

26 | and counties affected by such projects within a
27 | specified timeframe; providing notice requirements;
28 | requiring such governmental entities to hold a public
29 | meeting, with a specified period of prior notice,
30 | before completion of the design phase of such
31 | projects; providing requirements for such public
32 | meetings; requiring such governmental entities to
33 | review and take into consideration comments and
34 | alternatives presented in public meetings in the final
35 | project design; amending s. 338.231, F.S.; revising
36 | the length of time before which an inactive prepaid
37 | toll account becomes unclaimed property; amending s.
38 | 338.26, F.S.; providing that a specified interlocal
39 | agreement related to the Alligator Alley toll road
40 | controls the use of certain State Transportation Trust
41 | Fund moneys until the local governmental entity and
42 | the department enter into a new agreement or agree to
43 | extend the existing agreement; limiting the amount of
44 | reimbursement for the 2024-2025 fiscal year; requiring
45 | the local governmental entity, by a specified date and
46 | at specified intervals thereafter, to provide a
47 | maintenance and operations comprehensive plan to the
48 | department; providing requirements for the
49 | comprehensive plan; requiring the local governmental
50 | entity and the department to review and adopt the

51 comprehensive plan as part of the interlocal
52 agreement; requiring the department, in accordance
53 with certain projections, to include the corresponding
54 funding needs in the department's work program;
55 requiring the local governmental entity to include
56 such needs in its capital comprehensive plan and
57 appropriate fiscal year budget; requiring that
58 ownership and title of certain equipment purchased
59 with state funds and used at a specified fire station
60 during the term of the interlocal agreement transfer
61 to the state at the end of the term of the agreement;
62 amending s. 339.08, F.S.; prohibiting the department
63 from expending state funds to support a project or
64 program of specified entities; requiring the
65 department to withhold state funds until such entities
66 are in compliance with a specified provision; amending
67 s. 339.0803, F.S.; prioritizing availability of
68 certain revenues deposited into the State
69 Transportation Trust Fund for payments under service
70 contracts with the Florida Department of
71 Transportation Financing Corporation to fund arterial
72 highway projects; providing that two or more such
73 projects may be treated as a single project for
74 certain purposes; amending s. 339.0809, F.S.;

75 specifying availability of funds appropriated for

76 | payments under a service contract with the
77 | corporation; authorizing the department to enter into
78 | service contracts to finance certain projects;
79 | providing requirements for annual service contract
80 | payments; requiring the department, before execution
81 | of a service contract, to ensure that annual payments
82 | are programmed for the life of the contract and to
83 | ensure that they remain programmed until fully paid;
84 | authorizing the department to retain interest earnings
85 | on specified appropriations; requiring such interest
86 | earnings to be spent on specified projects; amending
87 | s. 339.2818, F.S.; authorizing, subject to
88 | appropriation, a local government within a specified
89 | area to compete for funding using specified criteria
90 | on specified roads; providing an exception; amending
91 | s. 341.051, F.S.; providing voting and meeting notice
92 | requirements for specified public transit projects;
93 | providing meeting notice requirements for discussion
94 | of specified actions by a public transit provider;
95 | requiring that certain unallocated funds for the New
96 | Starts Transit Program be reallocated for the purpose
97 | of the Strategic Intermodal System; providing for
98 | expiration of the reallocation; prohibiting, as a
99 | condition of receiving state funds, public transit
100 | providers from expending such funds for specified

101 marketing or advertising activities; requiring the
102 department to incorporate certain guidelines in the
103 public transportation grant agreement entered into
104 with each public transit provider; prohibiting certain
105 wraps, tinting, paint, media, or advertisements on
106 passenger windows of public transit provider vehicles
107 from being darker than certain window tinting
108 requirements; amending s. 341.071, F.S.; defining
109 terms; beginning on a specified date and annually
110 thereafter, requiring each public transit provider to
111 take specified actions during a publicly noticed
112 meeting; requiring that a certain disclosure be posted
113 on public transit providers' websites; requiring the
114 department to determine the annual state average of
115 general administrative costs; authorizing certain
116 costs to be excluded from such annual state average;
117 requiring a specified increase in general
118 administrative costs to be reviewed and approved by
119 certain entities; amending s. 341.822, F.S.; revising
120 the powers of the Florida Rail Enterprise; amending s.
121 768.1382, F.S.; revising the definition of the term
122 "streetlight provider"; amending s. 316.1575, F.S.;
123 revising provisions requiring a person approaching a
124 railroad-highway grade crossing to stop within a
125 certain distance from the nearest rail; revising

126 penalties; amending s. 316.1576, F.S.; revising
 127 circumstances under which a person is prohibited from
 128 driving a vehicle through a railroad-highway grade
 129 crossing; revising penalties; amending s. 318.18,
 130 F.S.; revising the penalties for certain offenses;
 131 amending s. 322.27, F.S.; revising the point system
 132 for convictions for violations of motor vehicle laws
 133 and ordinances; amending ss. 28.37, 142.01, 316.1951,
 134 316.306, 316.622, 318.121, 318.21, and 395.4036, F.S.;
 135 conforming cross-references; conforming provisions to
 136 changes made by the act; providing an effective date.

137

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

139

140 Section 1. Paragraph (a) of subsection (1) and paragraphs
 141 (b) and (d) of subsection (3) of section 20.23, Florida
 142 Statutes, are amended to read:

143 20.23 Department of Transportation.—There is created a
 144 Department of Transportation which shall be a decentralized
 145 agency.

146 (1) (a) The head of the Department of Transportation is the
 147 Secretary of Transportation. The secretary shall be appointed by
 148 the Governor ~~from among three persons nominated by the Florida~~
 149 ~~Transportation Commission~~ and shall be subject to confirmation
 150 by the Senate. The secretary shall serve at the pleasure of the

151 Governor.

152 (3)

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

- 163 1. Administration .†
- 164 2. Planning .†
- 165 3. Modal development. ~~Public transportation;~~
- 166 4. Design .†
- 167 5. Highway operations .†
- 168 6. Right-of-way .†
- 169 7. Toll operations .†
- 170 8. Transportation technology.
- 171 ~~9.8.~~ Information systems .†
- 172 ~~10.9.~~ Motor carrier weight inspection .†
- 173 ~~11.10.~~ Work program ~~Management~~ and budget .†
- 174 ~~12.11.~~ Comptroller .†
- 175 ~~13.12.~~ Construction .†

- 176 14. Statewide corridors.
- 177 ~~15.13. Maintenance.; and~~
- 178 16. Forecasting and performance.
- 179 17. Emergency management.
- 180 18. Safety.
- 181 ~~19.14. Materials.~~
- 182 20. Infrastructure and innovation.
- 183 21. Permitting.
- 184 22. Traffic operations.

185 ~~(d) The secretary shall appoint an inspector general~~
 186 ~~pursuant to s. 20.055 who shall be directly responsible to the~~
 187 ~~secretary and shall serve at the pleasure of the secretary.~~

188 Section 2. Present subsection (7) of section 311.101,
 189 Florida Statutes, is redesignated as subsection (8), and a new
 190 subsection (7) is added to that section, to read:

191 311.101 Intermodal Logistics Center Infrastructure Support
 192 Program.—

193 (7) Beginning with the 2024-2025 fiscal year through the
 194 2029-2030 fiscal year, \$15 million in recurring funds shall be
 195 made available from the State Transportation Trust Fund for the
 196 program. The Department of Transportation shall include projects
 197 proposed to be funded under this section in the tentative work
 198 program developed pursuant to s. 339.135(4).

199 Section 3. Subsection (2) of section 333.03, Florida
 200 Statutes, is amended to read:

201 333.03 Requirement to adopt airport zoning regulations.—

202 (2) In the manner provided in subsection (1), political
 203 subdivisions shall adopt, administer, and enforce airport land
 204 use compatibility zoning regulations. At a minimum, airport land
 205 use compatibility zoning regulations must address ~~shall, at a~~
 206 ~~minimum, consider~~ the following:

207 (a) The prohibition of new landfills and the restriction
 208 of existing landfills within the following areas:

209 1. Within 10,000 feet from the nearest point of any runway
 210 used or planned to be used by turbine aircraft.

211 2. Within 5,000 feet from the nearest point of any runway
 212 used by only nonturbine aircraft.

213 3. Outside the perimeters defined in subparagraphs 1. and
 214 2., but still within the lateral limits of the civil airport
 215 imaginary surfaces defined in 14 C.F.R. s. 77.19. Case-by-case
 216 review of such landfills is advised.

217 (b) When ~~where~~ any landfill is located and constructed in
 218 a manner that attracts or sustains hazardous bird movements from
 219 feeding, water, or roosting areas into, or across, the runways
 220 or approach and departure patterns of aircraft. The landfill
 221 operator must incorporate bird management techniques or other
 222 practices to minimize bird hazards to airborne aircraft.

223 (c) When ~~where~~ an airport authority or other governing
 224 body operating a public-use airport has conducted a noise study
 225 in accordance with 14 C.F.R. part 150, or when ~~where~~ a public-

226 use airport owner has established noise contours pursuant to
227 another public study accepted by the Federal Aviation
228 Administration, the prohibition of incompatible uses, as
229 established in the noise study in 14 C.F.R. part 150, Appendix A
230 or as a part of an alternative Federal Aviation Administration-
231 accepted public study, within the noise contours established by
232 any of these studies, except if such uses are specifically
233 contemplated by such study with appropriate mitigation or
234 similar techniques described in the study.

235 (d) When ~~Where~~ an airport authority or other governing
236 body operating a public-use airport has not conducted a noise
237 study, the prohibition ~~mitigation~~ of ~~potential incompatible uses~~
238 ~~associated with~~ residential construction and ~~any~~ educational
239 facilities ~~facility~~, with the exception of aviation school
240 facilities or residential property near a public-use airport
241 that has as its sole runway a turf runway measuring less than
242 2,800 feet in length, within an area contiguous to the airport
243 measuring one-half the length of the longest runway on either
244 side of and at the end of each runway centerline.

245 (e) The restriction of new incompatible uses, activities,
246 or substantial modifications to existing incompatible uses
247 within runway protection zones.

248 Section 4. Section 334.046, Florida Statutes, is amended
249 to read:

250 334.046 Department mission, goals, and objectives.—

251 (1) The department shall consider the following prevailing
 252 principles when to be considered in planning and developing the
 253 state's multimodal an integrated, balanced statewide
 254 transportation system are: preserving Florida's the existing
 255 transportation infrastructure; supporting its enhancing
 256 Florida's economic competitiveness; promoting the efficient
 257 movement of people and goods; and preserving Florida's quality
 258 of life improving travel choices to ensure mobility.

259 (2) The mission of the Department of Transportation shall
 260 be to provide a safe statewide transportation system that
 261 promotes the efficient movement ensures the mobility of people
 262 and goods, supports the state's enhances economic
 263 competitiveness, prioritizes Florida's environment and natural
 264 resources prosperity, and preserves the quality of life and
 265 connectedness of the state's our environment and communities.

266 (3) The ~~department shall document in the Florida~~
 267 ~~Transportation Plan, in accordance with s. 339.155 and based~~
 268 ~~upon the prevailing principles outlined in this section shall be~~
 269 incorporated into all of preserving the existing transportation
 270 infrastructure, enhancing Florida's economic competitiveness,
 271 and improving travel choices to ensure mobility, the goals and
 272 objectives that provide statewide policy guidance for
 273 accomplishing the department's mission, including the Florida
 274 Transportation Plan outlined in s. 339.155.

275 (4) At a minimum, the department's goals shall address the

276 following prevailing principles:-

277 (a) Maintaining investments ~~Preservation~~.—Protecting the
278 state's transportation infrastructure investment, which.
279 ~~Preservation~~ includes:

280 1. Ensuring that 80 percent of the pavement on the State
281 Highway System meets department standards;

282 2. Ensuring that 90 percent of department-maintained
283 bridges meet department standards; and

284 3. Ensuring that the department achieves 100 percent of
285 the acceptable maintenance standard on the state highway system.

286 (b) Economic competitiveness.—Ensuring that the state has
287 a clear understanding of the return on investment and economic
288 impacts consequences of transportation infrastructure
289 investments, and how such investments affect the state's
290 economic competitiveness. The department must develop a
291 macroeconomic analysis of the linkages between transportation
292 investment and economic performance, as well as a method to
293 quantifiably measure the economic benefits of the district-work-
294 program investments. Such an analysis must analyze:

295 1. The state's and district's economic performance
296 relative to the competition.

297 2. The business environment as viewed from the perspective
298 of companies evaluating the state as a place in which to do
299 business.

300 3. The state's capacity to sustain long-term growth.

301 (c) Connected transportation system ~~Mobility~~.—Ensuring a
 302 cost-effective, statewide, interconnected transportation system
 303 that provides for the most efficient and effective multimodality
 304 and mobility.

305 (d) Preserving Florida's natural resources and quality of
 306 life.—Prioritizing Florida's natural resources and the quality
 307 of life of its communities.

308 Section 5. Section 334.61, Florida Statutes, is created to
 309 read:

310 334.61 Traffic lane repurposing.—

311 (1) When a governmental entity proposes any project that
 312 will repurpose one or more existing traffic lanes, the
 313 governmental entity shall include a traffic study to address any
 314 potential adverse impacts of the project, including, but not
 315 limited to, changes in traffic congestion and impacts on safety.

316 (2) If, following the study required by subsection (1),
 317 the governmental entity elects to continue with the design of
 318 the project, it must notify all affected property owners,
 319 impacted municipalities, and the counties in which the project
 320 is located at least 180 days before the design phase of the
 321 project is completed. The notice must provide a written
 322 explanation regarding the need for the project and information
 323 on how to review the traffic study required by subsection (1),
 324 and must indicate that all affected parties will be given an
 325 opportunity to provide comments to the proposing entity

326 regarding potential impacts of the change.

327 (3) The governmental entity shall hold at least one public
 328 meeting, with at least 30 days prior notice, before completing
 329 the design phase of the project in the jurisdiction where the
 330 project is located. At the public meeting, the governmental
 331 entity shall explain the purpose of the project and receive
 332 public input, including possible alternatives, to determine the
 333 manner in which the project will affect the community.

334 (4) The governmental entity shall review all comments from
 335 the public meeting and take the comments and any alternatives
 336 presented during the meeting into consideration in the final
 337 design of the project.

338 Section 6. Paragraph (c) of subsection (3) of section
 339 338.231, Florida Statutes, is amended to read:

340 338.231 Turnpike tolls, fixing; pledge of tolls and other
 341 revenues.—The department shall at all times fix, adjust, charge,
 342 and collect such tolls and amounts for the use of the turnpike
 343 system as are required in order to provide a fund sufficient
 344 with other revenues of the turnpike system to pay the cost of
 345 maintaining, improving, repairing, and operating such turnpike
 346 system; to pay the principal of and interest on all bonds issued
 347 to finance or refinance any portion of the turnpike system as
 348 the same become due and payable; and to create reserves for all
 349 such purposes.

350 (3)

351 (c) Notwithstanding any other provision of law to the
 352 contrary, any prepaid toll account of any kind which has
 353 remained inactive for 10 ~~3~~ years is ~~shall be~~ presumed unclaimed
 354 and its disposition shall be handled by the Department of
 355 Financial Services in accordance with all applicable provisions
 356 of chapter 717 relating to the disposition of unclaimed
 357 property, and the prepaid toll account shall be closed by the
 358 department.

359 Section 7. Paragraph (a) of subsection (3) of section
 360 338.26, Florida Statutes, is amended to read:

361 338.26 Alligator Alley toll road.—

362 (3)(a) Fees generated from tolls shall be deposited in the
 363 State Transportation Trust Fund and shall be used:

364 1. To reimburse outstanding contractual obligations;

365 2. To operate and maintain the highway and toll
 366 facilities, including reconstruction and restoration;

367 3. To pay for those projects that are funded with
 368 Alligator Alley toll revenues and that are contained in the
 369 1993-1994 adopted work program or the 1994-1995 tentative work
 370 program submitted to the Legislature on February 22, 1994; and

371 4. By interlocal agreement ~~effective July 1, 2019, through~~
 372 ~~no later than June 30, 2027,~~ to reimburse a local governmental
 373 entity for the direct actual costs of operating the fire station
 374 at mile marker 63 on Alligator Alley, which shall be used by the
 375 local governmental entity to provide fire, rescue, and emergency

376 management services exclusively to the public on Alligator
377 Alley. The local governmental entity must contribute 10 percent
378 of the direct actual operating costs.

379 a. The interlocal agreement effective July 1, 2019,
380 through June 30, 2027, shall control until such time that the
381 local governmental entity and the department enter into a new
382 agreement or agree to extend the existing agreement. For the
383 2024-2025 fiscal year, the amount of reimbursement may not
384 exceed \$2 million.

385 b. By December 31, 2024, and every 5 years thereafter, the
386 local governmental entity shall provide a maintenance and
387 operations comprehensive plan to the department. The
388 comprehensive plan must include a current inventory of assets,
389 including their projected service life, and area service needs;
390 the call and response history for emergency services provided in
391 the preceding 5 years on Alligator Alley, including costs; and
392 future projections for assets and equipment, including
393 replacement or purchase needs, and operating costs.

394 c. The local governmental entity and the department shall
395 review and adopt the comprehensive plan as part of the
396 interlocal agreement.

397 d. In accordance with projected incoming toll revenues for
398 Alligator Alley, the department shall include the corresponding
399 funding needs of the comprehensive plan in the department's work
400 program, and the local governmental entity shall include the

401 same in its capital comprehensive plan and appropriate fiscal
402 year budget ~~The amount of reimbursement to the local~~
403 ~~governmental entity may not exceed \$1.4 million in any state~~
404 ~~fiscal year.~~

405 e. At the end of the term of the interlocal agreement, the
406 ownership and title of all fire, rescue, and emergency equipment
407 purchased with state funds and used at the fire station during
408 the term of the interlocal agreement transfers to the state.

409 Section 8. Subsection (5) is added to section 339.08,
410 Florida Statutes, to read:

411 339.08 Use of moneys in State Transportation Trust Fund.—

412 (5) The department may not expend any state funds as
413 described in s. 215.31 to support a project or program of any of
414 the following entities:

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

416 (b) An authority created pursuant to chapter 343, chapter
417 348, or chapter 349;

418 (c) A public-use airport as defined in s. 332.004; or

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

420
421 which is found in violation of s. 381.00316. The department
422 shall withhold state funds until the public transit provider,
423 authority, public-use airport, or port is found in compliance
424 with s. 381.00316.

425 Section 9. Section 339.0803, Florida Statutes, is amended

426 to read:

427 339.0803 Allocation of increased revenues derived from
 428 amendments to s. 320.08 by ch. 2019-43.—

429 (1) Beginning in the 2021-2022 fiscal year and each fiscal
 430 year thereafter, funds that result from increased revenues to
 431 the State Transportation Trust Fund derived from the amendments
 432 to s. 320.08 made by chapter 2019-43, Laws of Florida, and
 433 deposited into the fund pursuant to s. 320.20(5)(a) must be used
 434 to fund arterial highway projects identified by the department
 435 in accordance with s. 339.65 and may be used for projects as
 436 specified in ss. 339.66 and 339.67. For purposes of the funding
 437 provided in this section, the department shall prioritize use of
 438 existing facilities or portions thereof when upgrading arterial
 439 highways to limited or controlled access facilities. However,
 440 this section does not preclude use of the funding for projects
 441 that enhance the capacity of an arterial highway. The funds
 442 allocated as provided in this section shall be in addition to
 443 any other statutory funding allocations provided by law.

444 (2) Revenues deposited into the State Transportation Trust
 445 Fund pursuant to s. 320.20(5)(a) shall first be available for
 446 appropriation for payments under a service contract entered into
 447 with the Florida Department of Transportation Financing
 448 Corporation pursuant to s. 339.0809(4) to fund arterial highway
 449 projects. For the corporation's bonding purposes, two or more
 450 such projects in the department's adopted work program may be

451 treated as a single project.

452 Section 10. Subsection (13) of section 339.0809, Florida
453 Statutes, is amended, and subsection (14) is added to that
454 section, to read:

455 339.0809 Florida Department of Transportation Financing
456 Corporation.—

457 (13) The department may enter into a service contract in
458 conjunction with the issuance of debt obligations as provided in
459 this section which provides for periodic payments for debt
460 service or other amounts payable with respect to debt
461 obligations, plus any administrative expenses of the Florida
462 Department of Transportation Financing Corporation. Funds
463 appropriated for payments under a service contract shall be
464 available after funds pledged to payment on bonds, but before
465 other statutorily required distributions.

466 (14) The department may enter into a service contract to
467 finance the projects authorized in s. 215 of chapter 2023-239,
468 Laws of Florida, and in budget amendment EOG #2024-B0112, and
469 subsequently adopted into the 5-year work program. Service
470 contract payments may not exceed 7 percent of the funds
471 deposited in the State Transportation Trust Fund in each fiscal
472 year. The annual payments under such service contract shall be
473 included in the department's work program and legislative budget
474 request developed pursuant to s. 339.135. The department shall
475 ensure that the annual payments are programmed for the life of

476 the service contract before execution of the service contract
477 and shall remain programmed until fully paid.

478 Section 11. Notwithstanding s. 215 of chapter 2023-239,
479 Laws of Florida, the Department of Transportation is authorized
480 to retain the interest earnings on funds appropriated to finance
481 the projects authorized in s. 215 of chapter 2023-239, Laws of
482 Florida, and in EOG# 2024-B0112 and subsequently adopted into
483 the 5-year work program. The interest earnings must be used by
484 the department to implement such projects.

485 Section 12. Subsection (8) is added to section 339.2818,
486 Florida Statutes, to read:

487 339.2818 Small County Outreach Program.—

488 (8) Subject to a specific appropriation in addition to
489 funds appropriated for projects under this section, a local
490 government either wholly or partially within the Everglades
491 Agricultural Area as defined in s. 373.4592(15), the Peace River
492 Basin, or the Suwannee River Basin may compete for additional
493 funding using the criteria listed in paragraph (4) (c) at up to
494 100 percent of project costs on state or county roads used
495 primarily as farm-to-market connections between rural
496 agricultural areas and market distribution centers, excluding
497 capacity improvement projects.

498 Section 13. Subsection (6) of section 341.051, Florida
499 Statutes, is amended, paragraphs (c) and (d) are added to
500 subsection (2) of that section, and subsection (8) is added to

501 that section, to read:

502 341.051 Administration and financing of public transit and
 503 intercity bus service programs and projects.—

504 (2) PUBLIC TRANSIT PLAN.—

505 (c) Any lane elimination or lane repurposing,
 506 recommendation, or application relating to public transit
 507 projects must be approved by a two-thirds vote of the transit
 508 authority board in a public meeting to be held after a 30-day
 509 public notice.

510 (d) Any action of eminent domain for acquisition of public
 511 transit facilities carried out by a public transit provider must
 512 be discussed by the public transit provider at a public meeting
 513 to be held after a 30-day public notice.

514 (6) ANNUAL APPROPRIATION.—

515 (a) Funds paid into the State Transportation Trust Fund
 516 pursuant to s. 201.15 for the New Starts Transit Program are
 517 hereby annually appropriated for expenditure to support the New
 518 Starts Transit Program.

519 (b) The remaining unallocated New Starts Transit Program
 520 funds as of June 30, 2024, shall be reallocated for the purpose
 521 of the Strategic Intermodal System within the State
 522 Transportation Trust Fund. This paragraph expires June 30, 2026.

523 (8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND
 524 ADVERTISING.—

525 (a) As a condition of receiving funds from the department,

526 a public transit provider may not expend department funds for
527 marketing or advertising activities, including any wrap,
528 tinting, paint, or other medium displayed, attached, or affixed
529 on a bus, commercial motor vehicle, or motor vehicle that is
530 owned, leased, or operated by the public transit provider. Such
531 vehicles are limited to displaying a brand or logo of the public
532 transit provider, the official seal of the jurisdictional
533 governmental entity, or a state agency public service
534 announcement.

535 (b) The department shall incorporate guidelines for the
536 marketing or advertising activities allowed under paragraph (a)
537 in the public transportation grant agreement entered into with
538 each public transit provider.

539 (c) Any new wrap, tinting, paint, medium, or advertisement
540 on the passenger windows of a vehicle used by a public transit
541 provider may not be darker than the legally allowed window
542 tinting requirements provided in s. 316.2954.

543
544 For purposes of this section, the term "net operating costs"
545 means all operating costs of a project less any federal funds,
546 fares, or other sources of income to the project.

547 Section 14. Subsection (4) is added to section 341.071,
548 Florida Statutes, to read:

549 341.071 Transit productivity and performance measures;
550 reports.—

551 (4) (a) As used in this subsection, the term:

552 1. "General administrative costs" includes, but is not
553 limited to, costs related to transit service development,
554 injuries and damages, safety, personnel administration, legal
555 services, data processing, finance and accounting, purchasing
556 and stores, engineering, real estate management, office
557 management and services, customer service, promotion, market
558 research, and planning. The term does not include insurance
559 costs.

560 2. "Public transit provider" means a public agency
561 providing public transit service, including an authority created
562 pursuant to part II of chapter 343 or chapter 349. The term does
563 not apply to the Central Florida Commuter Rail Commission or the
564 authority created pursuant to part I of chapter 343.

565 3. "Tier 1 provider" has the same meaning as in 49 C.F.R.
566 part 625.

567 4. "Tier 2 provider" has the same meaning as in 49 C.F.R.
568 part 625.

569 (b) Beginning November 1, 2024, and annually thereafter,
570 each public transit provider, during a publicly noticed meeting,
571 shall:

572 1. Certify that its budgeted and general administrative
573 costs are not greater than 20 percent above the annual state
574 average of administrative costs for its respective tier.

575 2. Present a line-item budget report of its budgeted and

576 actual general administrative costs.

577 3. Disclose all salaried executive management-level
578 employees' total compensation packages, ridership performance
579 and metrics, and any gift as defined in s. 112.312 accepted in
580 exchange for contracts. This disclosure shall be posted annually
581 on the public transit provider's website.

582 (c) To support compliance with paragraph (b), the
583 department shall determine, by tier, the annual state average of
584 general administrative costs by determining the percentage of
585 the total operating budget which is expended on general
586 administrative costs in this state annually by March 31 to
587 inform the public transit provider's budget for the following
588 fiscal year. Upon review and certification by the department,
589 costs budgeted and expended in association with nontransit-
590 related engineering and construction services may be excluded.

591 (d) A year-over-year cumulative increase of 5 percent or
592 more in general administrative costs must be reviewed before the
593 start of the next fiscal year and must be reviewed and approved
594 by the department before approval by the public transportation
595 provider's governing board.

596 Section 15. Paragraph (a) of subsection (2) of section
597 341.822, Florida Statutes, is amended to read:

598 341.822 Powers and duties.—

599 (2)(a) In addition to the powers granted to the
600 department, the enterprise has full authority to exercise all

601 powers granted to it under this chapter. Powers shall include,
 602 but are not limited to, the ability to plan, construct,
 603 maintain, repair, and operate a high-speed rail system, ~~to~~
 604 ~~acquire corridors, and~~ to coordinate the development and
 605 operation of publicly funded passenger rail systems in the
 606 state, and to preserve and acquire future rail corridors and
 607 rights-of-way in coordination with the department's planning of
 608 the State Highway System.

609 Section 16. Paragraph (e) of subsection (1) of section
 610 768.1382, Florida Statutes, is amended to read:

611 768.1382 Streetlights, security lights, and other similar
 612 illumination; limitation on liability.—

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

614 (e) "Streetlight provider" means the state or any of the
 615 state's officers, agencies, or instrumentalities, any political
 616 subdivision as defined in s. 1.01, any public utility as defined
 617 in s. 366.02(8), or any electric utility as defined in s.
 618 366.02(4). For purposes of this section, electric utility shall
 619 include subsidiaries of an electric utility, regardless of
 620 whether the electric utility or subsidiary is providing electric
 621 street light service inside or outside of its regulated
 622 territory.

623 Section 17. Section 316.1575, Florida Statutes, is amended
 624 to read:

625 316.1575 Obedience to traffic control devices at railroad-

626 highway grade crossings.—

627 (1) A ~~Any~~ person cycling, walking or driving a vehicle and
 628 approaching a railroad-highway grade crossing under any of the
 629 circumstances stated in this section must ~~shall~~ stop within 50
 630 feet but not less than 15 feet from the nearest rail of such
 631 railroad and may ~~shall~~ not proceed until the railroad tracks are
 632 clear and he or she can do so safely. This subsection applies
 633 ~~The foregoing requirements apply~~ when:

634 (a) A clearly visible electric or mechanical signal device
 635 gives warning of the immediate approach of a railroad train or
 636 railroad track equipment;

637 (b) A crossing gate is lowered or a law enforcement
 638 officer or a human flagger gives or continues to give a signal
 639 of the approach or passage of a railroad train or railroad track
 640 equipment;

641 (c) An approaching railroad train or railroad track
 642 equipment emits an audible signal or the railroad train or
 643 railroad track equipment, by reason of its speed or nearness to
 644 the crossing, is an immediate hazard; or

645 (d) An approaching railroad train or railroad track
 646 equipment is plainly visible and is in hazardous proximity to
 647 the railroad-highway grade crossing, regardless of the type of
 648 traffic control devices installed at the crossing.

649 (2) A ~~No~~ person may not ~~shall~~ drive a ~~any~~ vehicle through,
 650 around, or under any crossing gate or barrier at a railroad-

651 highway grade crossing while the gate or barrier is closed or is
652 being opened or closed.

653 (3) A person who violates ~~violation of~~ this section
654 commits ~~is~~ a noncriminal traffic infraction, punishable pursuant
655 to chapter 318 as:

656 (a) either ~~either~~ A pedestrian violation; or ~~or~~

657 (b) If the infraction resulted from the operation of a
658 vehicle, as a moving violation.

659 1. For a first violation, the person must pay a fine of
660 \$500 or perform 25 hours of community service and shall have 6
661 points assessed against his or her driver license as set forth
662 in s. 322.27(3)(d)7.

663 2. For a second or subsequent violation, the person must
664 pay a fine of \$1,000 and shall have an additional 6 points
665 assessed against his or her driver license as set forth in s.
666 322.27(3)(d)7.

667 Section 18. Section 316.1576, Florida Statutes, is amended
668 to read:

669 316.1576 Insufficient clearance at a railroad-highway
670 grade crossing.—

671 (1) A person may not drive a ~~any~~ vehicle through a
672 railroad-highway grade crossing that does not have sufficient
673 space to drive completely through the crossing without stopping
674 or without obstructing the passage of other vehicles,
675 pedestrians, railroad trains, or other railroad equipment,

676 notwithstanding any traffic control signal indication to
677 proceed.

678 (2) A person may not drive a ~~any~~ vehicle through a
679 railroad-highway grade crossing that does not have sufficient
680 undercarriage clearance to drive completely through the crossing
681 without stopping or without obstructing the passage of a
682 railroad train or other railroad equipment.

683 (3) A person who violates ~~violation of~~ this section
684 commits ~~is~~ a noncriminal traffic infraction, punishable as a
685 moving violation as provided in chapter 318.

686 (a) For a first violation, the person must pay a fine of
687 \$500 or perform 25 hours of community service and shall have 6
688 points assessed against his or her driver license as set forth
689 in s. 322.27(3)(d)7.

690 (b) For a second or subsequent violation, the person must
691 pay a fine of \$1,000, shall have an additional 6 points assessed
692 against his or her driver license as set forth in s.
693 322.27(3)(d)7., and, notwithstanding s. 322.27(3)(a), (b), and
694 (c), shall have his or her driving privilege suspended for not
695 more than 6 months.

696 Section 19. Present subsections (10) through (23) of
697 section 318.18, Florida Statutes, are redesignated as
698 subsections (11) through (24), respectively, a new subsection
699 (10) is added to that section, and subsection (9) of that
700 section is amended, to read:

701 318.18 Amount of penalties.—The penalties required for a
 702 noncriminal disposition pursuant to s. 318.14 or a criminal
 703 offense listed in s. 318.17 are as follows:

704 (9) Five ~~One~~ hundred dollars for a first violation and
 705 \$1,000 for a second or subsequent violation of s. 316.1575.

706 (10) Five hundred dollars for a first violation and \$1,000
 707 for a second or subsequent violation of s. 316.1576. In addition
 708 to this penalty, for a second or subsequent violation, the
 709 department shall suspend the driver license of the person for
 710 not more than 6 months.

711 Section 20. Paragraph (d) of subsection (3) of section
 712 322.27, Florida Statutes, is amended to read:

713 322.27 Authority of department to suspend or revoke driver
 714 license or identification card.—

715 (3) There is established a point system for evaluation of
 716 convictions of violations of motor vehicle laws or ordinances,
 717 and violations of applicable provisions of s. 403.413(6) (b) when
 718 such violations involve the use of motor vehicles, for the
 719 determination of the continuing qualification of any person to
 720 operate a motor vehicle. The department is authorized to suspend
 721 the license of any person upon showing of its records or other
 722 good and sufficient evidence that the licensee has been
 723 convicted of violation of motor vehicle laws or ordinances, or
 724 applicable provisions of s. 403.413(6) (b), amounting to 12 or
 725 more points as determined by the point system. The suspension

726 shall be for a period of not more than 1 year.

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

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

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

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

735 4. Passing a stopped school bus:

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

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

740 c. Points may not be imposed for a violation of passing a
 741 stopped school bus as provided in s. 316.172(1)(a) or (b) when
 742 enforced by a school bus infraction detection system pursuant s.
 743 316.173. In addition, a violation of s. 316.172(1)(a) or (b)
 744 when enforced by a school bus infraction detection system
 745 pursuant to s. 316.173 may not be used for purposes of setting
 746 motor vehicle insurance rates.

747 5. Unlawful speed:

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

750 b. In excess of 15 miles per hour of lawful or posted

751 speed—4 points.

752 c. Points may not be imposed for a violation of unlawful
753 speed as provided in s. 316.1895 or s. 316.183 when enforced by
754 a traffic infraction enforcement officer pursuant to s.
755 316.1896. In addition, a violation of s. 316.1895 or s. 316.183
756 when enforced by a traffic infraction enforcement officer
757 pursuant to s. 316.1896 may not be used for purposes of setting
758 motor vehicle insurance rates.

759 6. A violation of a traffic control signal device as
760 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
761 However, points may not be imposed for a violation of s.
762 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
763 stop at a traffic signal and when enforced by a traffic
764 infraction enforcement officer. In addition, a violation of s.
765 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
766 stop at a traffic signal and when enforced by a traffic
767 infraction enforcement officer may not be used for purposes of
768 setting motor vehicle insurance rates.

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

771 ~~8.7.~~ All other moving violations (including parking on a
772 highway outside the limits of a municipality)—3 points. However,
773 points may not be imposed for a violation of s. 316.0741 or s.
774 316.2065(11); and points may be imposed for a violation of s.
775 316.1001 only when imposed by the court after a hearing pursuant

776 to s. 318.14(5).

777 ~~9.8.~~ Any moving violation covered in this paragraph,
 778 excluding unlawful speed and unlawful use of a wireless
 779 communications device, resulting in a crash—4 points.

780 ~~10.9.~~ Any conviction under s. 403.413(6)(b)—3 points.

781 ~~11.10.~~ Any conviction under s. 316.0775(2)—4 points.

782 ~~12.11.~~ A moving violation covered in this paragraph which
 783 is committed in conjunction with the unlawful use of a wireless
 784 communications device within a school safety zone—2 points, in
 785 addition to the points assigned for the moving violation.

786 Section 21. Subsection (6) of section 28.37, Florida
 787 Statutes, is amended to read:

788 28.37 Fines, fees, service charges, and costs remitted to
 789 the state.—

790 (6) Ten percent of all court-related fines collected by
 791 the clerk, except for penalties or fines distributed to counties
 792 or municipalities under s. 316.0083(1)(b)3. or s. 318.18(16)(a)
 793 ~~s. 318.18(15)(a)~~, must be deposited into the fine and forfeiture
 794 fund to be used exclusively for clerk court-related functions,
 795 as provided in s. 28.35(3)(a).

796 Section 22. Paragraph (c) of subsection (1) of section
 797 142.01, Florida Statutes, is amended to read:

798 142.01 Fine and forfeiture fund; disposition of revenue;
 799 clerk of the circuit court.—

800 (1) There shall be established by the clerk of the circuit

801 court in each county of this state a separate fund to be known
 802 as the fine and forfeiture fund for use by the clerk of the
 803 circuit court in performing court-related functions. The fund
 804 shall consist of the following:

805 (c) Court costs pursuant to ss. 28.2402(1)(b),
 806 34.045(1)(b), 318.14(10)(b), 318.18(12)(a) ~~318.18(11)(a)~~,
 807 327.73(9)(a) and (11)(a), and 938.05(3).

808 Section 23. Subsection (4) of section 316.1951, Florida
 809 Statutes, is amended to read:

810 316.1951 Parking for certain purposes prohibited; sale of
 811 motor vehicles; prohibited acts.—

812 (4) A local government may adopt an ordinance to allow the
 813 towing of a motor vehicle parked in violation of this section. A
 814 law enforcement officer, compliance officer, code enforcement
 815 officer from any local government agency, or supervisor of the
 816 department may issue a citation and cause to be immediately
 817 removed at the owner's expense any motor vehicle found in
 818 violation of subsection (1), except as provided in subsections
 819 (2) and (3), or in violation of subsection (5), subsection (6),
 820 subsection (7), or subsection (8), and the owner shall be
 821 assessed a penalty as provided in s. 318.18(22) ~~s. 318.18(21)~~ by
 822 the government agency or authority that orders immediate removal
 823 of the motor vehicle. A motor vehicle removed under this section
 824 shall not be released from an impound or towing and storage
 825 facility before a release form prescribed by the department has

826 | been completed verifying that the fine has been paid to the
827 | government agency or authority that ordered immediate removal of
828 | the motor vehicle. However, the owner may pay towing and storage
829 | charges to the towing and storage facility pursuant to s. 713.78
830 | before payment of the fine or before the release form has been
831 | completed.

832 | Section 24. Subsection (4) of section 316.306, Florida
833 | Statutes, is amended to read:

834 | 316.306 School and work zones; prohibition on the use of a
835 | wireless communications device in a handheld manner.—

836 | (4) (a) Any person who violates this section commits a
837 | noncriminal traffic infraction, punishable as a moving
838 | violation, as provided in chapter 318, and shall have 3 points
839 | assessed against his or her driver license as set forth in s.
840 | 322.27(3)(d)8. ~~s. 322.27(3)(d)7.~~ For a first offense under this
841 | section, in lieu of the penalty specified in s. 318.18 and the
842 | assessment of points, a person who violates this section may
843 | elect to participate in a wireless communications device driving
844 | safety program approved by the Department of Highway Safety and
845 | Motor Vehicles. Upon completion of such program, the penalty
846 | specified in s. 318.18 and associated costs may be waived by the
847 | clerk of the court and the assessment of points must be waived.

848 | (b) The clerk of the court may dismiss a case and assess
849 | court costs in accordance with s. 318.18(12)(a) ~~s. 318.18(11)(a)~~
850 | for a nonmoving traffic infraction for a person who is cited for

851 a first time violation of this section if the person shows the
 852 clerk proof of purchase of equipment that enables his or her
 853 personal wireless communications device to be used in a hands-
 854 free manner.

855 Section 25. Subsection (7) of section 316.622, Florida
 856 Statutes, is amended to read:

857 316.622 Farm labor vehicles.—

858 (7) A violation of this section is a noncriminal traffic
 859 infraction, punishable as provided in s. 318.18(17) ~~s.~~
 860 ~~318.18(16)~~.

861 Section 26. Section 318.121, Florida Statutes, is amended
 862 to read:

863 318.121 Preemption of additional fees, fines, surcharges,
 864 and costs.—Notwithstanding any general or special law, or
 865 municipal or county ordinance, additional fees, fines,
 866 surcharges, or costs other than the court costs and surcharges
 867 assessed under s. 318.18(12), (14), (19), (20), and (23) ~~s.~~
 868 ~~318.18(11), (13), (18), (19), and (22)~~ may not be added to the
 869 civil traffic penalties assessed under this chapter.

870 Section 27. Subsections (13), (16) through (19), and (21)
 871 of section 318.21, Florida Statutes, are amended to read:

872 318.21 Disposition of civil penalties by county courts.—
 873 All civil penalties received by a county court pursuant to the
 874 provisions of this chapter shall be distributed and paid monthly
 875 as follows:

876 (13) Of the proceeds from the fine under s. 318.18(16) ~~s.~~
 877 ~~318.18(15)~~, \$65 shall be remitted to the Department of Revenue
 878 for deposit into the Administrative Trust Fund of the Department
 879 of Health and the remaining \$60 shall be distributed pursuant to
 880 subsections (1) and (2).

881 (16) The proceeds from the fines described in s.
 882 318.18(17) ~~s. 318.18(16)~~ shall be remitted to the law
 883 enforcement agency that issues the citation for a violation of
 884 s. 316.622. The funds must be used for continued education and
 885 enforcement of s. 316.622 and other related safety measures
 886 contained in chapter 316.

887 (17) Notwithstanding subsections (1) and (2), the proceeds
 888 from the administrative fee surcharge imposed under s.
 889 318.18(18) ~~s. 318.18(17)~~ shall be distributed as provided in
 890 that subsection. This subsection expires July 1, 2026.

891 (18) Notwithstanding subsections (1) and (2), the proceeds
 892 from the administrative fee imposed under s. 318.18(19) ~~s.~~
 893 ~~318.18(18)~~ shall be distributed as provided in that subsection.

894 (19) Notwithstanding subsections (1) and (2), the proceeds
 895 from the fees Article V assessment imposed under s. 318.18(20)
 896 ~~s. 318.18(19)~~ shall be distributed as provided in that
 897 subsection.

898 (21) Notwithstanding subsections (1) and (2), the proceeds
 899 from the additional penalties imposed pursuant to s.
 900 318.18(5) (c) and (21) ~~(20)~~ shall be distributed as provided in

901 that section.

902 Section 28. Subsection (1) of section 395.4036, Florida
 903 Statutes, is amended to read:

904 395.4036 Trauma payments.—

905 (1) Recognizing the Legislature's stated intent to provide
 906 financial support to the current verified trauma centers and to
 907 provide incentives for the establishment of additional trauma
 908 centers as part of a system of state-sponsored trauma centers,
 909 the department shall utilize funds collected under s. 318.18 and
 910 deposited into the Emergency Medical Services Trust Fund of the
 911 department to ensure the availability and accessibility of
 912 trauma services throughout the state as provided in this
 913 subsection.

914 (a) Funds collected under s. 318.18(16) ~~s. 318.18(15)~~
 915 shall be distributed as follows:

916 1. Twenty percent of the total funds collected during the
 917 state fiscal year shall be distributed to verified trauma
 918 centers that have a local funding contribution as of December
 919 31. Distribution of funds under this subparagraph shall be based
 920 on trauma caseload volume for the most recent calendar year
 921 available.

922 2. Forty percent of the total funds collected shall be
 923 distributed to verified trauma centers based on trauma caseload
 924 volume for the most recent calendar year available. The
 925 determination of caseload volume for distribution of funds under

926 | this subparagraph shall be based on the hospital discharge data
927 | for patients who meet the criteria for classification as a
928 | trauma patient reported by each trauma center pursuant to s.
929 | 408.061.

930 | 3. Forty percent of the total funds collected shall be
931 | distributed to verified trauma centers based on severity of
932 | trauma patients for the most recent calendar year available. The
933 | determination of severity for distribution of funds under this
934 | subparagraph shall be based on the department's International
935 | Classification Injury Severity Scores or another statistically
936 | valid and scientifically accepted method of stratifying a trauma
937 | patient's severity of injury, risk of mortality, and resource
938 | consumption as adopted by the department by rule, weighted based
939 | on the costs associated with and incurred by the trauma center
940 | in treating trauma patients. The weighting of scores shall be
941 | established by the department by rule.

942 | (b) Funds collected under s. 318.18(5)(c) and (21) ~~(20)~~
943 | shall be distributed as follows:

944 | 1. Thirty percent of the total funds collected shall be
945 | distributed to Level II trauma centers operated by a public
946 | hospital governed by an elected board of directors as of
947 | December 31, 2008.

948 | 2. Thirty-five percent of the total funds collected shall
949 | be distributed to verified trauma centers based on trauma
950 | caseload volume for the most recent calendar year available. The

951 determination of caseload volume for distribution of funds under
952 this subparagraph shall be based on the hospital discharge data
953 for patients who meet the criteria for classification as a
954 trauma patient reported by each trauma center pursuant to s.
955 408.061.

956 3. Thirty-five percent of the total funds collected shall
957 be distributed to verified trauma centers based on severity of
958 trauma patients for the most recent calendar year available. The
959 determination of severity for distribution of funds under this
960 subparagraph shall be based on the department's International
961 Classification Injury Severity Scores or another statistically
962 valid and scientifically accepted method of stratifying a trauma
963 patient's severity of injury, risk of mortality, and resource
964 consumption as adopted by the department by rule, weighted based
965 on the costs associated with and incurred by the trauma center
966 in treating trauma patients. The weighting of scores shall be
967 established by the department by rule.

968 Section 29. This act shall take effect July 1, 2024.