or micromobility device to possess a government-issued photographic identification while operating the motorized scooter or micromobility device.

(8) A local government may provide training on the safe operation of motorized scooters and micromobility devices and compliance with the traffic laws of this state that apply to motorized scooters and micromobility devices.

Section 7. Effective upon this act becoming a law, paragraph (a) of subsection (3) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.—

(3)(a) Except for a traffic citation issued pursuant to s. 316.1001, s. 316.0083, s. 316.173, or s. 316.1896, each traffic enforcement officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of any municipality or town, shall deposit the original traffic citation or, in the case of a traffic enforcement agency that has an automated citation issuance system, the agency ~~chief administrative officer~~ shall provide by an electronic transmission a replica of the citation data to the ~~a~~ court having jurisdiction over the alleged offense or with its traffic violations bureau within 5 business days after issuance to the violator.

Section 8. Section 316.88, Florida Statutes, is created to read:

316.88 Creation of a wake on streets or highways.—A person may not operate a motor vehicle, vessel, or any other conveyance at a speed that creates an excessive wake on a flooded or inundated street or highway.

Section 9. Effective upon this act becoming a law, paragraphs (a), (b), and (c) of subsection (5) of section 318.18, Florida Statutes, are amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(5)(a)1. Except as provided in subparagraph 2., $200 ~~two hundred dollars~~ for a violation of s. 316.172(1)(a), failure to stop for a school bus. If, at a hearing, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of $200. In addition to this penalty, for a second or subsequent offense within a period of 5 years, the department shall suspend the driver license of the person for not less than 180 days and not more than 1 year.

2. If a violation of s. 316.172(1)(a) is enforced by a school bus infraction detection system pursuant to s. 316.173, the penalty of $200 shall be imposed. If, at an administrative hearing contesting a notice of violation or uniform traffic citation, the alleged offender is found to have committed this offense, a minimum civil penalty of $200 shall be imposed. Notwithstanding any other provision of law, the civil penalties assessed under this subparagraph resulting from a notice of violation or uniform traffic citation shall be remitted to the school district at least monthly and used pursuant to s. 316.173(8).

(b)1. Except as provided in subparagraph 2., $400 ~~four hundred dollars~~ for a violation of s. 316.172(1)(b), passing a school bus on the side that children enter and exit when the school bus displays a stop signal. If, at a

hearing, the alleged offender is found to have committed this offense, the court shall impose a minimum civil penalty of $400.

2. If a violation of s. 316.172(1)(b) is enforced by a school bus infraction detection system pursuant to s. 316.173, the penalty under this subparagraph ~~paragraph~~ is a minimum of $200. If, at a hearing contesting a notice of violation or uniform traffic citation, the alleged offender is found to have committed this offense, the court shall ~~must~~ impose a minimum civil penalty of $200. Notwithstanding any other provision of law, the civil penalties assessed under this subparagraph resulting from notice of violation or uniform traffic citation shall be remitted to the school district at least monthly and used pursuant to s. 316.173(8).

3. In addition to this penalty, for a second or subsequent offense within a period of 5 years, the department shall suspend the driver license of the person for not less than 360 days and not more than 2 years.

(c)1. In addition to the penalty under subparagraph (a)2. or subparagraph (b)2., if, at an administrative hearing contesting a notice of violation, the alleged offender is found to have committed this offense, costs shall be imposed, not to exceed those established in s. 316.0083(5)(e), to be paid by the petitioner and to be used by the county for the operational costs related to the hearing or the school district for technology and operational costs relating to the hearing as well as school transportation safety-related initiatives. Notwithstanding any other provision of law, if a county's local hearing officer administers the administrative hearing process for a contested notice of violation, the costs imposed under this subparagraph resulting from notice of violation shall be remitted to the county at least monthly.

2. In addition to the penalty under paragraph (a) or paragraph (b), $65 for a violation of s. 316.172(1)(a) or (b). If the alleged offender is found to have committed the offense, the court shall impose the civil penalty under paragraph (a) or paragraph (b) plus an additional $65. The additional $65 collected under this subparagraph ~~paragraph~~ shall be remitted to the Department of Revenue for deposit into the Emergency Medical Services Trust Fund of the Department of Health to be used as provided in s. 395.4036. If a violation of s. 316.172(1)(a) or (b) is enforced by a school bus infraction detection system pursuant to s. 316.173, the additional amount imposed on a notice of violation, on a uniform traffic citation, or by the court under this paragraph must be $25, in lieu of the additional $65, and, notwithstanding any other provision of law, the civil penalties and additional costs must be remitted to the participating school district at least monthly and used pursuant to s. 316.173(8) ~~s. 316.173(7)~~.

Section 10. Effective upon this act becoming a law, subsection (21) of section 318.21, Florida Statutes, is amended to read:

318.21 Disposition of civil penalties by county courts.—All civil penalties received by a county court pursuant to the provisions of this chapter shall be distributed and paid monthly as follows:

(21) Notwithstanding subsections (1) and (2) or any other provision of law, the civil penalties and the proceeds from the additional penalties imposed pursuant to s. 318.18(5)(a)2., (b)2., and (c) and (21) ~~s. 318.18(5)(c) and (21)~~ shall be distributed as provided in that section.

Section 11. Section 320.0849, Florida Statutes, is created to read:

320.0849 Expectant mother parking permits.—

(1)(a) The department or its authorized agents shall, upon application, issue an expectant mother parking permit placard or decal to an expectant mother. The placard or decal is valid for up to 1 year after the date of issuance.

(b) The department shall, by rule, provide for the design, size, color, and placement of the expectant mother parking permit placard or decal. The placard or decal must be designed to conspicuously display the expiration date of the permit.

(2) An application for an expectant mother parking permit must include, but need not be limited to:

(a) Certification provided by a physician licensed under chapter 458 or chapter 459 that the applicant is an expectant mother.

(b) The certifying physician's name and address.

(c) The physician's certification number.

(d) The following statement in bold letters: "An expectant mother parking permit may be issued only to an expectant mother and is valid for up to 1 year after the date of issuance."

(e) The signatures of:

1. The certifying physician.

2. The applicant.

3. The employee of the department processing the application.

(3) Notwithstanding any other provision of law, an expectant mother who is issued an expectant mother parking permit under this section may park a motor vehicle in a parking space designated for persons who have disabilities as provided in s. 553.5041.

Section 12. Section 330.355, Florida Statutes, is created to read:

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

Section 13. Subsections (4), (5), (7), and (8) of section 332.004, Florida Statutes, are amended to read:

332.004 Definitions of terms used in ss. 332.003-332.007.—As used in ss. 332.003-332.007, the term:

(4) "Airport or aviation development project" or "development project" means 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-use ~~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.

(5) "Airport or aviation discretionary capacity improvement projects" or "discretionary capacity improvement projects" means 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 public-use airport is located, and which enhance intercontinental capacity at airports which:

(a) Are international airports with United States Bureau of Customs and Border Protection;

(b) 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

(c) Have available or planned public ground transportation between the airport and other major transportation facilities.

(7) "Eligible agency" means a political subdivision of the state or an authority, or a public-private partnership through a lease or an agreement

under s. 255.065 with a political subdivision of the state or an authority, which owns or seeks to develop a public-use airport.

(8) "Federal aid" means funds made available from the Federal Government for the accomplishment of public-use airport or aviation development projects.

Section 14. Subsections (4) and (8) of section 332.006, Florida Statutes, are 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:

(4) Upon request, provide financial and technical assistance to public agencies that own ~~which operate~~ public-use airports by making department personnel and department-owned facilities and equipment available on a cost-reimbursement basis to such agencies for special needs of limited duration. The requirement relating to reimbursement of personnel costs may be waived by the department in those cases in which the assistance provided by its personnel was of a limited nature or duration.

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

Section 15. Paragraphs (a) and (c) of subsection (4), subsection (6), paragraphs (a) and (d) of subsection (7), and subsections (8) and (10) of section 332.007, Florida Statutes, are amended, and subsection (11) is added to that section, to read:

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

(4)(a) The annual legislative budget request for aviation and airport development projects shall be based on the funding required for development projects in the aviation and airport work program. The department shall provide priority funding in support of the planning, design, and construction of proposed projects by local sponsors of public-use airports, 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.

(c) No single airport shall secure 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 public-use airport which receives discretionary capacity improvement project funds in a given fiscal year shall not receive greater than 10 percent of total aviation and airport development project funds appropriated in that fiscal year.

(6) Subject to the availability of appropriated funds, the department may participate in the capital cost of eligible public-use ~~public~~ airport and

aviation development projects in accordance with the following rates, unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act:

(a) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government, except that the department may initially fund up to 75 percent of the cost of land acquisition for a new airport or for the expansion of an existing airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier. Due to federal budgeting constraints, the department may also initially fund the federal portion of eligible project costs subject to:

1. The department receiving adequate assurance from the Federal Government or local sponsor that this amount will be reimbursed to the department; and

2. The department having adequate funds in the work program to fund the project.

Such projects must be contained in the Federal Government's Airport Capital Improvement Program, and the Federal Government must fund, or have funded, the first year of the project.

(b) The department may retroactively reimburse cities, counties, or airport authorities up to 50 percent of the nonfederal share for land acquisition when such land is needed for airport safety, expansion, tall structure control, clear zone protection, or noise impact reduction. No land purchased prior to July 1, 1990, or purchased prior to executing the required department agreements shall be eligible for reimbursement.

(c) When federal funds are not available, the department may fund up to 80 percent of master planning and eligible aviation development projects at public-use ~~publicly owned, publicly operated~~ airports. If federal funds are available, the department may fund up to 80 percent of the nonfederal share of such projects. Such funding is limited to general aviation airports, or commercial service airports that have fewer than 100,000 passenger boardings per year as determined by the Federal Aviation Administration.

(d) The department is authorized to fund up to 100 percent of the cost of an eligible project that is statewide in scope or that involves more than one county where no other governmental entity or appropriate jurisdiction exists.

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

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

3. Public-use airport access transportation projects that improve direct airport access and are approved by the airport sponsor.

4. International terminal projects that increase international gate capacity.

(d) The department may fund up to 50 percent of the portion of eligible project costs which are not funded by the Federal Government except that the department may initially fund up to 75 percent of the cost of land acquisition for a new public-use airport or for the expansion of an existing public-use airport which is owned ~~and operated~~ by a municipality, a county, or an authority, and shall be reimbursed to the normal statutory project share when federal funds become available or within 10 years after the date of acquisition, whichever is earlier.

(8) The department may also fund eligible projects performed by not-for-profit organizations 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 of public-use airports in this state.

(10) Subject to the availability of appropriated funds, and unless otherwise provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, the department may fund up to 100 percent of eligible project costs of all of the following at a public-use ~~publicly owned, publicly operated~~ airport located in a rural community as defined in s. 288.0656 which does not have any scheduled commercial service:

(a) The capital cost of runway and taxiway projects that add capacity. Such projects must be prioritized based on the amount of available nonstate matching funds.

(b) Economic development transportation projects pursuant to s. 339.2821.

Any remaining funds must be allocated for projects specified in subsection (6).

(11) Notwithstanding any other provisions of law, a municipality, a county, or an authority that owns a public-use airport may participate in the Federal Aviation Administration Airport Investment Partnership Program under federal law by contracting with a private partner to operate the airport under lease or agreement. Subject to the availability of appropriated funds from aviation fuel tax revenues, the department may provide for improvements under this section to a municipality, a county, or an authority that has a private partner under the Airport Investment Partnership Program for the capital cost of a discretionary improvement project at a public-use airport.

Section 16. Section 332.136, Florida Statutes, is created to read:

332.136 Sarasota Manatee Airport Authority; airport pilot program.—

(1) There is established at the Sarasota Manatee Airport Authority an airport pilot program. The purpose of the pilot program is to determine the long-term feasibility of alternative airport permitting procedures, such as those provided in ss. 553.80, 1013.30, 1013.33, and 1013.371.

(2) The department shall adopt rules as necessary to implement the pilot program.

(3) By December 1, 2027, the department shall submit recommendations to the President of the Senate and the Speaker of the House of Representatives about how to expand the pilot program to additional airports, amend the pilot program to increase its effectiveness, or terminate the pilot program.

(4) This section shall stand repealed on June 30, 2028, unless reviewed and saved from appeal through reenactment by the Legislature.

Section 17. Subsections (6) and (35) of section 334.044, Florida Statutes, are amended to read:

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

(6) To acquire, by the exercise of the power of eminent domain as provided by law, all property or property rights, whether public or private, which it may determine are necessary to the performance of its duties and the execution of its powers, including, but not limited to, in advance to preserve a corridor for future proposed improvements.

(35) To expend funds for ~~provide~~ a construction workforce development program, in consultation with affected stakeholders, for delivery of projects designated in the department's work program. The department may annually expend up to $5 million from the State Transportation Trust Fund for fiscal years 2025-2026 through 2029-2030 in grants to state colleges and school districts, with priority given to state colleges and school districts in counties that are rural communities as defined in s. 288.0656(2),

for the purchase of equipment simulators with authentic original equipment manufacturer controls and a companion curriculum, for the purchase of instructional aids for use in conjunction with the equipment simulators, and to support offering an elective course in heavy civil construction which must, at a minimum, provide the student with an Occupational Safety and Health Administration 10-hour certification and a fill equipment simulator certification.

Section 18. Subsections (1) and (3) of section 334.065, Florida Statutes, are amended to read:

334.065 Center for Urban Transportation Research.—

(1) There is established within ~~at~~ the University of South Florida the Florida Center for Urban Transportation Research~~, to be administered by the Board of Governors of the State University System~~. The responsibilities of the center include, but are not limited to, conducting and facilitating research on issues related to urban transportation problems in this state and serving as an information exchange and depository for the most current information pertaining to urban transportation and related issues.

(3) An advisory board shall be created to periodically ~~and objectively~~ review and advise the center concerning its research program. ~~Except for projects mandated by law, state-funded base projects shall not be undertaken without approval of the advisory board.~~ The membership of the board shall be composed ~~consist~~ of nine experts in transportation-related areas, as follows:

(a) A member appointed by the President of the Senate.

(b) A member appointed by the Speaker of the House of Representatives.

(c) The Secretary of Transportation, or his or her designee.

(d) The Secretary of Commerce, or his or her designee. ~~including the secretaries of the Department of Transportation, the Department of Environmental Protection, and the Department of Commerce, or their designees, and~~

(e) A member of the Florida Transportation Commission.

(f) Four members nominated ~~The nomination of the remaining members of the board shall be made to the President of the University of South Florida~~ by the College of Engineering at the University of South Florida and approved by the university's president~~, and The appointment of these members must be reviewed and approved by the Florida Transportation Commission and confirmed by the Board of Governors~~.

Section 19. Section 334.63, Florida Statutes, is created to read:

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

(1) Project concept studies and project development and environment studies for capacity improvement projects on limited access facilities must include the evaluation of alternatives that provide transportation capacity using elevated roadway above existing lanes.

(2) Project development and environment studies for new alignment projects and capacity improvement projects must be completed to the maximum extent possible within 18 months after the date of commencement.

Section 20. Subsection (4), paragraph (b) of subsection (7), and subsection (15) of section 337.11, Florida Statutes, are 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.—

(4)(a) Except as provided in paragraph (b), the department may award the proposed construction and maintenance work to the lowest responsible bidder, or in the instance of a time-plus-money contract, the lowest evaluated responsible bidder, or it may reject all bids and proceed to rebid the work in accordance with subsection (2) or otherwise perform the work.

(b) Notwithstanding any other provision of law, if the department intends to reject all bids on any project after announcing, but before posting official notice of, such intent, the department must provide to the lowest responsive, responsible bidder the opportunity to negotiate the scope of work with a corresponding reduction in price, as provided in the bid, to provide a reduced bid without filing a protest or posting a bond under paragraph (5)(a). Upon reaching a decision regarding the lowest bidder's reduced bid, the department must post notice of final agency action to either reject all bids or accept the reduced bid.

(c) This subsection does not prohibit the filing of a protest by any bidder or alter the deadlines provided in s. 120.57.

(d) Notwithstanding the requirements of ss. 120.57(3)(c) and 287.057(25), upon receipt of a formal written protest that is timely filed, the department may continue the process provided in this subsection but may not take final agency action as to the lowest bidder except as part of the department's final agency action in the protest or upon dismissal of the protest by the protesting party.

(7)

(b) If the department determines that it is in the best interests of the public, the department may combine the design and construction phases of a project fully funded in the work program into a single contract and select the design-build firm in the early stages of a project to ensure that the design-build firm is part of the collaboration and development of the design as part of a step-by-step progression through construction. Such a contract is referred to as a phased design-build contract. For phased design-build contracts, selection and award must include a two-phase process. For phase one, the department shall competitively award the contract to a design-build firm based upon qualifications, provided that the department receives at least three statements of qualifications from qualified design-build firms. If during phase one the department elects to enter into contracts with more than one design-build firm based upon qualifications, the department must competitively select a single design-build firm to perform the work associated with phase two. For phase two, the design-build firm may self-perform portions of the work and shall competitively bid construction trade subcontractor packages and, based upon these bids, negotiate with the department a fixed firm price or guaranteed maximum price that meets the project budget and scope as advertised in the request for qualifications.

(15) Each contract let by the department for performance of bridge construction or maintenance over navigable waters must contain a provision requiring marine general liability insurance, in an amount to be determined by the department, which covers third-party personal injury and property damage caused by vessels used by the contractor in the performance of the work. For a contract let by the department on or after July 1, 2025, such insurance must include protection and indemnity coverage, which may be covered by endorsement on the marine general liability insurance policy or may be a separate policy.

Section 21. Subsections (1), (2), and (8) of section 337.14, Florida Statutes, are amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(1) Any contractor desiring to bid for the performance of any construction contract in excess of $250,000 which the department proposes to let must first be certified by the department as qualified pursuant to this section and rules of the department. The rules of the department must address the qualification of contractors to bid on construction contracts in excess of $250,000 and must include requirements with respect to the equipment, past record, experience, financial resources, and organizational personnel of the applying contractor which are necessary to perform the specific class of work for which the contractor seeks certification. Any contractor who desires to bid on contracts in excess of $50 million and who is not qualified and in good standing with the department as of January 1, 2019, must first be certified by the department as qualified and must have satisfactorily completed two projects, each in excess of $15 million, for the department or for any other state department of transportation. The department may

limit the dollar amount of any contract upon which a contractor is qualified to bid or the aggregate total dollar volume of contracts such contractor is allowed to have under contract at any one time. Each applying contractor seeking qualification to bid on construction contracts in excess of $250,000 shall furnish the department a statement under oath, on such forms as the department may prescribe, setting forth detailed information as required on the application. Each application for certification must be accompanied by audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The audited, certified financial statements must be for the applying contractor and must have been prepared within the immediately preceding 12 months. The department may not consider any financial information of the parent entity of the applying contractor, if any. The department may not certify as qualified any applying contractor who fails to submit the audited, certified financial statements required by this subsection. If the application or the annual financial statement shows the financial condition of the applying contractor more than 4 months before the date on which the application is received by the department, the applicant must also submit interim audited, certified financial statements prepared in accordance with generally accepted accounting principles and auditing standards by a certified public accountant licensed in this state or another state. The interim financial statements must cover the period from the end date of the annual statement and must show the financial condition of the applying contractor no more than 4 months before the date that the interim financial statements are received by the department. However, upon the request of the applying contractor, an application and accompanying annual or interim financial statement received by the department within 15 days after either 4-month period under this subsection shall be considered timely. An applying contractor desiring to bid exclusively for the performance of construction contracts with proposed budget estimates of less than $2 million may submit reviewed annual or reviewed interim financial statements prepared by a certified public accountant. The information required by this subsection is confidential and exempt from s. 119.07(1). The department shall act upon the application for qualification within 30 days after the department determines that the application is complete. The department may waive the requirements of this subsection for <u>push-button</u> projects having a contract price of <u>$1 million or less, or for non-push-button projects having a contract price of</u> $500,000 or less<u>,</u> if the department determines that the project is of a noncritical nature and the waiver will not endanger public health, safety, or property.

(2) Certification <u>is</u> ~~shall be~~ necessary in order to bid on a road, bridge, or public transportation construction contract of more than $250,000. However, the successful bidder on any construction contract must furnish a contract bond <u>before</u> ~~prior to~~ the award of the contract. The department may waive the requirement for all or a portion of a contract bond for contracts of <u>$250,000</u> ~~$150,000~~ or less under s. 337.18(1).

(8) This section does not apply to maintenance contracts. Notwithstanding any other provision of law, a contractor seeking to bid on a maintenance contract in which the majority of the work includes repair and replacement of safety appurtenances, including, but not limited to, guardrails, attenuators, traffic signals, and striping, must possess the prescribed qualifications, equipment, record, and experience to perform such repair and replacement.

Section 22. Subsections (4) and (5) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(4) The contractor may submit a claim greater than $250,000 up to $2 ~~$1~~ million per contract or, upon agreement of the parties, greater than ~~up to~~ $2 million per contract to be arbitrated by the board. An award issued by the board pursuant to this subsection is final if a request for a trial de novo is not filed within the time provided by Rule 1.830, Florida Rules of Civil Procedure. At the trial de novo, the court may not admit evidence that there has been an arbitration proceeding, the nature or amount of the award, or any other matter concerning the conduct of the arbitration proceeding, except that testimony given in connection with ~~at~~ an arbitration hearing may be used for any purpose otherwise permitted by the Florida Evidence Code. If a request for trial de novo is not filed within the time provided, the award issued by the board is final and enforceable by a court of law.

(5) An arbitration request may not be made to the board before final acceptance but must be made to the board within 820 days after final acceptance. An arbitration request related to a warranty notice provided by the department must be made to the board within 360 days after such notice or 820 days after final acceptance, whichever is later.

Section 23. Present subsection (10) of section 339.175, Florida Statutes, is redesignated as subsection (11), a new subsection (10) is added to that section, and subsection (1), paragraph (a) of subsection (2), paragraphs (b), (i), and (j) of subsection (6), and paragraphs (b) and (d) of subsection (7) of that section are amended, to read:

339.175 Metropolitan planning organization.—

(1) PURPOSE.—It is the intent of the Legislature to encourage and promote the safe and efficient management, operation, and development of multimodal ~~surface~~ transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and through urbanized areas of this state in accordance with the department's mission statement ~~while minimizing transportation-related fuel consumption, air pollution, and greenhouse gas emissions through metropolitan transportation planning processes identified in this section~~. To accomplish these objectives, metropolitan planning organizations, referred to in this section as M.P.O.'s, shall develop, in cooperation with the state and public transit operators, transportation plans and programs for

metropolitan areas. The plans and programs for each metropolitan area must provide for the development and integrated management and operation of transportation systems and facilities, including pedestrian walkways and bicycle transportation facilities that will function as an intermodal transportation system for the metropolitan area, based upon the prevailing principles provided in s. 334.046(1). The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate, based on the complexity of the transportation problems to be addressed. To ensure that the process is integrated with the statewide planning process, M.P.O.'s shall develop plans and programs that identify transportation facilities that should function as an integrated metropolitan transportation system, giving emphasis to facilities that serve important national, state, and regional transportation functions. For the purposes of this section, those facilities include the facilities on the Strategic Intermodal System designated under s. 339.63 and facilities for which projects have been identified pursuant to s. 339.2819(4).

(2) DESIGNATION.—

(a)1. An M.P.O. shall be designated for each urbanized area of the state; however, this does not require that an individual M.P.O. be designated for each such area. Such designation shall be accomplished by agreement between the Governor and units of general-purpose local government representing at least 75 percent of the population of the urbanized area; however, the unit of general-purpose local government that represents the central city or cities within the M.P.O. jurisdiction, as defined by the United States Bureau of the Census, must be a party to such agreement.

2. To the extent possible, only one M.P.O. shall be designated for each urbanized area or group of contiguous urbanized areas. More than one M.P.O. may be designated within an existing urbanized area only if the Governor and the existing M.P.O. determine that the size and complexity of the existing urbanized area makes the designation of more than one M.P.O. for the area appropriate. After July 1, 2025, no additional M.P.O.'s may be designated in this state except in urbanized areas, as defined by the United States Census Bureau, where the urbanized area boundary is not contiguous to an urbanized area designated before the 2020 census, ~~in which case each M.P.O. designated for the area must:~~

~~a. Consult with every other M.P.O. designated for the urbanized area and the state to coordinate plans and transportation improvement programs.~~

~~b. Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand within the urbanized area.~~

Each M.P.O. required under this section must be fully operative no later than 6 months following its designation.

(6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers, privileges, and authority of an M.P.O. are those specified in this section or incorporated in an interlocal agreement authorized under s. 163.01. Each M.P.O. shall perform all acts required by federal or state laws or rules, now and subsequently applicable, which are necessary to qualify for federal aid. It is the intent of this section that each M.P.O. be involved in the planning and programming of transportation facilities, including, but not limited to, airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law. An M.P.O. may not perform project production or delivery for capital improvement projects on the State Highway System.

(b) In developing the long-range transportation plan and the transportation improvement program required under paragraph (a), each M.P.O. shall provide for consideration of projects and strategies that will:

1. Support the economic vitality of the contiguous urbanized metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.

2. Increase the safety and security of the transportation system for motorized and nonmotorized users.

3. Increase the accessibility and mobility options available to people and for freight.

4. Protect and enhance the environment, <u>conserve natural resources</u> ~~promote energy conservation~~, and improve quality of life.

5. Enhance the integration and connectivity of the transportation system, across and between modes and contiguous urbanized metropolitan areas, for people and freight.

6. Promote efficient system management and operation.

7. Emphasize the preservation of the existing transportation system.

8. Improve the resilience of transportation infrastructure.

<u>9. Reduce traffic and congestion.</u>

~~(i) By December 31, 2023, the M.P.O.'s serving Hillsborough, Pasco, and Pinellas Counties must submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process of consolidation into a single M.P.O. serving the contiguous urbanized area, the goal of which would be to:~~

~~1. Coordinate transportation projects deemed to be regionally significant.~~

~~2. Review the impact of regionally significant land use decisions on the region.~~

~~3. Review all proposed regionally significant transportation projects in the transportation improvement programs.~~

(i)1.~~(j)1.~~ To more fully accomplish the purposes for which M.P.O.'s have been mandated, the department shall, at least annually, convene M.P.O.'s of similar size, based on the size of population served, for the purpose of exchanging best practices. M.P.O.'s may ~~shall~~ develop committees or working groups as needed to accomplish such purpose. At the discretion of the department, training for new M.P.O. governing board members shall be provided by the department, by an entity pursuant to a contract with the department, by the Florida Center for Urban Transportation Research, or by the Implementing Solutions from Transportation Research and Evaluation of Emerging Technologies (I-STREET) living lab ~~coordination mechanisms with one another to expand and improve transportation within the state. The appropriate method of coordination between M.P.O.'s shall vary depending upon the project involved and given local and regional needs. Consequently, it is appropriate to set forth a flexible methodology that can be used by M.P.O.'s to coordinate with other M.P.O.'s and appropriate political subdivisions as circumstances demand~~.

2. Any M.P.O. may join with any other M.P.O. or any individual political subdivision to coordinate activities or to achieve any federal or state transportation planning or development goals or purposes consistent with federal or state law. When an M.P.O. determines that it is appropriate to join with another M.P.O. or any political subdivision to coordinate activities, the M.P.O. or political subdivision shall enter into an interlocal agreement pursuant to s. 163.01, which, at a minimum, creates a separate legal or administrative entity to coordinate the transportation planning or development activities required to achieve the goal or purpose; provides the purpose for which the entity is created; provides the duration of the agreement and the entity and specifies how the agreement may be terminated, modified, or rescinded; describes the precise organization of the entity, including who has voting rights on the governing board, whether alternative voting members are provided for, how voting members are appointed, and what the relative voting strength is for each constituent M.P.O. or political subdivision; provides the manner in which the parties to the agreement will provide for the financial support of the entity and payment of costs and expenses of the entity; provides the manner in which funds may be paid to and disbursed from the entity; and provides how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the operation of the entity. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in which a member of the entity created by the interlocal agreement has a voting member. Multiple M.P.O.'s may merge, combine, or otherwise join together as a single M.P.O.

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

(b) Include a financial plan that demonstrates how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted long-range transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the long-range transportation plan, the M.P.O. and the department shall cooperatively develop estimates of funds that will be available to support the plan implementation. Innovative financing techniques may be used to fund needed projects and programs. Such techniques may include the assessment of tolls, public-private partnerships, the use of value capture financing, or the use of value pricing. Multiple M.P.O.'s within a contiguous urbanized area must ensure, to the maximum extent possible, the consistency of data used in the planning process.

(d) Indicate, as appropriate, proposed transportation enhancement activities, including, but not limited to, pedestrian and bicycle facilities, trails or facilities that are regionally significant or critical linkages for the Florida Shared-Use Nonmotorized Trail Network, scenic easements, landscaping, integration of advanced air mobility, and integration of autonomous and electric vehicles, electric bicycles, and motorized scooters used for freight, commuter, or micromobility purposes ~~historic preservation, mitigation of water pollution due to highway runoff, and control of outdoor advertising~~.

In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of

public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

(10) AGREEMENTS; ACCOUNTABILITY.—

(a) Each M.P.O. may execute a written agreement with the department, which shall be reviewed, and updated as necessary, every 5 years, which clearly establishes the cooperative relationship essential to accomplish the transportation planning requirements of state and federal law. Roles, responsibilities, and expectations for accomplishing consistency with federal and state requirements and priorities must be set forth in the agreement. In addition, the agreement must set forth the M.P.O.'s responsibility, in collaboration with the department, to identify, prioritize, and present to the department a complete list of multimodal transportation projects consistent with the needs of the metropolitan planning area. It is the department's responsibility to program projects in the state transportation improvement program.

(b) The department must establish, in collaboration with each M.P.O., quality performance metrics, such as safety, infrastructure condition, congestion relief, and mobility. Each M.P.O. must, as part of its long-range transportation plan, in direct coordination with the department, develop targets for each performance measure within the metropolitan planning area boundary. The performance targets must support efficient and safe movement of people and goods both within the metropolitan planning area and between regions. Each M.P.O. must report progress toward establishing performance targets for each measure annually in its transportation improvement plan. The department shall evaluate and post on its website whether each M.P.O. has made significant progress toward its target for the applicable reporting period.

Section 24. Subsection (4) of section 339.65, Florida Statutes, is amended to read:

339.65 Strategic Intermodal System highway corridors.—

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years. The department shall prioritize projects affecting gaps in a corridor so that the corridor becomes contiguous in its functional characteristics across the corridor. The plan must ~~shall~~ also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

Section 25. Section 339.85, Florida Statutes, is created to read:

339.85 Next-generation Traffic Signal Modernization Program.—The department shall implement a Next-generation Traffic Signal Modernization Program. The purpose of the program is to increase traffic signal

interconnectivity and provide real-time traffic optimization to improve traffic flow and enhance safety. The program shall:

(1) Provide for retrofitting existing traffic signals and controllers and providing a communication backbone for remote and automated operations and management of such signals on the State Highway System and the nonstate highway system.

(2) Prioritize signal upgrades based on average annual daily traffic and the impact of adding to an existing interconnected system.

(3) Use at least one advanced traffic management platform that uses state-of-the-art technology and that complies with leading cybersecurity standards, such as SOC 2 and ISO 27001, ensuring robust data protection.

Section 26. Paragraph (a) of subsection (3) of section 348.0304, Florida Statutes, is amended to read:

348.0304 Greater Miami Expressway Agency.—

(3)(a) The governing body of the agency shall consist of nine voting members. Except for the district secretary of the department, each member must be a permanent resident of a county served by the agency and may not hold, or have held in the previous 2 years, elected or appointed office in such county, except that this paragraph does not apply to any initial appointment under paragraph (b) or to any member who previously served on the governing body of the former Greater Miami Expressway Agency. Each member may only serve two terms of 4 years each, except that there is no restriction on the term of the department's district secretary. Four members, each of whom must be a permanent resident of Miami-Dade County, shall be appointed by the Governor, subject to confirmation by the Senate at the next regular session of the Legislature. Refusal or failure of the Senate to confirm an appointment shall create a vacancy. Appointments made by the Governor and board of county commissioners of Miami-Dade County shall reflect the state's interests in the transportation sector and represent the intent, duties, and purpose of the Greater Miami Expressway Agency, and have at least 3 years of professional experience in one or more of the following areas: finance; land use planning; tolling industry; or transportation engineering. Two members, who must be residents of an unincorporated portion of the geographic area described in subsection (1) and residing within 15 miles of an ~~area with the highest amount of~~ agency toll road ~~roads~~, shall be appointed by the board of county commissioners of Miami-Dade County. Two members, who must be residents of incorporated municipalities within a county served by the agency, shall be appointed by the metropolitan planning organization for a county served by the agency. The district secretary of the department serving in the district that contains Miami-Dade County shall serve as an ex officio voting member of the governing body.

Section 27. For the purpose of incorporating the amendment made by this act to section 332.004, Florida Statutes, in a reference thereto, subsection (1) of section 332.115, Florida Statutes, is reenacted to read:

332.115 Joint project agreement with port district for transportation corridor between airport and port facility.—

(1) An eligible agency may acquire, construct, and operate all equipment, appurtenances, and land necessary to establish, maintain, and operate, or to license others to establish, maintain, operate, or use, a transportation corridor connecting an airport operated by such eligible agency with a port facility, which corridor must be acquired, constructed, and used for the transportation of persons between the airport and the port facility, for the transportation of cargo, and for the location and operation of lines for the transmission of water, electricity, communications, information, petroleum products, products of a public utility (including new technologies of a public utility nature), and materials. However, any such corridor may be established and operated only pursuant to a joint project agreement between an eligible agency as defined in s. 332.004 and a port district as defined in s. 315.02, and such agreement must be approved by the Department of Transportation and the Department of Commerce. Before the Department of Transportation approves the joint project agreement, that department must review the public purpose and necessity for the corridor pursuant to s. 337.273(5) and must also determine that the proposed corridor is consistent with the Florida Transportation Plan. Before the Department of Commerce approves the joint project agreement, that department must determine that the proposed corridor is consistent with the applicable local government comprehensive plans. An affected local government may provide its comments regarding the consistency of the proposed corridor with its comprehensive plan to the Department of Commerce.

Section 28. (1) The Legislature finds that the widening of Interstate 4, from U.S. 27 in Polk County to Interstate 75 in Hillsborough County, is in the public interest and the strategic interest of the region to improve the movement of people and goods.

(2) The Department of Transportation shall develop a report on widening Interstate 4, from U.S. 27 in Polk County to Interstate 75 in Hillsborough County, as efficiently as possible which includes, but is not limited to, detailed cost projections and schedules for project development and environment studies, design, acquisition of rights-of-way, and construction. The report must identify funding shortfalls and provide strategies to address such shortfalls, including, but not limited to, the use of express lane toll revenues generated on the Interstate 4 corridor and available department funds for public-private partnerships. The Department of Transportation shall submit the report by December 31, 2025, to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 29. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2025.

Approved by the Governor June 19, 2025.

Filed in Office Secretary of State June 19, 2025.