



ROADS, BRIDGES & PORTS POLICY COMMITTEE

Meeting Packet

**Wednesday, November 4, 2009
8:00 A.M.
404 HOB**

**Larry Cretul
Speaker**

**Gary Aubuchon
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Roads, Bridges & Ports Policy Committee

Start Date and Time: Wednesday, November 04, 2009 08:00 am

End Date and Time: Wednesday, November 04, 2009 09:45 am

Location: 404 HOB

Duration: 1.75 hrs

Consideration of the following bill(s):

HB 5 State Road Designations by Grimsley

HB 29 Road Designations by Bemby

HB 53 License Plates by Lopez-Cantera

HB 63 Road Designations by McBurney

HB 83 Specialty License Plates by Crisafulli

Presentation by the Department of Highway Safety & Motor Vehicles
2010 Legislative Proposals

NOTICE FINALIZED on 10/28/2009 14:23 by ADEYEMO.MARTHA

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5
SPONSOR(S): Grimsley
TIED BILLS:

State Road Designations

IDEN./SIM. BILLS: SB 88

	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 designates the portion of U.S. Highway 27 between the Florida-Georgia border in Gadsden County and Biscayne Bay in Miami-Dade County as the "Purple Heart Highway."

The bill also directs the Department of Transportation to erect suitable markers designating the "Purple Heart Highway."

If a marker is placed in 19 of the 20 counties where U.S. Highway 27 traverses, DOT estimates that the cost to erect 38 suitable road designating markers is approximately \$15,200. 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 "Purple Heart Highway" was previously designated on U.S. Highway 27 in Highlands County¹ and DOT has placed markers designating this highway.

Effect of Proposed Change

The bill designates the portion of U.S. Highway 27 between the Florida-Georgia border in Gadsden County and Biscayne Bay in Miami-Dade County as the "Purple Heart Highway." The counties on U.S. Highway 27 are: Alachua, Broward, Columbia, Gadsden, Glades, Hendry, Highlands, Jefferson, Lafayette, Lake, Leon, Levy, Madison, Marion, Miami-Dade, Palm Beach, Polk, Sumter, Suwannee, and Taylor.

The bill also directs DOT to erect suitable markers designating the Purple Heart Highway.

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

¹ Ch. 2005-292, L.O.F.

Section 1 Designates U.S. Highway 27 as "Purple Heart Highway;" requires 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:

If a marker is placed where U.S. 27 enters each of the 19 of the 20 counties it traverses, DOT estimates that the cost to erect 38 suitable road designating markers is approximately \$15,200. This 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:

Not applicable

C. DRAFTING ISSUES OR OTHER COMMENTS:

According to the Military Order of the Purple Heart, resolutions approving the designation have been passed in 17 of the 20 counties that U.S. Highway 27 passes through. The counties that have yet to pass resolutions are Columbia, Levy, and Palm Beach.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

HB 5

2010

1 A bill to be entitled
2 An act relating to state road designations; designating
3 Purple Heart Highway; directing the Department of
4 Transportation to erect suitable markers; providing an
5 effective date.

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

8
9 Section 1. Purple Heart Highway designated; Department of
10 Transportation to erect suitable markers.--

11 (1) That portion of U.S. Highway 27 between the Florida-
12 Georgia border in Gadsden County and Biscayne Bay in Miami-Dade
13 County is designated as "Purple Heart Highway."

14 (2) The Department of Transportation is directed to erect
15 suitable markers designating Purple Heart Highway as described
16 in subsection (1).

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.1

Bill No. **HB 5**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Roads, Bridges & Ports Policy
2 Committee

3 Representative Robaina offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 16 and 17, insert:

7 Section 2. Frank Pasquarella Way designated; Department of
8 Transportation to erect suitable markers.--

9 (1) That portion of Bird Road, S.W. 40th Street, between
10 S.W. 89th Avenue and S.W. 92nd Avenue in Miami-Dade County is
11 designated as "Frank Pasquarella Way."

12 (2) The Department of Transportation is directed to erect
13 suitable markers designating Frank Pasquarella Way as described
14 in subsection (1).

15 Section 3. Bob Arbetter's Way designated; Department of
16 Transportation to erect suitable markers.--

17 (1) That portion of Bird Road, S.W. 40th Street, between
18 S.W. 87th Avenue and S.W. 89th Avenue in Miami-Dade County is
19 designated as "Bob Arbetter's Way."

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.1

20 (2) The Department of Transportation is directed to erect
21 suitable markers designating Bob Arbetter's Way as described in
22 subsection (1).

23

24

25

T I T L E A M E N D M E N T

26

Remove line 3 and insert:

27

Purple Heart Highway; designating Frank Pasquarella Way and Bob

28

Arbetter's Way in Miami-Dade County; directing the Department of

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 29 Road Designations

SPONSOR(S): Bemby

TIED BILLS: IDEN./SIM. BILLS: SB 180

	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 designates that portion of U.S. Highway 90 within the boundaries of the Town of Greenville in Madison County as the "Ray Charles Memorial Parkway."

The bill also directs the Department of Transportation (DOT) to erect suitable markers designating the "Ray Charles Memorial Parkway."

Assuming that two markers are erected for the designation, DOT estimates the cost to be \$800. This 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 U.S. Highway 90 within the boundaries of the Town of Greenville in Madison County as the "Ray Charles Memorial Parkway."

The bill also directs DOT to erect suitable markers designating the "Ray Charles Memorial Parkway."

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates the "Ray Charles Memorial Parkway;" requires 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 the 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:

Both Madison County and the Town of Greenville have adopted resolutions supporting the designation of the "Ray Charles Memorial Parkway." According to the resolutions, Ray Charles grew up in the Greenville area from a few months after his birth in 1930 until the 1940's.¹

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

¹ Town of Greenville Resolution No. 030909 and Madison County Resolution 2009-04-01A.

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

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

8
 9 Section 1. Ray Charles Memorial Parkway designated;
 10 Department of Transportation to erect suitable markers.--

11 (1) That portion of U.S. Highway 90 within the boundaries
 12 of the Town of Greenville in Madison County is designated as
 13 "Ray Charles Memorial Parkway."

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

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. **HB 29**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Roads, Bridges & Ports Policy
2 Committee

3 Representative Robaina offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 16 and 17, insert:

7 Section 2. Frank Pasquarella Way designated; Department of
8 Transportation to erect suitable markers.--

9 (1) That portion of Bird Road, S.W. 40th Street, between
10 S.W. 89th Avenue and S.W. 92nd Avenue in Miami-Dade County is
11 designated as "Frank Pasquarella Way."

12 (2) The Department of Transportation is directed to erect
13 suitable markers designating Frank Pasquarella Way as described
14 in subsection (1).

15 Section 3. Bob Arbetter's Way designated; Department of
16 Transportation to erect suitable markers.--

17 (1) That portion of Bird Road, S.W. 40th Street, between
18 S.W. 87th Avenue and S.W. 89th Avenue in Miami-Dade County is
19 designated as "Bob Arbetter's Way."

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

20 (2) The Department of Transportation is directed to erect
21 suitable markers designating Bob Arbetter's Way as described in
22 subsection (1).

23

24

25

T I T L E A M E N D M E N T

26

Remove line 3 and insert:

27

Charles Memorial Parkway in Madison County; designating Frank

28

Pasquarella Way and Bob Arbetter's Way in Miami-Dade County;

29

directing the

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 53 License Plates

SPONSOR(S): Lopez-Cantera

TIED BILLS: **IDEN./SIM. BILLS:** SB 304

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

SUMMARY ANALYSIS

HB 53 provides for the creation of a "St. Johns River" specialty license plate. The annual use fee of \$25 per tag shall be distributed to the St. Johns River Alliance, Inc. to support activities contributing to education, outreach, and springs conservation. Up to 10 percent of the revenue may be used for promotion, marketing, and administrative costs.

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 St. Johns River Alliance, Inc., has been approved by DHSMV and the Auditor General to pursue legislation for the "St Johns River" specialty license plate, and is not affected by the 2008 legislation limiting future specialty plates.

This act shall take 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:

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 "St. Johns River" 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 St. Johns River Alliance, Inc. They will administer the fees and use the proceeds as follows:

- the total amount used for administrative costs, promotion, and marketing costs may not exceed 10 percent;
- at least 30 percent of the fees shall be available for competitive grants for targeted community-based or county-based research or projects for which state funding is limited or not currently available;
- the remaining 50 percent shall be directed toward community outreach and access programs;
- any remaining funds shall be used to support activities contributing to education, outreach, and springs conservation.

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 St. Johns River Alliance, 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 St Johns River Alliance, Inc. has met the initial application and statutory requirements to pursue legislation for the "St Johns River" 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 "St Johns River" plate falls within the exception from the moratorium on new specialty license plates created by the 2008 Legislature, as the Alliance 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 "St. Johns River" license plate.
- Section 2 Amends s. 320.08058(69), F.S., creating the "St. Johns River" 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 July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
See fiscal comments below.
2. Expenditures:
See fiscal comments below.

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

⁴ *Id.*

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 53 will cost the DHSMV approximately \$60,000 in contract programming, development labor, and product purchasing costs for the creation of the "St. Johns River" license plate. This fiscal impact is offset by the statutory application fee of \$60,000, which has been submitted to the DHSMV by the St. Johns River Alliance, 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

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 St. Johns River license
 4 plate; establishing an annual use fee for the plate;
 5 providing for the distribution of use fees received from
 6 the sale of such plates; 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) St. Johns River 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) ST. JOHNS RIVER LICENSE PLATES.--

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

26 (b) The requirements of s. 320.08053 must be met prior to
 27 the issuance of the plate. Thereafter, the license plate annual
 28 use fees shall be distributed to the St. Johns River Alliance,

29 Inc., a 501(c)(3) nonprofit organization, which shall administer
 30 the fees as follows:

31 1. The St. Johns River Alliance, Inc., shall retain the
 32 first \$60,000 of the annual use fees as direct reimbursement for
 33 administrative costs, startup costs, and costs incurred in the
 34 development and approval process. Thereafter, up to 10 percent
 35 of the annual use fee revenue may be used for administrative
 36 costs directly associated with education programs, conservation,
 37 research, and grant administration of the organization and up to
 38 10 percent may be used for promotion and marketing of the
 39 specialty license plate.

40 2. At least 30 percent of the fees shall be available for
 41 competitive grants for targeted community-based or county-based
 42 research or projects for which state funding is limited or not
 43 currently available. The remaining 50 percent shall be directed
 44 toward community outreach and access programs. The competitive
 45 grants shall be administered and approved by the board of
 46 directors of the St. Johns River Alliance, Inc. A grant advisory
 47 committee shall be composed of six members chosen by the St.
 48 Johns River Alliance board members.

49 3. Any remaining funds shall be distributed with the
 50 approval of and accountability to the board of directors of the
 51 St. Johns River Alliance, Inc., and shall be used to support
 52 activities contributing to education, outreach, and springs
 53 conservation.

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

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 63 Road Designations

SPONSOR(S): McBurney and others

TIED BILLS: IDEN./SIM. BILLS:

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee		Johnson <i>SAS</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 designates that portion of State Road 116 between State Road 9A east of Jacksonville and State Road 101 in Duval County as the "James E. 'Jim' King, Jr. Parkway."

The bill also directs the Department of Transportation (DOT) to erect suitable markers designating the "James E. 'Jim' King, Jr. Parkway."

Assuming that two markers are erected for the designation, DOT estimates the cost to be \$800. This 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 State Road 116 between State Road 9A¹ east of Jacksonville and State Road 101 in Duval County as the "James E. 'Jim' King Jr., Parkway."

The bill also directs DOT to erect suitable markers designating the "James E. 'Jim' King Jr., Parkway."

The bill takes effect on July 1, 2010.

B. SECTION DIRECTORY:

Section 1 Designates the "James E. 'Jim' King, Jr., Parkway;" directs DOT to erect suitable markers.

¹ According to DOT, the State Road 9A overpass is actually west of the western end of State Road 116 (Jane Street) and is actually Merrill Road in Jacksonville.

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 the 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 James E.
3 "Jim" King, Jr., Parkway in Duval County; directing the
4 Department of Transportation to erect suitable markers;
5 providing an effective date.
6

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

9 Section 1. James E. "Jim" King, Jr., Parkway designated;
10 Department of Transportation to erect suitable markers.--

11 (1) That portion of State Road 116 between State Road 9A
12 east of Jacksonville and State Road 101 in Duval County is
13 designated as "James E. 'Jim' King, Jr., Parkway."

14 (2) The Department of Transportation is directed to erect
15 suitable markers designating James E. "Jim" King, Jr., Parkway
16 as described in subsection (1).

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.1

Bill No. **HB 63**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Roads, Bridges & Ports Policy
2 Committee

3 Representative Robaina offered the following:
4

5 **Amendment (with title amendment)**

6 Between lines 16 and 17, insert:

7 Section 2. Frank Pasquarella Way designated; Department of
8 Transportation to erect suitable markers.--

9 (1) That portion of Bird Road, S.W. 40th Street, between
10 S.W. 89th Avenue and S.W. 92nd Avenue in Miami-Dade County is
11 designated as "Frank Pasquarella Way."

12 (2) The Department of Transportation is directed to erect
13 suitable markers designating Frank Pasquarella Way as described
14 in subsection (1).

15 Section 3. Bob Arbetter's Way designated; Department of
16 Transportation to erect suitable markers.--

17 (1) That portion of Bird Road, S.W. 40th Street, between
18 S.W. 87th Avenue and S.W. 89th Avenue in Miami-Dade County is
19 designated as "Bob Arbetter's Way."

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No.1

20 (2) The Department of Transportation is directed to erect
21 suitable markers designating Bob Arbetter's Way as described in
22 subsection (1).

23

24

25

T I T L E A M E N D M E N T

26

Remove line 3 and insert:

27

"Jim" King, Jr., Parkway in Duval County; designating Frank

28

Pasquarella Way and Bob Arbetter's Way in Miami-Dade County;

29

directing the

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 83 Specialty License Plates

SPONSOR(S): Crisafulli and others

TIED BILLS: IDEN./SIM. BILLS: SB 170

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

SUMMARY ANALYSIS

HB 83 provides for the creation of an "Endless Summer" specialty license plate. The annual use fee of \$25 per tag shall be distributed to Surfing's Evolution & Preservation Corporation. According to the bill, all funds collected shall be used to:

- fund promotion and advertising of the plate;
- fund the proposed Surfing's Evolution & Preservation Project;
- fund the provision of lifeguards or the building of artificial reefs;
- provide funds to organizations that house the history and artifacts of surfing or promote the sport through exhibits, lectures, and events; and
- support programs and events that support beaches and oceans and promote education on beach safety, coastal pollution, and beach ecology.

Specialty license plates must be specifically authorized pursuant to Florida Statutes. Section 320.08053, F.S., 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.

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 DHSMV by the sponsoring organization.

Surfing's Evolution & Preservation Corporation has been approved by DHSMV and the Auditor General to pursue legislation for the "Endless Summer" 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, 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 an "Endless Summer" 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 Surfing's Evolution & Preservation Corporation. They will administer the fees and use the proceeds to:

- fund promotion and advertising of the plate;
- fund the proposed Surfing's Evolution & Preservation Project;
- fund the provision of lifeguards or the building of artificial reefs;
- provide funds to organizations that house the history and artifacts of surfing or promote the sport through exhibits, lectures, and events; and
- support programs and events that support beaches and oceans and promote education on beach safety, coastal pollution, and beach ecology.

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 Surfing's Evolution & Preservation Corporation 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 Surfing's Evolution & Preservation Corporation has met the initial application and statutory requirements to pursue legislation for the "Endless Summer" specialty license plate. In conformity with s. 320.08053(1)(b), F.S., the Auditor General has issued a report validating the Corporation's survey.³ This report also found that the "Endless Summer" plate falls within exception from the moratorium on new specialty license plates created by the 2008 Legislature, as the Corporation 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 "Endless Summer" license plate.
- Section 2 Amends s. 320.08058(69), F.S., creating the "Endless Summer" 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.
2. Expenditures:
See fiscal comments below.

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

⁴ *Id.*

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:

E. Implementation of HB 83 will cost DHSMV approximately \$60,000 in contract programming, development labor, and product purchasing costs for the creation of the "Endless Summer" license plate. This fiscal impact is offset by the statutory application fee of \$60,000, which has been submitted to DHSMV by the Surfing's Evolution & Preservation Corporation 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:

In 2009, a substantially similar bill was debated in the Roads, Bridges, and Ports Policy Committee. That bill originally limited administrative and marketing expenses to 25 percent of funds collected. The committee adopted an amendment lowering this administrative cap to 10 percent. The current bill contains no limitation. The bill sponsor has indicated that an amendment will be offered in the Roads, Bridges, and Ports Policy Committee to cap the administrative fees at 10 percent.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending ss.
 3 320.08056 and 320.08058, F.S.; creating an Endless Summer
 4 license plate; establishing an annual use fee for the
 5 plate; providing for the distribution of use fees received
 6 from the sale of such plates; 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) Endless Summer 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) ENDLESS SUMMER LICENSE PLATES.--

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

25 (b) The license plate annual use fees shall be distributed
 26 to Surfing's Evolution & Preservation Corporation to fund its
 27 activities, programs, and projects aimed at preserving the sport
 28 of surfing. Surfing's Evolution & Preservation Corporation may

29 retain all revenue from the annual use fees until all startup
 30 costs for developing and establishing the plate have been
 31 recovered. Thereafter, the annual use fee revenue may be used as
 32 follows:

33 1. For promotion and marketing of the specialty license
 34 plate and administrative costs directly associated with the
 35 corporation's programs and the specialty license plate.

36 2. To fund the proposed Surfing's Evolution & Preservation
 37 Experience project.

38 3. To provide funds for the provision of lifeguards or the
 39 building of artificial reefs.

40 4. To provide funds to organizations that house the
 41 history and artifacts of surfing or promote the sport through
 42 exhibits, lectures, and events.

43 5. To support programs and events of other organizations
 44 that support beaches and oceans and promote education on beach
 45 safety, coastal pollution, and beach ecology.

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 83

COUNCIL/COMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Roads, Bridges, and Ports
2 Policy Committee
3 Representative(s) Crisafulli offered the following:
4

5 **Amendment**

6 Remove lines 31-45 and insert:
7 recovered. Thereafter, up to 10 percent of the annual use fee
8 revenue may be used for promotion and marketing of the specialty
9 license plate and administrative costs directly associated with
10 the corporation's programs and the specialty license plate.
11 Surfing's Evolution & Preservation Corporation shall use the
12 remaining funds as follows:

13 1. To fund the proposed Surfing's Evolution & Preservation
14 Experience project.

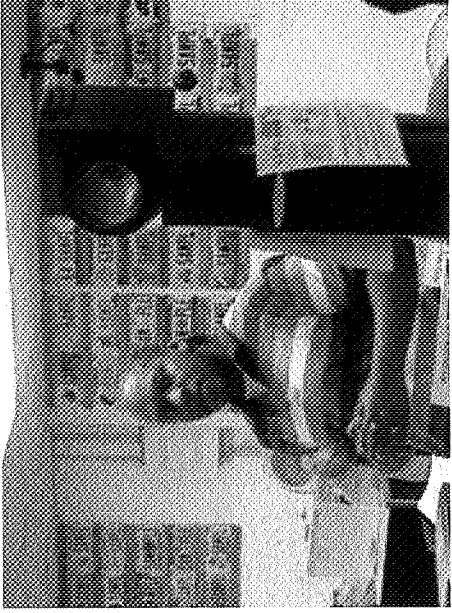
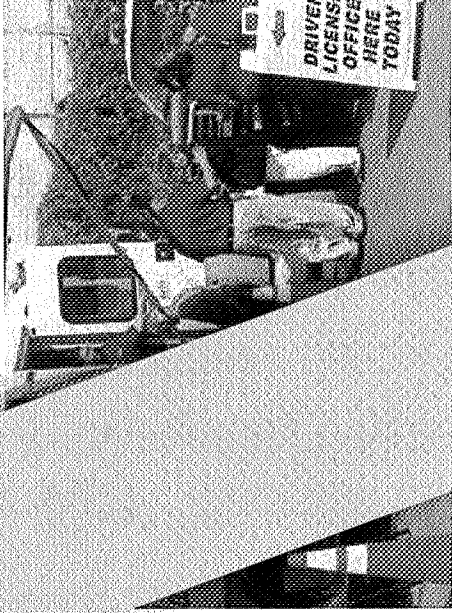
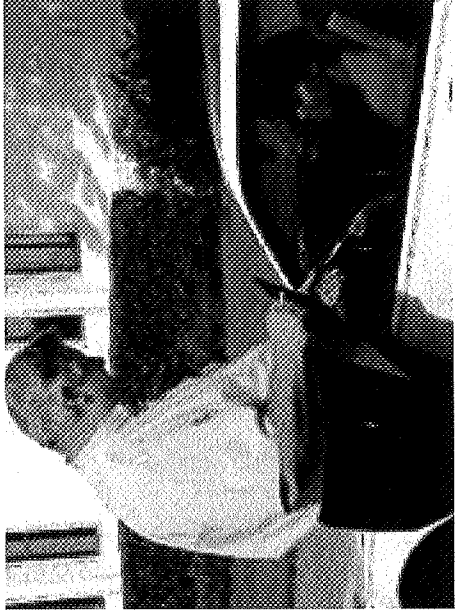
15 2. To provide funds for the provision of lifeguards or the
16 building of artificial reefs.

17 3. To provide funds to organizations that house the history
18 and artifacts of surfing or promote the sport through exhibits,
19 lectures, and events.

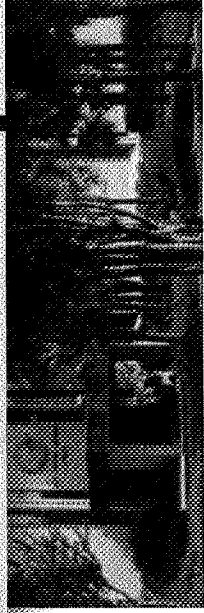
HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

20 4. To support programs and events of other organizations
21 that support beaches and oceans and promote education on beach
22 safety, coastal pollution, and beach ecology.



Substantive Legislative Proposals Fiscal Year: 2010-2011





Guiding Principle: *We will protect our roadways.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Aggressive Driving	Law enforcement officials in Florida do not currently have the statutory authority to cite a driver for what is commonly referred to as "aggressive driving". Many other states have created "aggressive driving" laws to focus attention on those drivers who commit multiple offenses simultaneously.	This proposal would create a new category of traffic offense for "aggressive careless" driving. This new category would fall between the current careless and reckless driving statutes with regard to its impact on the driver and would provide law enforcement a mechanism to issue a single citation to a driver who has committed more than one violation of law. <ul style="list-style-type: none"> ■ Moving violation ■ \$120 fine ■ 4 points ■ Court appearance ■ Traffic school 	Allowing law enforcement to issue a single traffic citation with severe penalties that accurately portrays the behavior of the driver is an essential component to enforcing traffic laws equitably and for adequate deterrence. This proposal mirrors the recommendations of the National Highway Traffic Safety Administration for this type of violation. This approach is the best means to identify and require training for dangerous drivers.	Indeterminate	ss. 316.1923, 318.18, 318.19, 322.0261

..... continued

Guiding Principle: *We will protect our roadways.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
<p>DUI Convictions</p>	<p>Florida law does not cover situations in which a driver is convicted of two separate DUI offenses on the same day. Convictions occurring on the same date for two or more offenses when the arrest dates are different are treated as one conviction and generate one revocation</p>	<p>The amendment will clarify that convictions occurring on the same day and are the result of separate offenses are to be treated as separate convictions. The earliest conviction shall be considered as a prior conviction. The amendment also clarifies the revocation period.</p>	<p>This amendment is needed to clarify the appropriate length of a revocation and to clarify the term "prior conviction."</p>	<p>Indeterminate</p>	<p>s. 322.28</p>
<p>Fleeing or Eluding</p>	<p>Currently, the Department does not revoke the driving privilege when adjudication is withheld on Fleeing or Attempting to Elude convictions. Section 316.1935(6) currently states: "Notwithstanding s. 948.01, no court may suspend, defer, or withhold adjudication of guilt or imposition of sentence for any violation of this section."</p>	<p>The proposed change clarifies the definition of the term "conviction" by amending s. 316.1935(5), Florida Statutes, and includes "adjudication withheld" in the definition.</p>	<p>The proposed change is requested to clarify the Department's authority to revoke driving privileges for a felony offense of fleeing or eluding when adjudication is withheld.</p>	<p>None</p>	<p>s. 316.1935</p>

continued



Guiding Principle: *We will protect our roadways.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Financial Responsibility	When the owner/registrant is stopped at roadside and is not able to provide to a law enforcement officer proof of Personal Injury Protection and Property Damage Liability, a citation is issued. This coverage is mandatory under Florida law to be carried continuously throughout the vehicle registration period. The Department currently takes action only when the owner/registrant is unable to provide proof of liability to the court <u>and</u> the court orders the Department to suspend the driving privilege of the offender. A conviction alone on the record does not automatically generate the suspension.	The proposal would authorize the Department to suspend the driving privilege when the conviction is posted to the record even if the courts fail to order the suspension. This change would be consistent with other types of convictions which result in a driver license sanction.	This change is needed to allow the department to take action on a conviction for an owner/operator who is not able to provide the compulsory insurance requirement. Allowing this change would enable the Department to enhance enforcement of the mandatory insurance laws of this State.	Indeterminate	s. 316.646

..... continued



Guiding Principle: *We will protect our roadways.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Fraud Penalties	Currently, driving school employees are subject to a 1st degree misdemeanor if they are found to have committed fraud. State employees are subject to 3rd degree felony charges for committing fraud.	This change would increase the penalty for driving school employees to a 3rd degree felony as it is for State employees. Furthermore, courts would be required to impose at least 10 days in jail for anyone convicted of driver license fraud.	The driver license and identification cards issued by the state have become the premier document of choice for use in all commerce as well as travel when identifying an individual. It is imperative that the credentials issued by the department are credible and are issued correctly. All persons involved in the issuance process must understand that fraud will not be taken lightly and that violators will face severe repercussions.	None	ss. 322.212 488.07
Commercial Driver Licenses	Florida law requires that a commercial driver be disqualified from driving his/her commercial vehicle for 90 days for a first offense of violating an out-of-service order. A second violation of an out-of-service order results in a 1-year disqualification.	The proposed change would increase the disqualification timer-period for a first offense to 180 days and a second offense to 2-years if found to be in violation of an out-of-service order.	An out-of-service order is generally issued for a safety violation. A driver who blatantly disregards such an order is actively endangering other drivers on the road. In addition, this change is required by the Federal Motor Carrier Safety Administration in order for Florida to remain compliant with federal law.	None	s. 322.61



Guiding Principle: *We are a service driven department.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Motor vehicle dealers	A dealer's license can be suspended or revoked for failure to honor a bank draft or check given to a motor vehicle dealer for the purchase of a motor vehicle by another motor vehicle dealer within 10 days after notification that the bank draft or check has been dishonored. The law does not extend this provision for failing to honor a bank draft or check given to the State.	Amend s. 320.27 to include failure to honor a bank draft or check to the Department as a reason to fine, suspend or revoke a dealer's license.	To provide a means to sanction a dealer for not honoring bank drafts and checks written to the Department.	Indeterminate	s. 320.27
Curbstoning	Current law does not provide a basis to sanction a licensed dealer for selling vehicles off-site without an off-site permit.	Amend chapter 320 to include displaying a car for sale at a location other than the dealer's licensed location without an approved off-premise sale permit as a reason to fine, deny, suspend, or revoke a dealer's license.	To provide a means to sanction a dealer for selling vehicles off-site without an off-site permit.	None	s. 320.27

continued



Guiding Principle: *We are a service driven department.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Vehicles sold on consignment	Currently, Florida statutes are limited on the type of ownership documents a mobile home dealer can accept from the owner vehicle taken in trade and further, doesn't allow for a consignment agreement. The documentation of ownership authorized in statutes governing mobile homes is inconsistent with that of motor vehicles.	This change would provide a statutory framework for ownership documents that is consistent with that of motor vehicles. It would also allow a mobile home or RV to be sold on consignment.	To provide consistency in the types of evidence required to be in the dealer's possession.	None	s. 320.77
Mobile home and recreational vehicle manufacturer's license	There are no provisions in law to penalize a mobile home or recreational vehicle manufacturer for failing to maintain a surety bond. In addition, the insurance company is not required to notify the department when the bond is cancelled.	Amend s. 320.8225 to allow the Department to suspend, revoke or deny license to a mobile home or recreational vehicle manufacturer who did/ does not maintain a surety bond during the license period.	Consumers who purchase mobile homes or recreational vehicles during the time a bond has lapsed are not protected from any loss that may incur.	None	s. 320.8225

continued

Guiding Principle: *We are a service driven department.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Custom Vehicles	Currently, chapter 320 provides for unique license plates for custom and street rod vehicles however chapter 319 does not provide for a unique titling process.	This change would add language to chapter 319 to conform the titling process to the changes previously made in chapter 320.	Chapters 319 and 320 should work together and these changes will alleviate confusion with respect to custom and street rod vehicles.	None	s. 319.14, s. 320.0863
Heavy Trucks	Heavy trucks, with a gross vehicle weight from 5,000 to 8,000 pounds, which are owned by individuals, have a December renewal period for the vehicle registration.	The proposed changes would allow the vehicle registration renewals for this category of trucks to be on the birth date of the owner in the same manner as other light trucks and cars.	Historically, these trucks had been considered "commercial grade" however over time private use trucks have become heavier. This change would align statute more closely with private use vehicles in the market place.	Revenues overall would not be impacted however the flow of revenues would be more evenly distributed throughout the fiscal year.	s. 320.03, s. 320.055
Examinations	Upon renewal, it is required for certain drivers to be tested with respect to their ability to read and understand highway signs regulating, warning, and directing traffic, in addition to the eyesight and hearing examinations.	It is proposed to eliminate the requirement for drivers to pass the road signs exam automatically upon renewal if they fall into a particular category. Drivers would still be subject to the vision exam and any other exam deemed necessary by the Department.	Almost 300,000 road sign exams are given each year to drivers falling into certain categories. Typically, road signs do not change so the relevancy of the knowledge on the exams is not related to problem driving.	None	s. 322.121

Guiding Principle: *We will implement technology solutions.*

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Use of electronic notification	Currently, the department is required to send all notifications to customers via the U.S. Postal Service	This proposed change would allow the department to transmit renewal reminders utilizing a secure electronic transmission at the customer's request.	This change would allow the department to utilize technology for communication purposes and provide savings to the State by lowering mailing costs.	Indeterminate	s. 320.95, s. 322.08, s. 322.18, s. 328.30, s. 328.80
Signatures on Citations	Current statute requires that both criminal violations and noncriminal infraction citations must be signed. There is no requirement in the Florida Rules of Traffic Court, 2006 Edition, which require signatures by the violator	Amend s. 318.14, F.S., to require signatures only on criminal citations and citations requiring a mandatory court appearance. This change will bring Florida in line with many other states that require signatures only on criminal violations and will enhance and streamline electronic citation transmission.	The Department views the requirement to obtain a signature as unnecessary for noncriminal infractions; however, for violations requiring a mandatory hearing listed in s. 318.19, F.S., or any other criminal traffic violation listed in chapter 316 the signature should in fact continue to be required. This change will bring Florida in line with many other states that require signature only on criminal violations. Additionally, this change will facilitate the issuance of citations using electronic citation writing software.	None	s. 318.14



Other Issues

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
<p>Technical changes</p>	<p>(1) Traffic records centers. (2) Chapters 320 and 316 contain incorrect or incompatible terms and references related to the International Registration Plan. (3) Traffic law and Substance Abuse Education certification. (4) Motorcycle riders under 16. (5) identification card fraud</p>	<p>(1) Remove references to traffic records centers and other corrections. (2) Make necessary changes to conform Florida statutes to the International Registration Plan. (3) Remove statutory reference to certification. (4) Correct statutory conflict. (5) Provide specific statutory authority for the department to cancel an ID card obtained by fraud.</p>	<p>(1)Traffic records centers as defined in law do not actually exist. (2)The International Registration Plan is a multi-jurisdictional program that Florida participates in and should be uniform across jurisdictions. (3) Certification no longer occurs. (4) Ch. 322 and ch. 316 appear to be in conflict and this proposal would clarify that 15 year old drivers may not operate a motorcycle. (5) Florida law provides the department authority to cancel a driver license when it is obtained by fraud however the law is silent with respect to ID cards. Because the process to obtain both is identical the department believes this was an oversight.</p>	<p>None</p>	<p>s. 316.066, s. 316.545, s. 320.01, s. 322.095</p>

continued



Other Issues

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Technical changes <i>(cont'd)</i>	(6) Registration record retention (7) Hearings (8) Speeding citations (9) Disabled Veterans Plate	(6) Chapter 319 requires the department to maintain title records for 10 years. This change would set 10 years as the record retention for registrations. (7) Remove the requirement that law enforcement submit a copy of the crash report to the department in order to uphold a driver license suspension. (8) Modify current law to clarify when enhanced penalties apply to drivers convicted of speeding. (9) Modify section 320.084 to allow Disabled Veteran plates to be renewed biennially.	(6) Create consistent record retention law for titles and registrations. (7) Correct a deficiency in the current law with respect to the requirement to provide a crash report verses allowing a report to be submitted only if it is pertinent to the hearing. (8) Clarification of which statutory site should be listed on the citation in order to impose enhanced penalties is needed. (9) Disabled Veteran plates were inadvertently not included in the list of plates eligible for biennial renewal	None	s. 320.02, s. 322.2615, s. 316.1926, s. 320.084