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DATE: July 30, 2024

TO: Public Transit Providers

SUBJECT: Legislative Implementation Update

Enclosure: Public Transportation Grant Agreement Exhibits E1 and E2

The purpose of this memorandum is to inform public transit providers of several changes to Florida law passed during the 2024 Legislative Session that increase accountability and transparency in how publicly funded entities operate, including the use of taxpayer funds.

1) Compliance with Sections 339.08 and 381.00316, F.S.

Effective July 1, 2024, Ch. 2024-57, LOF, amends section 339.08, F.S., Use of moneys in State Transportation Trust Fund by adding subsection (5) as follows:

> *(5) The department may not expend any state funds as described in s. 215.31 to support a project or program of any of the following entities:*
>
> > *(a) A public transit provider as defined in s. 341.031(1);*
> >
> > *(b) An authority created pursuant to chapter 343, chapter 348, or chapter 349;*
> >
> > *(c) A public-use airport as defined in s. 332.004; or*
> >
> > *(d) A port listed in s. 311.09(1),*
>
> *which is found in violation of s. 381.00316. The department shall withhold funds until the public transit provider, authority, public-use airport, or port is found in compliance with s. 381.00316.*

To meet this requirement all newly executed or amended Public Transportation Grant Agreements with a public transit provider will include an additional exhibit that defines the program specific terms and conditions related to prohibition on discrimination based on health care choices. A copy of this exhibit is attached as Public Transportation Grant Agreement Exhibit E1.

2) Compliance with Section 341.051(8), F.S.

Effective July 1, 2024, Ch. 2024-57, LOF, amends section 341.051, F.S., Administration and financing of public transit and intercity bus service programs and projects by adding subsection (8) as follows:

> *(8) EXTERIOR VEHICLE WRAP, TINTING, PAINT, MARKETING, AND ADVERTISING.*
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> *(a) As a condition of receiving funds from the department, a public transit provider may not expend department funds for marketing or advertising activities, including any wrap, tinting, paint, or other medium displayed, attached, or affixed on a bus, commercial motor vehicle, or motor vehicle that is owned, leased, or operated by the public transit provider. Such vehicles are limited to displaying a brand or logo of the public transit provider, the official seal of the jurisdictional governmental entity, or a state agency public service announcement.*
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> *(b) The department shall incorporate guidelines for the marketing or advertising activities allowed under paragraph (a) in the public transportation grant agreement entered into with each public transit provider.*
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> *(c) Any new wrap, tinting, paint, medium, or advertisement on the passenger windows of a vehicle used by a public transit provider may not be darker than the legally allowed window tinting requirements provided in s. 316.2954.*

To meet this requirement all newly executed or amended Public Transportation Grant Agreements with public transit agencies will include an additional exhibit that defines the program specific terms and conditions related to exterior vehicle wrap, tinting, paint, marketing and advertising. A copy of this exhibit is attached as Public Transportation Grant Agreement E2. Per this exhibit, as a condition of receiving funds from the department, motor vehicles owned, leased, or operated by a public transit provider on which department funds are expended are limited to exterior vehicle wrap, tinting, paint, marketing, and advertising displaying:

- a brand or logo of the public transit provider,
- the official seal of the jurisdictional governmental entity, or
- a state agency public service announcement.

Transit agencies with existing contracts for exterior marketing or advertising activities, initiated prior to July 1, 2024, may complete the term of those contracts to avoid breach of contract.

For the purposes of this exhibit, state agencies are those defined in Chapter 20, F.S. Public transit agencies should ensure that their marketing and advertising contact information is up to date and notifications of solicitations are publicly available for all state agencies.

3) Compliance with Section 341.071, F.S.

Effective July 1, Ch. 2024-57, LOF, amends section 341.071, F.S., Transit productivity and performance measures; reports, by adding subsection (4)(a). This new provision requires public transit providers to disclose certain information and documentation relating to its budgeted and general administrative costs. The Department is drafting implementation guidance on this provision and language to be incorporated into the Public Transportation Grant Agreements entered into with public transit providers. We remind public transit providers that beginning November 1, 2024, and every year thereafter, public transit agencies are required to report certain transit productivity and performance measures pursuant to Section 341.071(4)(a), F.S.

We greatly appreciate every effort your organization will make to properly implement these important revisions in a consistent and efficient manner.

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