A bill to be entitled

An act relating to transportation; providing for a type one transfer of the duties and functions of the Division of the Florida Highway Patrol and the Office of Commercial Vehicle Enforcement from the Department of Highway Safety and Motor Vehicles to the Department of Law Enforcement; amending s. 20.24, F.S.; requiring the executive director of the Department of Highway Safety and Motor Vehicles to be appointed by the Governor and subject to confirmation by the Senate; amending s. 23.1231, F.S.; requiring the executive director of the Department of Law Enforcement to act as the liaison with the Department of Highway Safety and Motor Vehicles rather than the Division of the Florida Highway Patrol; amending s. 282.709, F.S.; requiring the Joint Task Force on State Agency Law Enforcement Communications to include a representative of the Department of Highway Safety and Motor Vehicles rather than the Division of Florida Highway Patrol; creating s. 321.011, F.S.; defining the term "department"; amending ss. 20.201, 110.205, 120.80, 316.003, 316.640, 321.02, 321.03, 321.04, 321.05, 321.051, 321.245, 321.25, 338.239, and 713.78, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. All powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other public funds relating to the Division of the Florida Highway Patrol and the Office of Commercial Vehicle Enforcement are transferred by a type one transfer, as described in s. 20.06(1), Florida Statutes, from the Department of Highway Safety and Motor Vehicles to the Department of Law Enforcement.

Section 2. Section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles is the Governor and Cabinet. The executive director of the department shall be appointed by the Governor subject to a majority vote of the Governor and Cabinet, with the Governor on the prevailing side. The appointment is subject to confirmation by the Senate. The executive director shall serve at the pleasure of the Governor and Cabinet.

(2) The Division of Motorist Services is established within ~~following divisions, and bureaus within the divisions, of~~ the Department of Highway Safety and Motor Vehicles ~~are~~

~~established:~~

~~(a) Division of the Florida Highway Patrol.~~

~~(b) Division of Motorist Services.~~

~~(3) The Office of Commercial Vehicle Enforcement is established within the Division of the Florida Highway Patrol~~.

Section 3. Paragraph (e) of subsection (2) of section 23.1231, Florida Statutes, is amended to read:

23.1231 Florida Mutual Aid Plan; powers and duties.—

(2) The executive director of the Department of Law Enforcement acting under the Governor as the state's chief law enforcement officer is the director of the Florida Mutual Aid Plan. The director of the Florida Mutual Aid Plan shall:

(e) Act as the liaison with ~~the Division of the Florida Highway Patrol of~~ the Department of Highway Safety and Motor Vehicles in order to coordinate and integrate plans for traffic control and the participation of the department in the law enforcement operation;

Section 4. Paragraph (a) of subsection (2) of section 282.709, Florida Statutes, is amended to read:

282.709 State agency law enforcement radio system and interoperability network.—

(2) The Joint Task Force on State Agency Law Enforcement Communications is created adjunct to the department to advise the department of member-agency needs relating to the planning, designing, and establishment of the statewide communication

system.

(a) The Joint Task Force on State Agency Law Enforcement Communications shall consist of the following members:

1. A representative of the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation who shall be appointed by the secretary of the department.

2. A representative of ~~the Division of Florida Highway Patrol of~~ the Department of Highway Safety and Motor Vehicles who shall be appointed by the executive director of the department.

3. A representative of the Department of Law Enforcement who shall be appointed by the executive director of the department.

4. A representative of the Fish and Wildlife Conservation Commission who shall be appointed by the executive director of the commission.

5. A representative of the Division of Law Enforcement of the Department of Environmental Protection who shall be appointed by the secretary of the department.

6. A representative of the Department of Corrections who shall be appointed by the secretary of the department.

7. A representative of the Department of Financial Services who shall be appointed by the Chief Financial Officer.

8. A representative of the Department of Agriculture and

Consumer Services who shall be appointed by the Commissioner of Agriculture.

9. A representative of the Florida Sheriffs Association who shall be appointed by the president of the Florida Sheriffs Association.

Section 5. Section 321.011, Florida Statutes, is created to read:

321.011 Definition.—As used in this chapter, the term "department" means the Department of Law Enforcement.

Section 6. Subsection (3) is added to section 20.201, Florida Statutes, to read:

20.201 Department of Law Enforcement.—

(3) The following divisions, and bureaus within the divisions, of the Department of Law Enforcement are established:

(a) The Division of the Florida Highway Patrol.

(b) The Office of Commercial Vehicle Enforcement within the Division of the Florida Highway Patrol.

Section 7. Paragraph (m) of subsection (2) of section 110.205, Florida Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered by this part include the following:

(m) All assistant division director, deputy division director, and bureau chief positions in any department, and those positions determined by the department to have managerial

responsibilities comparable to such positions, which include, but are not limited to:

1. Positions in the Department of Health and the Department of Children and Families which are assigned primary duties of serving as the superintendent or assistant superintendent of an institution.

2. Positions in the Department of Corrections which are assigned primary duties of serving as the warden, assistant warden, colonel, or major of an institution or that are assigned primary duties of serving as the circuit administrator or deputy circuit administrator.

3. Positions in the Department of Transportation which are assigned primary duties of serving as regional toll managers and managers of offices, as specified in s. 20.23(4)(b) and (5)(c).

4. Positions in the Department of Environmental Protection which are assigned the duty of an Environmental Administrator or program administrator.

5. Positions in the Department of Health which are assigned the duties of Environmental Administrator, Assistant County Health Department Director, and County Health Department Financial Administrator.

6. Positions in the Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~ which are assigned primary duties of serving as captains in the Florida Highway Patrol.

7. Positions in the Department of Agriculture and Consumer

Services which are assigned primary duties of serving as captains or majors in the Office of Agricultural Law Enforcement.

Unless otherwise fixed by law, the department shall set the salary and benefits of the positions listed in this paragraph in accordance with the rules established for the Selected Exempt Service.

Section 8. Subsections (6) and (8) of section 120.80, Florida Statutes, are amended to read:

120.80 Exceptions and special requirements; agencies.—

(6) DEPARTMENT OF LAW ENFORCEMENT.—

(a) Law enforcement policies and procedures of the Department of Law Enforcement which relate to the following are not rules as defined by this chapter:

1.~~(a)~~ The collection, management, and dissemination of active criminal intelligence information and active criminal investigative information; management of criminal investigations; and management of undercover investigations and the selection, assignment, and fictitious identity of undercover personnel.

2.~~(b)~~ The recruitment, management, identity, and remuneration of confidential informants or sources.

3.~~(c)~~ Surveillance techniques, the selection of surveillance personnel, and electronic surveillance, including

court-ordered and consensual interceptions of communication conducted pursuant to chapter 934.

4.~~(d)~~ The safety and release of hostages.

5.~~(e)~~ The provision of security and protection to public figures.

6.~~(f)~~ The protection of witnesses.

(b) Notwithstanding s. 120.57(1)(a), hearings held by the Division of the Florida Highway Patrol to deny, suspend, or remove a wrecker operator from participating in the wrecker rotation system established by s. 321.051 need not be conducted by an administrative law judge assigned by the division. These hearings shall be held by a hearing officer appointed by the director of the Division of the Florida Highway Patrol.

(8) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—

~~(a) Driver licenses.—~~

(a)~~1.~~ Notwithstanding s. 120.57(1)(a), hearings regarding driver licensing pursuant to chapter 322 need not be conducted by an administrative law judge assigned by the division.

(b)~~2.~~ Notwithstanding s. 120.60(5), cancellation, suspension, or revocation of a driver license shall be by personal delivery to the licensee or by first-class mail as provided in s. 322.251.

~~(b) Wrecker operators.—Notwithstanding s. 120.57(1)(a), hearings held by the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles to deny,~~

~~suspend, or remove a wrecker operator from participating in the wrecker rotation system established by s. 321.051 need not be conducted by an administrative law judge assigned by the division. These hearings shall be held by a hearing officer appointed by the director of the Division of the Florida Highway Patrol.~~

Section 9. Subsection (20) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.—The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(20) DIRECTOR.—The director of the Division of the Florida Highway Patrol of the Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~.

Section 10. Paragraph (a) of subsection (1) of section 316.640, Florida Statutes, is amended to read:

316.640 Enforcement.—The enforcement of the traffic laws of this state is vested as follows:

(1) STATE.—

(a)1.a. The Division of Florida Highway Patrol of the Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~; the Division of Law Enforcement of the Fish and Wildlife Conservation Commission; the Division of Law Enforcement of the Department of Environmental Protection; and the agents,

inspectors, and officers of the Department of Law Enforcement each have authority to enforce all of the traffic laws of this state on all the streets and highways thereof and elsewhere throughout the state wherever the public has a right to travel by motor vehicle.

b. University police officers may enforce all of the traffic laws of this state when violations occur on or within 1,000 feet of any property or facilities that are under the guidance, supervision, regulation, or control of a state university, a direct-support organization of such state university, or any other organization controlled by the state university or a direct-support organization of the state university, or when such violations occur within a specified jurisdictional area as agreed upon in a mutual aid agreement entered into with a law enforcement agency pursuant to s. 23.1225(1). Traffic laws may also be enforced off-campus when hot pursuit originates on or within 1,000 feet of any such property or facilities, or as agreed upon in accordance with the mutual aid agreement.

c. Florida College System institution police officers may enforce all the traffic laws of this state only when such violations occur on or within 1,000 feet of any property or facilities that are under the guidance, supervision, regulation, or control of the Florida College System institution, or when such violations occur within a specified jurisdictional area as

agreed upon in a mutual aid agreement entered into with a law enforcement agency pursuant to s. 23.1225. Traffic laws may also be enforced off-campus when hot pursuit originates on or within 1,000 feet of any such property or facilities, or as agreed upon in accordance with the mutual aid agreement.

d. Police officers employed by an airport authority may enforce all of the traffic laws of this state only when such violations occur on any property or facilities that are owned or operated by an airport authority.

(I) An airport authority may employ as a parking enforcement specialist any individual who successfully completes a training program established and approved by the Criminal Justice Standards and Training Commission for parking enforcement specialists but who does not otherwise meet the uniform minimum standards established by the commission for law enforcement officers or auxiliary or part-time officers under s. 943.12. This sub-sub-subparagraph may not be construed to permit the carrying of firearms or other weapons, nor shall such parking enforcement specialist have arrest authority.

(II) A parking enforcement specialist employed by an airport authority may enforce all state, county, and municipal laws and ordinances governing parking only when such violations are on property or facilities owned or operated by the airport authority employing the specialist, by appropriate state, county, or municipal traffic citation.

e. The Office of Agricultural Law Enforcement of the Department of Agriculture and Consumer Services may enforce traffic laws of this state.

f. School safety officers may enforce all of the traffic laws of this state when such violations occur on or about any property or facilities that are under the guidance, supervision, regulation, or control of the district school board.

2. Any disciplinary action taken or performance evaluation conducted by an agency of the state as described in subparagraph 1. of a law enforcement officer's traffic enforcement activity must be in accordance with written work-performance standards. Such standards must be approved by the agency and any collective bargaining unit representing such law enforcement officer. A violation of this subparagraph is not subject to the penalties provided in chapter 318.

3. The Division of the Florida Highway Patrol may employ as a traffic accident investigation officer any individual who successfully completes instruction in traffic accident investigation and court presentation through the Selective Traffic Enforcement Program as approved by the Criminal Justice Standards and Training Commission and funded through the National Highway Traffic Safety Administration or a similar program approved by the commission, but who does not necessarily meet the uniform minimum standards established by the commission for law enforcement officers or auxiliary law enforcement

officers under chapter 943. Any such traffic accident investigation officer who makes an investigation at the scene of a traffic accident may issue traffic citations, based upon personal investigation, when he or she has reasonable and probable grounds to believe that a person who was involved in the accident committed an offense under this chapter, chapter 319, chapter 320, or chapter 322 in connection with the accident. This subparagraph does not permit the officer to carry firearms or other weapons, and such an officer does not have authority to make arrests.

Section 11. Section 321.02, Florida Statutes, is amended to read:

321.02 Powers and duties of department, highway patrol.—The director of the Division of the Florida Highway Patrol ~~of the Department of Highway Safety and Motor Vehicles~~ shall also be the commander of the Florida Highway Patrol. The ~~said~~ department shall set up and adopt ~~promulgate~~ rules and regulations by which the personnel of the Florida Highway Patrol officers shall be examined, employed, trained, located, suspended, reduced in rank, discharged, recruited, paid, and pensioned, subject to civil service provisions hereafter set out. The department may enter into contracts or agreements, with or without competitive bidding or procurement, to make available, on a fair, reasonable, nonexclusive, and nondiscriminatory basis, property and other structures under

division control for the placement of new facilities by any wireless provider of mobile service as defined in 47 U.S.C. s. 153(27) or s. 332(d), and any telecommunications company as defined in s. 364.02 when it is determined to be practical and feasible to make such property or other structures available. The department may, without adopting a rule, charge a just, reasonable, and nondiscriminatory fee for placement of the facilities, payable annually, based on the fair market value of space used by comparable communications facilities in the state. The department and a wireless provider or telecommunications company may negotiate the reduction or elimination of a fee in consideration of services provided to the division by the wireless provider or the telecommunications company. All such fees collected by the department shall be deposited directly into the State Agency Law Enforcement Radio System Trust Fund, and may be used to construct, maintain, or support the system. The department is further specifically authorized to purchase, sell, trade, rent, lease, and maintain all necessary equipment, uniforms, motor vehicles, communication systems, housing facilities, and office space~~,~~ and perform any other acts necessary for the proper administration and enforcement of this chapter. However, all supplies and equipment consisting of single items or in lots shall be purchased under the requirements of s. 287.057. Purchases shall be made by accepting the bid of the lowest responsive bidder, the right being

reserved to reject all bids. The department shall prescribe a distinctive uniform and distinctive emblem to be worn by all officers of the Florida Highway Patrol. It shall be unlawful for any other person or persons to wear a similar uniform or emblem, or any part or parts thereof. The department shall also prescribe distinctive colors for use on motor vehicles and motorcycles operated by the Florida Highway Patrol. The prescribed colors shall be referred to as "Florida Highway Patrol black and tan."

Section 12. Section 321.03, Florida Statutes, is amended to read:

321.03 Imitations prohibited; penalty.—Unless specifically authorized by the Florida Highway Patrol, a person in this ~~the~~ state may ~~shall~~ not color or cause to be colored any motor vehicle or motorcycle the same or similar color as the color or colors so prescribed for the Florida Highway Patrol. A person who violates this section or s. 321.02 with respect to uniforms, emblems, motor vehicles, and motorcycles commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. The department ~~of Highway Safety and Motor Vehicles~~ shall employ such clerical help and mechanics as may be necessary for the economical and efficient operation of the ~~such~~ department.

Section 13. Section 321.04, Florida Statutes, is amended to read:

321.04 Personnel of the highway patrol; rank classifications; probationary status of new patrol officers; subsistence; special assignments.—

(1) The department ~~of Highway Safety and Motor Vehicles~~ shall employ patrol officers, as authorized by the Legislature in appropriating funds for their salaries exclusive of those members of the patrol who are assigned to and paid by special departments; and shall establish the necessary supervisory ranks within the Florida Highway Patrol to efficiently supervise and carry out the designated functions of the patrol and the department in accordance with the regulations established by the Department of Management Services.

(2) Each person who is employed as a patrol officer shall be carried on a probationary status for ~~the period of~~ 1 year after ~~from~~ date of employment, during which period he or she may be dismissed without recourse. Patrol officers when sent on special detail or missions out of their regular assigned territories or headquarters shall be reimbursed for travel expenses as provided in s. 112.061.

(3)~~(a)~~ The department ~~of Highway Safety and Motor Vehicles~~ shall assign one patrol officer to the office of the Governor. Such~~; said~~ patrol officer ~~so assigned~~ shall be selected by the Governor and shall have rank and pay not less than that of a lieutenant of the Florida Highway Patrol;~~, and said patrol officer so assigned~~ shall be paid by the ~~said~~ department from

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

the appropriation made to the ~~said~~ department; and ~~said patrol officer~~ shall have and receive all other benefits provided for in this chapter or any other statute now in existence or hereinafter enacted.

~~(b) For the 2024-2025 fiscal year only, upon the request of the Governor, the Department of Highway Safety and Motor Vehicles shall assign one or more patrol officers to the office of the Lieutenant Governor for security services. This paragraph expires July 1, 2025.~~

(4) Upon request of the Attorney General, the department ~~of Highway Safety and Motor Vehicles~~ shall assign one or more patrol officers to the Office of the Attorney General for security services.

~~(5) For the 2024-2025 fiscal year only, the assignment of a patrol officer by the department shall include a Cabinet member specified in s. 4, Art. IV of the State Constitution if deemed appropriate by the department or in response to a threat and upon written request of such Cabinet member. This subsection expires July 1, 2025.~~

Section 14. Section 321.05, Florida Statutes, is amended to read:

321.05 Duties, functions, and powers of patrol officers.—The members of the Florida Highway Patrol are ~~hereby~~ declared to be conservators of the peace and law enforcement officers of this ~~the~~ state, with the common-law right to arrest a person

who, in the presence of the arresting officer, commits a felony or commits an affray or breach of the peace constituting a misdemeanor, with full power to bear arms; and they shall apprehend, without warrant, any person in the unlawful commission of any of the acts over which the members of the Florida Highway Patrol are given jurisdiction as hereinafter set out and deliver him or her to the sheriff of the county that further proceedings may be had against him or her according to law. In the performance of any of the powers, duties, and functions authorized by law, members of the Florida Highway Patrol have the same protections and immunities afforded other peace officers, which shall be recognized by all courts having jurisdiction over offenses against the laws of this state, and have authority to apply for, serve, and execute search warrants, arrest warrants, capias, and other process of the court. The patrol officers under the direction and supervision of the department ~~of Highway Safety and Motor Vehicles~~ shall perform and exercise throughout the state the following duties, functions, and powers:

(1) To patrol the state highways and regulate, control, and direct the movement of traffic thereon; to maintain the public peace by preventing violence on highways; to apprehend fugitives from justice; to enforce all laws regulating and governing traffic, travel, and public safety upon the public highways and providing for the protection of the public highways

and public property thereon, including the security and safety of this state's transportation infrastructure; to make arrests without warrant for the violation of any state law committed in their presence in accordance with state law; providing that no search may be made unless it is incident to a lawful arrest, to regulate and direct traffic concentrations and congestions; to enforce laws governing the operation, licensing, and taxing and limiting the size, weight, width, length, and speed of vehicles and licensing and controlling the operations of drivers and operators of vehicles, including the safety, size, and weight of commercial motor vehicles; to collect all state fees and revenues levied as an incident to the use or right to use the highways for any purpose, including the taxing and registration of commercial motor vehicles; to require the drivers of vehicles to stop and exhibit their driver licenses, registration cards, or documents required by law to be carried by such vehicles; to investigate traffic accidents, secure testimony of witnesses and of persons involved, and make report thereof with copy, if requested in writing, to any person in interest or his or her attorney; to investigate reported thefts of vehicles; and to seize contraband or stolen property on or being transported on the highways. Each patrol officer of the Florida Highway Patrol is subject to and has the same arrest and other authority provided for law enforcement officers generally in chapter 901 and has statewide jurisdiction. Each officer also has arrest

authority as provided for state law enforcement officers in s. 901.15. This section does not conflict with, but is supplemental to, chapter 933.

(2) To assist other constituted law enforcement officers of the state to quell mobs and riots, guard prisoners, and police disaster areas.

(3)(a) To make arrests while in fresh pursuit of a person believed to have violated the traffic and other laws.

(b) To make arrest of a person wanted for a felony or against whom a warrant has been issued on any charge in violation of federal, state, or county laws or municipal ordinances.

(4)(a) All fines and costs and the proceeds of the forfeiture of bail bonds and recognizances resulting from the enforcement of this chapter by patrol officers shall be paid into the fine and forfeiture fund established pursuant to s. 142.01 of the county where the offense is committed. In all cases of arrest by patrol officers, the person arrested shall be delivered forthwith by the officer to the sheriff of the county, or he or she shall obtain from the person arrested a recognizance or, if deemed necessary, a cash bond or other sufficient security conditioned for his or her appearance before the proper tribunal of the county to answer the charge for which he or she has been arrested; and all fees accruing shall be taxed against the party arrested, which fees are ~~hereby~~ declared

to be part of the compensation of the sheriffs authorized to be fixed by the Legislature under s. 5(c), Art. II of the State Constitution, to be paid such sheriffs in the same manner as fees are paid for like services in other criminal cases. All patrol officers are ~~hereby~~ directed to deliver all bonds accepted and approved by them to the sheriff of the county in which the offense is alleged to have been committed. However, a sheriff shall not be paid any arrest fee for the arrest of a person for violation of any section of chapter 316 when the arresting officer was transported in a Florida Highway Patrol car to the vicinity where the arrest was made; and a sheriff shall not be paid any fee for mileage for himself or herself or a prisoner for miles traveled in a Florida Highway Patrol car. A patrol officer is not entitled to any fee or mileage cost except when responding to a subpoena in a civil cause or except when the patrol officer is appearing as an official witness to testify at any hearing or law action in any court of this state as a direct result of his or her employment as a patrol officer during time not compensated as a part of his or her normal duties. Nothing herein shall be construed as limiting the power to locate and to take from any person under arrest or about to be arrested deadly weapons. This section is not a limitation upon existing powers and duties of sheriffs or police officers.

(b) Any person so arrested and released on his or her own recognizance by an officer and who fails to appear or respond to

a notice to appear, in addition to the traffic violation charge, commits a noncriminal traffic infraction subject to the penalty provided in s. 318.18(2).

(5) The department may employ or assign some fit and suitable person with experience in the field of public relations who shall promote, coordinate, and publicize the traffic safety activities in the state and assign such person to the office of the Governor at a salary to be fixed by the department. The person so assigned or employed shall be a member of the uniform division of the Florida Highway Patrol, and he or she shall have the pay and rank of lieutenant while on such assignment.

(6) The Division of Florida Highway Patrol may ~~is authorized to~~ adopt rules as ~~which may be~~ necessary to implement ~~the provisions of~~ chapter 316.

Section 15. Paragraph (a) of subsection (2) of section 321.051, Florida Statutes, is amended to read:

321.051 Florida Highway Patrol wrecker operator system; penalties for operation outside of system.—

(2)(a) The Division of Florida Highway Patrol may ~~of the Department of Highway Safety and Motor Vehicles is authorized to~~ establish within areas designated by the patrol a wrecker operator system using qualified, reputable wrecker operators for removal and storage of wrecked or disabled vehicles from a crash scene or for removal and storage of abandoned vehicles, in the event the owner or operator is incapacitated or unavailable or

leaves the procurement of wrecker service to the officer at the scene. All reputable wrecker operators are eligible for use in the system provided their equipment and drivers meet recognized safety qualifications and mechanical standards set by rules of the Division of Florida Highway Patrol for the size of vehicle it is designed to handle. The division may not exclude a wrecker operator from the wrecker operator system or fail to designate a wrecker operator as an authorized wrecker operator based solely on a prior felony conviction unless such conviction is for a forcible felony as defined in s. 776.08 or a felony listed in s. 812.014(2)(c)6. or s. 812.16(2). The division may ~~is authorized to~~ limit the number of wrecker operators participating in the wrecker operator system, which authority shall not affect wrecker operators currently participating in the system established by this section. The division must establish maximum rates for the towing and storage of vehicles removed at the division's request, where such rates have not been set by a county or municipality pursuant to s. 125.0103 or s. 166.043. Such rates may ~~shall~~ not be considered rules for the purpose of chapter 120; however, the department shall establish by rule a procedure for setting such rates.

Section 16. Section 321.245, Florida Statutes, is amended to read:

321.245 Disposition of certain funds ~~in the Highway Safety Operating Trust Fund~~.—The director of the Florida Highway

Patrol, after receiving recommendations from the commander of the auxiliary, may ~~is authorized to~~ purchase uniforms and equipment for auxiliary law enforcement officers as defined in s. 321.24 from funds in the Department of Law Enforcement Operating Trust Fund ~~described in s. 324.0221(3)~~. The amounts expended under this section shall not exceed $50,000 in any one fiscal year.

Section 17. Section 321.25, Florida Statutes, is amended to read:

321.25 Training provided at patrol schools.—The Department of Law Enforcement may ~~Highway Safety and Motor Vehicles is authorized to~~ provide for the training of law enforcement officials and individuals in matters relating to the duties, functions, and powers of the Florida Highway Patrol in the schools established by the Department of Highway Safety and Motor Vehicles, or, on or after July 1, 2026, established by the Department of Law Enforcement, for the training of highway patrol candidates and officers. The Department of Law Enforcement may ~~Highway Safety and Motor Vehicles is authorized to~~ charge a fee for providing the training authorized by this section. The fee shall be charged to persons attending the training. The fee shall be based on the department's ~~Department of Highway Safety and Motor Vehicles'~~ costs for providing the training, and such costs may include, but are not limited to, tuition, lodging, and meals. Revenues from the fees shall be

used to offset the department's ~~Department of Highway Safety and Motor Vehicles'~~ costs for providing the training. The cost of training local enforcement officers shall be paid for by their respective offices, counties or municipalities, as the case may be. Such cost shall be deemed a proper county or municipal expense or a proper expenditure of the office of sheriff.

Section 18. Subsection (2) of section 338.239, Florida Statutes, is amended to read:

338.239 Traffic control on the turnpike system.—

(2) Members of the Florida Highway Patrol are vested with the power, and charged with the duty, to enforce the rules of the department. Approved expenditures incurred by the Florida Highway Patrol in carrying out its powers and duties under ss. 338.22-338.241 may be treated as a part of the cost of the operation of the turnpike system, and the Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~ shall be reimbursed by the turnpike enterprise for such expenses incurred on the turnpike system. Florida Highway Patrol Troop K shall be headquartered with the turnpike enterprise and shall be the official and preferred law enforcement troop for the turnpike system. The Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~ may, upon request of the executive director of the turnpike enterprise and approval of the Legislature, increase the number of authorized positions for Troop K, or the executive director of the turnpike enterprise may contract with

the Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~ for additional troops to patrol the turnpike system.

Section 19. Paragraph (a) of subsection (2) of section 713.78, Florida Statutes, is amended to read:

713.78 Liens for recovering, towing, or storing vehicles and vessels.—

(2)(a) A towing-storage operator may charge the owner or operator of a vehicle or vessel only the following fees for, or incidental to, the recovery, removal, or storage of the vehicle or vessel:

1. Any reasonable fee for service specifically authorized under s. 125.0103 or s. 166.043 by ordinance, resolution, regulation, or rule of the county or municipality in which the service is performed.

2. Any reasonable fee for service specifically authorized by the Division of Florida Highway Patrol of the Department of Law Enforcement ~~Highway Safety and Motor Vehicles~~ under s. 321.051(2).

3. Any reasonable fee for service as agreed upon in writing between a towing-storage operator and the owner of a vehicle or vessel.

4. Any lien release administrative fee as set forth in paragraph (15)(a).

5. Any reasonable administrative fee or charge imposed by a county or municipality pursuant to s. 125.01047, s. 166.04465,

or s. 323.002 upon the registered owner or other legally authorized person in control of a vehicle or vessel.

Section 20. This act shall take effect July 1, 2026.