

FLORIDA DEPARTMENT OF TRANSPORTATION
2023-2024 ANNUAL REGULATORY PLAN
A. LAWS ENACTED IN PREVIOUS 12 MONTHS - § 120.74(1)(a), F.S.

CHAPTER LAW	AFFECTED STATUTE	RULE MAKING REQUIRED OR NECESSARY	NOTICE OF RULE DEVELOPMENT PUBLISHED	ANTICIPATED RULE DEVELOPMENT DATE	RULE NUMBER
2022-270, s. 1 - Laws of Fla.		No. The law requires the Florida Turnpike Enterprise to establish a toll relief program effective Jan. 1, 2023, through Dec. 31, 2023, for all Florida toll facilities or Florida toll facilities that use a Florida-issued transponder or are interoperable with FDOT's prepaid electronic transponder toll system.	N/A	N/A	N/A
2023-20, s. 6 - Laws of Fla.	320.072, F.S.	No. The law increases the amount of funding FDOT is required to use for the Florida Shared-Use Nonmotorized Trail Network.	N/A	N/A	N/A
2023-20, s. 7 - Laws of Fla.	335.065, F.S.	No. The law revises the funding priorities for FDOT Florida Shared-Use Nonmotorized Trail Network projects.	N/A	N/A	N/A
2023-20, s. 9 - Laws of Fla.	339.81, F.S.	No. The law expands the existing Shared-Use Nonmotorized (SUN) Trail Network and enhances coordination of the state's trail system with the Florida Wildlife Corridor, increases the amount of FDOT is required to allocate for purposes of funding and maintaining projects within the Florida Shared-Use Nonmotorized Trail Network, requires FDOT to give funding priority to specified trail projects, requires FDOT to erect uniform signage identifying trails that are part of the SUN Trail Network, authorizes FDOT and local governments to enter into sponsorship agreements for trails and to use associated revenues for maintenance, signage and related amenities, and requires FDOT to submit a periodic report on the status of the SUN Trail Network to the Legislature and the Governor.	N/A	N/A	N/A
2023-20, s. 10- Laws of Fla.		No. For the 2023-2024 fiscal year, the sum of \$200 million in nonrecurring funds from the General Revenue Fund is appropriated to FDOT as fixed capital outlay to plan, design, and construct projects on the Florida Shared-Use Nonmotorized Trail Network as specified in the law.	N/A	N/A	N/A

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2023-70, s. 5 - Laws of Fla.	316.0777, F.S.	No. The law authorized the installation of automated license plate recognition systems within the rights-of-way of the State Highway System in accordance with placement and instillation guidelines developed by FDOT.	N/A	N/A	N/A
2023-70, s. 7 - Laws of Fla.	330.30, F.S.	Yes. The law clarifies FDOT's process for approving a temporary airport. The law provides that FDOT may not, when granting airport site approval, require specified documents regarding air traffic pattern separation procedures unless otherwise required or deemed necessary.	N/A	Oct. 31, 2023	N/A
2023-70, s. 8 - Laws of Fla.	332.07, F.S.	No. The law authorizes FDOT, subject to appropriated funds, to fund specified projects at certain rural airports.	N/A	N/A	N/A
2023-70, s. 9 - Laws of Fla.	334.044, F.S.	No. The law authorizes FDOT, to acquire promotional items and materials to promote electric vehicles and autonomous vehicles and authorizes FDOT to expend funds for training, testing, and licensing for certain FDOT employees.	N/A	N/A	N/A
2023-70, s. 9 - Laws of Fla.	337.11, F.S.	No. The law authorizes FDOT to expand the use of phased design-build contracts.	N/A	N/A	N/A
2023-70, s. 14 - Laws of Fla.	341.061, F.S.	The law requires FDOT to inspect fixed guideway systems in specified independent special districts.	N/A	N/A	N/A
2023-70, s. 16 - Laws of Fla.		No. The law transfers the Santa Rosa Bay Bridge Authority's bridge system to FDOT and authorizes FDOT to transfer it to the Florida Turnpike Enterprise.	N/A	N/A	N/A
2023-116, s. 1 - Laws of Fla.	337.25, F.S.	No. The law provides that the use of property as affordable housing qualifies as use for a public purpose in the context of the authorization qualifies as use for a public purpose in the context of authorization of FDOT to convey property without consideration to a governmental entity.	N/A	N/A	N/A

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2023-174, s. 3 - Laws of Fla.	316.0776, F.S.	No. The law authorizes a local government to place or install an automated speed detection system on a street or highway under its jurisdiction or a state road if permitted by FDOT to be used solely to enforce speed limits in school zones. Such placement or installation must be in accordance with specification developed by the FDOT, which must be established by December 31, 2023.	N/A	N/A	N/A
2023-188, s. 1 - Laws of Fla.		No. The law requires FDOT to or its consultant, to conduct a study reviewing aspects of the Hillsborough Area Regional Transit Authority's organizational structure and operation, and to submit a report detailing the results of the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2024.	N/A	N/A	N/A
2023-197, s. 3 - Laws of Fla.	316.83, F.S.	No. The law requires FDOT to coordinate with specified entities to establish standards by which the State Highway System (SHS) roads will be graded according to their compatibility with the operation of autonomous vehicles and requires incorporation of the grading standards into standards for specified transportation projects.	N/A	N/A	N/A
2023-197, s. 5 - Laws of Fla.	334.044, F.S.	No. The law revises FDOT's duty to provide a workforce development program.	N/A	N/A	N/A
2023-197, s. 6 - Laws of Fla.	334.066, F.S.	No. The law designates the FDOT Secretary or his or her designee as a member of the advisory board of the University of Florida's Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-Street)	N/A	N/A	N/A

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2023-197, s. 9 - Laws of Fla.	337.11, F.S.	No. The law requires each contract let by FDOT for performance of bridge construction or maintenance over navigable waters to contain a provision requiring marine general liability insurance, as specified. The law requires FDOT to implement strategies to reduce the cost of all project phases while ensuring the design and construction of the project meet applicable federal and state standards, and to track such strategies and the projected savings to be realized therefrom. The law authorizes FDOT to share a portion of the construction cost savings realized due to a change in the construction contract design and scope, initiated after execution of the contract, with a design services consultant or a construction engineering and inspection services consultant to the extent that the consultant's input and involvement contributed to such savings, not to exceed ten percent of the construction cost savings realized.	N/A	N/A	N/A
2023-197, s. 10 - Laws of Fla.	337.1101, F.S.	No. The law clarifies that stipends paid by the FDOT to non-selected design-build firms that have submitted responsive proposals for construction contracts contained in the FDOT's legislatively approved work program are not subject to existing documentation and notification requirements for stipend payments made by the FDOT to resolve a bid protest through a settlement.	N/A	N/A	N/A
2023-197, s. 11 - Laws of Fla.	337.14, F.S.	No. The law authorizes a contractor who desires to bid exclusively on construction contracts with proposed budget estimates of \$2 million or less (increased from \$1 million) to submit reviewed, rather than audited, financial statements.	N/A	N/A	N/A

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2023-197, s. 11 - Laws of Fla.	337.14, F.S.	Yes. The law authorizes an applicant for a contractor certificate of qualification to request to keep an existing certificate and current maximum capacity rating in place until expiration of the existing certificate.	N/A	Oct. 31, 2023	14-22.002 and 14- 22.005
2023-197, s. 14 - Laws of Fla.	338.223, F.S.	No. The law authorizes FDOT to request legislative approval of a proposed turnpike project regardless of how complete the project's design phase is.	N/A	N/A	N/A
2023-197, s. 16 - Laws of Fla.	339.651, F.S.	The law requires FDOT to address movement and storage of construction aggregate materials in its Florida Transportation Plan and the Strategic Intermodal System Plan, requires FDOT make up to \$20 million available annually for five years to enhance the movement and storage of construction aggregates and FDOT must consider certain criteria when evaluation projects for assistance. The law authorizes FDOT to adopt rules to implement this section.	N/A	N/A	N/A
2023-200, s. 6 - Laws of Fla.	331.3081, F.S.	No. The law designates the FDOT Secretary or his or her designee as a member of the board of directors of Space Florida.	N/A	N/A	N/A
2023-311, s. 1 - Laws of Fla.	336.044, F.S.	No. The law authorizes FDOT to undertake demonstration projects using phosphogypsum from phosphate production in road construction aggregate material.	N/A	N/A	N/A
2023-311, s. 2 - Laws of Fla.	337.02611, F.S.	No. The law requires FDOT to conduct a study to evaluate the suitability of using phosphogypsum as a construction aggregate material. FDOT may consider any prior or ongoing studies of phosphogypsum's road suitability. The study and determination of suitability must be completed by April 1, 2024	N/A	N/A	N/A

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2023-5, s. 9 - Laws of Fla.	Chap. 67-764, Laws of Fla.	No. The law authorizes FDOT to purchase or lease any public road from the Central Florida Tourism Oversight District, enter lease purchase agreements, and construct or maintain any road within the district pursuant to agreement with the board of supervisors.	N/A	N/A	N/A

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B. LAWS NOT OTHERWISE LISTED TO BE IMPLEMENTED BY
RULEMAKING PRIOR TO JULY 1, 2024 - §120.74(1)(b), F.S.**

Statute	ANTICIPATED RULEMAKING	INTENT OF RULE
316.0745, 316.187, 316.1893, 316.1895, and 316.555, F.S.	Amend Rule 14-15-012 to update the Manual on Speed Zoning for Highways, Roads, and Streets in Florida.	To clarify provide requirements.
316.0745, 479.02, and 479.262, F.S.	Amend Rules 14-15.011, .014, .020, .021, .030, 031,.040, .042, .051, .052, and .065 to update requirements for Florida's Highway Guide Sign Program.	To clarify and provide requirements.
316.545, F.S.	Amend Rule 14A-1.004 for meetings of the Commercial Motor Vehicle Review Board to eliminate reference to request for videoconference at FDOT district offices.	To clarify and increase efficiency.
316.550, F.S.	Amend Rule 14-63-002 to clarify the responsibilities of the respective parties for the issuance of a Building Movement Permit, and to incorporate the Department's One Stop Permitting for electronic applications and submittals.	To clarify and provide requirements.
330.29, F.S.	Amend Rules 14-60.003, .005, .006, .007, and .011 to update requirements for airport licensing, registration, and airspace protection.	To clarify and provide requirements.
333.15, F.S.	Adopt rules to implement the provisions of Chapter 333, F.S., relating to airport Zoning.	To clarify and provide requirements.
336.045, F.S.	Amend Rule 14-15.002 to incorporate most recent version of Manual on Uniform Standards for Design, Construction and Maintenance for Streets and Highways.	To clarify and improve coordination with other agencies.
337.11, F.S.	Amend Rule 14-91.002 to revise the current Adjusted Score Design Build and final selection formula to align with the 23 CFR Part 636, Design-Build Contracting, two-phase selection.	To clarify and provide requirements.

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B. LAWS NOT OTHERWISE LISTED TO BE IMPLEMENTED BY
RULEMAKING PRIOR TO JULY 1, 2024 - §120.74(1)(b), F.S.**

Statute	ANTICIPATED RULEMAKING	INTENT OF RULE
337.14, F.S.	Amend qualifications Rules 14-22.005 and .006 for contractors bidding on FDOT construction contracts regarding expiration of the certificate of qualification, the ability factor of the applicant or maximum capacity rating of the applicant.	To clarify and provide requirements.
337.14, F.S.	Amend Rules 14-22.002, .003, .0041, .006 to update qualification standards to bid on highway projects.	To clarify and increase efficiency.
341.031, 341.041, and 341.061, F.S.	Amend Rules 14-90.002, .004, .0041, .006, .007, .009, and .010 to update requirements for equipment and operational safety standards for bus transit systems.	To clarify and provide requirements.
341.041, 341.051, 341.052, and 341.071, F.S.	Amend Rule 14-73.001 regarding public transit to update process for Florida's public transit agencies that are required to submit a transit development plan.	To clarify and provide requirements.
341.041, and 341.061 F.S.	Amend Rule 14-15.017 to update requirements of Fixed Guideway Transportation Systems State Safety and Security Oversight Program Standards.	To clarify and provide requirements.

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2023-2024 ANNUAL REGULATORY PLAN

C. UPDATES TO 2022-2023 PLAN - § 120.74(1)(c), F.S.

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Listed in 2021-2022 Regulatory Plan
14-73.002	Amendment	Updated/Add incorporated material	Other	Provides criteria for recognition of ridesharing participants.	Update, revise, clarify.	Yes. Notice of Rule Development not published.
14-103.002	Purpose	Rule Repeal	Other	States purpose of construction aggregate quality control program.	Delete as not necessary.	Yes. Notice of Rule Development not necessary for repeal.
14-103.003	Definitions	Rule Amendment	Update/Add Incorporated Material	Defines terms used in rule chapter.	Update, revise, clarify.	Yes. Notice of Rule Development not published.
14-103.004	Source Approval Requirements	Rule Amendment	Update/Add Incorporated Material	Provides requirements for approval of source mines and redistribution terminals.	Update, revise, clarify.	Yes. Notice of Rule Development not published.
14-103.005	Supplemental Source Requirements for Alternate Open-Graded Friction Course (FC) Aggregate	Rule Amendment	Update/Add Incorporated Material	Provides requirements for approval of aggregates for skid resistance not already included in Department specifications.	Clarify language.	Yes. Notice of Rule Development not published.
14-103.006	Quality Control Program	Rule Amendment	Update/Add Incorporated Material	Provides minimum elements to be included in a Quality Control Program.	Increases length of test sections built on a current construction project.	Yes. Notice of Rule Development not published.

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14-103.0071	Source and Product Certification Systems	Rule Amendment	Update/Add Incorporated Material	Provides process for certification of aggregate producer.	Modernize location of source to decimal latitude/longitude for mapping. Clarifies that documents already produced will be kept for 3 years. Describes individual who represents source to Department. Remove QC Manager requirements for Federal Aid projects. Other neutral clarification of text.	Yes. Notice of Rule Development not published.
14-103.008	Producer Initiated Status Change	Rule Amendment	Update/Add Incorporated Material	Authorizes producer to temporarily remove a product from approved product list.	Clarify language.	Yes. Notice of Rule Development not published.
14-103.009	Suspension, Revocation, Expiration, or Denial of Source Approval	Rule Amendment	Update/Add Incorporated Material	Establishes criteria for suspending, revoking or denying producer.	Clarify language.	Yes. Notice of Rule Development not published.
14-103.0091	Producer Non-Responsibility	Rule Amendment	Update/Add Incorporated Material	Establishes criteria for finding producers non-responsible and ineligible to supply aggregates.	Add suspension clause for falsifications, deceptions, frauds.	Yes. Notice of Rule Development not published.
14-103.10	Emergency Action	Rule Repeal	Other	Establishes criteria for emergency suspension.	Repeal and move language to 14-103.009.	Yes. Notice of Rule Development not necessary for repeal.

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Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Listed in 2021-2022 Regulatory Plan
14-120	Personal Delivery Devices	Rule Adoption	Adopt rules to implement provisions regarding personal delivery devices.	Establish criteria for personal delivery devices.	Adopt rules for personal delivery devices.	Yes. Notice of Rule Development published on Oct. 28, 2021.