

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/CS/HB 1305 — Department of Transportation

by Infrastructure Strategies Committee; Infrastructure and Tourism Appropriations Subcommittee; Transportation and Modals Subcommittee; and Rep. Abbott (CS/CS/CS/SB 1250 by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator DiCeglie)

The bill (Chapter 2023-70, L.O.F.) contains multiple provisions relating to the Florida Department of Transportation (FDOT), as well as other transportation-related issues. The bill:

- Increases the maximum amount of debt service coverage that may be transferred from the State Transportation Trust Fund to the Right-of-Way Acquisition and Bridge Construction Trust Fund, from \$350 million annually to \$425 annually, and increases the maximum term of state bonds using federal appropriations for federal aid highway construction, from 12 years to 18 years.
- Authorizes the Florida Development Finance Corporation to issue revenue bonds to finance the costs of acquisition or construction of a transportation facility by a private entity or a consortium of private entities under a specified public-private partnership.
- Authorizes the FDOT to fund up to 100 percent of project costs for eligible intermodal logistics center projects in rural areas of opportunity and, subject to the availability of appropriated funds, to fund up to 100 percent of eligible project costs for specified projects at certain publicly owned, publicly operated airports located in a rural community.
- Authorizes installation, as specified, of automated license plate recognition systems within the rights-of-way of the State Highway System at the discretion of the FDOT when installed at the request of a law enforcement agency for the purpose of collecting active criminal intelligence or investigative information.
- Prohibits the FDOT from requiring a site-approval applicant to provide a written agreement with other airport sites regarding traffic pattern separation procedures, except under specified conditions; requires the FDOT to publish a certain notice of receipt of a private temporary airport registration application; specifies the period during which such application may be approved or denied; requires the FDOT to issue registration concurrent with site approval; and provides for approval of an application by default.
- Authorizes the FDOT to purchase promotional items for the promotion of electric vehicle use and charging stations, autonomous vehicles, and context design for electric and autonomous vehicles.
- Authorizes the FDOT to expend funds, within its discretion, for training, testing, and licensing for full-time employees of the FDOT who are required to have a valid Class A or Class B commercial driver license as a condition of employment with the FDOT.
- Increases from \$120 million to \$200 million the FDOT's annual cap on the award of contracts using innovative techniques of highway and bridge design, construction, maintenance, and finance; and excludes low-bid design-build milling and resurfacing contracts from the annual cap.
- Increases from \$250,000 to \$500,000 the cap on entering into contracts for construction and maintenance without advertising and receiving competitive bids for reasons of public

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concern, economy, improved operations, or safety, and only when circumstances dictate rapid completion of the work.

- Revises requirements for design-build contracts, allowing the FDOT to combine the design and construction phases of any transportation project; authorizes the FDOT to enter into phased design-build contracts under specified conditions and following specified processes; provides requirements for such contracts; and includes phased design-build contracts in current provisions of law relating to advertising and awarding design-build contracts.
- Abolishes the Chairs Coordinating Committee and requires the metropolitan planning organizations (MPOs) serving specified counties to submit a feasibility report by December 31, 2023, exploring the benefits, costs, and process of consolidation into a single MPO serving the contiguous urbanized area, with specified goals.
- Requires that public transit development plans of eligible providers of public transit block grants be consistent, to the maximum extent feasible, with the long-range transportation plans of the MPO in which the provider is located; and revises annual public transit provider reporting requirements.
- Requires the FDOT to adopt by rule minimum safety standards for certain fixed-guideway transportation systems operating in this state and to conduct structural safety inspections of such systems as specified.
- Effective upon becoming a law, reestablishes the Greater Miami Expressway Agency, subject to the revised powers, governance, jurisdiction, and duties contained in the bill.
- Effective upon becoming a law, repeals ch. 348, Part IV, F.S., relating to creation and operation of the Santa Rosa Bay Bridge Authority (SRBBA); transfers governance and control of the SRBBA, the bridge system, and any remaining SRBBA assets and rights to the FDOT; authorizes the FDOT to assume legal liability for contractual obligations determined to be necessary; and authorizes transfer of the bridge system to the turnpike system.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023, except as otherwise provided.

Vote: Senate 26-14; House 83-32