



ROADS, BRIDGES & PORTS POLICY COMMITTEE

Meeting Packet

**Wednesday, March 10, 2010
8:30 A.M. – 10:30 P.M.
404 HOB**

LARRY CRETUL
Speaker

GARY AUBUCHON
Chair



**The Florida House of Representatives
Roads, Bridges & Ports Policy Committee**

**Larry Cretul
Speaker**

**Gary Aubuchon
Chair**

AGENDA

**March 10, 2010
404 House Office Building
8:30 a.m. – 10:30 a.m.**

- I. CALL TO ORDER AND WELCOME REMARKS**
- II. CONSIDERATION OF THE FOLLOWING BILLS:**
 - PCS for HB 41 -- Use of Wireless Communications Devices While Driving**
 - CS/HB 479 Driver License Records by Health Care Services Policy Committee, Reed**
 - HB 827 State Road & Bridge Designations by Bovo**
 - HB 839 Road and Bridge Designations by Grimsley, Kelly**
 - HB 841 Road Designations by Roberson, Y.**
 - HB 903 Strategic Intermodal System Plan by Ray**
 - HB 1033 Road Designations by Murzin**
 - HB 1043 License Plates by Skidmore**
 - HB 1113 Road Designations by Drake**
 - HB 1195 Road & Bridge Designations by Frishe**
- III. ADJOURNMENT**

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The state has expressly preempted all regulation of the use of electronic communications devices in a motor vehicle.¹ It is a violation of current state law to operate a motor vehicle while wearing a headset, headphone, or other listening device other than a hearing aid;² such violations are noncriminal traffic infractions punishable as nonmoving violations. Section 318.18(2), F.S., provides that a non-moving violation requires a \$30 fine (plus court costs which vary by county; the total fine plus court costs and fees for a non-moving violation could range from \$78 to \$129).

Exceptions to the prohibition against headsets are made for law enforcement radio equipment,³ certain headsets built into motorcycle helmets,⁴ and cellular phone or other radio headsets used in only one ear.⁵ The Department of Highway Safety and Motor Vehicles is granted rulemaking authority to further detail the standards and specifications of radio equipment permitted by statute.⁶

Section 322.27(3), F.S., provides a point system used to evaluate the qualification of any person to operate a motor vehicle after accumulating multiple violations of motor vehicle laws. Moving violations typically result in assessment of three points, unless the infraction or offense is among those considered more serious. For example, pursuant to section 322.27(3)(d), F.S., reckless driving, passing a stopped school bus, and speeding in excess of 15 mph over the posted limit all require assessment of four points. Leaving the scene of a crash and speeding resulting in a crash require assessment of six points.

The Department may suspend a driver for 30 days if the driver accumulates 12 or more points within a 12-month period,⁷ up to three months if the driver accumulates 18 points in 18 months,⁸ and up to one year if the driver accumulates 24 points within 36 months.⁹

¹ Section 316.0075, F.S.

² Section 316.304(1), F.S.

³ Section 316.304(2)(a), F.S.

⁴ Section 316.304(2)(c), F.S.

⁵ Section 316.304(2)(d) – (e), F.S.

⁶ Section 316.304(3), F.S.

⁷ Section 322.27(3)(a), F.S.

⁸ Section 322.27(3)(b), F.S.

⁹ Section 322.27(3)(c), F.S.

The United States Department of Transportation (USDOT) has recently issued a "Sample Law" to prohibit texting while driving.¹⁰ Recognizing that states have had some difficulty drafting language that prohibits dangerous behaviors but allows certain minimal uses of technology, the USDOT requested the participation of several national groups to draft language satisfactory to all. Contributors to the Sample Law include: Advocates for Highway and Auto Safety, Alliance of Automobile Manufacturers, American Association of Motor Vehicle Administrators, American Association of State Highway and Transportation Officials, AAA, Centers for Disease Control and Prevention, CTIA- The Wireless Association, Governors Highway Safety Association, ITS America, International Association of Chiefs of Police, National Conference of State Legislatures, National Safety Council, The National Traffic Law Center of the National District Attorneys Association, and Safe Kids USA.

In its message accompanying the text of the Sample Law, the USDOT states that "[w]hile there are many sources of driver distraction...the act of composing, sending or reading text messages interrupts drivers' cognitive attention, causes vision to be directed away from the road, and compromises manual control of the vehicle." The letter concludes by noting that texting prohibition laws:

are relatively new and have not been thoroughly evaluated. However... safety advocates and state legislatures are compelled to move forward, basing texting legislation on the broad foundation of principles learned from seat belt laws, impaired driving statutes, and similar legislative initiatives.... This sample law reflects current circumstances and state of knowledge, but may be revised in the future to incorporate new research findings, address evolving technologies, or to harmonize with other legislation.

Nineteen states and the District of Columbia have passed a ban on text-while-driving for all drivers. The National Conference of State Legislators has the following chart detailing each state's cell-phone use laws.¹¹

States	Hand-held ban	All cell phone ban	Texting ban	Enforcement
Alabama	No	No	No	Not applicable
Alaska	No	No	All drivers	Primary
Arizona	No	School bus drivers	No	Primary
Arkansas	No	School bus drivers, drivers younger than 18	School bus drivers, all drivers	Primary for texting by all drivers and cell phone use by school bus drivers; secondary for cell phone use by young drivers
California	All drivers	School and transit bus drivers and drivers younger than 18	All drivers	Primary
Colorado	No	Drivers younger than 18	All drivers	Primary
Connecticut	All drivers	Learner's permit holders, drivers younger than 18, and school bus drivers	All drivers	Primary
Delaware	No	School bus drivers and learner's permit and intermediate license holders	Learner's permit and intermediate license holders	Primary
District of Columbia	All drivers	School bus drivers and learner's permit holders	All drivers	Primary
Florida	No	No	No	Not applicable
Georgia	No	School bus drivers	No	Primary

¹⁰ "SAMPLE LAW TO PROHIBIT TEXTING WHILE DRIVING," USDOT Secretary Roy LaHood, February 2010. Secretary LaHood's letter and the text of the Sample Law are available online at:

http://www.nhtsa.gov/staticfiles/DOT/NHTSA/Rulemaking/Texting_Law_021910.pdf

¹¹ "Cell Phone Use and Texting While Driving Laws," updated November 12, 2009. Available online at NCSL.org, Document No.

Hawaii	No	No	No	Not applicable
Idaho	No	No	No	Not applicable
Illinois	Drivers in construction and school speed zones	Learner's permit holders younger than 19, drivers younger than 19, and school bus drivers	All drivers	Primary
Indiana	No	Drivers under the age of 18.	Drivers under the age of 18.	Primary
Iowa	No	No	No	Not applicable
Kansas	No	Learner's permit and intermediate license holders	Learner's permit and intermediate license holders	Primary
Kentucky	No	School bus drivers	No	Primary
Louisiana	No	School bus drivers, learner's permit and intermediate license holders, drivers under age 18	All drivers	Secondary, primary for school bus drivers
Maine**	No	Learner's permit and intermediate license holders	Learner's permit and intermediate license holders	Primary
Maryland	No	Learner's permit and intermediate license holders	All drivers	Primary for texting
Massachusetts	Local option	School bus drivers	No	Primary
Michigan	Local option	No	No	Not applicable
Minnesota	No	School bus drivers, learner's permit holders, and provisional license holders during the first 12 months after licensing	All drivers	Primary
Mississippi	No	No	Learner's permit holders and intermediate license holders	Primary
Missouri	No	No	Drivers 21 years of age or younger	Primary
Montana	No	No	No	Not applicable
Nebraska	No	Learner's permit and intermediate license holders younger than 18	Learner's permit and intermediate license holders younger than 18	Not applicable
Nevada	No	No	No	Not applicable
New Hampshire	No	No	All drivers	Primary
New Jersey	All drivers	School bus drivers, and learner's permit and intermediate license holders	All drivers	Primary
New Mexico	Local option	No	No	Not applicable
New York	All drivers	No	All drivers	Secondary
North Carolina	No	Drivers younger than 18 and school bus drivers	All drivers	Primary
North Dakota	No	No	No	Not applicable
Ohio	Local option	No	No	Not applicable
Oklahoma	No	No	No	Not applicable
Oregon	All drivers	Drivers younger than 18	All drivers	Primary
Pennsylvania	Local option	No	No	Not applicable
Rhode Island	No	School bus drivers and drivers younger than 18	All drivers	Primary
South	No	No	No	Not applicable

Carolina				
South Dakota	No	No	No	Not applicable
Tennessee	No	School bus drivers, and learner's permit and intermediate license holders	All drivers	Primary
Texas	Drivers in school crossing zones	Bus drivers when a passenger 17 and younger is present; intermediate license holders for first 12 months	Bus drivers when a passenger 17 and younger is present; intermediate license holders for first 12 months, drivers in school crossing zones	Primary
Utah	See footnote*	No	All drivers	Primary for texting; secondary for talking on hand-held phone
Vermont	No	No	No	Not applicable
Virginia	No	Drivers younger than 18 and school bus drivers	All drivers	Secondary; primary for school bus drivers
Washington	All drivers	No	All drivers	Secondary
West Virginia	No	Drivers younger than 18 who hold either a learner's permit or an intermediate license	Drivers younger than 18 who hold either a learner's permit or an intermediate license	Primary
Wisconsin	No	No	No	Not applicable
Wyoming	No	No	No	Not applicable

Proposed Changes

PCS/HB 41 draws heavily on the Sample Law promulgated by the USDOT, particularly with regard to the express legislative intent and the prohibition itself. The penalties are modified somewhat to provide a graduated approach and to better integrate with existing Florida Statutes.

Specific Intent

PCS/HB 41 prohibits any driver from operating a motor vehicle while using a wireless communication device. The bill's specific intention is to

- Improve roadway safety for motor vehicle operators, passengers, bicyclists, pedestrians and all other road users;
- Prevent crashes related to the act of text messaging;
- Reduce injuries, death, property damage, health care costs, health insurance, and automobile insurance rates related to motor vehicle crashes; and
- Authorize law enforcement officers to issue citations for text messaging as a secondary offense.

Prohibition on Texting While Driving

To achieve these goals, the bill prohibits the operation of a motor vehicle "while manually typing or entering multiple letters, numbers, symbols, or other text in a wireless communication device, or sending or reading data in the device, for the purpose of non-voice interpersonal communication."

The bill defines "wireless communication device" as *any* device designed or intended to receive or transmit written messages, access or store data, or connect electronically to the Internet or any other communications service¹² and which allows text communications. The bill also specifies that for purposes of the prohibition on texting, a person is *not* operating a vehicle when legally parked.

¹² "Communications service" itself is defined by reference to s. 812.15, F.S. In that statute, "communications service" means: any service lawfully provided for a charge or compensation by any cable system or by any radio, fiber optic, photooptical, electromagnetic, photoelectronic, satellite, microwave, data transmission, Internet-based, or wireless distribution network, system, or facility, including, but not limited to, any electronic, data, video,

Exceptions

The bill makes exceptions for:

- Law enforcement, fire service, or emergency medical services personnel performing official duties;
- Reporting an emergency, or criminal or suspicious activity;
- Receiving messages related to:
 - The operation or navigation of a motor vehicle;
 - Safety-related information including emergency, traffic, or weather alerts;
 - Data used primarily by the motor vehicle; or
 - Radio broadcasts;
- Using a device or system for navigation purposes; or
- Conducting wireless interpersonal communication that does *not* require manual entry of multiple letters, numbers, or symbols, or reading text messages (except to activate or deactivate a feature or function).

Penalties

A penalty for a first violation of the prohibition is a non-moving violation, punishable as provided in Ch. 318. Without a specified alternative amount, non-moving violations result in a \$30 fine, plus court costs which vary by jurisdiction. The total fine, plus court costs and fees, could range from \$78 to \$129.

If a person commits a second violation of the prohibition within 5 years of the first violation, the penalty is increased to a moving violation. Chapter 318 provides a \$60 fine plus court costs, resulting in a total fine and costs of \$128 to \$179, depending on jurisdiction.

With regard to the 'repeat offense' portion of the penalty, it is worth noting that s. 318.14(9), F.S., permits a person to avoid a conviction for most traffic violations by attending a basic driver improvement course.¹³ A violator may only make this election once in a 12-month period, and not more than 5 times in a 10 year period. In the event that a person is stopped by a law enforcement officer, receives a traffic citation for a primary offense, and receives a citation for texting while driving as a secondary offense, it is conceivable that the person could elect to use the driver improvement course to avoid a 'conviction' for texting while driving (either on a first or subsequent violation of the texting ban). On the other hand, many primary offenses add points to a driver's license so the driver would presumably elect to apply the driver improvement course to the primary citation and avoid the more immediate point penalty. A driver with frequent traffic offenses is not likely to encounter this scenario, as he or she has likely exhausted the available driver improvement course elections available under s. 318.14(9), F.S.

The bill provides that the Department of Highway Safety and Motor Vehicles will assign 6 points to the driver's license of any driver whose use of a wireless communications device results in a crash (regardless of whether the offense is a first or subsequent offense). This is identical to the number of points that would apply to a driver's license when the operator caused a crash as a result of unlawful speed.

B. SECTION DIRECTORY:

Section 1 Creates s. 316.305, F.S.; prohibiting the use of wireless communications devices by motor vehicle operators; providing exceptions; providing penalties.

audio, Internet access, microwave, and radio communications, transmissions, signals, and services, and any such communications, transmissions, signals, and services lawfully provided for a charge or compensation, directly or indirectly by or through any of those networks, systems, or facilities.

¹³ The election is not available for speeding offenses, vehicle registration requirements, and driver's license requirements, nor is the election available for holders of commercial driver's licenses.

Section 2 Amends s. 322.27, F.S.; providing for driver's license points for unlawful use of a wireless communications device resulting in a crash.

Section 3 Provides an effective date of October 1, 2009.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments, below.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments, below.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

An individual violating the prohibition would be subject to a civil penalty of \$78 to \$179, depending on the jurisdiction's court costs, and whether the violation is a first offense or a second or subsequent offense.

D. FISCAL COMMENTS:

The bill may generate an indeterminate amount of revenue for both state and local law enforcement agencies, depending on the number of secondary violations issued by law enforcement officials, and the frequency with which violators commit subsequent violations, incurring large penalties.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

PCS for HB 41

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to use of wireless communications devices;
 3 creating s. 316.305, F.S.; prohibiting the use of wireless
 4 communications devices by motor vehicle operators;
 5 providing exceptions; providing penalties; amending s.
 6 322.27, F.S.; providing for points to be assessed against
 7 a driver's license for unlawful use of wireless
 8 communications device resulting in a crash; providing an
 9 effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Section 316.305, Florida Statutes, is created
 14 to read:

15 316.305 Wireless communications devices; prohibition.-

16 (1) This section may be cited as the "Florida Ban on
 17 Texting While Driving Law."

18 (2) It is the intent of the Legislature to:

19 (a) Improve roadway safety for all vehicle operators,
 20 passengers, bicyclists, pedestrians, and other road users.

21 (b) Prevent crashes related to the act of text messaging
 22 while driving a motor vehicle.

23 (c) Reduce injuries, death, property damage, health care
 24 costs, health insurance, and automobile insurance rates related
 25 to motor vehicle crashes.

26 (d) Authorize law enforcement officers to stop vehicles
 27 and issue citations to persons texting while driving as a
 28 secondary offense.

29 (3) (a) A person shall not operate a motor vehicle while
 30 manually typing or entering multiple letters, numbers, symbols,
 31 or other characters in a wireless communications device or
 32 sending or reading data in such a device for the purpose of
 33 nonvoice interpersonal communication, including, but not limited
 34 to, communication methods known as texting, e-mailing, and
 35 instant messaging. As used in this section, the term "wireless
 36 communications device" means any device designed or intended to
 37 receive or transmit text or character-based messages, access or
 38 store data, or connect to the Internet or any communications
 39 service as defined in s. 812.15 and which allows text
 40 communications. For purposes of this section, a motor vehicle
 41 that is legally parked is not being operated and is not subject
 42 to the prohibition of this paragraph.

43 (b) This subsection does not apply to a motor vehicle
 44 operator who is:

45 1. A law enforcement, fire service, or emergency medical
 46 services professional performing official duties.

47 2. Reporting an emergency or criminal or suspicious
 48 activity to law enforcement authorities.

49 3. Receiving messages that are:

50 a. Related to the operation or navigation of the motor
 51 vehicle;

52 b. Safety-related information including emergency,
 53 traffic, or weather alerts;

54 c. Data used primarily by the motor vehicle; or

55 d. Radio broadcasts.

56 4. Using a device or system for navigation purposes.

57 5. Conducting wireless interpersonal communication that
 58 does not require manual entry of multiple letters, numbers, or
 59 symbols or reading text messages, except to activate,
 60 deactivate, or initiate a feature or function.

61 (c) A user's billing records for a wireless communications
 62 device or the testimony or written statements from appropriate
 63 authorities receiving such messages may be admissible as
 64 evidence in any proceeding to determine whether an infraction of
 65 this section has been committed.

66 (4) (a) Any person who violates subsection (3) commits a
 67 noncriminal traffic infraction, punishable as a nonmoving
 68 violation as provided in chapter 318.

69 (b) Any person who commits a second or subsequent
 70 violation of subsection (3) within 5 years after the date of a
 71 prior conviction for a violation of subsection (3) commits a
 72 noncriminal traffic infraction, punishable as a moving violation
 73 as provided in chapter 318.

74 (4) Enforcement of this section by state or local law
 75 enforcement agencies must be accomplished only as a secondary
 76 action when a driver of a motor vehicle has been detained for a
 77 suspected violation of another section of this chapter, chapter
 78 320, or chapter 322.

79 Section 2. Paragraph (d) of subsection (3) of section
 80 322.27, Florida Statutes, is amended to read:

81 322.27 Authority of department to suspend or revoke
 82 license.—

83 (3) There is established a point system for evaluation of
 84 convictions of violations of motor vehicle laws or ordinances,

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ORIGINAL

YEAR

85 and violations of applicable provisions of s. 403.413(6)(b) when
 86 such violations involve the use of motor vehicles, for the
 87 determination of the continuing qualification of any person to
 88 operate a motor vehicle. The department is authorized to suspend
 89 the license of any person upon showing of its records or other
 90 good and sufficient evidence that the licensee has been
 91 convicted of violation of motor vehicle laws or ordinances, or
 92 applicable provisions of s. 403.413(6)(b), amounting to 12 or
 93 more points as determined by the point system. The suspension
 94 shall be for a period of not more than 1 year.

95 (d) The point system shall have as its basic element a
 96 graduated scale of points assigning relative values to
 97 convictions of the following violations:

- 98 1. Reckless driving, willful and wanton—4 points.
- 99 2. Leaving the scene of a crash resulting in property
 100 damage of more than \$50—6 points.
- 101 3. Unlawful speed or unlawful use of wireless
 102 communication device, resulting in a crash—6 points.
- 103 4. Passing a stopped school bus—4 points.
- 104 5. Unlawful speed:
 - 105 a. Not in excess of 15 miles per hour of lawful or posted
 106 speed—3 points.
 - 107 b. In excess of 15 miles per hour of lawful or posted
 108 speed—4 points.
- 109 6. A violation of a traffic control signal device as
 110 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
- 111 7. All other moving violations (including parking on a
 112 highway outside the limits of a municipality)—3 points. However,

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113 no points shall be imposed for a violation of s. 316.0741 or s.
 114 316.2065(12).

115 8. Any moving violation covered above, excluding unlawful
 116 speed and unlawful use of wireless communication device,
 117 resulting in a crash—4 points.

118 9. Any conviction under s. 403.413(6)(b)—3 points.

119 10. Any conviction under s. 316.0775(2)—4 points.

120 Section 3. This act shall take effect October 1, 2010.

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- Promote educational accountability, excellence, and choice.
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- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Background

Adult Protective Investigations

The Adult Protective Services Program, authorized by Ch. 415, F.S., and managed by the Department of Children and Family Services (DCF), is a system of social services that protects disabled or elderly persons from occurrences of abuse, neglect, and exploitation. Upon report of alleged abuse, neglect, or exploitation, an assessment of an individual's need for protective services is initiated.

The program consists of four components:

- The on-site investigation;
- Emergency services if determined necessary;
- Referral to the local law enforcement, if appropriate; and
- Referral to local social service agencies for any identified needs.¹

The Florida Abuse Hotline accepts reports related to vulnerable adults who are residents of Florida or currently located in Florida, and are:

- Believed to have been neglected or abused by a caregiver in Florida;
- Suffering from the ill effects of neglect and in need of services; or
- Being exploited by any person who stands in a position of trust or confidence, or any person who knows or should know that a vulnerable adult lacks capacity to consent and who obtains or uses, or endeavors to obtain or use their funds, assets or property.²

When a report is determined by a hotline counselor to require an immediate onsite protective investigation, the hotline counselor must immediately notify the DCF's designated district staff responsible for protective investigations. A non-emergency report that is received by the hotline

¹ Department of Children and Families, CF Operating Procedure 140-2, see <http://www.dcf.state.fl.us/publications/policies.shtml#adult> (last visited February 2, 2010).

² Department of Children and Families, *Reporting Abuse of Children and Vulnerable Adults*, see www.dcf.state.fl.us/abuse/publications/mandatedreporters.pdf (2007) (last visited February 2, 2010).

counselor is forwarded to the appropriate district staff in sufficient time so that an investigation occurs within 24 hours.³

When a report is called into the Florida Abuse hotline, a protective investigation is initiated, which includes observation, interviews with the victim and witnesses, evidence gathering and collateral contacts.⁴ Sometimes during an investigation, abused, neglected, or exploited adults are identified, but lack the capacity to consent to protective services. Additionally DCF reports that during some adult protective investigations, the subject of the investigation denies his or her identity, eluding the investigators.⁵

Public Assistance

Public assistance includes benefits paid to individuals through temporary cash assistance, food stamps, Medicaid or optional state supplemental programs.⁶

Driver's Licenses and Identification Cards

Applicants for driver's licenses are required by the Department of Highway Safety and Motor Vehicles (DHSMV) to provide proof of a social security card and proof of identity by showing documents including proof of citizenship and lawful non-citizenship status.⁷ Identical requirements exist in law for state issued identification cards.⁸ Upon receipt of the required fee, DHSMV issues to driver's license and identification card applicants, a color photographic or digital imaged driver's license bearing a full-face photograph or digital image of the licensee.⁹

Temporary Cash Assistance

Under state law, temporary cash assistance applicants must be United States citizens, qualified noncitizens, legal residents of the state, and be able to provide a social security number for each member of the family or show proof of application for one.¹⁰ The Department of Children and Family Services (DCF) conducts eligibility for and administers the temporary cash assistance program under Title IV-A of the Social Security Act.^{11,12}

Medicaid

Both federal and state law require applicants for Medicaid services to show proof of identity and be United States citizens, or qualified non-citizens and legal residents of Florida.^{13,14} Additionally, federal law classifies a valid state-issued driver's license as satisfactory documentary evidence of both identity and citizenship, as long as the state issuing the license requires proof of U.S. citizenship or obtains a social security number from the applicant.¹⁵ Since the applications require proof of a social security card, a valid Florida driver's license or state-issued identification card is permitted to receive Medicaid

³ s. 415.103(2), F.S.

⁴ Department of Children and Families, *Adult Abuse, Neglect, and Exploitation*, see <http://www.dcf.state.fl.us/as/> (last visited February 2, 2010).

⁵ Department of Children and Families, Staff Analysis HB 91 (2010), on file with the Health Care Services Policy Committee.

⁶ s. 414.0252(10), F.S.

⁷ s. 322.08, F.S.

⁸ s. 322.051, F.S.

⁹ s. 322.142(1) and s. 322.051(8), F.S.

¹⁰ s. 414.095(2)(a), F.S.

¹¹ s. 414.0252(12), F.S.

¹² s. 414.045, F.S.

¹³ s. 414.095(2), F.S.

¹⁴ 42 U.S.C. § 1396b(i)(22); 42 C.F.R. § 435.406

¹⁵ 42 U.S.C. § 1396b(x)(3)(b); 42 C.F.R. § 435.407(4)

benefits in Florida. Once Medicaid eligibility has been determined by DCF, then the Agency for Health Care Administration will administer and supervise the Medicaid benefits for the qualified applicant.¹⁶

Supplemental Nutrition Assistance Program (SNAP)

Under state law, food stamps, or SNAP applicants must be United States citizens, qualified noncitizens, legal residents of the state, and be able to provide a social security number for each member of the family or show proof of application for one.¹⁷ Federal law permits both United States citizens and lawful aliens to receive benefits of SNAP.¹⁸ Specifically, the Code of Federal Regulations requires verification of an applicant's identity by any document which reasonably establishes identity. Driver's licenses or state issued identification cards are reasonable documents under the Code.¹⁹ DCF is the designated department responsible for administering and operating the federally authorized SNAP program.²⁰

Fraud

Section 414.39(10), F.S., requires DCF to screen applicants for public assistance, including Medicaid, food stamps, and temporary cash assistance, against a fraud-prone case profile to identify cases for fraud. Additionally the Attorney General conducts a statewide program of Medicaid fraud control, which investigates both Medicaid provider and user fraud.²¹

Department of Highway and Safety Motor Vehicles (DHSMV) Database

The DHSMV is permitted, pursuant to interagency agreements, to share information from its database, including digital images and signatures, in the following circumstances:²²

- In response to law enforcement agency requests;
- With the Department of State to determine voter registration eligibility;
- With the Department of Revenue for use in establishing paternity and establishing, modifying, or enforcing support obligations;
- With the Department of Children and Families to conduct protective investigations under part III of chapter 39, and
- With the Department of Financial Services relating to unclaimed property.

Under current law, DCF is not permitted to access the DHSMV database relating to protective investigations regarding vulnerable adults. Additionally, DCF is not permitted access to verify identification and citizenship of Medicaid and SNAP applicants, resulting in a delay or lack of receipt of services.²³

Effect of Proposed Changes

The bill will permit a specified number of DCF employees to access the DHSMV database to conduct protective investigations under chapter 415, F.S., relating to adult protective services. Access to this system should assist investigators in the positive identification of victims and responsible persons who are subjects in investigations of abuse, neglect, or exploitation and provide quick access to the location of such persons, including vulnerable adults.

The bill will also permit, pursuant to an interagency agreement, a specified number of DCF employees to access the DHSMV database for use as verification of identity to expedite the determination of

¹⁶ s. 409.901, F.S.

¹⁷ s. 414.095, F.S.

¹⁸ 7 U.S.C. §2015(f); 7 C.F.R. § 273.2(f)

¹⁹ 7 C.F.R. § 273.2(f)(vii)

²⁰ s. 414.31, F.S.

²¹ s. 409.920 and s. 409.9201, F.S.

²² s. 322.142(4), F.S.

²³ Department of Children and Families, Staff Analysis HB 479 (2010), on file with the Health Care Services Policy Committee.

eligibility for public assistance and for use in public assistance fraud investigations. The effect of the proposed changes will lessen the time it takes to determine eligibility and reduce benefit errors as a result of incorrect or fraudulent applicant identification.

B. SECTION DIRECTORY:

Section 1. Amends s. 322.142, relating to color photographic or digital imaged licenses.

Section 2. Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On February 2, 2010, the Health Care Services Policy Committee adopted 2 amendments. The first amendment adopted was an amendment to the amendment. It amended s. 322.142, F.S., to allow DCF to access image and signature data of the DHSMV to conduct protective investigations pursuant to chapter 415, F.S., relating to adult protective services.

The second amendment adopted was an amendment to the bill. Not only did it contain the language in the amendment to the amendment, it also contained language that permits a specified number of DCF employees to access the DHSMV database for use as verification of identity to expedite the determination of eligibility for public assistance and for use in public assistance fraud investigations. This amendment provides sufficient access control over digital images and allows implementation without a fiscal impact.

CS/HB 479

2010

29 ss. 98.045 and 98.075; to the Department of Revenue pursuant to
 30 an interagency agreement for use in establishing paternity and
 31 establishing, modifying, or enforcing support obligations in
 32 Title IV-D cases; to the Department of Children and Family
 33 Services pursuant to an interagency agreement to conduct
 34 protective investigations under part III of chapter 39 and
 35 chapter 415; to the Department of Children and Family Services
 36 pursuant to an interagency agreement specifying the number of
 37 employees in each of that department's regions to be granted
 38 access to the records for use as verification of identity to
 39 expedite the determination of eligibility for public assistance
 40 and for use in public assistance fraud investigations; or to the
 41 Department of Financial Services pursuant to an interagency
 42 agreement to facilitate the location of owners of unclaimed
 43 property, the validation of unclaimed property claims, and the
 44 identification of fraudulent or false claims.

45 Section 2. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 827 State Road & Bridge Designations
SPONSOR(S): Bovo, and others
TIED BILLS: IDEN./SIM. BILLS: SB 1876

Table with 4 columns: REFERENCE, ACTION, ANALYST, STAFF DIRECTOR. Row 1: Roads, Bridges & Ports Policy Committee, Johnson, Miller. Row 2: Economic Development & Community Affairs Policy Council.

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill designates the ramp connecting northbound Florida Turnpike to northbound Interstate 75 in Miami-Dade County as the "Andrew J. Capeletti Bridge."

The bill designates W. 20th Avenue in the City of Hialeah between W. 44th Street and Okeechobee Road in Miami-Dade County as "Jose Reguiero Avenue."

The bill also directs DOT to erect suitable markers designating the "Andrew J. Capeletti Bridge" and "Jose Reguiero Avenue."

DOT estimates that the cost to erect four suitable road designating markers is approximately \$1,600; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Change

The bill designates the ramp connecting northbound Florida Turnpike to northbound Interstate 75 in Miami-Dade County as the "Andrew J. Capeletti Bridge."

The bill designates W. 20th Avenue in the City of Hialeah between W. 44th Street and Okeechobee Road in Miami-Dade County as "Jose Reguiero Avenue."

The bill also directs DOT to erect suitable markers designating the "Andrew J. Capeletti Bridge" and "Jose Reguiero Avenue."

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates the "Andrew J. Capeletti Bridge;" directs DOT to erect suitable markers.

Section 2 Designates "Jose Reguiero Avenue;" directs DOT to erect suitable markers.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

DOT estimates that the cost to erect four suitable road designating markers is approximately \$1,600, which assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

According to DOT, the ramp for the "Andrew J. Capeletti Memorial Bridge" is a ramp that has a bridge on it. Additionally, the ramp goes between the Homestead Extension of Florida's Turnpike and Interstate 75.

According to DOT, for the "Jose Regueiro Avenue" designation, 20th Avenue does not cross 44th Street, but crosses 44th Place.

According to information provided by the sponsor, Andrew J. Capeletti was a road builder and founder of Capeletti, Bros., Inc. Jose Reguerio was the founder of Florida National College.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

HB 827

2010

1 A bill to be entitled
 2 An act relating to state road and bridge designations;
 3 designating Andrew J. Capeletti Memorial Bridge and Jose
 4 Regueiro Avenue in Miami-Dade County; directing the
 5 Department of Transportation to erect suitable markers;
 6 providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Andrew J. Capeletti Memorial Bridge designated;
 11 Department of Transportation to erect suitable markers.-

12 (1) The ramp, Department of Transportation project 87075-
 13 3402 (1982), that connects northbound Florida Turnpike to
 14 northbound Interstate Highway 75 in Miami-Dade County is
 15 designated as "Andrew J. Capeletti Memorial Bridge."

16 (2) The Department of Transportation is directed to erect
 17 suitable markers designating Andrew J. Capeletti Memorial Bridge
 18 as described in subsection (1).

19 Section 2. Jose Regueiro Avenue designated; Department of
 20 Transportation to erect suitable markers.-

21 (1) That portion of W. 20th Avenue in the City of Hialeah
 22 between W. 44th Street and Okeechobee Road in Miami-Dade County
 23 is designated as "Jose Regueiro Avenue."

24 (2) The Department of Transportation is directed to erect
 25 suitable markers designating Jose Regueiro Avenue as described
 26 in subsection (1).

27 Section 3. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 839 Road and Bridge Designations

SPONSOR(S): Grimsley and others

TIED BILLS: IDEN./SIM. BILLS:

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Johnson <i>[Signature]</i>	Miller <i>P.M.</i>
2)	Economic Development & Community Affairs Policy Council			
3)				
4)				
5)				

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill provides the following road designations:

- The bridge on S.W. 17th Street between 12th Avenue and S. Pine Avenue in the City of Ocala in Marion County as the "Kenneth H. 'Buddy' MacKay and Jim H. Williams Bridge."
- State Road 739 in Lee County between Six Mile Cypress Parkway and U.S. Highway 41/Alico Road, known as the Metro Parkway Extension as the "Michael G. Rippe Parkway."
- State Road 285 in Okaloosa and Walton Counties that is north of College Boulevard in the City of Niceville as the "Doolittle Raiders Highway."
- U.S. Highway 331 between the Alabama State Line and U.S. Highway 98 that includes the incorporated area of Walton Highway as "The Beach Highway."

The bill requires DOT to erect suitable markers designating each of these road designations.

DOT estimates that the cost to erect eight suitable road designating markers is approximately \$3,200; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Change

The bill provides the following road designations:

- The bridge on S.W. 17th Street between 12th Avenue and S. Pine Avenue in the City of Ocala in Marion County as the "Kenneth H. 'Buddy' MacKay and Jim H. Williams Bridge."
- State Road 739 in Lee County between Six Mile Cypress Parkway and U.S. Highway 41/Alico Road, known as the Metro Parkway Extension as the "Michael G. Rippe Parkway."¹
- State Road 285 in Okaloosa and Walton Counties that is north of College Boulevard in the City of Niceville as the "Doolittle Raiders Highway."
- U.S. Highway 331 between the Alabama State Line and U.S. Highway 98 that includes the incorporated area of Walton Highway as "The Beach Highway."

The bill requires DOT to erect suitable markers designating each of these road designations.

B. SECTION DIRECTORY:

¹ This designation is upon the completion of the road.

- Section 1 Designates the "Kenneth H. 'Buddy' Mackay and Jim H. Williams Bridge;" directs DOT to erect suitable markers.
- Section 2 Designates the "Michael G. Rippe Parkway;" directs DOT to erect suitable markers.
- Section 3 Designates the "Doolittle Raiders Highway;" directs DOT to erect suitable markers.
- Section 4 Designates "The Beach Highway;" directs DOT to erect suitable markers.
- Section 5 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

DOT estimates that the cost to erect eight suitable road designating markers is approximately \$3,200; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

Buddy MacKay is a former Governor and Lieutenant Governor of Florida. Jim Williams is a former Lieutenant Governor of Florida. The Doolittle raiders were involved in the bombing of Tokyo during World War II, and planned and practiced for their mission at Eglin Air Force Base. Michael G. Rippe was DOT's Director of the Southwest Area Office and later the District Director of Transportation Development for District 1.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to road and bridge designations;
 3 designating the Kenneth H. "Buddy" MacKay and Jim H.
 4 Williams Bridge in Marion County, Michael G. Rippe Parkway
 5 in Lee County, Doolittle Raiders Highway in Okaloosa and
 6 Walton Counties, and The Beach Highway in Walton County;
 7 directing the Department of Transportation to erect
 8 suitable markers; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Kenneth H. "Buddy" MacKay and Jim H. Williams
 13 Bridge designated; Department of Transportation to erect
 14 suitable markers.-

15 (1) The bridge on S.W. 17th Street between S.W. 12th
 16 Avenue and S. Pine Avenue in the City of Ocala in Marion County
 17 is designated as the "Kenneth H. 'Buddy' MacKay and Jim H.
 18 Williams Bridge."

19 (2) The Department of Transportation is directed to erect
 20 suitable markers designating the Kenneth H. "Buddy" MacKay and
 21 Jim H. Williams Bridge as described in subsection (1).

22 Section 2. Michael G. Rippe Parkway designated; Department
 23 of Transportation to erect suitable markers.-

24 (1) Upon its completion, that portion of State Road 739 in
 25 Lee County between Six Mile Cypress Parkway and U.S. Highway
 26 41/Alico Road, known as the Metro Parkway Extension, is
 27 designated as "Michael G. Rippe Parkway."

28 (2) The Department of Transportation is directed to erect

29 suitable markers designating Michael G. Rippe Parkway as
 30 described in subsection (1).

31 Section 3. Doolittle Raiders Highway designated;
 32 Department of Transportation to erect suitable markers.-

33 (1) That portion of State Road 285 in Okaloosa and Walton
 34 Counties that is north of College Boulevard in the City of
 35 Niceville is designated as "Doolittle Raiders Highway."

36 (2) The Department of Transportation is directed to erect
 37 suitable markers designating Doolittle Raiders Highway as
 38 described in subsection (1).

39 Section 4. The Beach Highway designated; Department of
 40 Transportation to erect suitable markers.-

41 (1) That portion of U.S. Highway 331 between the Alabama
 42 state line and U.S. Highway 98 that includes the incorporated
 43 areas of Walton County is designated as "The Beach Highway."

44 (2) The Department of Transportation is directed to erect
 45 suitable markers designating The Beach Highway as described in
 46 subsection (1).

47 Section 5. This act shall take effect July 1, 2010.

HB 0841

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 841
SPONSOR(S): Roberson
TIED BILLS:

Road Designations

IDEN./SIM. BILLS: SB 868

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Johnson <i>AS</i>	Miller <i>P.M.</i>
2)	Economic Development & Community Affairs Policy Council			
3)				
4)				
5)				

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill designates the portion of Biscayne Boulevard Way between S.E. 2 Avenue and U.S. 1 (Biscayne Boulevard) in Miami-Dade County as "Julia Tuttle Way."

The bill also directs DOT to erect suitable markers designating "Julia Tuttle Way."

DOT estimates that the cost to erect two suitable road designating markers is approximately \$800; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Change

The bill designates the portion of Biscayne Boulevard Way between S.E. 2 Avenue and U.S. 1 (Biscayne Boulevard) in Miami-Dade County as "Julia Tuttle Way."

The bill also directs DOT to erect suitable markers designating "Julia Tuttle Way".

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates "Julia Tuttle Way;" directs DOT to erect suitable markers.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

DOT estimates that the cost to erect two suitable road designating markers is approximately \$800; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

Julia Tuttle was largely responsible for the founding of the City of Miami and is generally recognized as the only female founder of a major city in the United States.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

HB 841

2010

1 A bill to be entitled
2 An act relating to road designations; designating Julia
3 Tuttle Way in Miami-Dade County; directing the Department
4 of Transportation to erect markers; providing an effective
5 date.

6

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

8

9 Section 1. Julia Tuttle Way designated; Department of
10 Transportation to erect suitable markers.-

11 (1) That portion of Biscayne Boulevard Way between S.E.
12 2nd Avenue and U.S. 1 (Biscayne Boulevard) in Miami-Dade County
13 is designated as "Julia Tuttle Way."

14 (2) The Department of Transportation is directed to erect
15 suitable markers designating Julia Tuttle Way as described in
16 subsection (1).

17 Section 2. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 903

Strategic Intermodal System Plan

SPONSOR(S): Ray

TIED BILLS:

IDEN./SIM. BILLS: SB 2220

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Johnson <i>AS</i>	Miller <i>P.M.</i>
2)	Economic Development & Community Affairs Policy Council			
3)				
4)				
5)				

SUMMARY ANALYSIS

In 2003, the Strategic Intermodal System was established to serve the state’s mobility needs, help the state become a worldwide economic leader, enhance economic prosperity and competitiveness, enrich quality of life and reflect responsible environmental stewardship. The 2003 law also created a Statewide Intermodal Transportation Advisory Council to advise and make recommendations to the Legislature and DOT on the policies, planning, and funding of intermodal transportation projects. The members of the council are appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives, and represent various interests involved in the Strategic Intermodal System.

The council is no longer active, and held its last meeting in December 2004.

The bill eliminates the Statewide Intermodal Transportation Advisory Council.

The bill does not have a fiscal impact.

The bill has an effective date of July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

In 2003, the Strategic Intermodal System was established to serve the state's mobility needs, help the state become a worldwide economic leader, enhance economic prosperity and competitiveness, enrich quality of life and reflect responsible environmental stewardship.¹ The 2003 law also created a Statewide Intermodal Transportation Advisory Council to advise and make recommendations to the Legislature and DOT on the policies, planning, and funding of intermodal transportation projects. These responsibilities include:

- Advising DOT on the policies, planning, and implementation strategies related to intermodal transportation.
- Providing advice and recommendations to the Legislature on funding for projects to move goods and people in the most efficient manner for the state.

The members of the council are appointed by the Governor, the President of the Senate, and the Speaker of the House of Representatives, and represent various interests involved in the Strategic Intermodal System. The council is no longer active, and held its last meeting in December 2004.²

Proposed Changes

The bill repeals s. 339.63(5), F.S., to eliminate the Statewide Intermodal Transportation Advisory Council.

The bill has an effective date of July 1, 2010.

B. SECTION DIRECTORY:

¹ Department of Transportation Strategic Intermodal System Brochure, July 2008.

<http://www.dot.state.fl.us/planning/sis/strategicplan/brochure.pdf>

² April 16, 2009, e-mail from Department of Transportation to Roads, Bridges & Ports Policy Committee staff.

Section 1 Amends s. 339.34, F.S., removing provisions creating and providing duties of the Statewide Intermodal Transportation Advisory Council.

Section 2 Providing an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal government.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

HB 903

2010

1 A bill to be entitled
 2 An act relating to the Strategic Intermodal System Plan;
 3 amending s. 339.64, F.S.; removing provisions creating and
 4 providing duties of the Statewide Intermodal
 5 Transportation Advisory Council; providing an effective
 6 date.

7

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

9

10 Section 1. Subsections (1), (2), and (5) of section
 11 339.64, Florida Statutes, are amended to read:

12 339.64 Strategic Intermodal System Plan.—

13 (1) The department shall develop, in cooperation with
 14 metropolitan planning organizations, regional planning councils,
 15 local governments, ~~the Statewide Intermodal Transportation~~
 16 ~~Advisory Council~~ and other transportation providers, a Strategic
 17 Intermodal System Plan. The plan shall be consistent with the
 18 Florida Transportation Plan developed pursuant to s. 339.155 and
 19 shall be updated at least once every 5 years, subsequent to
 20 updates of the Florida Transportation Plan.

21 (2) In association with the continued development of the
 22 Strategic Intermodal System Plan, the Florida Transportation
 23 Commission, as part of its work program review process, shall
 24 conduct an annual assessment of the progress that the department
 25 and its transportation partners have made in realizing the goals
 26 of economic development, improved mobility, and increased
 27 intermodal connectivity of the Strategic Intermodal System. The
 28 Florida Transportation Commission shall coordinate with the

29 department, ~~the Statewide Intermodal Transportation Advisory~~
 30 ~~Council~~, and other appropriate entities when developing this
 31 assessment. The Florida Transportation Commission shall deliver
 32 a report to the Governor and Legislature no later than 14 days
 33 after the regular session begins, with recommendations as
 34 necessary to fully implement the Strategic Intermodal System.

35 ~~(5) STATEWIDE INTERMODAL TRANSPORTATION ADVISORY COUNCIL.~~

36 ~~(a) The Statewide Intermodal Transportation Advisory~~
 37 ~~Council is created to advise and make recommendations to the~~
 38 ~~Legislature and the department on policies, planning, and~~
 39 ~~funding of intermodal transportation projects. The council's~~
 40 ~~responsibilities shall include:~~

41 ~~1. Advising the department on the policies, planning, and~~
 42 ~~implementation of strategies related to intermodal~~
 43 ~~transportation.~~

44 ~~2. Providing advice and recommendations to the Legislature~~
 45 ~~on funding for projects to move goods and people in the most~~
 46 ~~efficient and effective manner for the State of Florida.~~

47 ~~(b) MEMBERSHIP. Members of the Statewide Intermodal~~
 48 ~~Transportation Advisory Council shall consist of the following:~~

49 ~~1. Six intermodal industry representatives selected by the~~
 50 ~~Governor as follows:~~

51 ~~a. One representative from an airport involved in the~~
 52 ~~movement of freight and people from their airport facility to~~
 53 ~~another transportation mode.~~

54 ~~b. One individual representing a fixed-route, local-~~
 55 ~~government transit system.~~

56 ~~c. One representative from an intercity bus company~~

57 | ~~providing regularly scheduled bus travel as determined by~~
 58 | ~~federal regulations.~~

59 | ~~d. One representative from a spaceport.~~

60 | ~~e. One representative from intermodal trucking companies.~~

61 | ~~f. One representative having command responsibilities of a~~
 62 | ~~major military installation.~~

63 | ~~2. Three intermodal industry representatives selected by~~
 64 | ~~the President of the Senate as follows:~~

65 | ~~a. One representative from major line railroads.~~

66 | ~~b. One representative from seaports listed in s. 311.09(1)~~
 67 | ~~from the Atlantic Coast.~~

68 | ~~e. One representative from an airport involved in the~~
 69 | ~~movement of freight and people from their airport facility to~~
 70 | ~~another transportation mode.~~

71 | ~~3. Three intermodal industry representatives selected by~~
 72 | ~~the Speaker of the House of Representatives as follows:~~

73 | ~~a. One representative from short line railroads.~~

74 | ~~b. One representative from seaports listed in s. 311.09(1)~~
 75 | ~~from the Gulf Coast.~~

76 | ~~e. One representative from intermodal trucking companies.~~

77 | ~~In no event may this representative be employed by the same~~
 78 | ~~company that employs the intermodal trucking company~~
 79 | ~~representative selected by the Governor.~~

80 | ~~(c) Initial appointments to the council must be made no~~
 81 | ~~later than 30 days after the effective date of this section.~~

82 | ~~1. The initial appointments made by the President of the~~
 83 | ~~Senate and the Speaker of the House of Representatives shall~~
 84 | ~~serve terms concurrent with those of the respective appointing~~

85 ~~officer. Beginning January 15, 2005, and for all subsequent~~
 86 ~~appointments, council members appointed by the President of the~~
 87 ~~Senate and the Speaker of the House of Representatives shall~~
 88 ~~serve 2-year terms, concurrent with the term of the respective~~
 89 ~~appointing officer.~~

90 ~~2. The initial appointees, and all subsequent appointees,~~
 91 ~~made by the Governor shall serve 2-year terms.~~

92 ~~3. Vacancies on the council shall be filled in the same~~
 93 ~~manner as the initial appointments.~~

94 ~~(d) Each member of the council shall be allowed one vote.~~
 95 ~~The council shall select a chair from among its membership.~~
 96 ~~Meetings shall be held at the call of the chair, but not less~~
 97 ~~frequently than quarterly. The members of the council shall be~~
 98 ~~reimbursed for per diem and travel expenses as provided in s.~~
 99 ~~112.061.~~

100 ~~(e) The department shall provide administrative staff~~
 101 ~~support and shall ensure that council meetings are~~
 102 ~~electronically recorded. Such recordings and all documents~~
 103 ~~received, prepared for, or used by the council in conducting its~~
 104 ~~business shall be preserved pursuant to chapters 119 and 257.~~

105 Section 2. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1033

Road Designations

SPONSOR(S): Murzin

TIED BILLS:

IDEN./SIM. BILLS: SB 1948

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Johnson	Miller P.M.
2)	Transportation & Economic Development Appropriations Committee			
3)	Economic Development & Community Affairs Policy Council			
4)				
5)				

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill designates the portion of State Road 292 from Blue Angel Parkway to the beginning of Perdido Key Drive in Escambia County as "Perdido Key Parkway."

The bill also directs DOT to erect suitable markers designating "Perdido Key Parkway."

DOT estimates that the cost to erect two suitable road designating markers is approximately \$800; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Change

The bill designates the portion of State Road 292 from Blue Angel Parkway to the beginning of Perdido Key Drive in Escambia County as "Perdido Key Parkway."

The bill also directs DOT to erect suitable markers designating "Perdido Key Parkway."

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates "Julia Tuttle Way;" directs DOT to erect suitable markers.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

DOT estimates that the cost to erect two suitable road designating markers is approximately \$800; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
2 An act relating to road designations; designating Perdido
3 Key Parkway in Escambia County; directing the Department
4 of Transportation to erect markers; providing an effective
5 date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Perdido Key Parkway designated; Department of
10 Transportation to erect suitable markers.-

11 (1) That portion of State Road 292 from Blue Angel Parkway
12 to the beginning of Perdido Key Drive in Escambia County is
13 designated as "Perdido Key Parkway."

14 (2) The Department of Transportation is directed to erect
15 suitable markers designating Perdido Key Parkway as described in
16 subsection (1).

17 Section 2. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1043

License Plates

SPONSOR(S): Skidmore

TIED BILLS:

IDEN./SIM. BILLS: SB 1986

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Brown <i>RB</i>	Miller <i>JM</i>
2)	Transportation & Economic Development Appropriations Committee			
3)	Economic Development & Community Affairs Policy Council			
4)				
5)				

SUMMARY ANALYSIS

HB 1043 provides for the creation of a "Go Green" specialty license plate. The annual use fee of \$25 per tag shall be distributed to the Coalition for Renewable Energy Solutions, Inc. Up to 10 percent of the revenue may be used for promotion, marketing, and administrative costs, and the remainder of the proceeds may be used to fund grants, awards, educational activities, and other activities promoting energy efficiency.

Specialty license plates must be specifically authorized pursuant to s. 320.08053, F.S. This statute establishes requirements that organizations must meet to create a new specialty license plate, including a scientific survey performed by an independent sampling firm indicating that 30,000 motor vehicle owners would purchase the proposed plate at the increased cost, long and short term marketing plans addressing revenues and expenditures, and a \$60,000 application fee, among other requirements. Current statutes authorize more than 100 specialty license plates.

The fiscal impact of this bill is approximately \$60,000 to the Department of Highway Safety and Motor Vehicles (DHSMV) for implementation of the new specialty license plate. The fiscal impact will be offset by the application fee of \$60,000 paid to the DHSMV by the sponsoring organization.

The Coalition for Renewable Energy Solutions, Inc., has been approved by DHSMV and the Auditor General to pursue legislation for the "Go Green" specialty license plate, and is not affected by the 2008 legislation limiting future specialty plates.

This act shall take effect October 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Currently, specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay an annual use fee for the privilege. Annual use fees ranging from \$15 to \$25, paid in addition to required license taxes and service fees, are distributed to an organization or organizations in support of a particular cause or charity signified in the plate's design and designated in statute. The Legislature may create a specialty license plate under its own initiative, or it can do so at the request of an organization. Under s. 320.08053, F.S., an organization may seek Legislative authorization for a new specialty license plate by meeting a number of requirements.

An organization is first required to submit to the DHSMV the following:

- a request for the plate describing it in general terms;
- the results of a professional, independent, and scientific sample survey of Florida residents indicating that 30,000 vehicle owners intend to purchase the plate at the increased cost;
- an application fee of \$60,000 defraying the DHSMV's cost for reviewing the application, developing the new plate, and providing for the manufacture and distribution of the first run of plates; and
- a marketing strategy for the plate and a financial analysis of anticipated revenues and planned expenditures.

These requirements must be satisfied at least 90 days prior to the convening of the regular session of the Legislature. Once the requirements are met, the DHSMV notifies the committees of the House of Representatives and Senate with jurisdiction over the issue, and the organization is free to find sponsors and pursue Legislative action.

In 2008 the Legislature passed SB 1992, which included a moratorium on the issuance of specialty plates by DHSMV.¹ The moratorium is effective from October 1, 2008 to July 1, 2011, but contains an exception "for [any] specialty license plate proposal which has submitted a letter of intent to the Department of Highway Safety and Motor Vehicles prior to May 2, 2008."²

¹ s. 45, 2008-176, Laws of Florida

² *Id.*

Effect of Proposed Changes

The bill amends ss. 320.08056 and 320.08058, F.S., to authorize DHSMV to develop and issue a "Go Green" license plate upon payment of the appropriate license taxes and a \$25 special use fee.

Annual use fees collected from the sale of this license plate shall be distributed to the Coalition for Renewable Energy Solutions, Inc. The bill permits the group to use the proceeds as follows:

- Up to 10 percent may be retained for administrative costs, as well as marketing and promotion of the specialty license plate.
- Up to 40 percent to fund the "Go Green Florida" Grants and Awards Program, including monetary grants and recognition awards to public and private persons and organizations and to subsidize efforts to reduce energy consumption and raise awareness of alternative energy-efficiency practices.
- Up to 25 percent to fund education and outreach programs that publicize renewable energy solutions for households and businesses and educate home and business owners about the environmental and financial benefits of innovative green technologies and practices.
- Up to 25 percent to fund educational programs and materials that emphasize sustainable development practices, including recycling, energy efficiency and consumption, and other green practices.

The fiscal impact incurred by DHSMV as a result of this bill is approximately \$60,000. This impact is offset by the \$60,000 application fee Coalition for Renewable Energy Solutions, Inc., is required to pay as part of the application process. Revenue generated from the sale of this license plate is based on public interest and cannot be predicted.

The DHSMV has notified the Legislature that the Coalition for Renewable Energy Solutions, Inc. has met the initial application and statutory requirements to pursue legislation for the "Go Green" specialty license plate. In conformity with s. 320.08053(1)(b), F.S., the Auditor General has issued a report validating the Alliance's survey.³ This report also found that the "Go Green" plate falls within the exception from the moratorium on new specialty license plates created by the 2008 Legislature, as the Coalition submitted their materials before May 2, 2008.⁴

B. SECTION DIRECTORY:

- Section 1 Amends s. 320.08056(4), F.S., providing for a \$25 annual use fee for the "Go Green" license plate.
- Section 2 Creates s. 320.08058(70), F.S., creating the "Go Green" specialty license plate; providing for plate design; and providing for the distribution and uses of the annual use fees.
- Section 3 Provides an Effective Date of October 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See fiscal comments below.

³ Report No. 2009-129, Auditor General, February 2009.

⁴ *Id.*

2. Expenditures:
See fiscal comments below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None.
2. Expenditures:
None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Persons who elect to purchase the specialty license plate will be required to pay an annual use fee of \$25 in addition to applicable taxes and administrative charges. It is impossible to determine how many people will purchase the plates because the sale of this license plate will be based on public interest. Therefore, the aggregate impact to the private sector cannot be determined.

D. FISCAL COMMENTS:

Implementation of HB 1043 will cost the DHSMV approximately \$60,000 in contract programming, development labor, and product purchasing costs for the creation of the "Go Green" license plate. This fiscal impact is offset by the statutory application fee of \$60,000, which has been submitted to the DHSMV by the Coalition for Renewable Energy Solutions, Inc., for the creation of this specialty license plate. If the specialty license plate is not approved by the Legislature, the application fee shall be refunded.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:
None.

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

None

HB 1043

2010

1 A bill to be entitled
 2 An act relating to license plates; amending ss. 320.08056
 3 and 320.08058, F.S.; creating the Go Green license plate;
 4 establishing an annual use fee for the plate; providing
 5 for the distribution of use fees received from the sale of
 6 the plate; providing an effective date.

7

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

9

10 Section 1. Paragraph (rrr) is added to subsection (4) of
 11 section 320.08056, Florida Statutes, to read:

12 320.08056 Specialty license plates.—

13 (4) The following license plate annual use fees shall be
 14 collected for the appropriate specialty license plates:

15 (rrr) Go Green license plate, \$25.

16 Section 2. Subsection (70) is added to section 320.08058,
 17 Florida Statutes, to read:

18 320.08058 Specialty license plates.—

19 (70) GO GREEN LICENSE PLATES.—

20 (a) The department shall develop a Go Green license plate
 21 as provided in this section. The plates must bear the colors and
 22 design approved by the department. The word "Florida" must
 23 appear at the top of the plate, and the words "Go Green" must
 24 appear at the bottom of the plate.

25 (b) The annual use fees shall be distributed to the
 26 Coalition for Renewable Energy Solutions, Inc., which shall
 27 administer the fees as follows:

28 1. The coalition shall retain the first \$60,000 of the

29 annual use fees as direct reimbursement for administrative
30 costs, startup costs, and costs incurred in the development and
31 approval of the plates. Thereafter, up to 10 percent of the
32 annual use fees may be used for administrative costs directly
33 associated with the operation of the coalition and promotion and
34 marketing of the plate.

35 2. Any remaining funds shall be used by the coalition to
36 fund programs and projects that publicize renewable energy
37 solutions and encourage a cleaner and safer environmental
38 future, as follows:

39 a. Up to 40 percent to fund the "Go Green Florida" Grants
40 and Awards Program, including monetary grants and recognition
41 awards to public and private persons and organizations and to
42 subsidize efforts to reduce energy consumption and raise
43 awareness of alternative energy-efficiency practices.

44 b. Up to 25 percent to fund education and outreach
45 programs that publicize renewable energy solutions for
46 households and businesses and educate home and business owners
47 about the environmental and financial benefits of innovative
48 green technologies and practices.

49 c. Up to 25 percent to fund educational programs and
50 materials that emphasize sustainable development practices,
51 including recycling, energy efficiency and consumption, and
52 other green practices.

53 Section 3. This act shall take effect October 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1113

Road Designations

SPONSOR(S): Drake

TIED BILLS:

IDEN./SIM. BILLS: SB 2054

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Roads, Bridges & Ports Policy Committee		Johnson <i>AS</i>	Miller <i>P.M.</i>
2) Transportation & Economic Development Appropriations Committee			
3) Economic Development & Community Affairs Policy Council			
4)			
5)			

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill provides the following road designations:

- State Road 285 in Okaloosa and Walton Counties that is north of College Boulevard in the City of Niceville as the "Doolittle Raiders Highway."
- U.S. Highway 331 between the Alabama State Line and U.S. Highway 98 that includes the incorporated area of Walton Highway as "The Beach Highway."

The bill requires DOT to erect suitable markers designating each of these road designations.

DOT estimates that the cost to erect eight suitable road designating markers is approximately \$1,600; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

Effect of Proposed Change

The bill provides the following road designations:

- State Road 285 in Okaloosa and Walton Counties that is north of College Boulevard in the City of Niceville as the "Doolittle Raiders Highway."
- U.S. Highway 331 between the Alabama State Line and U.S. Highway 98 that includes the incorporated area of Walton Highway as "The Beach Highway."

The bill requires DOT to erect suitable markers designating each of these road designations.

B. SECTION DIRECTORY:

- Section 1 Designates the "Doolittle Raiders Highway," directs DOT to erect suitable markers.
- Section 2 Designates "The Beach Highway," directs DOT to erect suitable markers.
- Section 3 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

DOT estimates that the cost to erect eight suitable road designating markers is approximately \$1,600; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

The Doolittle raiders were involved in the bombing of Tokyo during World War II, and planned and practiced for their mission at Eglin Air Force Base.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

HB 1113

2010

1 A bill to be entitled
 2 An act relating to road designations; designating
 3 Doolittle Raiders Highway in Okaloosa and Walton Counties;
 4 designating The Beach Highway in Walton County; directing
 5 the Department of Transportation to erect suitable
 6 markers; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Doolittle Raiders Highway designated;
 11 Department of Transportation to erect suitable markers.-

12 (1) That portion of State Road 285 between College
 13 Boulevard in Okaloosa County and U.S. Highway 90 in Walton
 14 County is designated as "Doolittle Raiders Highway."

15 (2) The Department of Transportation is directed to erect
 16 suitable markers designating Doolittle Raiders Highway as
 17 described in subsection (1).

18 Section 2. The Beach Highway designated; Department of
 19 Transportation to erect suitable markers.-

20 (1) That portion of U.S. Highway 331 between the Alabama
 21 state line and U.S. Highway 98 in Walton County, including those
 22 portions within incorporated areas of Walton County, is
 23 designated as "The Beach Highway."

24 (2) The Department of Transportation is directed to erect
 25 suitable markers designating The Beach Highway as described in
 26 subsection (1).

27 Section 3. This act shall take effect July 1, 2010.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1195

Road & Bridge Designations

SPONSOR(S): Frishe

TIED BILLS:

IDEN./SIM. BILLS: SB 2076

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Roads, Bridges & Ports Policy Committee		Johnson	Miller
2) Transportation & Economic Development Appropriations Committee			
3) Economic Development & Community Affairs Policy Council			
4)			
5)			

SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The bill designates that portion of State Road 682 (Pinellas Bayway) from State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County as the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

The bill requires DOT to erect suitable markers designating the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

DOT estimates that the cost to erect eight suitable road designating markers is approximately \$800; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

The bill does not create any constitutional or other legal issues. It takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

The bill designates that portion of State Road 682 (Pinellas Bayway) from State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County as the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

The bill requires DOT to erect suitable markers designating the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge."

B. SECTION DIRECTORY:

Section 1 Designates the "Command Sergeant Major Gary Lee Littrell Medal of Honor Causeway and Bridge;" directs DOT to erect suitable markers.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

DOT estimates that the cost to erect eight suitable road designating markers is approximately \$800; this assumes the placement of a marker at each end of each designated road segment. The expenditure is from the State Transportation Trust Fund and includes installation and maintenance costs.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

Gary Lee Littrell is a retired Command Sergeant Major in the United States Army who, while serving in the Vietnam War, acted with extraordinary courage during a four day siege of his battalion — for which he was awarded the Medal of Honor on October 15, 1973.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

HB 1195

2010

1 A bill to be entitled
 2 An act relating to road and bridge designations;
 3 designating the Command Sergeant Major Gary Lee Littrell
 4 Medal of Honor Causeway and Bridge in Pinellas County;
 5 directing the Department of Transportation to erect
 6 markers; providing an effective date.

7

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

9

10 Section 1. Command Sergeant Major Gary Lee Littrell Medal
 11 of Honor Causeway and Bridge designated; Department of
 12 Transportation to erect suitable markers.-

13 (1) That portion of State Road 682 (Pinellas Bayway) from
 14 State Road 699 (Gulf Boulevard) to U.S. 19 in Pinellas County is
 15 designated as "Command Sergeant Major Gary Lee Littrell Medal of
 16 Honor Causeway and Bridge."

17 (2) The Department of Transportation is directed to erect
 18 suitable markers designating the Command Sergeant Major Gary Lee
 19 Littrell Medal of Honor Causeway and Bridge as described in
 20 subsection (1).

21 Section 2. This act shall take effect July 1, 2010.