

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

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

BILL #: [CS/CS/HB 1397](#)

TITLE: Transportation

SPONSOR(S): Abbott, Bankson

COMPANION BILL: [CS/SB 1662](#) (Collins)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Economic Infrastructure](#)

14 Y, 0 N, As CS



[Transportation & Economic
Development Budget](#)

10 Y, 4 N, As CS



[Commerce](#)

SUMMARY

Effect of the Bill:

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

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

Fiscal or Economic Impact:

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

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ANALYSIS

EFFECT OF THE BILL:

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

Organization of FDOT

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

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

FDOT Powers and Duties

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

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

The bill eliminates FDOT’s power and duty to:

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

Florida Transportation Commission

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

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

Transportation Research and Innovation

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

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

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

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

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

Transportation Administration

The bill amends s. 334.27, F.S., to authorize authorities created by the state, counties, municipalities, or political subdivisions to conduct business; to operate, manage, and control facilities; and to provide services beyond the geographical boundaries of such counties, municipalities, or political subdivisions that originally chartered such authority upon entering into an interlocal agreement with the governing body of the affected county, municipality, or political subdivision. (Section [16](#))

The bill amends s. 337.401, F.S., to provide a county or municipality may not adopt a rule or regulation that prohibits or requires a permit for a public sewer transmission line that is within a public right-of-way as part of a septic-to-sewer conversion project in which the FDOT and the Department of Environmental Protection or its designee have previously issued a permit. (Section [2424](#))

Florida Seaport Transportation and Economic Development

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

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

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

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

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

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

Airport Operations and Funding

Private Airports of Public Interest

The bill defines a "private airport of public interest" as a private airport serving any of the following operations: air

ambulance operation,¹ commercial air tour operation,² commuter operation,³ on-demand operation,⁴ public charter operation,⁵ scheduled operation,⁶ or supplemental operation.⁷ The bill requires a private airport of public interest to obtain a [certificate from FDOT](#) before allowing aircraft operations. FDOT may issue a certificate if FDOT finds after a final inspection that the airport is in compliance with all requirements for a certificate. The certificate may be subject to any reasonable conditions FDOT deems necessary to protect the public health, safety, or welfare.

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

Advanced Air Mobility

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

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

The bill modifies the existing definitions of "aircraft" and "airport" and defines new terms⁸ to account for the operations and infrastructure associated with AAM. The bill modifies the definition of "aircraft" to specifically include an airplane, autogyro, glider, gyrodyne, helicopter, lift and cruise, multicopter, paramotor, powered lift, seaplane, tiltrotor, ultralight, or vectored thrust. The bill modifies the definition of "airport" to specifically include an airpark, airport, gliderport, heliport, helistop, seaplane base, ultralight flightpark, vertiport, or vertistop. (Section [5](#))

Florida Airport Development and Accountability Act

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

Use of Airport Property During State of Emergency

¹ The bill defines "air ambulance operation" as a flight with a patient or medical personnel on board for the purpose of medical transportation.

² The bill defines "commercial air tour operation" as a flight conducted for compensation or hire in an aircraft when the purpose of the flight is sightseeing.

³ The bill defines "commuter operation" as any scheduled operation conducted by a person operating an aircraft with a frequency of operations of at least five round trips per week on at least one route between two or more points according to the published flight schedule.

⁴ The bill defines "on-demand operation" as any scheduled passenger-carrying operation for compensation or hire conducted by a person operating an aircraft with a frequency of operations of fewer than five round trips per week on at least one route between two or more points according to the published flight schedule.

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

⁶ The bill defines "scheduled operation" as any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial operator for which the certificateholder or its representative offers in advance the departure location, departure time, and arrival location.

⁷ The bill defines "supplemental operation" as any common carriage operation for compensation or hire conducted with an aircraft for which the departure time, departure location, and arrival location are specifically negotiated with the customer or customer's representative.

⁸ See *supra*, notes 1-7.

As an exception to provisions of the Act that specifically prohibit FDOT from participating in or exercising control in the management and operation of a sponsor's airport, the bill requires that an airport must provide FDOT, at no cost, the opportunity to use any property not within the air navigation facility⁹ for the staging of equipment and personnel to support emergency preparedness and response operations during a declared state of emergency issued by the Governor in response to a natural disaster. (Section [9](#))

FDOT Duties

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

Administration and Funding of Airport Programs and Projects

The bill requires each airport to submit annually to FDOT a comprehensive maintenance¹⁰ program report. At a minimum, the report must include:

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

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

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

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

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

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

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

Commercial Service Airports

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

¹⁰ For purposes of this section, the bill provides that "maintenance" includes any preventive and regular or recurring work that is necessary to preserve the airport infrastructure in good condition.

¹¹ The bill provides that FDOT may match funds provided by the Department of Commerce for such programs.

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

The bill provides that information relating to the operation of a commercial service airport which must be posted on a website maintained by an airport’s governing body¹⁴ must remain on the website for 5 years or for as long as the information is actively in use by the entity. The bill expands the information that must be posted by a commercial service airport on its website to include copies of the airport’s current Airport Master Plan and the immediately preceding Airport Master Plan. The bill requires that information related to employee positions and pay rates must be updated quarterly on the website.

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

The bill also requires commercial service airports to notify FDOT:

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

Spaceport Infrastructure Investment

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

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

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

Noncompliance with Uniform System of Traffic Control Devices

The bill expands FDOT’s power to enforce compliance by public agencies with FDOT’s adopted [uniform system of traffic control devices](#). Currently, state funds *for traffic control purposes* may be withheld if a public body or official is found to have installed a noncompliant traffic control device after the public agency has already been directed to

¹² A commercial service airport is classified as a “nonhub” airport if it receives less than 0.05 percent but more than 10,000 of the annual U.S. commercial enplanements. See Federal Aviation administration, *Airport Categories*, https://www.faa.gov/airports/planning_capacity/categories (last visited Mar. 22, 2025).

¹³ Federal Aviation Administration, *CY 2023 Enplanements at All Commercial Service Airports*, https://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/cy23_commercial_service_enplanements (last visited Mar. 22, 2025).

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

remove a noncompliant device or bring it into compliance. The bill provides that *any* state funds may be withheld in this situation until the public body or official demonstrates to FDOT that it is in compliance. (Section [4](#))

Access to and Use of the State Highway System

The bill provides that FDOT may modify or revoke an access permit for connection of a street, driveway, or other facility to the state highway system if the connection would jeopardize the safety of the public or have a negative impact on the operational characteristics of the highway. (Section [19](#))

The bill modifies the definition of “significant change” for purposes of establishing whether FDOT may require a permit for such a change to a previously unpermitted connection to the State Highway System, require modification of the connection, or modify or revoke an existing access permit. The modified definition includes development of the land or an expansion of the size of the property. The bill also creates a definition for the term “modification of a connection” as the “relocation, alteration, or closure of a connection.” (Section [18](#))

The bill prohibits camping on any portion of the right-of-way of the State Highway System but provides an exception for persons actively navigating the Florida National Scenic Trail and who have obtained the associated permits. (Section [25](#))

Surety Bonds for Construction or Maintenance Contracts

The bill authorizes FDOT to require, at the discretion of the FDOT Secretary, that the amount of a surety bond or bonds for construction or maintenance contracts be less than the awarded contract price. Otherwise, the law requires that a successful bidder for a construction or maintenance contract is required to provide a surety bond in an amount equal to the awarded contract price, which may be split into incremental annual contract bonds for multiyear maintenance contracts or into multiple contract or payment bonds in succession that align with each phases of a phased design-build contract.¹⁵ (Section [22](#))

Small County Funding Assistance

The bill increases the maximum annual funding amount for the [Small County Road Assistance Program](#) from \$25 million to \$50 million beginning in Fiscal Year 2025-2026. The bill provides that the minimum annual funding amount for the [Small County Outreach Program](#) is \$50 million beginning in Fiscal Year 2025-2026. Funding for both programs comes from the State Transportation Trust Fund (STTF). (Sections [27](#) and [28](#))

Strategic Intermodal System

The bill authorizes FDOT to make funds available each year, from existing work program revenues, that meet the public purpose of providing increased capacity and enhanced capabilities to move and store transportation infrastructure-related materials. The bill removes an existing *requirement* that FDOT make up to \$20 million available annually for such purposes (as well as for the purpose of moving and storing construction aggregate, as provided in current law), instead providing that FDOT *may* make up to \$20 million available for these purposes. The bill makes this authority permanent. Applicants eligible for this type of project funding are seaports listed in [s. 311.09, F.S.](#), and rail lines and rail facilities.¹⁶ (Section [30](#))

The bill provides that funds allocated to a project that qualifies for the New Starts Transit Program in the current fiscal year must be reallocated for the purpose of the Strategic Intermodal System for the next fiscal year if the transit project will not be ready for production by June 30. The bill removes a provision of current law which provides that unallocated funds for the New Starts Transit Program remaining as of June 30, 2024, must be reallocated for the purpose of the Strategic Intermodal System, with an expiration of June 30, 2026. (Section [31](#))

Jacksonville Transportation Authority (JTA)

¹⁵ S. [337.18, F.S.](#)

¹⁶ S. [339.651\(3\), F.S.](#)

The bill modifies the seven-member governing board of [JTA](#) as follows:

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

The bill requires JTA to follow FDOT’s small business program and establish protocols and systems in accordance with the statewide travel management system developed by the Department of Management Services (DMS), the publication of employee salary and pay information on a DMS-maintained website, and the publication of certain contract information on a website maintained by the state’s Chief Financial Officer.

Florida Transportation Academy

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

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

- The Department of Corrections to identify and create certification and training opportunities for nonviolent inmates and create a process to allow the Department of Corrections to notify FDOT when a nonviolent inmate who is seeking employment has received a scheduled release date.
- The Department of Juvenile Justice and its educational partners to create certification and training opportunities for eligible youth.
- Veterans' organizations to encourage honorably discharged veterans to pursue opportunities within the transportation industry, including, but not limited to, employment as pilots, mechanics, and air traffic controllers.
- The Department of Commerce, CareerSource Florida, and regional business communities, within and outside of the transportation industry, to further understand recruitment and retention needs and job-seeker pipelines.
- The American Council of Engineering Companies and the Florida Transportation Builders Association to optimize workforce recruitment and retention and assess the future needs of the transportation industry and this state. (Section [1717](#))

Prioritization of Small Businesses

The bill refocuses FDOT’s priorities on small businesses by consistently replacing language throughout the Florida Transportation Code related to minority, socially and economically disadvantaged, and woman-owned business enterprises with language favoring small businesses. (Sections [15](#), [20](#), [2121](#), [322323](#), [2626](#), [29](#), [32](#), [3434](#))

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

With regard to FDOT’s authority to implement a business development program, the bill adjusts the definition for “[small business](#)” to include businesses with yearly average gross receipts of less than \$25 million for road and bridge contracts and less than \$10 million for professional and nonprofessional services contracts. (Section [21](#))

The bill repeals sections of current law related to:

- Participation by women, minorities, and socially and economically disadvantaged business enterprises in the design, development, construction, maintenance, and operation of spaceports;
- FDOT notice requirements for socially and economically disadvantaged business enterprises;

- Penalties for individuals that fraudulently represents an entity as a socially and economically disadvantaged business enterprise for purposes of qualifying for certification as such an enterprise under a program of FDOT designed to assist socially and economically disadvantaged business enterprises in the receipt of contracts with FDOT;
- FDOT developing and implementing activities to encourage the participation of disadvantaged business enterprises in the contracting process; and
- Providing contracting opportunities and financial assistance to certified disadvantaged business enterprises to remedy the effects of past economic disparity. (Section [34](#))

Repeals

The bill repeals provisions of current law related to [high-occupancy-vehicle \(HOV\) lanes](#) and obsolete provisions related to the development of an [electric vehicle charging stations master plan](#). (Section [34](#))

The bill updates cross references and makes conforming changes to reflect the provisions of the bill. (Sections [35](#), [36](#), [37](#), [38](#), [39](#), [40](#))

The bill has an effective date of July 1, 2025. (Section [41](#))

RULEMAKING:

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

The bill modifies provisions related to surety bond requirements which FDOT has existing rulemaking authority to implement under s. 337.18(1), F.S.

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

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

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

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

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

RELEVANT INFORMATION

SUBJECT OVERVIEW:

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

Organization of FDOT

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

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

Florida Transportation Commission

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

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

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

Standard of Conduct for Public Officers

Part III of chapter 112, F.S., establishes a code of ethics for public officers and employees. Generally, this code prohibits public officers from soliciting or accepting anything of value to influence a vote or official action, using their official position to secure a special benefit, disclosing or using non-public information for personal benefit, soliciting gifts from lobbyists, and soliciting an honorarium from anyone or accepting an honorarium from a lobbyist. This code also establishes restrictions on public officers from doing business with one's own agency,

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

¹⁸ S. 20.23(1), F.S.

¹⁹ FDOT, *Meet the Secretary and Executive Team*, <https://www.fdot.gov/info/moredot/mission.shtm> (last visited Mar. 23, 2025).

²⁰ These areas of program responsibility are listed in s. 20.23(3)(b), F.S.

²¹ s. 20.23(3)(b), F.S.

²² Florida Transportation Commission, *About Us*, <http://www.ftc.state.fl.us/aboutus.shtm> (last visited Mar. 23, 2025).

²³ S. 20.23(2), F.S.

²⁴ *Id.*

²⁵ *Id.*

having outside employment or contractual relationships that conflict with public duties, representing any party before one's agency for compensation for a specified time after leaving office, and employing relatives in the agency. Finally, this code requires that public officers to disclose voting conflicts when a vote would result in a special private gain or loss, file quarterly reports for certain gifts, file quarterly reports for receipt of honorarium related expenses from lobbyists, and disclose certain financial interests.²⁶

Transportation Administration

Section 337.401, F.S., provides FDOT or a local government may grant to any person who is a resident of this state, or to any corporation which is organized under the laws of this state or licensed to do business within this state, the use of a right-of-way for a utility in accordance with such rules or regulations as FDOT or a local government may adopt. A utility may not be installed, located, or relocated unless authorized by a written permit issued by the authority. However, for public roads or publicly owned rail corridors under the jurisdiction of FDOT, a utility relocation schedule and relocation agreement may be executed in lieu of a written permit.

Florida Seaport Transportation and Economic Development Program and Council

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

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

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

- Transportation facilities within the jurisdiction of the port.
- Dredging or deepening of channels, turning basins, or harbors.
- Construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, automated people mover systems, or any facilities necessary or useful in connection with any of the foregoing.
- Acquisition of vessel tracking systems, container cranes, or other mechanized equipment used in the movement of cargo or passengers in international commerce.
- Acquisition of land to be used for port purposes.
- Acquisition, improvement, enlargement, or extension of existing port facilities.
- Environmental protection projects which are necessary because of requirements imposed by a state agency as a condition of a permit or other form of state approval; which are necessary for environmental

²⁶ For a more thorough discussion of the Florida Code of Ethics for public officers and employees, see Florida Commission on Ethics, *Guide to the Sunshine Amendment and Code Of Ethics for Public Officers and Employees*, <https://ethics.state.fl.us/Documents/Publications/GuideBookletInternet.pdf> (last visited Mar. 23, 2025).

²⁷ S. [311.09\(1\), F.S.](#)

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

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

³⁰ S. [311.07\(3\), F.S.](#)

³¹ S. [311.07\(3\)\(b\), F.S.](#)

mitigation required as a condition of a state, federal, or local environmental permit; which are necessary for the acquisition of spoil disposal sites and improvements to existing and future spoil sites; or which result from the funding of eligible projects listed in this paragraph.

- Transportation facilities³² which are not otherwise part of the FDOT's adopted work program.
- Intermodal access projects.
- Construction or rehabilitation of port facilities,³³ excluding any park or recreational facilities, with operating revenues of \$5 million or less, provided that such projects create economic development opportunities, capital improvements, and positive financial returns to such ports.
- Seaport master plan or strategic plan development or updates, including the purchase of data to support such plans.

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

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

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

Certification of Airports

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

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

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

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

³⁴ S. [311.07\(2\), F.S.](#) These funds are in addition to the annual appropriation of \$15M in license tag fees to the FSTED Program required under [s. 320.20, F.S.](#), and in addition to any amounts not used for the payment of bonds from the annual \$10 million to be used for any seaport project identified in the FDOT's adopted work program, known as the Seaport Investment Program, per section [339.0801\(1\)\(f\), F.S.](#) The latter funding began in 2013-2014 and is currently required for 30 years thereafter.

³⁵ S. [311.09\(9\), F.S.](#)

³⁶ S. [311.09\(1\), F.S.](#)

³⁷ S. [311.09\(3\), F.S.](#)

³⁸ S. [330.30\(1\)\(a\), F.S.](#)

³⁹ S. [330.30\(1\)\(b\), F.S.](#)

⁴⁰ S. [330.30\(1\)\(c\), F.S.](#)

⁴¹ S. [330.30\(1\)\(f\), F.S.](#)

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

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

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

Advanced Air Mobility

Advanced Air Mobility (AAM) is an umbrella term for aircraft that are typically highly automated, electrically powered, and have vertical take-off and landing capability. Many of these aircraft fall into the powered-lift category and are often referred to as air taxis. As powered-lift aircraft, they have characteristics of both airplanes and helicopters. Their vertical take-off and landing capabilities and low speed flight are similar to a helicopter, while they fly using a wing during cruise flight similar to an airplane. AAM aircraft could be used to transport cargo and passengers, help with firefighting, and provide search and rescue operations.⁴⁵

Florida Airport Development and Assistance Act

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

- Providing coordination and assistance for the development of a viable aviation system.
- Advising and assisting the Governor in all aviation matters.
- Providing financial and technical assistance to public agencies operating public-use airports⁴⁶ by making resources available on a cost-reimbursement basis to such agencies for special needs of limited duration.
- Participating in research and development programs relating to airports.
- Administering FDOT's participation in the program of aviation and airport grants.
- Developing, promoting, and distributing supporting information and education services.
- Encouraging the maximum allocation of federal funds to local airports in the state.

Administration and Funding of Airport Programs and Projects

Current law requires FDOT to continuously update an aviation and airport work program based on a collection of local sponsors'⁴⁷ proposed projects to be included in FDOT's work program. The airport work program must

⁴² S. [330.30\(1\)\(g\), F.S.](#)

⁴³ S. [330.30\(2\)\(a\), F.S.](#)

⁴⁴ *Id.*

⁴⁵ FAA, *Advanced Air Mobility / Air Taxis*, <https://www.faa.gov/air-taxis> (last visited Mar. 23, 2025).

⁴⁶ Section [332.004\(14\), F.S.](#), defines the term "public-use airport" as any publicly owned airport which is used or to be used for public purposes.

⁴⁷ Section [332.004\(15\), F.S.](#), defines the term "sponsor" as any eligible agency which, either individually or jointly with one or more eligible agencies, submits to FDOT an application for financial assistance for an airport development project. Federal funding of individual local airport projects is wholly between the local airport sponsors and the appropriate federal agencies; however, FDOT is authorized to receive federal grants for statewide projects when no local sponsor is available. S. [332.007\(1\), F.S.](#)

separately identify “development projects”⁴⁸ and “discretionary capacity improvement projects.”⁴⁹ The aviation and airport work program must be consistent with the statewide aviation system plan⁵⁰ and, to the maximum extent feasible, with approved local government comprehensive plans. Projects involving funds administered by FDOT to be undertaken and implemented by the airport sponsor must be included in the aviation and airport work program, and assistance may only be provided for projects which are so included.⁵¹

The annual legislative budget request for aviation and airport development projects must be based on the funding required for development projects in the aviation and airport work program. FDOT must provide priority funding in support of the planning, design, and construction of proposed projects by local sponsors, with special emphasis on projects for runways and taxiways, including the painting and marking of runways and taxiways, lighting, other related airside activities, and airport access transportation facility projects on airport property.⁵²

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

Commercial Service Airports

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

- All published notices of meetings and published meeting agendas of the governing body.
- The official minutes of each meeting of the governing body, which shall be posted within 7 business days after the date of the meeting in which the minutes were approved.
- The approved budget for the commercial service airport for the current fiscal year, which shall be posted within 7 business days after the date of adoption. Budgets must remain on the website for 2 years after the conclusion of the fiscal year for which they were adopted.
- A link to the Airport Master Plan for the commercial service airport on the commercial service airport’s website.
- A link to all financial and statistical reports for the commercial service airport on the FAA’s website.
- Any contract or contract amendment for the purchase of commodities or contractual services executed by or on behalf of the commercial service airport in excess of a specified threshold amount, which must be posted no later than 7 business days after the commercial service airport executes the contract or contract

⁴⁸ Section [332.004\(4\), F.S.](#), defines the term “airport or aviation development project” or “development project” to mean any activity associated with the design, construction, purchase, improvement, or repair of a public-use airport or portion thereof, including, but not limited to: the purchase of equipment; the acquisition of land, including land required as a condition of a federal, state, or local permit or agreement for environmental mitigation; off-airport noise mitigation projects; the removal, lowering, relocation, marking, and lighting of airport hazards; the installation of navigation aids used by aircraft in landing at or taking off from a public airport; the installation of safety equipment required by rule or regulation for certification of the airport under s. 612 of the Federal Aviation Act of 1958, and amendments thereto; and the improvement of access to the airport by road or rail system which is on airport property and which is consistent, to the maximum extent feasible, with the approved local government comprehensive plan of the units of local government in which the airport is located.

⁴⁹ Section [332.004\(5\), F.S.](#), defines the term “airport or aviation discretionary capacity improvement projects” or “discretionary capacity improvement projects” to mean capacity improvements which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government in which the airport is located, and which enhance intercontinental capacity at airports which: are international airports with United States Bureau of Customs and Border Protection; had one or more regularly scheduled intercontinental flights during the previous calendar year or have an agreement in writing for installation of one or more regularly scheduled intercontinental flights upon the commitment of funds for stipulated airport capital improvements; and have available or planned public ground transportation between the airport and other major transportation facilities.

⁵⁰ Pursuant to [s. 332.006, F.S.](#), FDOT is required to develop and periodically update a statewide aviation system plan that summarizes 5-year, 10-year, and 20-year airport and aviation needs within the state.

⁵¹ S. 332.007(1)-(3), F.S.

⁵² S. [332.007\(4\)\(a\), F.S.](#)

⁵³ S. [332.007\(4\)\(c\), F.S.](#)

amendment, provided that a contract or contract amendment may not reveal information made confidential or exempt by law.

- Position and rate information for each employee of the commercial service airport, including, at a minimum, the employee's position title, position description, and annual or hourly salary. This information shall be updated annually.⁵⁴

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

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

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

Strategic Space Infrastructure Investment

Under [s. 331.371, F.S.](#), FDOT is authorized to, in consultation with Space Florida,⁵⁷ fund spaceport discretionary capacity improvement projects⁵⁸ at up to 100 percent of the project's cost if:

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

Uniform System of Traffic Control Devices

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

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

Small County Road Assistance Program

⁵⁴ [S. 332.0075\(2\), F.S.](#)

⁵⁵ [S. 332.075\(5\), F.S.](#)

⁵⁶ [S. 332.075\(6\), F.S.](#)

⁵⁷ Section [331.302, F.S.](#), establishes Space Florida as an independent special district, a body politic and corporate, and a subdivision of the state, to foster the growth and development of a sustainable and world-leading aerospace industry in this state. Space Florida Promotes aerospace business development by facilitating business financing, spaceport operations, research and development, workforce development, and innovative education programs.

⁵⁸ Section [331.303\(18\), F.S.](#), defines "spaceport discretionary capacity improvement projects" as capacity improvements that enhance space transportation capacity at spaceports or on spaceport territory.

⁵⁹ [S. 331.371, F.S.](#)

⁶⁰ [S. 316.0745\(1\), F.S.](#)

⁶¹ R. 14-15.010, F.A.C.

⁶² [S. 316.0745\(7\), F.S.](#)

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

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

Small County Outreach Program

The Small County Outreach Program assists small county governments in repairing or rehabilitating county bridges, paving unpaved roads, addressing road-related drainage improvements, resurfacing or reconstructing county roads, or constructing capacity or safety improvements to county roads.⁶⁷ Available funds are allocated to FDOT's districts based on the number of eligible counties.⁶⁸

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

Strategic Intermodal System

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

Jacksonville Transportation Authority

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

JTA's governing body consists of seven members. Three members are appointed by the Governor and confirmed by the Senate. Three members are appointed by the mayor of the City of Jacksonville subject to confirmation by the council of the City of Jacksonville. The seventh member is the district secretary of the Department of

⁶³ S. [339.2816, F.S.](#)

⁶⁴ *Id.*

⁶⁵ FDOT, *Small County Road Assistance Program*, <https://www.fdot.gov/programmanagement/LP/SCRAP/Default.shtm> (last visited Mar. 23, 2025).

⁶⁶ S. [339.2816, F.S.](#)

⁶⁷ S. [339.2818, F.S.](#)

⁶⁸ FDOT, *Small County Outreach Program*, <https://www.fdot.gov/programmanagement/lp/scop/default.shtm> (last visited Mar. 23, 2025).

⁶⁹ S. [339.2818, F.S.](#)

⁷⁰ *Supra*, note 75.

⁷¹ FDOT, *Florida's Strategic Intermodal System (SIS)*, <https://www.fdot.gov/planning/systems/sis> (last visited Mar. 23, 2025).

⁷² See ch. 349, F.S.

⁷³ Jacksonville Transportation Authority, *About JTA*, <https://www.jtafla.com/about-jta/> (last visited Mar. 23, 2025).

Transportation serving in the district that contains the City of Jacksonville. Except for the seventh member, members must be residents and qualified electors of Duval County.⁷⁴

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

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

- The Florida Transportation Commission is required to measure and assess the performance of FDOT in disadvantaged business enterprise and minority business programs.⁷⁵
- FDOT is required to give consideration to disadvantaged business enterprises when considering bids of qualified contractors.⁷⁶
- FDOT and the Department of Management Services are required to implement an outreach program designed to enhance participation of minority persons and minority business enterprises in all contracts entered into for services related to the FDOT projects for the Strategic Intermodal System Plan developed under [s. 339.64, F.S.](#)⁷⁷
- FDOT must ensure that small and minority businesses have equal access to participate in economic development transportation projects under [s. 339.2821, F.S.](#)⁷⁸
- The Central Florida Expressway Authority is required to encourage the inclusion of local, small, minority, and women-owned businesses in procuring and contracting opportunities.⁷⁹
- Space Florida is required to involve and utilize women, minorities, and socially and economically disadvantaged business enterprises in all phases of the design, development, construction, maintenance, and operation of spaceports.⁸⁰
- FDOT must provide socially and economically disadvantaged business enterprises with certain notices with regard to contracting practices.⁸¹
- Penalties are provided for during the contracting process with FDOT when an individual that fraudulently represents an entity as a socially and economically disadvantaged business enterprise for purposes of qualifying for certification as such an enterprise under a program of FDOT designed to assist socially and economically disadvantaged business enterprises in the receipt of contracts with FDOT for the provision of goods or services.⁸²
- FDOT must develop and implement activities to encourage the participation of disadvantaged business enterprises in the contracting process.⁸³
- FDOT must provide contracting opportunities to certified disadvantaged business enterprises and expend funds in a way that provides such business enterprises with financial assistance in the form of bond guarantees, to primarily remedy the effects of past economic disparity.⁸⁴

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

High-Occupancy Vehicle Lanes

⁷⁴ [S. 349.03\(2\), F.S.](#)

⁷⁵ [S. 334.045\(1\)\(f\), F.S.](#)

⁷⁶ [S. 337.11\(6\)\(c\), F.S.](#)

⁷⁷ [S. 338.27\(4\), F.S.](#)

⁷⁸ [S. 339.2821\(3\)\(b\), F.S.](#)

⁷⁹ [S. 348.754\(5\), F.S.](#)

⁸⁰ [S. 331.351, F.S.](#)

⁸¹ [S. 337.125, F.S.](#)

⁸² [S. 337.135, F.S.](#)

⁸³ [S. 337.139, F.S.](#)

⁸⁴ [S. 339.0805, F.S.](#)

⁸⁵ [S. 337.027\(1\), F.S.](#)

⁸⁶ [S. 337.027\(2\), F.S.](#)

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

[Electric Vehicle Charging Stations Master Plan](#)

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

⁸⁷ S. [316.0741, F.S.](#)

⁸⁸ Ch. 2020-21, s. 3, Laws of Fla., codified at [s. 339.287, F.S.](#)

⁸⁹ FDOT, *EV Infrastructure Master Plan*, July 2021, https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/emergingtechnologies/evprogram/fdotevmp.pdf?sfvrsn=b5888a_2 (last visited Mar. 23, 2025).

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Economic Infrastructure Subcommittee	14 Y, 0 N, As CS	3/25/2025	Keating	Bauldree
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Reinstated existing law pertaining to Legislative Budget Commission approval of certain matters. Reinstated existing provisions of the law related to the Florida Transportation Commission. Reinstated existing law related to staffing of the Florida Ports Council and port usage. Eliminated a provision related to the distribution of electricity sales tax revenues to the STTF. Eliminated a provision that would authorize DOT to inspect certain aspects of commercial service airport facilities. Eliminated provisions related to project consistency with state energy policy. Removed provisions of the bill related to landscaping requirements for transportation projects. 			
Transportation & Economic Development Budget Subcommittee	10 Y, 4 N, As CS	4/2/2025	Davis	McAuliffe
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Authorizes certain authorities to provide services beyond the geographical boundaries of the original charter upon entering an interlocal agreement. Provides a county or municipality may not prohibit or require a permit for a public sewer transmission line that is within a public right-of-way as part of a septic-to-sewer conversion project in which the FDOT and the Department of Environmental Protection have previously issued a permit. 			
Commerce Committee				

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