

THE FLORIDA SENATE
2024 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/CS/HB 1301 — Department of Transportation

by Infrastructure Strategies Committee; Infrastructure & Tourism Appropriations Subcommittee; Transportation & Modals Subcommittee; and Reps. Abbott, Berfield, and others (CS/CS/CS/SB 1226 by Fiscal Policy Committee; Appropriations Committee on Transportation, Tourism, and Economic Development; Transportation Committee; and Senator DiCeglie)

The bill revises provisions related to the Florida Department of Transportation (FDOT). Specifically, the bill:

- Provides for direct appointment by the Governor of the Secretary of Transportation.
- Updates FDOT's program areas to reflect its current organizational structure.
- Repeals obsolete language regarding the appointment of FDOT's inspector general.
- Provides \$15 million in recurring revenue from the State Transportation Trust Fund be made available for the next five fiscal years for the Intermodal Logistics Center Infrastructure Support Program.
- Requires airport land use compatibility zoning regulations to "address," rather than "consider" issues specified in statute.
- Adds an exception to airport buffer zone requirements to allow residential property within the buffer zone of a public-use airport meeting specified requirements.
- Updates FDOT's statutory mission, goals, and objectives.
- Requires public notice and input prior to a governmental entity repurposing one or more existing traffic lanes and requires the governmental entity to consider such input.
- Increases from three years to 10 years the length of time before an inactive prepaid toll account becomes unclaimed property.
- Provides requirements for an interlocal agreement regarding a fire station located on Alligator Alley, including up to \$2 million in funding for the next fiscal year from toll revenues and funding going forward based on needs adopted into a comprehensive plan.
- Requires funding for the fire station on Alligator Alley to be included in FDOT's work program and the local governmental entity's budget and capital comprehensive plan.
- Prohibits FDOT from spending state funds on transportation entities violating s. 381.00316, F.S., relating to discrimination based on health care choices.
- Provides that specified revenues deposited into the State Transportation Trust Fund must first be available for appropriation for payments under a service contract entered into with the Florida Department of Transportation Financing Corporation to fund arterial highway projects.
- Authorizes FDOT to enter into service contracts with the Florida Department of Transportation Financing Corporation for Moving Florida Forward projects.
- Authorizes FDOT to retain the interest earned from Moving Florida Forward-related appropriations, which interest must be used for such projects.
- Authorizes local governments in specified areas to compete for additional funding, subject to specific appropriation, using the criteria for the Small County Outreach Program to fund projects on roads primarily used for agricultural purposes.

- Requires lane repurposing for public transit purposes to be approved by a two-thirds vote of the transit authority's board.
- Requires any action of eminent domain for public transit facilities to be discussed at a public meeting of the transit provider's board.
- Provides that certain unallocated New Starts Transit funds must be reallocated to the Strategic Intermodal System. This provision expires June 30, 2026.
- Prohibits public transit providers from spending FDOT funds on certain marketing or advertising activities, including any wraps displayed on a transit bus.
- Prohibits window tinting on public transit buses from being any darker than what is legally allowed for motor vehicles.
- Requires each public transit provider to annually certify that its budgeted and actual general administrative costs are no greater than 20 percent above the state average administrative costs. This provision excludes rail transit providers.
- Requires public transit providers to disclose employee compensation and benefits, ridership and performance metrics, and any gifts accepted in exchange for a contract.
- Requires year-over-year increases in administrative costs by a public transit provider of five percent or more to be reviewed and approved by FDOT.
- Grants the Florida Rail Enterprise the power and duty to preserve and acquire future rail corridors and rights of way.
- Includes subsidiaries of an electric utility into the definition of "streetlight provider" as it relates to limitations on liability for providers of streetlights, security lights, and other similar lights.
- Revises numerous provisions relating to obedience to traffic control devices at railroad-highway grade crossings.
- Increases penalties, to \$500 for a first offense and \$1,000 for a second or subsequent offense and requires six points on a driver license, for violations associated with railroad-highway grade crossings.
- Incorporates the changes to the railroad-highway grade crossing provisions into the traffic infraction penalty and the driver license points statutes.
- Conforms numerous cross-references and makes other conforming changes.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2024.

Vote: Senate 33-0; House 79-32