

Tab 1	CS/SB 78 by IS, Broxson ; (Compare to CS/H 00021) Transportation Facility Designations						
626912	A	S	RCS	ATD, Broxson	Delete L.22 - 65:	02/18 04:53 PM	

Tab 2	CS/SB 1000 by IS, Perry (CO-INTRODUCERS) Mayfield ; (Compare to CS/CS/H 01371) Traffic and Pedestrian Safety						
961378	A	S	RCS	ATD, Perry	Delete L.26 - 50:	02/18 04:53 PM	

Tab 3	CS/SB 1500 by IS, Broxson ; Specialty License Plate Fees						
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Tab 4	CS/SB 1692 by IS, Flores ; (Compare to CS/H 00787) Driver Licenses						
788272	A	S	RCS	ATD, Flores	Before L.12:	02/18 04:53 PM	
499998	A	S	RCS	ATD, Flores	Delete L.35:	02/18 04:53 PM	

Tab 5	CS/SB 1694 by IS, Flores ; (Identical to CS/H 00789) Driver License Fees						
748456	A	S	RCS	ATD, Flores	Delete L.15:	02/18 04:53 PM	

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

**APPROPRIATIONS SUBCOMMITTEE ON
TRANSPORTATION, TOURISM, AND ECONOMIC
DEVELOPMENT**

Senator Hutson, Chair
Senator Thurston, Vice Chair

MEETING DATE: Tuesday, February 18, 2020
TIME: 4:00—6:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Hutson, Chair; Senator Thurston, Vice Chair; Senators Brandes, Lee, Perry, Simpson, Taddeo, and Torres

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	CS/SB 78 Infrastructure and Security / Broxson (Compare CS/H 21, CS/CS/CS/H 391, CS/H 433, H 815, S 174, S 342, S 382, S 612, S 1026, S 1046, S 1068)	Transportation Facility Designations; Providing honorary designations of certain transportation facilities in specified counties, etc. IS 02/10/2020 Fav/CS ATD 02/18/2020 Fav/CS AP	Fav/CS Yeas 5 Nays 0
2	CS/SB 1000 Infrastructure and Security / Perry (Compare CS/CS/H 1371)	Traffic and Pedestrian Safety; Requiring a pedestrian crosswalk on a public highway, street, or road which is located at any point other than at an intersection with another public highway, street, or road to be controlled by traffic control signal devices and pedestrian control signals that conform to specified requirements; requiring, by a specified date, the entity with jurisdiction over a public highway, street, or road with a certain pedestrian crosswalk to ensure that the crosswalk is controlled by coordinated traffic control signal devices and pedestrian control signals, etc. IS 01/27/2020 Fav/CS ATD 02/18/2020 Fav/CS AP	Fav/CS Yeas 7 Nays 0
3	CS/SB 1500 Infrastructure and Security / Broxson (Compare CS/S 414, S 488, S 862)	Specialty License Plate Fees; Providing a license plate annual use fee for the Blue Angels license plate; providing a license plate annual use fee to be collected for specialty license plates created or established after a specified date, etc. IS 01/21/2020 Fav/CS ATD 02/18/2020 Favorable AP	Favorable Yeas 5 Nays 0
4	CS/SB 1692 Infrastructure and Security / Flores (Compare CS/H 787, CS/H 789, Linked CS/S 1694)	Driver Licenses; Authorizing a person with specified disabilities to have the capital letter "D" exhibited on his or her driver license under certain circumstances; providing requirements for the placement of such letter on a person's driver license, etc. IS 02/10/2020 Fav/CS ATD 02/18/2020 Fav/CS AP	Fav/CS Yeas 5 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Transportation, Tourism, and Economic Development
Tuesday, February 18, 2020, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	CS/SB 1694 Infrastructure and Security / Flores (Identical CS/H 789, Compare CS/H 787, Linked CS/S 1692)	Driver License Fees; Providing fees for the placement of a specified letter on the driver license of a person who has a developmental disability, etc. IS 02/10/2020 Fav/CS ATD 02/18/2020 Fav/CS AP	Fav/CS Yeas 6 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: PCS/CS/SB 78 (945272)

INTRODUCER: Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Infrastructure and Security Committee; and Senator Broxson

SUBJECT: Transportation-related Facility Designations

DATE: February 20, 2020 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Miller	IS	Fav/CS
2.	McAuliffe	Hrdlicka	ATD	Recommend: Fav/CS
3.			AP	

Please see Section IX. for Additional Information:
 COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 78 creates the following road and bridge designations:

- The Pensacola Bay Bridge between 17th Avenue in Escambia County and Baybridge Drive in Santa Rosa County as the “General Daniel ‘Chappie’ James, Jr., Bridge.”
- The portion of Bloxham Cutoff Road/S.R. 267 between U.S. 98 in Wakulla County and S.R. 20 in Leon County as the “J.D. Turner Highway.”
- Bridge Numbers 880050, 880051, 880052, and 880053 on S.R. 510 between Wabasso and Wabasso Beach in Indian River County as the “A.B. Michael Bridges.”
- The portion of W. Kennedy Boulevard between Lois Avenue and Dale Mabry Highway in Hillsborough County as the “Master Police Officer Lois Marrero Memorial Highway.”
- The portion of E. Laurel Street between N. Orange Avenue and N. Morgan Street in Hillsborough County as the “Officer James Ronco Memorial Highway.”
- Bridge number 930361 on S.R. A1A/Jack Nicklaus Driver in Palm Beach County as the “Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson.”
- The portion of S.R. 408/Spessard L. Holland East-West Expressway between S. Crystal Lake Drive and S. Semoran Boulevard in Orange County as the “Sergeant Tracy Vickers Memorial Expressway.”
- The portion of S.R. 438 between Winters Landing Drive and Clarke Road in Orange County as the “Julius ‘July’ Perry Memorial Highway.”

- The portion of I-95 between the Florida state line in Nassau County and S.W. 32nd Road in Miami-Dade County as the “Purple Heart Memorial Highway.”
- The portion of U.S. 98 between C.R. 386 and Pine Street in Gulf County as the “Willis V. Rowan Memorial Highway.”
- The portion of U.S. 98 between Pine Street and C.R. 382/Industrial Road in Gulf County as the “John C. Gainous Memorial Highway.”
- The portion of I-10 between U.S. 29/S.R. 95 and S.R. 291 in Escambia County as the “Deputy Donald Ray Cook Memorial Highway.”
- The portion of I-95 between mile markers 105 and 110 in Martin County as the “Trooper Joseph Bullock Memorial Highway.”
- The portion of S.R. 281 between U.S. 90 and U.S. 98 in Santa Rosa County as the “Bart D. and John R. Broxson Parkway.”
- The portion of U.S. 90/Beaver Street between Chaffee Road and U.S. 301 in Duval County as the “John B. Coxwell Memorial Highway.”
- The portion of U.S. 41/S.W. 8th Street between S.W. 82nd Avenue and S.R. 973/87th Avenue in Miami-Dade County as the “Manuel H. ‘Manny’ Piedra Memorial Highway.”
- The portion of U.S. 441 between Deep Creek Bridge and C.R. 6 in Columbia County as the “Austin D. Gay Memorial Highway.”
- That portion of I-10 between the Suwannee County line and mile marker 275 in Suwannee County as the “Wesley L. Silas Memorial Highway.”
- That portion of U.S. 19 between Luther Wilson Road and the Econfina River Bridge in Taylor County as the “Joshua S. Montaad Memorial Highway.”
- That portion of the S.R. 90/S.W. 8th Street between S.W. 12th Avenue and S.W. 14th Avenue in Miami-Dade County as the “Rosa Maria Plasencia Way.”

The bill directs the Florida Department of Transportation (FDOT) to erect suitable markers.

The bill designates the Florida Highway Patrol station located at 2929 N. 25th Street in Fort Pierce as the “Trooper Joseph Bullock Building” and directs the Department of Highway Safety and Motor Vehicles to erect suitable markers.

The estimated cost to the FDOT to install the designation markers required under this bill is \$35,000, which the FDOT is expected to absorb within existing resources. The cost to the Department of Highway Safety and Motor Vehicles to install the designation markers required under the bill is expected to be minimal and absorbed within existing resources.

The bill takes effect July 1, 2020.

II. Present Situation:

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes or to distinguish a particular facility. Such designations are not to be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.¹

¹ Section 334.071(1), F.S.

When the Legislature establishes road or bridge designations, the FDOT is required to place markers only at the termini specified for each highway segment or bridge designated by the law creating the designation and to erect any other markers it deems appropriate for the transportation facility.²

The FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the designated road or bridge segment is located in more than one city or county, each affected local government must pass resolutions supporting the designations before installation of the markers.³

General Daniel “Chappie” James, Jr.

General Daniel ‘Chappie’ James, Jr., was born in 1920 in Pensacola, Florida, near the Pensacola Naval Air Station, where he developed the desire to fly. He attended the Tuskegee Institute in Alabama in 1937, making a name for himself as an athlete and campus leader. In July of 1943, he earned his commission as a Second Lieutenant and became one of the famed Tuskegee Airmen. He received the Distinguished Flying Cross for valor in 1949 for his rescue of a fellow pilot after experiencing a flame-out 50 feet above the ground and crashing. He flew 101 combat missions during the Korean War. Rising rapidly in rank, he attained Major in 1952 and Lieutenant Colonel in 1956.

In June of 1967, Colonel James became Vice Wing Commander of the Eighth Tactical Fighter Wing in Thailand, flying 78 combat missions over North Vietnam; and in 1969, he assumed command of Wheelus Air Force Base in Libya, following Muammar Khadafy’s coup. President Nixon nominated him for Brigadier General in 1970. He then served as Deputy Assistant Secretary of Defense, Public Affairs, and later as Principal Deputy Assistant Secretary of Defense, Public Affairs, in 1973. In August of 1975, he was assigned as Commander in Chief, North American Air Defense Command, at which time he was promoted to the rank of Four-Star General. Aside from his aerial skills, General James was recognized for his ethics of achievement, hard work, and self-reliance. General James passed away on February 25th, 1978.⁴

J.D. Turner

J.D. Turner lived in Wakulla County from 1948 until his death in 1995. He served honorably in World War II, earning numerous campaign medals, and was a strong advocate of veterans, serving as Commander of the Wakulla VFW and of the local American Legion Post. Mr. Turner was involved in numerous civic and community service organizations, including as President of the Chamber of Commerce, Chairman of the Local American Red Cross Civil Defense, Member of the Wakulla Senior Citizens Council Board of Directors, and founding board member of Keep Wakulla Beautiful. Mr. Turner also served for 23 years as a Florida Highway Patrol Auxiliary Officer, for 20 years as a Wakulla County Commissioner, and strongly supported Wakulla

² Section 334.071(2), F.S.

³ Section 334.071(3), F.S.

⁴ National Aviation Hall of Fame, *James Jr., Daniel “Chappie”* available at <https://www.nationalaviation.org/our-enshrinees/james-jr-daniel/> (last visited Feb. 12, 2020).

County youth. Mr. Turner was instrumental in seeking legislative support for the construction of State Road 267 from U.S. 98 in Wakulla County to S.R. 20 in Leon County.⁵

A.B. Michael

A.B. Michael moved to the Indian River region in 1886 and was a strong proponent of Indian River Citrus, having started his own citrus grove on Orchid Isle in 1902. He later became manager and president of Deerfield Groves in 1917, helped manage American Fruit Growers from 1919 to 1946, assisted in forming the Indian River Citrus League in the 1930's, and served on the Florida Citrus Commission from 1945 to 1949. Due to his achievements and dedication to the industry, Florida Citrus Mutual refers to A.B. Michael as the “Dean of the Florida Citrus Industry.”⁶

Master Police Officer Lois Marrero

A 18-year veteran of the Tampa Police Department and the first department female officer killed in the line of duty, Officer Lois Marrero was gunned down by a fleeing bank robbery suspect. On July 6, 2001, Officer Marrero was on foot checking an apartment complex for the suspect when he opened fire, mortally wounding her. The suspect fled into a nearby apartment, took hostages, and then committed suicide several hours later during a standoff. An accomplice to the robbery was sentenced to life in prison on June 23, 2003.⁷

Officer James Ronco

The son of Italian immigrants, Officer James Ronco on May 27, 1916, arrested a female prisoner after she escaped from the police station. While he was transporting her to jail, the prisoner, later determined to be under the influence of heroin and cocaine, grabbed Officer Ronco's gun and shot him once. Officer Ronco regained control of his weapon and fired three shots, killing the prisoner, before he died.⁸

Captain Joseph M. Berkson

Army Captain Joseph M. Berkson, of Chicago, Illinois, was aboard a helicopter charged with a mission near Quang Tri City in Vietnam. When the helicopter was shot down, it was in the midst of North Vietnamese Army forces and it was not possible to recover the crewmen, who were classed as Missing in Action. Seven weeks later, on July 20, 1972, friendly forces were able to

⁵ Resolution of the Wakulla County Board of County Commissioners in support of the designation, approved Aug. 19, 2019 (on file in the Senate Infrastructure and Security Committee).

⁶ Florida Citrus Hall of Fame, *A.B. Michael (1877-1964)* available at <https://floridacitrusshalloffame.com/inductees/a-b-michael/> (last visited Feb. 13, 2020).

⁷ Officer Down Memorial Page, *Officer Lois Marie Marrero* available at <https://www.odmp.org/officer/15726-officer-lois-marie-marrero> (last visited Feb. 12, 2020).

⁸ City of Tampa, *Fallen Officer – James Ronco* available at <https://www.tampagov.net/police/info/honoring-our-heroes/james-ronco> and Officer Down Memorial Page, *Police Officer James Ronco* available at <https://www.odmp.org/officer/11486-police-officer-james-ronco> (both last visited Feb. 12, 2020).

reach the wreckage and recover the remains. However, it was not until May 22, 1973, that it could be confirmed that all five men aboard had died in the crash.⁹

Gold Star families are immediate relatives of U.S. Armed Forces members who died in battle or in support of certain military activities. These relatives can be parents, sons, daughters, brothers, sisters or other loved ones.^{10, 11}

Sergeant Tracy Vickers

Trooper Vickers served the citizens of Florida with the Florida Highway Patrol for more than four years. He was in the 131st recruit class in Tallahassee, from March 23, 2015, to September 30, 2015. He was also a veteran of the U.S. Navy. Trooper Vickers died in the line of duty as a result of a crash on Friday, September 27, 2019, when his patrol car struck a construction truck in Orange County. At the time of his death, he was 31.¹²

Julius “July” Perry

In 1920, Mr. Perry and another man of African-American descent, Mose Norman, attempted to vote in the November elections in Ocoee but were denied the right. A riot ensued, and lives, homes, and businesses were lost. Mr. Perry was captured and brought to Orlando by Orange County deputy sheriffs, where he was jailed. A mob later took him out of the jail and hung him. His body was buried in Greenwood Cemetery in an unmarked grave. The position of his grave was remembered through the years and, in the fall of 2002, a marker was finally placed on his grave site.¹³

Purple Heart Memorial Highway

The Purple Heart is awarded to members of the U.S. Armed Forces who are injured and killed in combat, through an act of terrorism or by friendly fire. An estimated 1.8 million Purple Hearts have been awarded to U.S. troops. It is the nation’s oldest military award.¹⁴

Willis V. Rowan

Born in Florida, Willis V. Rowan served in World War II as a 2nd Lieutenant in the Army Air Force. He was shipped out to England in 1943 as part of the Eighth Bomber Command and was killed in action during a mission over Germany. At the time of his death, on October 14, 1943,

⁹ Find A Grave, *Captain Joseph Michael ‘Joey’ Berkson*, available at <https://www.findagrave.com/memorial/92443412/joseph-michael-berkson> (last visited Feb. 12, 2020).

¹⁰ Army.mil, *Gold Star Survivors* available at <https://www.army.mil/goldstar/> (last visited Feb. 12, 2020).

¹¹ Palm Beach Daily News, *Memorial would honor families of fallen soldiers*, Aug. 16, 2019, available at <https://www.palmbeachdailynews.com/news/20190816/memorial-would-honor-families-of-fallen-soldiers> (last visited Feb. 12, 2020).

¹² Department of Highway Safety and Motor Vehicles, *FHP Memorial: Tracy Vickers* available at <https://www.flhsmv.gov/florida-highway-patrol/fhp-memorial/tracy-vickers/> (last visited Feb. 12, 2020).

¹³ Find A Grave, *July Perry* available at <https://www.findagrave.com/memorial/10917526/july-perry> (last visited on Feb. 12, 2020).

¹⁴ Military.com, *The Purple Heart* available at <https://www.military.com/history/military-heroes/purple-heart> (last visited on Feb. 12, 2020).

he was 25 years old. The American Legion Post in Port St. Joe, Florida, is named in honor of him.¹⁵

John C. Gainous

John C. Gainous grew up in Port St. Joe and Highland View. He served as a Private First Class in the U.S. Army and was killed in action in Vietnam. The Veterans of Foreign Wars Post 10069 in Highland View is named in his memory. At the time of his death, on May 18, 1967, he was 20 years old.¹⁶

Deputy Donald Ray Cook

On December 3, 1988, off-duty Escambia County Deputy Sheriff Donald Cook learned of a high-speed law enforcement pursuit of armed robbery suspects coming into Escambia County from Santa Rosa County. Deputy Cook responded and set up a road block on I-10, where he exited his vehicle. As the pursuit continued toward the road block, Deputy Cook was struck by a vehicle and killed. He was a 5-year veteran of the Sheriff's Office.¹⁷

Trooper Joseph Bullock

Trooper Bullock served the citizens of Florida with the Florida Highway Patrol nearly 19 years, assigned to Troop L, Fort Pierce, for his entire career. He was also a veteran of the U.S. Air Force, serving as a senior airman. Trooper Bullock died in the line of duty while attempting to assist an apparently disabled vehicle on February 5, 2020, in Martin County when one of the occupants of the vehicle shot and killed him.¹⁸

Bart D. Broxson

Bart D. Broxson had served as the Santa Rosa County Sheriff for three years when, on December 24, 1959, his patrol car was struck head-on by a reckless driver on State Road 87 near Holley. Sheriff Broxson was 57 at the time of his death and was survived by his wife and 11 children.¹⁹

¹⁵ Find A Grave, *Willis V Rowan* available at <https://www.findagrave.com/memorial/99877556/willis-v-rowan>; Herald and Review, *World War II pilot's possession end up with family*, Mar. 16, 2015, available at https://herald-review.com/news/local/world-war-ii-pilot-s-possession-end-up-with-family/article_81c2f8fd-f9d4-5ecb-921e-175a8c3c6744.html; and see Gulf County Chamber of Commerce, *American Legion Post 116 Willis V. Ronan* available at <http://business.gulfchamber.org/list/member/american-legion-post-116-willis-v-rowan-5> (all last visited Feb. 12, 2020).

¹⁶ Find A Grave. *John C. Gainous* available at <https://www.findagrave.com/memorial/100183488/john-c-gainous> and Vietnam Veterans Memorial Fund, *The Wall of Faces: John Charles Gainous* available at <https://www.vvmf.org/Wall-of-Faces/17598/JOHN-C-GAINOUS/> (both last visited Feb. 12, 2020).

¹⁷ See NorthEscambia.com, *Escambia Commission Votes for Renaming Part of I-10 For Deputy Killed 30 Years Ago*, Feb. 7, 2020 available at <http://www.northescambia.com/2020/02/escambia-commission-votes-for-renaming-part-of-i-10-for-deputy-killed-30-years-ago> (last visited Feb. 12, 2020).

¹⁸ Department of Highway Safety and Motor Vehicles, *FHP, FLHSMV Mourn the Loss of Trooper Joseph Bullock*, Feb. 5, 2020, available at <https://www.flhsmv.gov/2020/02/05/fhp-flhsmv-mourn-the-loss-of-trooper-joseph-bullock/> and MilitaryTimes, *State Trooper, an Air Force veteran, killed assisting motorist in Florida*, Feb. 6, 2020, available at <https://www.militarytimes.com/news/your-military/2020/02/06/state-trooper-an-air-force-veteran-killed-assisting-motorist-in-florida/> (both last visited Feb. 12, 2020).

¹⁹ Officer Down Memorial Page, *Sheriff Bart Dell Broxson* available at <https://www.odmp.org/officer/24008-sheriff-bart-dell-broxson> (last visited Feb. 12, 2020).

John R. Broxson

John R. Broxson was the fifth oldest of Bart and Annie Rachel Broxson's 11 children. He served as the Santa Rosa County Sheriff following his father's death in 1959. He also served in the Florida House of Representatives from 1962-1964, in the Florida Senate from 1966 – 1972, and was elected as a Santa Rosa County Commissioner in 2004. Mr. Broxson passed away in 2019 at the age of 87.²⁰

John B. Coxwell

John B. Coxwell was a prominent Jacksonville business and civic leader and philanthropist. He was the Chairman of the Board of J.B. Coxwell Contracting, Inc.; served as the head of the Florida Transportation Builder's Association in 2004; and was one of the founders and supporters of Seamark Ranch, a home for abused or neglected children. Mr. Coxwell passed away on November 14, 2017, at the age of 78.²¹

Manuel H. "Manny" Piedra

Manuel H. "Manny" Piedra was the founder and former owner of Manny's Formal Wear. Piedra served in the Army under the Cuban Volunteer Training Program in 1962, training in Ft. Jackson, South Carolina, and Ft. Knox, Kentucky. Piedra was an active member of the Big Five Club and a parishioner at St. Augustine Church in Coral Gables. He passed away at the age of 78.²²

Austin D. Gay

Inspector Austin Gay was shot and killed after being abducted from his inspection station on U.S. 441 south of the Florida - Georgia border April 14, 1979. Inspector Gay had served with the Florida Department of Agriculture and Consumer Services as a road guard inspector for 14 years.²³

Wesley L. Silas

Officer Wesley Silas was killed March 1, 1994, after being struck by a tractor trailer at the Florida Department of Agriculture and Consumer Services inspection station on I-10 near Live Oak, Florida.²⁴

²⁰ Pensacola News Journal, *Longtime Santa Rosa figure, former legislator John Broxson, dies at age 87*, Dec. 10, 2019, available at <https://www.pnj.com/story/news/2019/12/10/longtime-santa-rosa-county-politician-john-broxson-dies-age-87/4380817002/> (last visited Feb. 12, 2020).

²¹ Legacy.com, *John Benjamin Coxwell* available at <https://www.legacy.com/obituaries/timesunion/obituary.aspx?pid=187260817> (last visited Feb. 12, 2020).

²² Legacy.com, *Manuel H. Piedra* available at <https://www.legacy.com/obituaries/herald/obituary.aspx?n=manuel-h-piedra&pid=191302474> (Last visited Feb. 18, 2020).

²³ Officer Down Memorial Page, *Inspector Austin Dewey Gay* available at <https://www.odmp.org/officer/20615-inspector-austin-dewey-gay> (last visited Feb. 18, 2020).

²⁴ Officer Down Memorial Page, *Officer Wesley L. Silas* available <https://www.odmp.org/officer/986-officer-wesley-l-silas> (last visited Feb. 18, 2020).

Joshua S. Montaad

Officer Joshua Montaad was killed in a single vehicle crash on U.S. 19, near Burley Brannen Road, in Taylor County on June 6, 2017.²⁵ He had been a officer with the Florida Department of Agriculture and Consumer Services for two years and was 25 years old at the time of his death.

Rosa Maria Plasencia

Rosa Maria Plasencia, president and CEO of the nonprofit Amigos for Kids, died at age 59 after suffering a heart attack at Baptist Hospital, where family said she was being treated for chest pains. Though she had no children of her own, Plasencia is survived by the hundreds of children she has served through her work.²⁶

III. Effect of Proposed Changes:

The bill creates the following road and bridge designations:

- The Pensacola Bay Bridge between 17th Avenue in Escambia County and Baybridge Drive in Santa Rosa County as the “General Daniel ‘Chappie’ James, Jr., Bridge.”
- The portion of Bloxham Cutoff Road/S.R. 267 between U.S. 98 in Wakulla County and S.R. 20 in Leon County as the “J.D. Turner Highway.”
- Bridge Numbers 880050, 880051, 880052, and 880053 on S.R. 510 between Wabasso and Wabasso Beach in Indian River County as the “A.B. Michael Bridges.”
- The portion of W. Kennedy Boulevard between Lois Avenue and Dale Mabry Highway in Hillsborough County as the “Master Police Officer Lois Marrero Memorial Highway.”
- The portion of E. Laurel Street between N. Orange Avenue and N. Morgan Street in Hillsborough County as the “Officer James Ronco Memorial Highway.”
- Bridge number 930361 on S.R. A1A/Jack Nicklaus Driver in Palm Beach County as the “Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson.”
- The portion of S.R. 408/Spessard L. Holland East-West Expressway between S. Crystal Lake Drive and S. Semoran Boulevard in Orange County as the “Sergeant Tracy Vickers Memorial Expressway.”
- The portion of S.R. 438 between Winters Landing Drive and Clarke Road in Orange County as the “Julius ‘July’ Perry Memorial Highway.”
- The portion of I-95 between the Florida state line in Nassau County and S.W. 32nd Road in Miami-Dade County as the “Purple Heart Memorial Highway.”
- The portion of U.S. 98 between C.R. 386 and Pine Street in Gulf County as the “Willis V. Rowan Memorial Highway.”
- The portion of U.S. 98 between Pine Street and C.R. 382/Industrial Road in Gulf County as the “John C. Gainous Memorial Highway.”
- The portion of I-10 between U.S. 29/S.R. 95 and S.R. 291 in Escambia County as the “Deputy Donald Ray Cook Memorial Highway.”

²⁵ Officer Down Memorial Page, *Officer Joshua Sanchez Montaad* available at <https://www.odmp.org/officer/23268-officer-joshua-sanchez-montaad> (last visited Feb. 18, 2020).

²⁶ Miami Herald, *‘Her mission must live on.’ Child advocate Rosa Maria Plasencia dies at 59*, October 10, 2018, available at <https://www.miamiherald.com/news/local/community/miami-dade/article219776885.html> (last visited Feb. 18, 2020).

- The portion of I-95 between mile markers 105 and 110 in Martin County as the “Trooper Joseph Bullock Memorial Highway.”
- The portion of S.R. 281 between U.S. 90 and U.S. 98 in Santa Rosa County as the “Bart D. and John R. Broxson Parkway.”
- The portion of U.S. 90/Beaver Street between Chaffee Road and U.S. 301 in Duval County as the “John B. Coxwell Memorial Highway.”
- The portion of U.S. 41/S.W. 8th Street between S.W. 82nd Avenue and S.R. 973/87th Avenue in Miami-Dade County as the “Manuel H. ‘Manny’ Piedra Memorial Highway.”
- The portion of U.S. 441 between Deep Creek Bridge and C.R. 6 in Columbia County as the “Austin D. Gay Memorial Highway.”
- That portion of I-10 between the Suwannee County line and mile marker 275 in Suwannee County as the “Wesley L. Silas Memorial Highway.”
- That portion of U.S. 19 between Luther Wilson Road and the Econfina River Bridge in Taylor County as the “Joshua S. Montaad Memorial Highway.”
- That portion of the S.R. 90/S.W. 8th Street between S.W. 12th Avenue and S.W. 14th Avenue in Miami-Dade County as the “Rosa Maria Plasencia Way.”

The bill directs the FDOT to erect suitable markers for the described designation.

The bill designates the Florida Highway Patrol station located at 2929 N. 25th Street in Fort Pierce as the “Trooper Joseph Bullock Building” and directs the Department of Highway Safety and Motor Vehicles to erect suitable markers.

The bill takes effect July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The estimated cost to erect the designation markers required under this bill is \$35,000, based on the assumption that a minimum of two markers are required at a cost to the FDOT of no less than \$500 each.²⁷ The estimate includes sign fabrication, installation, and maintenance over time but does not include any additional expenses related to maintenance of traffic, dedication event costs, or replacement necessitated by damage, vandalism, or storm events. The FDOT is expected to absorb the estimated cost within existing resources.

The cost to erect a designation at the Florida Highway Patrol station located at 2929 N. 25th Street in Fort Pierce is expected to be absorbed by the Department of Highway Safety and Motor Vehicles.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates undesignated sections of Florida law.

²⁷ However, given the length of the description for the “Purple Heart Memorial Highway,” the FDOT is expected to erect two signs (one in each direction) for the 12 counties traversed. *See* email to House Transportation & Infrastructure Subcommittee staff, October 29, 2019 (on file in the Senate Infrastructure and Security Committee). The 12 counties are Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward, and Miami-Dade. Because four bridge structures are identified in the description for the “A.B. Michael Bridges,” the FDOT is expected to erect a total of eight signs, one for each bridge approach. *See* email to Senate Infrastructure and Security Committee staff, October 1, 2019 (on file in the Senate Infrastructure and Security Committee). Because a portion of State Road 438 in the “Julius ‘July’ Perry Memorial Highway” designation is co-designated with State Road 437/H.M. Bowness Road, the FDOT is expected to erect four signs. Telephone conversation with FDOT staff and Senate Infrastructure and Security Committee staff, February 10, 2020. The total number of signs for these 3 designations is 36; add to that 34 signs, two each for the remaining designations in the bill, for a grand total of 70 signs.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by Appropriations Subcommittee on Transportation, Tourism and Economic Development on February 18, 2020:

The CS/CS incorporates additional designations for:

- “Manuel H. ‘Manny’ Piedra Memorial Highway” in Miami-Dade County.
- “Austin D. Gay Memorial Highway” in Columbia County.
- “Wesley L. Silas Memorial Highway” in Suwannee County.
- “Joshua S. Montaad Memorial Highway” in Taylor County.
- “Rosa Maria Plasencia Way” in Miami-Dade County.
- “Trooper Josheph Bullock Building” at the Florida Highway Patrol station located at 2929 N. 25th Street in St. Lucie County.

CS by Infrastructure and Security on February 10, 2020:

The committee substitute incorporates additional designations for:

- “J.D. Turner Highway” in Leon County.
- “A.B. Michael Bridges” in Indian River County.
- “Master Police Officer Lois Marrero Memorial Highway” in Hillsborough County.
- “Officer James Ronco Memorial Highway” in Hillsborough County.
- “Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson” in Palm Beach County.
- “Sergeant Tracy Vickers Memorial Expressway” in Orange County.
- “Julius ‘July’ Perry Memorial Highway” in Orange County.
- “Purple Heart Memorial Highway” in Miami-Dade County.
- “Willis V. Rowan Memorial Highway” in Gulf County.
- “Deputy Donald Ray Cook Memorial Highway” in Escambia County.
- “Trooper Joseph Bullock Memorial Highway” in Martin County.
- “Bart D. and John R. Broxson Parkway” in Santa Rosa County.
- “John B. Coxwell Memorial Highway” in Duval County.

- B. **Amendments:**

None.



626912

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2020	.	
	.	
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	.	

Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Broxson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 22 - 65
and insert:
880050, 880051, 880052, and 880053 on S.R. 510 between Wabasso and Wabasso Beach in Indian River County are designated as the "A.B. Michael Bridges."

(4) That portion of W. Kennedy Boulevard between Lois Avenue and Dale Mabry Highway in Hillsborough County is designated as "Master Police Officer Lois Marrero Memorial



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11 Highway."

12 (5) That portion of E. Laurel Street between N. Orange
13 Avenue and N. Morgan Street in Hillsborough County is designated
14 as "Officer James Ronco Memorial Highway."

15 (6) Bridge number 930361 on S.R. A1A/Jack Nicklaus Drive in
16 Palm Beach County is designated as "Gold Star Family Memorial
17 Bridge, dedicated to Army Captain Joseph M. Berkson."

18 (7) That portion of S.R. 408/Spessard L. Holland East-West
19 Expressway between S. Crystal Lake Drive and S. Semoran
20 Boulevard in Orange County is designated as the "Sergeant Tracy
21 Vickers Memorial Expressway."

22 (8) That portion of S.R. 438 between Winters Landing Drive
23 and Clarke Road in Orange County is designated as "Julius 'July'
24 Perry Memorial Highway."

25 (9) That portion of I-95 between the Florida state line in
26 Nassau County and S.W. 32nd Road in Miami-Dade County is
27 designated as "Purple Heart Memorial Highway."

28 (10) That portion of U.S. 98 between C.R. 386 and Pine
29 Street in Gulf County is designated as "Willis V. Rowan Memorial
30 Highway."

31 (11) That portion of U.S. 98 between Pine Street and C.R.
32 382/Industrial Road in Gulf County is designated as the "John C.
33 Gainous Memorial Highway."

34 (12) That portion of I-10 between U.S. 29/S.R. 95 and S.R.
35 291 in Escambia County is designated as the "Deputy Donald Ray
36 Cook Memorial Highway."

37 (13) That portion of I-95 between mile markers 105 and 110
38 in Martin County is designated as the "Trooper Joseph Bullock
39 Memorial Highway."



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40 (14) That portion of S.R. 281 between U.S. 90 and U.S. 98
41 in Santa Rosa County is designated as the "Bart D. and John R.
42 Broxson Parkway."

43 (15) That portion of U.S. 90/Beaver Street between Chaffee
44 Road and U.S. 301 in Duval County is designated as the "John B.
45 Coxwell Memorial Highway."

46 (16) That portion of U.S. 41/S.W. 8th Street between S.W.
47 82nd Avenue and S.R. 973/87th Avenue in Miami-Dade County is
48 designated as the "Manuel H. 'Manny' Piedra Memorial Highway."

49 (17) That portion of U.S. 441 between Deep Creek Bridge and
50 C.R. 6 in Columbia County is designated as "Austin D. Gay
51 Memorial Highway."

52 (18) That portion of I-10 between the Suwannee County line
53 and mile marker 275 in Suwannee County is designated as "Wesley
54 L. Silas Memorial Highway."

55 (19) That portion of U.S. 19 between Luther Wilson Road and
56 the Econfina River Bridge in Taylor County is designated as
57 "Joshua S. Montaad Memorial Highway."

58 (20) That portion of the S.R. 90/S.W. 8th Street between
59 S.W. 12th Avenue and S.W. 14th Avenue in Miami-Dade County is
60 designated as "Rosa Maria Plasencia Way."

61 (21) The Department of Transportation is directed to erect
62 suitable markers designating the transportation facilities as
63 described in this section.

64 Section 2. Trooper Joseph Bullock Building designated;
65 Department of Highway Safety and Motor Vehicles to erect
66 suitable markers.-

67 (1) The Florida Highway Patrol station located at 2929 N.
68 25th Street in the City of Fort Pierce in St. Lucie County is



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69 designated as the "Trooper Joseph Bullock Building."

70 (2) The Department of Highway Safety and Motor Vehicles is
71 directed to erect suitable markers designating the Trooper
72 Joseph Bullock Building as described in subsection (1).

73

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

75 And the title is amended as follows:

76 Delete lines 2 - 5

77 and insert:

78 An act relating to transportation-related facility
79 designations; providing honorary designations of
80 certain transportation facilities in specified
81 counties; directing the Department of Transportation
82 to erect suitable markers; providing an honorary
83 designation of a facility in a specified county;
84 directing the Department of Highway Safety and Motor
85 Vehicles

By the Committee on Infrastructure and Security; and Senator Broxson

596-03405-20

202078c1

1 A bill to be entitled
 2 An act relating to transportation facility
 3 designations; providing honorary designations of
 4 certain transportation facilities in specified
 5 counties; directing the Department of Transportation
 6 to erect suitable markers; providing an effective
 7 date.
 8
 9 Be It Enacted by the Legislature of the State of Florida:
 10
 11 Section 1. Transportation facility designations; Department
 12 of Transportation to erect suitable markers.-
 13 (1) The Pensacola Bay Bridge (bridge numbers 480-289 and
 14 480-290) on U.S. 98/S.R. 30 over the Pensacola Bay between 17th
 15 Avenue in Escambia County and Baybridge Drive in Santa Rosa
 16 County is designated as the "General Daniel 'Chappie' James,
 17 Jr., Bridge."
 18 (2) Bloxham Cutoff Road/S.R. 267 between U.S. 98 in Wakulla
 19 County and S.R. 20 in Leon County is designated as "J.D. Turner
 20 Highway."
 21 (3) Notwithstanding any law to the contrary, bridge numbers
 22 880050, 880051, 880052, and 880053 between Wabasso and Wabasso
 23 Beach in Indian River County are designated as the "A.B. Michael
 24 Bridges."
 25 (4) That portion of W. Kennedy Boulevard between Lois
 26 Avenue and Dale Mabry Highway in Hillsborough County is
 27 designated as "Master Police Officer Lois Marrero Memorial
 28 Highway."
 29 (5) That portion of E. Laurel Street between N. Orange

Page 1 of 3

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

596-03405-20

202078c1

30 Avenue and N. Morgan Street in Hillsborough County is designated
 31 as "Officer James Ronco Memorial Highway."
 32 (6) Bridge number 930361 on S.R. 1A/Jack Nicklaus Drive in
 33 Palm Beach County is designated as "Gold Star Family Memorial
 34 Bridge, dedicated to Army Captain Joseph M. Berkson."
 35 (7) That portion of S.R. 408/Spessard L. Holland East-West
 36 Expressway between S. Crystal Lake Drive and S. Semoran
 37 Boulevard in Orange County is designated as the "Sergeant Tracy
 38 Vickers Memorial Expressway."
 39 (8) That portion of S.R. 438 between Winters Landing Drive
 40 and Clarke Road in Orange County is designated as "Julius 'July'
 41 Perry Memorial Highway."
 42 (9) That portion of I-95 between the Florida state line in
 43 Nassau County and S.W. 32nd Road in Miami-Dade County is
 44 designated as "Purple Heart Memorial Highway."
 45 (10) That portion of U.S. 98 between C.R. 386 and Pine
 46 Street in Gulf County is designated as "Willis V. Rowan Memorial
 47 Highway."
 48 (11) That portion of U.S. 98 between Pine Street and C.R.
 49 382/Industrial Road in Gulf County is designated as the "John C.
 50 Gainous Memorial Highway."
 51 (12) That portion of I-10 between U.S. 29/S.R. 95 and S.R.
 52 291 in Escambia County is designated as the "Deputy Donald Ray
 53 Cook Memorial Highway."
 54 (13) That portion of I-95 between mile markers 105 and 110
 55 in Martin County is designated as the "Trooper Joseph Bullock
 56 Memorial Highway."
 57 (14) That portion of S.R. 281 between U.S. 90 and U.S. 98
 58 in Santa Rosa County is designated as the "Bart D. and John R.

Page 2 of 3

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

596-03405-20

202078c1

59 Broxson Parkway."

60 (15) That portion of U.S. 90/Beaver Street between Chaffee
61 Road and U.S. 301 in Duval County is designated as the "John B.
62 Coxwell Memorial Highway."

63 (16) The Department of Transportation is directed to erect
64 suitable markers designating the transportation facilities as
65 described in this section.

66 Section 2. This act shall take effect July 1, 2020.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2020

Meeting Date

78

Bill Number (if applicable)

Topic TED Approps

Amendment Barcode (if applicable)

Name Kevin Jacobs

Job Title Dep. leg. Affairs Director

Address 2900 Apalachee Pkwy

Phone (850)617-3195

Street

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Department of Highway Safety and Motor Vehicles

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)



The Florida Senate

Committee Agenda Request

To: Senator Travis Hutson, Chair
Appropriations Subcommittee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: February 13, 2020

I respectfully request that **Senate Bill #78**, relating to Specialty License Plate Fees, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in cursive script, appearing to read "Doug Broxson".

Senator Doug Broxson
Florida Senate, District 1

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: PCS/CS/SB 1000 (684990)

INTRODUCER: Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Infrastructure and Security Committee; and Senators Perry and Mayfield

SUBJECT: Traffic and Pedestrian Safety

DATE: February 20, 2020 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Price</u>	<u>Miller</u>	<u>IS</u>	<u>Fav/CS</u>
2.	<u>McAuliffe</u>	<u>Hrdlicka</u>	<u>ATD</u>	<u>Recommend: Fav/CS</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:
 COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1000 requires that before a pedestrian crosswalk on a public highway, street, or road which is located at any point other than at an intersection with another public highway, street, or road (midblock crosswalk) can be installed, a traffic engineering study must be conducted by a Florida licensed profession engineer and the study must recommend installation of the midblock crosswalk.

A midblock crosswalk on a public highway, street, or road with a posted speed limit more than 20 miles per hour must be controlled by coordinated traffic control signal devices and pedestrian control signals that conform to the requirements of Chapters 4D and 4E of the most recent Manual on Uniform Traffic Control Devices (MUTCD) and other applicable Florida Department of Transportation (FDOT) specifications. Traffic control signal devices and pedestrian control signals at a midblock crosswalk must be coordinated with traffic control signal devices at intersections adjacent to the crosswalk.

All midblock crosswalks on public highways, streets, or roads, including any on a public street with a posted speed limit less than 20 miles per hour, must include pedestrian-facing signs informing the pedestrian of duties applicable to a pedestrian.

By October 1, 2026, the entity with jurisdiction over a public highway, street, or road with a described midblock crosswalk which is in existence on July 1, 2020, must ensure that the

crosswalk is controlled by coordinated traffic control signal devices and pedestrian control signals. Alternatively, the entity with jurisdiction may remove any the existing crosswalk.

The bill recites the Legislature's finding and declaration that the bill fulfills an important state interest.

The bill is expected to have a significant negative fiscal impact on state and local government expenditures. However, the extent of the impact is indeterminate because the number of midblock crosswalk locations and their current traffic control design treatments is unknown. Additionally, the number of locations that will be modified to comply with the bill's requirements and the number of midblock crosswalks to be removed is unknown. See Section V.

The bill takes effect July 1, 2020.

II. Present Situation:

The MUTCD and FDOT Specifications

Traffic control signal devices are for the control of vehicular and pedestrian traffic. They assign the right-of-way to various traffic movements and influence pedestrian and vehicle traffic flow. When properly designed such devices provide for the orderly movement of traffic, increase the traffic capacity of an intersection, reduce the frequency and severity of crashes, provide for predictable movement of traffic and pedestrians, and interrupt heavy traffic at intervals to permit vehicles and pedestrians to cross safely.¹

The MUTCD "is a compilation of national standards for all traffic control devices, including road markings, highway signs, and traffic signals." States are currently required to adopt the 2009 edition of the MUTCD (which includes revisions and interim approvals) as the legal state standard for traffic control devices.² Section 316.0745, F.S., requires FDOT to adopt the MUTCD as the uniform system of traffic control devices for use on the streets and highways of this state.³ The FDOT has additional specifications that apply to given roadway markings, highway signs, and traffic signals and that are recognized by the Federal Highway Administration.⁴

The MUTCD provides transportation engineers with information necessary to make appropriate decisions regarding the use of all traffic control devices. There are both provisions that are mandatory and provisions that require the use of engineering judgment. Part 4 of the MUTCD addresses highway traffic signals and recites a basic tenant found throughout the MUTCD: "The selection and use of traffic control signals should be based on an engineering study of roadway, traffic, and other conditions." Further, "[e]ngineering judgment should be applied in the review

¹ See Federal Highway Administration (FHWA), *Manual on Uniform Traffic Control Devices for Streets and Highways*, available at <https://mutcd.fhwa.dot.gov/index.htm> (last visited January 31, 2020).

² *Id.*

³ See FHWA, *MUTCDs & Traffic Control Devices Information by State*, available at https://mutcd.fhwa.dot.gov/resources/state_info/index.htm (last visited January 31, 2020).

⁴ See FHWA, *Florida, MUTCD State Information*, available at https://mutcd.fhwa.dot.gov/resources/state_info/florida/fl.htm (last visited January 31, 2020).

of operating traffic control signals to determine whether the type of installation and the timing program meet the current requirements of all forms of traffic.”⁵

The MUTCD contains a series of “signal warrants,” established following “careful analysis of traffic operations, pedestrian and bicyclist needs, and other factors at a large number of signalized and unsignalized locations, coupled with engineering judgment, that define the *minimum* conditions under which installing a traffic control signal might be justified.”⁶ The MUTCD directs transportation engineers to conduct an analysis of conditions related to operation and safety at a given location, the potential to improve those conditions, and the factors contained in any of those signal warrants.

However, “[t]he satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.”⁷ Other engineering considerations are required with respect to midblock crosswalks.

Midblock Crosswalks

Crosswalks at any location other than at an intersection are referred to as “midblock” crosswalks, crossings, or locations in the MUTCD. The design treatment of traffic control and pedestrian signals take various forms and can range, for example, from a flashing yellow pedestrian crossing signal to use of full (red, yellow, and green displays) traffic control signals. Concerns have been raised over use of what are called pedestrian hybrid beacons⁸ at midblock crossings, some of which display only flashing yellow lights to vehicular traffic when activated by a pedestrian crossing a highway, street, or road. Use of these hybrid beacons may result in confusion for drivers and for pedestrians.

The MUTCD contains a number of provisions relating to installing traffic control signals at midblock crosswalks. For example, these provisions direct the entity with jurisdiction over the crosswalk to consider detailed criteria related to:

- The distances to the nearest traffic control signal, side streets, and highways;⁹ and
- The number of vehicles using and the number of pedestrians crossing the street per hour.¹⁰

The MUTCD contains other applicable provisions. However, the focus of the MUTCD is that installation of a traffic control signal at any location, including midblock locations, must be

⁵ Section 4B.02 of Chapter 4B of Part 4 of the MUTCD at p. 434, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020).

⁶ *Id.* (emphasis added).

⁷ Section 4C.01 of Chapter 4C of Part 4 of the MUTCD at p. 436, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020).

⁸ The MUTCD defines a pedestrian hybrid beacon as “a special type of hybrid beacon used to warn and control traffic at an unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk,” which “may be considered for installation...at a location that does not meet traffic signal warrants...or at a location that meets traffic signal warrants... but a decision is made not to install a traffic control signal.” Section 4F.01 of Chapter 4F of Part 4 of the MUTCD at p. 509, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020).

⁹ Section 4D.01 of Chapter 4D of Part 4 of the MUTCD at p. 449, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020).

¹⁰ Section 4C.05 of Chapter 4C of Part 4 of the MUTCD at p. 442, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020).

based on an engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the particular location. The same focus is present in the MUTCD with respect to related pedestrian signals at any location, including midblock locations. “The design and operation of traffic control signals shall take into consideration the needs of pedestrians as well as vehicular traffic.”¹¹

III. Effect of Proposed Changes:

The bill requires the installation of a pedestrian crosswalk on a public highway, street, or road which is located at any point other than at an intersection with another public highway, street, or road to be preceded by a recommendation for installation of such a midblock crosswalk by a traffic engineering study conducted by a Florida licensed professional engineer.

A midblock crosswalk on a public highway, street, or road with a posted speed limit more than 20 miles per hour must be controlled by coordinated traffic control signal devices and pedestrian control signals that conform to Chapters 4D and 4E¹² of the most recent MUTCD and other applicable FDOT specifications. Traffic control signal devices and pedestrian control signals at a midblock crosswalk must be coordinated with traffic control signal devices at intersections adjacent to the crosswalk. Further, such traffic control signal devices at intersections adjacent to the crosswalk must be taken into consideration as provided in the most recent MUTCD and other applicable FDOT specifications.

All midblock crosswalks on public highways, streets, or roads, including those on a public street with a posted speed limit less than 20 miles per hour, must include pedestrian-facing signs informing the pedestrian of the duties applicable to pedestrians.

By October 1, 2026, the entity with jurisdiction over a public highway, street, or road with a described midblock crosswalk which is in existence on July 1, 2020, must ensure that the crosswalk is controlled by coordinated traffic control signal devices and pedestrian control signals, as required by the bill. Alternatively, the entity with jurisdiction may remove any existing midblock crosswalk.

The bill also includes a Legislative finding and declaration that the bill fulfills an important state interest.

The bill takes effect July 1, 2020.

¹¹ Section 4D.03 of Chapter 4D of Part 4 of the MUTCD at p. 450, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020).

¹² Figure 4D-2 of Chapter 4D of Part 4 of the MUTCD at p. 458 and Figure 4E-1 of Chapter 4E of Part 4 of the MUTCD at p. 496, available at <https://mutcd.fhwa.dot.gov/pdfs/2009r1r2/part4.pdf> (last visited January 31, 2020). These are the traffic control signals with Red/Yellow/Green light displays and the Walk/Don't Walk pedestrian signals customarily seen at intersections.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Article VII, s. 18(a) of the Florida Constitution provides that no county or municipality shall be bound by any general law requiring such county or municipality to spend funds or to take an action requiring the expenditure of funds unless the Legislature has determined that such law fulfills an important state interest and unless, among other exceptions, the expenditure is required to comply with a law that applies to all persons similarly situated, including the state and local governments. The bill applies to both state and local governments and includes a legislative determination that it fulfills an important state interest as required by the Florida Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The total number of midblock crosswalks in Florida, whether under the jurisdiction of the FDOT or a local jurisdictional entity, is unknown. FDOT estimates that there are 4,900 midblock crosswalks without traffic signals or rectangular rapid flashing beacons on the state highway system. It also estimates that there are 191 midblock crosswalks on-system that have rectangular rapid flashing beacons.¹³

¹³ FDOT, *2020 Agency Legislative Bill Analysis SB 1000*, January 30, 2022 (on file in the Senate Transportation, Tourism, and Economic Development Appropriations Subcommittee).

The FDOT provided the following approximate costs:¹⁴

- \$300,000 to replace an uncontrolled midblock crosswalk with a traffic signal or pedestrian hybrid beacon.
- \$7,000 to remove an uncontrolled midblock crosswalk.
- \$3,200 per year to maintain a traffic signal.
- \$10,000 per location to conduct a signal warrant engineering study.

The FDOT provided two examples of the cost of installation of traffic control lights and pedestrian signals at midblock crosswalks:¹⁵

- Monroe Street at Lake Ella in Tallahassee: \$386,658.
- 5 midblock crosswalks along U.S. 98 in Destin between Airport Road and Stahlman Avenue: \$1,035,661.

The bill is expected to have a significant negative fiscal impact on state and local government expenditures. The FDOT estimates that if 20 percent of the current locations warrant a traffic signal or pedestrian hybrid beacon, then the construction costs for conversion could be \$11.4 million, with a recurring annual maintenance cost of \$122,000 per year. The estimated cost to remove the midblock crosswalks is \$35.4 million.¹⁶

However, the extent of the impact to governments is indeterminate because the number of midblock locations and their design and treatment is unknown. Additionally, the number of locations that will be modified to comply with the bill's requirements and the number of local midblock crosswalks to be removed is unknown. The number of pedestrian information signs and cost to install such signs at all midblock crosswalks is also unknown.

The bill allows for governments to bring any midblock crosswalks on public highways, streets, and roads that are in existence on July 1, 2020, into compliance with the requirements of the bill by October 1, 2026.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The FDOT notes that the bill would prohibit some important pedestrian midblock crossing countermeasures that are proven to reduce vehicle-pedestrian crashes, serious injuries, and fatalities, while minimizing vehicle and pedestrian delay. These include marked crosswalks,

¹⁴ *Id.*

¹⁵ See the FDOT email to the Senate Infrastructure and Security Committee staff, October 22, 2019 (on file in the Senate Infrastructure and Security Committee).

¹⁶ FDOT, *2020 Agency Legislative Bill Analysis SB 1000*, January 30, 2002 (on file in the Senate Transportation, Tourism, and Economic Development Appropriations Subcommittee).

flashing beacons, rectangular rapid flashing beacons, in-roadway warning lights, and in-street pedestrian signs.¹⁷

VIII. Statutes Affected:

This bill creates section 316.0756 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommend CS/CS by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on February 18, 2020:

The committee substitute removes the requirement for midblock crosswalk locations to include signals that require vehicular traffic approaching the crosswalk to come to a complete stop before pedestrians are permitted to enter the crosswalk. Instead, the committee substitute provides:

- Before a midblock crosswalk can be installed, a traffic engineering study must be conducted which recommends such installation.
- A midblock crosswalk on a public street with a posted speed limit more than 20 miles per hour must:
 - Conform to Chapters 4D and 4E of the most recent Manual on Uniform Traffic Control Devices (MUTCD) and other applicable FDOT requirements.
 - Be coordinated with traffic control signal devices at intersections adjacent to the crosswalk. Such traffic control signal devices at intersections adjacent to the crosswalk must be taken into consideration as provided in the most recent MUTCD and other applicable FDOT requirements.
- All midblock crosswalks, including those on a public street with a posted speed limit less than 20 miles per hour, must include a pedestrian-facing sign informing the pedestrian of duties applicable to pedestrians.

The committee substitute also increases the time to comply with the requirements of the bill from October 2024 to October 2026.

CS by Infrastructure and Security on January 27, 2020:

The committee substitute:

- Specifies the type of traffic control signals (Red/Yellow/Green lights) and pedestrian control devices (Walk/Don't Walk) required for midblock pedestrian crossings by including references to the specific chapters of the MUTCD.
- Includes a Legislative finding and declaration that the bill fulfills an important state interest.

¹⁷ See the FDOT email to the Senate Infrastructure and Security Committee staff, October 18, 2019 (on file in the Senate Infrastructure and Security Committee).

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



961378

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2020	.	
	.	
	.	
	.	

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete lines 26 - 50

and insert:

(1) (a) Before the installation of a pedestrian crosswalk on
a public highway, street, or road which is located at any point
other than at an intersection with another public highway,
street, or road, a traffic engineering study must be conducted



961378

10 by a Florida licensed professional engineer which recommends the
11 installation of such crosswalk.

12 (b) Notwithstanding any law to the contrary:

13 1. A pedestrian crosswalk on a public highway, street, or
14 road that has a posted speed limit of more than 20 miles per
15 hour which is located at any point other than at an intersection
16 with another public highway, street, or road must conform to the
17 requirements of Chapters 4D and 4E of the most recent Manual on
18 Uniform Traffic Control Devices and other applicable Department
19 of Transportation standards, manuals, and specifications, and
20 must include a pedestrian-facing sign containing language
21 stating duties applicable to a pedestrian, as provided in this
22 chapter.

23 2. A pedestrian crosswalk on a public highway, street, or
24 road that has a posted speed limit of less than 20 miles per
25 hour which is located at any point other than at an intersection
26 with another public highway, street, or road must include a
27 pedestrian-facing sign containing language stating duties
28 applicable to a pedestrian, as provided in this chapter.

29 (c) Traffic control signal devices and pedestrian control
30 signals at crosswalk locations described in subparagraph (b)1.
31 must be coordinated with traffic control signal devices at
32 intersections adjacent to the crosswalk, and such traffic
33 control signal devices at intersections adjacent to the
34 crosswalk must be taken into consideration as provided in the
35 most recent Manual on Uniform Traffic Control Devices and other
36 applicable Department of Transportation specifications.

37 (2) By October 1, 2026, the entity with jurisdiction over a
38 public highway, street, or road with a crosswalk described in



961378

39 subsection (1) which was in existence on July 1, 2020, shall
40 ensure that such crosswalk conforms to the requirements
41 specified under subsection (1). The entity with jurisdiction may
42

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

44 And the title is amended as follows:

45 Delete lines 3 - 15

46 and insert:

47 creating s. 316.0756, F.S.; requiring a certain
48 engineering study to be conducted which recommends a
49 specified pedestrian crosswalk installation before
50 such installation occurs; requiring a pedestrian
51 crosswalk on a public highway, street, or road which
52 is located at any point other than at an intersection
53 with another public highway, street, or road to
54 conform to specified requirements; requiring that
55 traffic control signal devices at adjacent
56 intersections be taken into consideration; requiring,
57 by a specified date, the entity with jurisdiction over
58 a public highway, street, or road with a certain
59 pedestrian crosswalk to ensure that the crosswalk
60 conforms to specified requirements; authorizing such
61 entity to

By the Committee on Infrastructure and Security; and Senators
Perry and Mayfield

596-02653-20

20201000c1

1 A bill to be entitled
2 An act relating to traffic and pedestrian safety;
3 creating s. 316.0756, F.S.; requiring a pedestrian
4 crosswalk on a public highway, street, or road which
5 is located at any point other than at an intersection
6 with another public highway, street, or road to be
7 controlled by traffic control signal devices and
8 pedestrian control signals that conform to specified
9 requirements; providing coordination requirements for
10 such devices and signals; requiring, by a specified
11 date, the entity with jurisdiction over a public
12 highway, street, or road with a certain pedestrian
13 crosswalk to ensure that the crosswalk is controlled
14 by coordinated traffic control signal devices and
15 pedestrian control signals; authorizing such entity to
16 alternatively remove any such crosswalk; providing a
17 declaration of important state interest; providing an
18 effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 316.0756, Florida Statutes, is created
23 to read:

24 316.0756 Traffic control signal devices and pedestrian
25 control signals at crosswalks other than at intersections.-

26 (1) Notwithstanding any law to the contrary, a pedestrian
27 crosswalk on a public highway, street, or road which is located
28 at any point other than at an intersection with another public
29 highway, street, or road must be controlled by coordinated

Page 1 of 2

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596-02653-20

20201000c1

30 traffic control signal devices and pedestrian control signals
31 that conform to the requirements of Chapters 4D and 4E of the
32 most recent Manual on Uniform Traffic Control Devices and other
33 applicable Department of Transportation specifications. Traffic
34 control signal devices and pedestrian control signals at
35 crosswalk locations described in this section must be
36 coordinated according to all of the following requirements:

37 (a) Vehicular traffic approaching the crosswalk is required
38 to come to a complete stop before pedestrians are permitted to
39 enter the crosswalk.

40 (b) Traffic control signal devices at intersections
41 adjacent to the crosswalk are taken into consideration as
42 provided in the most recent Manual on Uniform Traffic Control
43 Devices and other applicable Department of Transportation
44 specifications.

45 (2) By October 1, 2024, the entity with jurisdiction over a
46 public highway, street, or road with a crosswalk described in
47 subsection (1) which is in existence on July 1, 2020, shall
48 ensure that such crosswalk is controlled by coordinated traffic
49 control signal devices and pedestrian control signals as
50 required under subsection (1). The entity with jurisdiction may
51 alternatively remove any such existing crosswalk.

52 Section 2. The Legislature finds and declares that this act
53 fulfills an important state interest.

54 Section 3. This act shall take effect July 1, 2020.

Page 2 of 2

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/2020
Meeting Date

1000
Bill Number (if applicable)

961378
Amendment Barcode (if applicable)

Topic Traffic and Pedestrian Safety

Name Jeff Branch

Job Title Legislative Advocate

Address _____
Street

Phone 701-3701

City

State

Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida League of Cities

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/18/20
Meeting Date

SB 1000
Bill Number (if applicable)

Topic Traffic and Pedestrian Safety Amendment Barcode (if applicable)

Name Mary-Lynn Colley

Job Title Legislative Liaison

Address 1674 University Street

Phone 941-928-0278

Sarasota City Fl. State 34243 Zip

Email acchildren@aol.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Advocacy Institute For Children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)



The Florida Senate

Committee Agenda Request

To: Senator Travis Hutson, Chair
Appropriations Subcommittee on Transportation, Tourism, and Economic
Development

Subject: Committee Agenda Request

Date: January 29, 2020

I respectfully request that **Senate Bill #1000**, relating to Traffic and Pedestrian Safety, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

A handwritten signature in black ink that reads "W. Keith Perry".

Senator Keith Perry
Florida Senate, District 8

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1500

INTRODUCER: Infrastructure and Security Committee and Senator Broxson

SUBJECT: Specialty License Plate Fees

DATE: February 17, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Proctor</u>	<u>Miller</u>	<u>IS</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Hrdlicka</u>	<u>ATD</u>	<u>Recommend: Favorable</u>
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1500 establishes a uniform annual use fee of \$25 per plate for all specialty license plates created after July 1, 2020. This uniform fee is not applied to specialty license plates for motorcycles.

The bill also establishes an annual use fee of \$25 for the Blue Angels license plate.

The bill has an effective date of July 1, 2020.

II. Present Situation:

Specialty License Plates

Presently, there are over 120 specialty license plates available for purchase in Florida.¹ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.² The annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified on the plate's design and designated in statute.³

¹ A list of Florida's specialty license plates is available on the Department of Highway Safety and Motor Vehicles' website at <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 25, 2020).

² Section 320.08056, F.S.

³ Section 320.08058, F.S.

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.⁴ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.⁵

During the 2019 Legislative Session, a Blue Angels license plate was established. However, the development of the license plate was contingent upon the enactment of legislation creating an annual use fee under s. 320.08056, F.S., for the Blue Angels license plate.⁶

Department of Highway Safety and Motor Vehicles Costs Defrayed

The Department of Highway Safety and Motor Vehicles is authorized to retain a sufficient portion of annual use fees collected from the sale of specialty plates to defray its costs for inventory, distribution, and other direct costs associated with the specialty license plate program. The remainder of the proceeds collected are distributed as provided by law.⁷

III. Effect of Proposed Changes:

The bill amends s. 320.08056, F.S., to establish a uniform annual use fee of \$25 per plate for any specialty license plate created after July 1, 2020. The bill does not impact the \$20 uniform fee for motorcycle specialty license plates that is established in s. 320.08068, F.S.

The bill also establishes an annual use fee of \$25 for the Blue Angels license plate.

The bill has an effective date of July 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Article VII, s.19 of the Florida Constitution requires “a supermajority vote” of two-thirds of the membership of each house to pass legislation which will impose or authorize a new

⁴ Section 320.08056(10)(a), F.S.

⁵ Section 320.08062, F.S.

⁶ Chapter 2019-144, s. 3, Laws of Fla.

⁷ Section 320.08056(7), F.S.

state tax or fee.⁸ A “fee” is defined as “any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service.”⁹ A state tax or fee imposed or authorized must be contained in a separate bill that contains no other subject.¹⁰

The \$25 annual use fee charged for a specialty license plate may be a new state fee subject to the constitutional requirements since it establishes a \$25 annual use fee for all specialty license plates created in statute after July 1, 2020, as well as for the Blue Angels license plate.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Those who wish to purchase a Blue Angels license plate will have to pay a \$25 annual use fee.

The Naval Aviation Museum Foundation may receive an indeterminate amount of revenue from the annual use fees from the sale of any Blue Angels license plate.

C. Government Sector Impact:

There may be an indeterminate, insignificant negative fiscal impact to the Department of Highway Safety and Motor Vehicles to establish the \$25 annual use fee for the Blue Angels license plate due to programming requirements.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 320.08056 of the Florida Statutes.

⁸ FLA. CONST. art. VII, s. 19(a).

⁹ FLA. CONST. art. VII, s. 19(d)(1).

¹⁰ FLA. CONST. art. VII, s. 19(e).

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Infrastructure and Security on January 21, 2020:

- Provides a \$25 annual use fee for the Blue Angels license plate; and
- Provides that the license plate annual use fee for a specialty license plate created or established after July 1, 2020, will be \$25.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By the Committee on Infrastructure and Security; and Senator Broxson

596-02440-20

20201500c1

1 A bill to be entitled
 2 An act relating to specialty license plate fees;
 3 amending s. 320.08056, F.S.; providing a license plate
 4 annual use fee for the Blue Angels license plate;
 5 providing a license plate annual use fee to be
 6 collected for specialty license plates created or
 7 established after a specified date; providing an
 8 effective date.

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

11
 12 Section 1. Subsection (4) of section 320.08056, Florida
 13 Statutes, is amended, and paragraph (d) of subsection (3) of
 14 that section is republished, to read:

15 320.08056 Specialty license plates.—

16 (3) Each request must be made annually to the department or
 17 an authorized agent serving on behalf of the department,
 18 accompanied by the following tax and fees:

19 (d) A license plate annual use fee as required in
 20 subsection (4).

21
 22 A request may be made any time during a registration period. If
 23 a request is made for a specialty license plate to replace a
 24 current valid license plate, the specialty license plate must be
 25 issued with appropriate decals attached at no tax for the plate,
 26 but all fees and service charges must be paid. If a request is
 27 made for a specialty license plate at the beginning of the
 28 registration period, the tax, together with all applicable fees
 29 and service charges, must be paid.

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596-02440-20

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30 (4) The following license plate annual use fees shall be
 31 collected for the appropriate specialty license plates:
 32 (a) Manatee license plate, \$25.
 33 (b) Challenger/Columbia license plate, \$25, except that a
 34 person that purchases 1,000 or more of such license plates shall
 35 pay an annual use fee of \$15 per plate.
 36 (c) Collegiate license plate, \$25.
 37 (d) Florida Salutes Veterans license plate, \$15.
 38 (e) Florida panther license plate, \$25.
 39 (f) Florida United States Olympic Committee license plate,
 40 \$15.
 41 (g) Florida Special Olympics license plate, \$15.
 42 (h) Florida educational license plate, \$20.
 43 (i) Florida Professional Sports Team license plate, \$25.
 44 (j) Florida Indian River Lagoon license plate, \$15.
 45 (k) Invest in Children license plate, \$20.
 46 (l) Florida arts license plate, \$20.
 47 (m) Bethune-Cookman University license plate, \$25.
 48 (n) Florida Agricultural license plate, \$20.
 49 (o) Police Athletic League license plate, \$20.
 50 (p) Boy Scouts of America license plate, \$20.
 51 (q) Largemouth Bass license plate, \$25.
 52 (r) Sea Turtle license plate, \$23.
 53 (s) Protect Wild Dolphins license plate, \$20.
 54 (t) Barry University license plate, \$25.
 55 (u) Everglades River of Grass license plate, \$20.
 56 (v) Keep Kids Drug-Free license plate, \$25.
 57 (w) Florida Sheriffs Youth Ranches license plate, \$25.
 58 (x) Conserve Wildlife license plate, \$25.

Page 2 of 5

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20201500c1

59 (y) Florida Memorial University license plate, \$25.
 60 (z) Tampa Bay Estuary license plate, \$15.
 61 (aa) Florida Wildflower license plate, \$15.
 62 (bb) United States Marine Corps license plate, \$15.
 63 (cc) Choose Life license plate, \$20.
 64 (dd) Share the Road license plate, \$15.
 65 (ee) American Red Cross license plate, \$25.
 66 (ff) United We Stand license plate, \$25.
 67 (gg) Breast Cancer Research license plate, \$25.
 68 (hh) Protect Florida Whales license plate, \$25.
 69 (ii) Florida Golf license plate, \$25.
 70 (jj) Florida Firefighters license plate, \$20.
 71 (kk) Police Benevolent Association license plate, \$20.
 72 (ll) Military Services license plate, \$15.
 73 (mm) Protect Our Reefs license plate, \$25.
 74 (nn) Fish Florida license plate, \$22.
 75 (oo) Child Abuse Prevention and Intervention license plate,
 76 \$25.
 77 (pp) Hospice license plate, \$25.
 78 (qq) Stop Heart Disease license plate, \$25.
 79 (rr) Save Our Seas license plate, \$25, except that for an
 80 owner purchasing the specialty license plate for more than 10
 81 vehicles registered to that owner, the annual use fee shall be
 82 \$10 per plate.
 83 (ss) Aquaculture license plate, \$25, except that for an
 84 owner purchasing the specialty license plate for more than 10
 85 vehicles registered to that owner, the annual use fee shall be
 86 \$10 per plate.
 87 (tt) Family First license plate, \$25.

Page 3 of 5

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596-02440-20

20201500c1

88 (uu) Wildlife Foundation of Florida license plate, \$25.
 89 (vv) Live the Dream license plate, \$25.
 90 (ww) Florida Food Banks license plate, \$25.
 91 (xx) Discover Florida's Oceans license plate, \$25.
 92 (yy) Family Values license plate, \$25.
 93 (zz) Parents Make A Difference license plate, \$25.
 94 (aaa) Support Soccer license plate, \$25.
 95 (bbb) Kids Deserve Justice license plate, \$25.
 96 (ccc) Animal Friend license plate, \$25.
 97 (ddd) Future Farmers of America license plate, \$25.
 98 (eee) Donate Organs-Pass It On license plate, \$25.
 99 (fff) A State of Vision license plate, \$25.
 100 (ggg) Homeownership For All license plate, \$25.
 101 (hhh) Florida NASCAR license plate, \$25.
 102 (iii) Protect Florida Springs license plate, \$25.
 103 (jjj) Trees Are Cool license plate, \$25.
 104 (kkk) Support Our Troops license plate, \$25.
 105 (lll) Florida Tennis license plate, \$25.
 106 (mmm) Lighthouse Association license plate, \$25.
 107 (nnn) In God We Trust license plate, \$25.
 108 (ooo) Horse Country license plate, \$25.
 109 (ppp) Autism license plate, \$25.
 110 (qqq) St. Johns River license plate, \$25.
 111 (rrr) Hispanic Achievers license plate, \$25.
 112 (sss) Endless Summer license plate, \$25.
 113 (ttt) Fraternal Order of Police license plate, \$25.
 114 (uuu) Protect Our Oceans license plate, \$25.
 115 (vvv) Florida Horse Park license plate, \$25.
 116 (www) Florida Biodiversity Foundation license plate, \$25.

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596-02440-20

20201500c1

- 117 (xxx) Freemasonry license plate, \$25.
- 118 (yyy) American Legion license plate, \$25.
- 119 (zzz) Lauren's Kids license plate, \$25.
- 120 (aaaa) Big Brothers Big Sisters license plate, \$25.
- 121 (bbbb) Fallen Law Enforcement Officers license plate, \$25.
- 122 (cccc) Florida Sheriffs Association license plate, \$25.
- 123 (dddd) Keiser University license plate, \$25.
- 124 (eeee) Moffitt Cancer Center license plate, \$25.
- 125 (ffff) Blue Angels license plate, \$25.

126

127 The license plate annual use fee for a specialty license plate
128 created or established after July 1, 2020, is \$25.

129 Section 2. This act shall take effect July 1, 2020.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: PCS/CS/SB 1692 (532034)

INTRODUCER: Appropriations Subcommittee on Transportation, Tourism, and Economic Development; Infrastructure and Security Committee; and Senator Flores

SUBJECT: Driver Licenses

DATE: February 20, 2020 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Proctor</u>	<u>Miller</u>	<u>IS</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Hrdlicka</u>	<u>ATD</u>	<u>Recommend: Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1692 creates a capital letter “D” designation for a person who has a developmental disability to be placed on his or her driver license. Upon request the capital letter “D” will be exhibited on the driver license of a person who has a developmental disability if the person, or his or her parent or legal guardian, presents sufficient proof that the person has been diagnosed with a developmental disability by a licensed physician.

Until a person’s driver license is next renewed, the person, or their parent or legal guardian, may have the capital letter “D” added to their license upon the surrender of their current license and presentation of sufficient proof that the person has been diagnosed with a developmental disability by a licensed physician. If the applicant is not conducting any other transaction affecting the driver license, a replacement license may be issued with the capital letter “D” without payment of a fee.

The bill requires the Department of Highway Safety and Motor Vehicles to include an option on the driver license or identification card application form to make a voluntary contribution of \$1 or more to Childhood Cancer Care to be distributed to the Live Like Bella Childhood Cancer Foundation.

The bill may have an indeterminate negative fiscal impact. SB 1694 is linked to this bill and creates a fee to place the designation on a new, renewal, or replacement driver license.

The bill is effective October 1, 2020.

II. Present Situation:

Developmental Disability

“Developmental disability’ is a broad term that refers to a variety of conditions that interfere with a person’s ability to function in everyday activities.”¹ Under Florida law, a “developmental disability” is defined as disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.² In 2016, the Florida Developmental Disabilities Council estimated that there were approximately 100,000 individuals living in Florida who met the developmental disability criteria.³

“Autism” is defined as a pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.⁴

The Center for Disease Control (CDC) estimates that one in 59 children have been identified with autism spectrum disorder (ASD).⁵ The CDC defines “autism spectrum disorder” as a developmental disability that can cause significant social, communication, and behavioral challenges. “There is often nothing about how people with ASD look that sets them apart from other people, but people with ASD may communicate, interact, behave, and learn in ways that are different from most other people. The learning, thinking, and problem-solving abilities of people with ASD can range from gifted to severely challenged. Some people with ASD need a lot of help in their daily lives; others need less.”⁶

A diagnosis of ASD includes several conditions that used to be diagnosed separately: autistic disorder, Asperger’s syndrome, and pervasive developmental disorder not otherwise specified.⁷

Live Like Bella Childhood Cancer Foundation

The Live Like Bella Childhood Cancer Foundation was founded in 2013 “to promote and increase community awareness of childhood cancers and diseases and the need for research and

¹ Florida Developmental Disabilities Council, *Developmental Disability Services in Florida*, available at <https://www.fddc.org/places-to-find-help> (last visited February 12, 2020).

² Section 393.063(12), F.S.

³ The Florida Senate, *Bill Analysis and Fiscal Impact Statement CS/CS/SB 718*, February 29, 2016.

⁴ Section 393.063(5), F.S.

⁵ Center for Disease Control and Prevention, *Autism and Developmental Disabilities Monitoring (ADDM) Network*, available at <https://www.cdc.gov/ncbddd/autism/addm.html> (last visited February 12, 2020).

⁶ Center for Disease Control and Prevention, *What is Autism Spectrum Disorder?*, available at <https://www.cdc.gov/ncbddd/autism/facts.html> (last visited February 12, 2020).

⁷ *Id.* See also ss. 627.6686(2)(b) and 641.31098(2), F.S.

development of medical treatments for children through the dissemination of information to the general public; to use funds to support such activities; and to make grants, loans, or other distributions...⁸ The Live Like Bella Childhood Cancer Foundation is named after Bella Rodriguez-Torres, who passed away at the age of 10 from pediatric cancer. The foundation's mission is to help children with cancer maintain a love for life. As of September 2017, the Live Like Bella Childhood Cancer Foundation had served families in 44 states and 11 countries, having surpassed \$4 million in donations. To date, donations have been used for on-going research, memorial support, compassionate use, and in-treatment support.⁹

Designations on Driver Licenses and Identification Cards

Currently, the designations an individual may have voluntarily placed on his or her driver license or identification card are:¹⁰

- Lifetime sportsman license;
- Lifetime boater;
- Lifetime freshwater fishing license;
- Lifetime saltwater fishing license;
- Lifetime hunting license;
- Veteran;
- Insulin dependent;
- Organ donor; and
- Deaf/hard of hearing.

Additionally, an individual may have voluntarily placed on his or her identification card a designation that the person has a developmental disability.¹¹ Upon request of a person who has a developmental disability or a parent or guardian of a child or ward who has a developmental disability, the Department of Highway Safety and Motor Vehicles will issue an identification card that exhibits a capital "D." The request must be accompanied by payment of an additional \$1 fee and sufficient proof that the person has been diagnosed with a developmental disability by a licensed physician.¹² A replacement license may be issued with the capital "D" without payment of the fee required in s. 322.21(1)(f), F.S.

⁸ Florida Department of State, Division of Corporations, Sunbiz, *Live Like Bella, Inc.*, Document No. F13000004224, and link for *Application by Foreign Not For Profit Corporation For Authorization to Conduct Its Affairs in Florida*, at p. 4, September 30, 2013. This information can be found by searching at <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited February 19, 2020) by entity name or by detail by document number.

⁹ Live Like Bella Childhood Cancer Foundation, *About Us*, available at <http://livelikebella.org/aboutus.html> (last visited February 18, 2020).

¹⁰ Sections 322.051(8), 322.14, 322.141(2), and 765.521, F.S. See Department of Highway Safety and Motor Vehicles, *General Information – License Classes, Endorsements & Designations*, available at <https://www.flhsmv.gov/driver-licenses-id-cards/general-information/license-classes-endorsements-designations/> (last visited February 12, 2020).

¹¹ Section 322.051(8)(e), F.S.

¹² The \$1 fee is deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund.

Replacement Driver Licenses

A replacement Class E driver license is \$25. If the replacement license is issued by the tax collector, \$7 is retained by the tax collector, otherwise the \$7 is deposited into the Highway Safety Operating Trust Fund. The remaining \$18 is deposited into the General Revenue Fund.¹³

Voluntary Contributions

The application form for an original, renewal, or replacement driver's license or identification card provides a voluntary contributions section that allows applicants to make a donation by checking a box on the form.¹⁴

The Florida Statutes specifically authorize which organizations can receive a voluntary contribution. Section 322.081, F.S., establishes the requirements for organizations seeking to establish a voluntary contribution on the application. Requirements include: a request for the particular voluntary contribution being sought, describing the proposed voluntary contribution in general terms; an application fee,¹⁵ not to exceed \$10,000, to defray the Department of Highway Safety and Motor Vehicles' cost for reviewing the application and developing the voluntary contribution checkoff, if authorized;¹⁶ a marketing strategy outlining short-term and long-term marketing plans for the requested voluntary contribution; and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contribution.

This information must be submitted to the department at least 90 days before the next regular session of the Legislature convenes.

Section 322.081, F.S., also establishes a threshold for discontinuation of the voluntary contribution and oversight for organizations approved for a voluntary contribution on the application. The statute requires the Department of Highway Safety and Motor Vehicles to include any voluntary contributions approved by the Legislature on the application. The department must discontinue the voluntary contribution if: less than \$25,000 has been contributed by the end of the 5th year; or less than \$25,000 is contributed during any subsequent five-year period. Any voluntary contribution, or any interest earned from those contributions, is not to be used for commercial or for-profit activities or for general or administrative expenses; an organization to submit its audit to the department for review to determine if any voluntary contribution, or any interest earned from those contributions, was used for commercial or for-profit activities or for general or administrative expenses. All organizations required to operate under the Solicitation of Contributions Act, as provided in ch. 496, F.S., are to meet the requirements of that act before funds may be distributed.

The DHSMV is authorized to examine all records pertaining to the use of funds from the voluntary contributions by the organizations.

¹³ Section 322.21(1)(e), F.S.

¹⁴ Section 322.08(8), F.S., provides applicants with 19 options for voluntary contributions.

¹⁵ State funds may not be used to pay the application fee. See s. 322.081(1)(b), F.S.

¹⁶ If the voluntary contribution is not approved by the Legislature, the application fee must be refunded to the requesting organization. Section 322.081(2), F.S.

III. Effect of Proposed Changes:

Section 1 amends s. 320.08, F.S., to require the Department of Highway Safety and Motor Vehicles to include an option on the driver license or identification card application form to make a voluntary contribution of \$1 or more to Childhood Cancer Care. Any contributions will be distributed to the Live Like Bella Childhood Cancer Foundation.

Section 2 amends s. 322.14, F.S., to create a capital letter “D” designation for a person who has a developmental disability to be placed on his or her driver license. Upon request by a person who has a developmental disability¹⁷ or by a parent or guardian of a child or ward who has a developmental disability, the Department of Highway Safety and Motor Vehicles will issue a driver license that exhibits a capital letter “D” will be exhibited on the driver license. The request must be accompanied by sufficient proof that the person has been diagnosed with a developmental disability by a licensed physician.

Until a person’s driver license is next renewed, the person, or his or her parent or legal guardian, may have the capital letter “D” added to the license upon the surrender of the person’s current license and presentation of sufficient proof that the person has been diagnosed with a developmental disability by a licensed physician. If the applicant is not conducting any other transaction affecting the driver license, a replacement license may be issued with the capital letter “D” without payment of the fee required in s. 322.21(1)(e), F.S.

The bill has an effective date of October 1, 2020.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

¹⁷ As defined in s. 393.063, F.S.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

SB 1694, which is linked to this bill, establishes a \$1 fee that will be charged for the addition of the capital letter “D” to be exhibited on a new or renewed driver license, or a fee of \$2 to have the designation added to a replacement driver license, of a person who has a developmental disability, as defined in s. 393.063, F.S.

Section 322.21(1)(e), F.S., requires payment of a \$25 fee when an individual is getting a replacement driver license. The bill waives this fee when the applicant is getting a replacement driver license solely to get the new designation added to the card. This waiver should not affect revenues because the individual would not otherwise be obtaining a replacement license and the \$2 fee created in SB 1694 will offset the cost to print a new driver license.

B. Private Sector Impact:

Individuals may choose to make a voluntary contribution to the Live Like Bella Childhood Cancer Foundation, which will benefit from such contributions.

C. Government Sector Impact:

The bill may have an indeterminate negative fiscal impact, due to the cost to the tax collectors and the Department of Highway Safety and Motor Vehicles for replacing a driver license for those choosing to add the capital letter “D” designation prior to the renewal of their driver license, if SB 1694 or similar legislation establishing a fee is not adopted in the same legislative session or an extension thereof and becomes law.

There could be an indeterminate negative fiscal impact to the Department of Highway Safety and Motor Vehicles for programming to implement the “D” designation.

The Department of Highway Safety and Motor Vehicles also stated that it would train members of the Florida Highway Patrol and other law enforcement entities on the new designation and its meaning. However, the costs of such training would be absorbed within current resources.¹⁸

In 2019, for a similar provision to create a voluntary contribution to the application for motor vehicle registrations, the Department of Highway Safety and Motor Vehicles estimated a minimal fiscal impact for programming costs, which would be absorbed within existing resources.¹⁹

¹⁸ Department of Highway Safety and Motor Vehicles, *2020 Agency Legislative Bill Analysis HB 787 & HB 789*, January 23, 2020 (on file with the Senate Transportation, Tourism, and Economic Development Appropriations Subcommittee).

¹⁹ The Florida Senate, *Bill Analysis and Fiscal Impact Statement CS/CS/SB 252*, March 29, 2019.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Department of Highway Safety and Motor Vehicles stated “[t]he bill will likely benefit law enforcement by providing notification to officers of whether a person has a developmental disability. This knowledge could be vital in the de-escalation of scenarios during law enforcement encounters.”²⁰

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 322.08 and 322.14.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommend CS/CS by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on February 18, 2020:

The committee substitute creates a voluntary contribution to the Live Like Bella Childhood Cancer Foundation on the application for a driver license or identification card. The committee substitute changes the effective date from July 1, 2020 to October 1, 2020.

CS by Infrastructure and Security on February 10, 2020:

The committee substitute adds a requirement that a person, or the person’s parent or guardian, must first request the “D” designation before it is added to a driver license.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

²⁰ *Id.*



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2020	.	
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	.	

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Flores) recommended the following:

Senate Amendment (with title amendment)

Before line 12

insert:

Section 1. Subsection (8) of section 322.08, Florida
Statutes, is amended to read:

322.08 Application for license; requirements for license
and identification card forms.—

(8) The application form for an original, renewal, or
replacement driver license or identification card must include



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11 language permitting the following:

12 (a) A voluntary contribution of \$1 per applicant, which
13 contribution shall be deposited into the Health Care Trust Fund
14 for organ and tissue donor education and for maintaining the
15 organ and tissue donor registry.

16 (b) A voluntary contribution of \$1 per applicant, which
17 shall be distributed to the Florida Council of the Blind.

18 (c) A voluntary contribution of \$2 per applicant, which
19 shall be distributed to the Hearing Research Institute,
20 Incorporated.

21 (d) A voluntary contribution of \$1 per applicant, which
22 shall be distributed to the Juvenile Diabetes Foundation
23 International.

24 (e) A voluntary contribution of \$1 per applicant, which
25 shall be distributed to the Children's Hearing Help Fund.

26 (f) A voluntary contribution of \$1 per applicant, which
27 shall be distributed to Family First, a nonprofit organization.

28 (g) A voluntary contribution of \$1 per applicant to Stop
29 Heart Disease, which shall be distributed to the Florida Heart
30 Research Institute, a nonprofit organization.

31 (h) A voluntary contribution of \$1 per applicant to Senior
32 Vision Services, which shall be distributed to the Florida
33 Association of Agencies Serving the Blind, Inc., a not-for-
34 profit organization.

35 (i) A voluntary contribution of \$1 per applicant for
36 services for persons with developmental disabilities, which
37 shall be distributed to The Arc of Florida.

38 (j) A voluntary contribution of \$1 to the Ronald McDonald
39 House, which shall be distributed each month to Ronald McDonald



40 House Charities of Tampa Bay, Inc.

41 (k) Notwithstanding s. 322.081, a voluntary contribution of
42 \$1 per applicant, which shall be distributed to the League
43 Against Cancer/La Liga Contra el Cancer, a not-for-profit
44 organization.

45 (l) A voluntary contribution of \$1 per applicant to Prevent
46 Child Sexual Abuse, which shall be distributed to Lauren's Kids,
47 Inc., a nonprofit organization.

48 (m) A voluntary contribution of \$1 per applicant, which
49 shall be distributed to Prevent Blindness Florida, a not-for-
50 profit organization, to prevent blindness and preserve the sight
51 of the residents of this state.

52 (n) Notwithstanding s. 322.081, a voluntary contribution of
53 \$1 per applicant to the state homes for veterans, to be
54 distributed on a quarterly basis by the department to the
55 Operations and Maintenance Trust Fund within the Department of
56 Veterans' Affairs.

57 (o) A voluntary contribution of \$1 per applicant to the
58 Disabled American Veterans, Department of Florida, which shall
59 be distributed quarterly to Disabled American Veterans,
60 Department of Florida, a nonprofit organization.

61 (p) A voluntary contribution of \$1 per applicant for Autism
62 Services and Supports, which shall be distributed to Achievement
63 and Rehabilitation Centers, Inc., Autism Services Fund.

64 (q) A voluntary contribution of \$1 per applicant to Support
65 Our Troops, which shall be distributed to Support Our Troops,
66 Inc., a Florida not-for-profit organization.

67 (r) Notwithstanding s. 322.081, a voluntary contribution of
68 \$1 per applicant to aid the homeless. Contributions made



788272

69 pursuant to this paragraph shall be deposited into the Grants
70 and Donations Trust Fund of the Department of Children and
71 Families and used by the State Office on Homelessness to
72 supplement grants made under s. 420.622(4) and (5), provide
73 information to the public about homelessness in the state, and
74 provide literature for homeless persons seeking assistance.

75 (s) A voluntary contribution of \$1 or more per applicant to
76 End Breast Cancer, which shall be distributed to the Florida
77 Breast Cancer Foundation.

78 (t) A voluntary contribution of \$1 or more per applicant to
79 Childhood Cancer Care, which shall be distributed to the Live
80 Like Bella Childhood Cancer Foundation.

81
82 A statement providing an explanation of the purpose of the trust
83 funds shall also be included. For the purpose of applying the
84 service charge provided under s. 215.20, contributions received
85 under paragraphs (b)-(t) ~~(b)-(s)~~ are not income of a revenue
86 nature.

87
88 ===== T I T L E A M E N D M E N T =====

89 And the title is amended as follows:

90 Between lines 2 and 3

91 insert:

92 322.08, F.S.; requiring application forms for
93 original, renewal, and replacement driver licenses and
94 identification cards to include language allowing a
95 voluntary contribution to the Live Like Bella
96 Childhood Cancer Foundation; amending s.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2020	.	
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	.	

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Flores) recommended the following:

Senate Amendment

Delete line 35
and insert:
Section 2. This act shall take effect October 1, 2020.

By the Committee on Infrastructure and Security; and Senator Flores

596-03408-20

20201692c1

1 A bill to be entitled
 2 An act relating to driver licenses; amending s.
 3 322.14, F.S.; authorizing a person with specified
 4 disabilities to have the capital letter "D" exhibited
 5 on his or her driver license under certain
 6 circumstances; providing requirements for the
 7 placement of such letter on a person's driver license;
 8 providing an effective date.
 9
 10 Be It Enacted by the Legislature of the State of Florida:
 11
 12 Section 1. Paragraph (f) is added to subsection (1) of
 13 section 322.14, Florida Statutes, to read:
 14 322.14 Licenses issued to drivers.—
 15 (1)
 16 (f)1. Upon request by a person who has a developmental
 17 disability, or by a parent or guardian of a child or ward who
 18 has a developmental disability, the capital letter "D" shall be
 19 exhibited on the driver license of a person who has a
 20 developmental disability, as defined in s. 393.063, if the
 21 person, or his or her parent or legal guardian, presents
 22 sufficient proof that the person has been diagnosed with a
 23 developmental disability by a physician licensed under chapter
 24 458 as determined by the department.
 25 2. Until a person's driver license is next renewed, the
 26 person, or his or her parent or legal guardian, may have the
 27 capital letter "D" added to his or her license upon the
 28 surrender of his or her current license and presentation of
 29 sufficient proof that the person has been diagnosed with a

Page 1 of 2

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

596-03408-20

20201692c1

30 developmental disability by a physician licensed under chapter
 31 458 as determined by the department. If the applicant is not
 32 conducting any other transaction affecting the driver license, a
 33 replacement license may be issued with the capital letter "D"
 34 without payment of the fee required in s. 322.21(1)(e).
 35 Section 2. This act shall take effect July 1, 2020.

Page 2 of 2

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



The Florida Senate

Committee Agenda Request

To: Senator Travis Hutson, Chair
Committee on Appropriations Subcommittee on Transportation, Tourism, and
Economic Development

Subject: Committee Agenda Request

Date: February 11th, 2020

I respectfully request that **Senate Bill #1692**, relating to Driver Licenses, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Anitere Flores

Senator Anitere Flores
Florida Senate, District 39



2020 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY: Highway Safety and Motor Vehicles

BILL INFORMATION	
BILL NUMBER:	HB 787 & HB 789
BILL TITLE:	Driver Licenses
BILL SPONSOR:	Tomkow
EFFECTIVE DATE:	July 1, 2020

COMMITTEES OF REFERENCE
1) Transportation & Infrastructure Subcommittee
2) Transportation & Tourism Appropriations Subcommittee
3) State Affairs Committee
4)
5)

CURRENT COMMITTEE
Transportation & Infrastructure Subcommittee

SIMILAR BILLS	
BILL NUMBER:	
SPONSOR:	

PREVIOUS LEGISLATION	
BILL NUMBER:	SB 740
SPONSOR:	Soto
YEAR:	2016
LAST ACTION:	3/11/2016 - Died in Transportation

IDENTICAL BILLS	
BILL NUMBER:	
SPONSOR:	

Is this bill part of an agency package?

BILL ANALYSIS INFORMATION	
Date of Analysis:	December 3, 2019. December 5, 2019: Lindsey Eppes, Captain Joseph Harrison – FHP.
Division Director/Designee MS	<i>Rok Kuper 1/23/2020</i>
Division Director/Designee FHP	<i>Michelle McEwen 1/22/2020 Sll 1/22/20</i>
Bureau Chief(s):	<i>Joanne Kelly 1/22/2020</i>
Additional Analyst(S):	
Legal Analyst:	January 15, 2020: Kathy Jimenez/Gregory Pitt - OGC
Fiscal Analyst:	January 17, 2020: Suzie Carey - Budget

OC 1/23/2020

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

These bills together require the Department of Highway Safety and Motor Vehicles (“Department”) to issue a driver license (“DL”) exhibited with the capital letter “D” to authorized persons with specified disabilities.

If passed, these acts shall take effect July 1, 2020.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION:

“D” Designation on ID card

Pursuant to s. 322.051(8)(e), F.S., upon request by a person who has a developmental disability, or by a parent or guardian of a child or ward who has a developmental disability, the Department shall issue an identification card (“ID”) exhibiting a capital “D” for the person, child, or ward if the person or the parent or guardian of the child or ward submits a \$1 fee and proof of the disability that is acceptable to the Department.

Until a person’s ID is next renewed, the person may have the symbol added to his or her ID upon the surrender of his or her current ID with presentation of sufficient proof and payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund. If the applicant is not conducting any other transaction affecting the ID, a replacement ID may be issued with the symbol without payment of a replacement fee.

2. EFFECT OF THE BILL:

The bills amend s. 322.14, F.S., to require the Department to issue a DL exhibiting the capital letter “D” to a person diagnosed as having a developmental disability as defined in s. 393.063, F.S., upon submission of a request, proof of the condition, and payment of:

- \$1.00 at the time of a driver license renewal
- \$2.00 at the time of a driver license replacement.

These fees will cover the \$1.25 materials cost associated with producing each driver license.¹ The current \$6.25 statutorily required tax collector service fee will still be charged. Implementation of this bill will require programming.² The Department recommends the effective date of the bill be changed to October 1, 2020, to allow enough time to implement programming to accommodate the provisions of this bill.

The bills will require the Department to train members of its Division of Florida Highway Patrol (FHP) and other law enforcement entities on the new “D” designation and its meaning. Additionally, if there are restrictions or limitations on how this information may be used, the Department will need to train members on this as well. This bill will likely benefit law enforcement by providing notification to officers of whether

¹ See Fiscal Analysis section, below.

² See Additional Comments section, below.

a person has a developmental disability. This knowledge could be vital in the de-escalation of scenarios during law enforcement encounters. Additionally, Department procedures and website changes will be required.

3. DOES THE BILL DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES? Y N

If yes, explain:	
Is the change consistent with the agency's core mission?	Y <input type="checkbox"/> N <input type="checkbox"/>
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

Proponents and summary of position:	Proponents may be individuals who have a developmental disability. The Department is not aware of any opponents, although some members of the developmental disability community may resist the branding proposed in the bill.
Opponents and summary of position:	The Department is not aware of any opponents.

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL? Y N

If yes, provide a description:	
Date Due:	
Bill Section Number(s):	

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS BILL? Y N

Board:	
Board Purpose:	
Who Appoints:	
Changes:	
Bill Section Number(s):	

FISCAL ANALYSIS

1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT? Y N

Revenues:	Tax Collectors will receive \$6.25 per request for a "D" designation. This will cause a positive, insignificant revenue impact for Tax Collectors.
Expenditures:	None
Does the legislation increase local taxes or fees? If yes, explain.	No
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	N/A

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT?Y N

Revenues:	If a person diagnosed as having a developmental disability as defined in s. 393.063, F.S. chooses to exhibit the capital letter "D" on their DL, they may purchase this designation for an additional \$1 for a renewal license or \$2 for a replacement license. This will cause a positive, insignificant impact to the Highway Safety Operating Trust Fund.
Expenditures:	The Department estimates that there will be a significant impact due to programming. There is no fiscal impact to the Division of Florida Highway Patrol.
Does the legislation contain a State Government appropriation?	No
If yes, was this appropriated last year?	N/A

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?Y N

Revenues:	None
Expenditures:	If a person diagnosed as having a developmental disability as defined in s. 393.063, F.S. chooses to exhibit the capital letter "D" on their DL, they may purchase this designation for an additional \$1 for a renewal license or \$2 for a replacement license.
Other:	N/A

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?Y N

If yes, explain impact.	No
Bill Section Number:	N/A

TECHNOLOGY IMPACT**1. DOES THE BILL IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)?**Y N

If yes, describe the anticipated impact to the agency including any fiscal impact.	This legislation would be a significant impact to both the Department's operational resources and to the resources dedicated to Motorist Modernization Phase I. Programming will be required in the Florida Driver License Information System (FDLIS) to add the "D" designation to driver license and fee code changes to collect the \$1.00 or \$2.00 fee.
--	--

FEDERAL IMPACT**1. DOES THE BILL HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)?**Y N

If yes, describe the anticipated impact including any fiscal impact.	None
--	------

ADDITIONAL COMMENTS

Amendment:

House Bill 787 has an effective date of July 1, 2020. The Department recommends this be changed to October 1, 2020, to allow enough time to implement programming to accomplish the provisions of this bill.

Section 1, Page 2, Line 32:

This act shall take effect ~~July 1,~~ October 1, 2020.

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments:	None.
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The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic
Development

BILL: PCS/CS/SB 1694 (909602)

INTRODUCER: Appropriations Subcommittee on Transportation, Tourism, and Economic Development;
Infrastructure and Security Committee; and Senator Flores

SUBJECT: Driver License Fees

DATE: February 20, 2020 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Proctor</u>	<u>Miller</u>	<u>IS</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Hrdlicka</u>	<u>ATD</u>	<u>Recommend: Fav/CS</u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 1694 establishes a \$1 fee that will be charged for the addition of the capital letter “D” to be exhibited on a new or renewed driver license, or a fee of \$2 to have the designation added to a replacement driver license, of a person who has a developmental disability, as defined in s. 393.063, F.S.

SB 1692 is a linked bill that creates a capital letter “D” designation for a person who has a developmental disability to be placed on his or her driver license, upon request for a new, renewal, or replacement driver license.

The bill may have an insignificant, positive fiscal impact. The Revenue Estimating Conference has not yet met to estimate the impact of the bill.

The bill will take effect on the same date that SB 1692 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

II. Present Situation:

Developmental Disability

“Developmental disability’ is a broad term that refers to a variety of conditions that interfere with a person’s ability to function in everyday activities.”¹ Under Florida law, a “developmental disability” is defined as disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.² In 2016, the Florida Developmental Disabilities Council estimated that there were approximately 100,000 individuals living in Florida who met the developmental disability criteria.³

“Autism” is defined as a pervasive, neurologically based developmental disability of extended duration which causes severe learning, communication, and behavior disorders with age of onset during infancy or childhood. Individuals with autism exhibit impairment in reciprocal social interaction, impairment in verbal and nonverbal communication and imaginative ability, and a markedly restricted repertoire of activities and interests.⁴

The Center for Disease Control (CDC) estimates that one in 59 children have been identified with autism spectrum disorder (ASD).⁵ The CDC defines “autism spectrum disorder” as a developmental disability that can cause significant social, communication, and behavioral challenges. “There is often nothing about how people with ASD look that sets them apart from other people, but people with ASD may communicate, interact, behave, and learn in ways that are different from most other people. The learning, thinking, and problem-solving abilities of people with ASD can range from gifted to severely challenged. Some people with ASD need a lot of help in their daily lives; others need less.”⁶

A diagnosis of ASD includes several conditions that used to be diagnosed separately: autistic disorder, Asperger’s syndrome, and pervasive developmental disorder not otherwise specified.⁷

¹ Florida Developmental Disabilities Council, *Developmental Disability Services in Florida*, available at <https://www.fddc.org/places-to-find-help> (last visited February 12, 2020).

² Section 393.063(12), F.S.

³ Senate Bill Analysis and Fiscal Impact Statement, *CS/CS/SB 718*, February 29, 2016.

⁴ Section 393.063(5), F.S.

⁵ Center for Disease Control and Prevention, *Autism and Developmental Disabilities Monitoring (ADDM) Network*, available at <https://www.cdc.gov/ncbddd/autism/addm.html> (last visited February 12, 2020).

⁶ Center for Disease Control and Prevention, *What is Autism Spectrum Disorder?*, <https://www.cdc.gov/ncbddd/autism/facts.html> available at (last visited February 12, 2020).

⁷ *Id.* See also ss. 627.6686(2)(b) and 641.31098(2), F.S.

Designations on Driver Licenses and Identification Cards

Currently, the designations an individual may have voluntarily placed on his or her driver license or identification card are:⁸

- Lifetime sportsman license;
- Lifetime boater;
- Lifetime freshwater fishing license;
- Lifetime saltwater fishing license;
- Lifetime hunting license;
- Veteran;
- Insulin dependent;
- Organ donor; and
- Deaf/hard of hearing.

Additionally, an individual may have voluntarily placed on his or her identification card a designation that the person has a developmental disability.⁹ Upon request of a person who has a developmental disability or a parent or guardian of a child or ward who has a developmental disability, the Department of Highway Safety and Motor Vehicles will issue an identification card that exhibits a capital “D.” The request must be accompanied by payment of an additional \$1 fee and sufficient proof that the person has been diagnosed with a developmental disability by a licensed physician.¹⁰ A replacement license may be issued with the capital “D” without payment of the fee required in s. 322.21(1)(f), F.S.

Replacement Driver Licenses

A replacement Class E driver license is \$25. If the replacement license is issued by the tax collector, \$7 is retained by the tax collector, otherwise the \$7 is deposited into the Highway Safety Operating Trust Fund. The remaining \$18 is deposited into the General Revenue Fund.¹¹

III. Effect of Proposed Changes:

The bill establishes a \$1 fee that will be charged for the addition of the capital letter “D” to be exhibited on a new or renewed driver license, or a fee of \$2 to have the designation added to a replacement driver license, of a person who has a developmental disability, as defined in s. 393.063, F.S.

The bill directs the \$2 fee to be deposited in the Highway Safety Operating Trust Fund.

The bill will take effect on the same date that SB 1692 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

⁸ Sections 322.051(8), 322.14, 322.141(2), and 765.521, F.S. See Department of Highway Safety and Motor Vehicles, *General Information – License Classes, Endorsements & Designations*, available at <https://www.flhsmv.gov/driver-licenses-id-cards/general-information/license-classes-endorsements-designations/> (last visited February 12, 2020).

⁹ Section 322.051(8)(e), F.S.

¹⁰ The \$1 fee is deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund.

¹¹ Section 322.21(1)(e), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Article VII, s.19 of the Florida Constitution requires “a supermajority vote” of two-thirds of the membership of each house to pass legislation which will impose or authorize a new state tax or fee.¹² A “fee” is defined as “any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service.”¹³ A state tax or fee imposed or authorized must be contained in a separate bill that contains no other subject.¹⁴

The \$1 fee that will be charged for the addition of the capital letter “D” to be exhibited on a new or renewed driver license and the fee of \$2 to have the designation added to a replacement driver license of a person who has a developmental disability may be new state fees subject to the constitutional requirements.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The bill establishes a \$1 fee that will be charged for the addition of the capital letter “D” to be exhibited on a new or renewed driver license, or a fee of \$2 to have the designation added to a replacement driver license, of a person who has a developmental disability, as defined in s. 393.063, F.S.

¹² FLA. CONST. art. VII, s. 19(a).

¹³ FLA. CONST. art. VII, s. 19(d)(1).

¹⁴ FLA. CONST. art. VII, s. 19(e).

B. Private Sector Impact:

Individuals who choose the addition of the capital letter “D” to be exhibited on their driver license will pay an additional fee of \$1 for a new or renewed driver license and \$2 for a replacement driver license in addition to existing fees.

C. Government Sector Impact:

The bill may have an insignificant, positive fiscal impact to the Highway Safety Operating Trust Fund. The Revenue Estimating Conference has not yet met to estimate the impact of the bill.

For a new or renewed driver license the \$1 additional fee would be deposited in the Highway Safety Operating Trust Fund. For a replacement driver license the \$2 additional fee would be deposited in the Highway Safety Operating Trust Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 322.14 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommend CS/CS by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on February 18, 2020:

The committee substitute adds language to the bill to correspond to the amendment in SB 1692 to s. 322.14, F.S., which provides that the designation will be added upon the request of the person who has a developmental disability or such a person’s parent or guardian.

CS by Infrastructure and Security on February 10, 2020:

The committee substitute links the bill to SB 1692 to provide the fee component for the addition of the “D” designation on a driver license, as well as for linking the effective date to the same date provided in SB 1692 or similar legislation that takes effect, if adopted in the same legislative session or an extension thereof and becomes a law.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



748456

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2020	.	
	.	
	.	
	.	

Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Flores) recommended the following:

Senate Amendment

Delete line 15
and insert:

(f)1. Upon request by a person who has a developmental disability, or by a parent or guardian of a child or ward who has a developmental disability, the capital letter "D" shall be exhibited on the

By the Committee on Infrastructure and Security; and Senator Flores

596-03409-20

20201694c1

1 A bill to be entitled
 2 An act relating to driver license fees; amending s.
 3 322.14, F.S.; providing fees for the placement of a
 4 specified letter on the driver license of a person who
 5 has a developmental disability; providing a contingent
 6 effective date.
 7
 8 Be It Enacted by the Legislature of the State of Florida:
 9
 10 Section 1. Paragraph (f) of subsection (1) of section
 11 322.14, Florida Statutes, as created by SB 1692, is amended to
 12 read:
 13 322.14 Licenses issued to drivers.-
 14 (1)
 15 (f)1. The capital letter "D" shall be exhibited on the
 16 driver license of a person who has a developmental disability,
 17 as defined in s. 393.063, upon the payment of an additional \$1
 18 fee for the license and if the person, or his or her parent or
 19 legal guardian, presents sufficient proof that the person has
 20 been diagnosed with a developmental disability by a physician
 21 licensed under chapter 458 as determined by the department.
 22 2. Until a person's driver license is next renewed, the
 23 person, or his or her parent or legal guardian, may have the
 24 capital letter "D" added to his or her license upon the
 25 surrender of his or her current license, payment of a \$2 fee to
 26 be deposited into the Highway Safety Operating Trust Fund, and
 27 presentation of sufficient proof that the person has been
 28 diagnosed with a developmental disability by a physician
 29 licensed under chapter 458 as determined by the department. If

Page 1 of 2

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

596-03409-20

20201694c1

30 the applicant is not conducting any other transaction affecting
 31 the driver license, a replacement license may be issued with the
 32 capital letter "D" without payment of the fee required in s.
 33 322.21(1)(e).
 34 Section 2. This act shall take effect on the same date that
 35 SB 1692 or similar legislation takes effect, if such legislation
 36 is adopted in the same legislative session or an extension
 37 thereof and becomes a law.

Page 2 of 2

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



The Florida Senate

Committee Agenda Request

To: Senator Travis Hutson, Chair
Committee on Appropriations Subcommittee on Transportation, Tourism, and
Economic Development

Subject: Committee Agenda Request

Date: February 11th, 2020

I respectfully request that **Senate Bill #1694**, relating to Drivers License Fees, be placed on the:

- committee agenda at your earliest possible convenience.
- next committee agenda.

Anitere Flores

Senator Anitere Flores
Florida Senate, District 39



2020 AGENCY LEGISLATIVE BILL ANALYSIS

AGENCY: Highway Safety and Motor Vehicles

<u>BILL INFORMATION</u>	
BILL NUMBER:	HB 787 & HB 789
BILL TITLE:	Driver Licenses
BILL SPONSOR:	Tomkow
EFFECTIVE DATE:	July 1, 2020

<u>COMMITTEES OF REFERENCE</u>
1) Transportation & Infrastructure Subcommittee
2) Transportation & Tourism Appropriations Subcommittee
3) State Affairs Committee
4)
5)

<u>CURRENT COMMITTEE</u>
Transportation & Infrastructure Subcommittee

<u>SIMILAR BILLS</u>	
BILL NUMBER:	
SPONSOR:	

<u>PREVIOUS LEGISLATION</u>	
BILL NUMBER:	SB 740
SPONSOR:	Soto
YEAR:	2016
LAST ACTION:	3/11/2016 - Died in Transportation

<u>IDENTICAL BILLS</u>	
BILL NUMBER:	
SPONSOR:	

Is this bill part of an agency package?

<u>BILL ANALYSIS INFORMATION</u>	
Date of Analysis:	December 3, 2019. December 5, 2019: Lindsey Eppes, Captain Joseph Harrison – FHP.
Division Director/Designee MS	<i>Rok Kep</i> 1/23/2020
Division Director/Designee FHP	<i>Michelle Carter</i> 1/22/2020 <i>SSl</i> 1/22/20
Bureau Chief(s):	<i>Joanne Kelly</i> 1/22/2020
Additional Analyst(S):	
Legal Analyst:	January 15, 2020: Kathy Jimenez/Gregory Pitt - OGC
Fiscal Analyst:	January 17, 2020: Suzie Carey - Budget

OCU 1/23/2020

POLICY ANALYSIS

1. EXECUTIVE SUMMARY

These bills together require the Department of Highway Safety and Motor Vehicles (“Department”) to issue a driver license (“DL”) exhibited with the capital letter “D” to authorized persons with specified disabilities.

If passed, these acts shall take effect July 1, 2020.

2. SUBSTANTIVE BILL ANALYSIS

1. PRESENT SITUATION:

“D” Designation on ID card

Pursuant to s. 322.051(8)(e), F.S., upon request by a person who has a developmental disability, or by a parent or guardian of a child or ward who has a developmental disability, the Department shall issue an identification card (“ID”) exhibiting a capital “D” for the person, child, or ward if the person or the parent or guardian of the child or ward submits a \$1 fee and proof of the disability that is acceptable to the Department.

Until a person’s ID is next renewed, the person may have the symbol added to his or her ID upon the surrender of his or her current ID with presentation of sufficient proof and payment of a \$2 fee to be deposited into the Highway Safety Operating Trust Fund. If the applicant is not conducting any other transaction affecting the ID, a replacement ID may be issued with the symbol without payment of a replacement fee.

2. EFFECT OF THE BILL:

The bills amend s. 322.14, F.S., to require the Department to issue a DL exhibiting the capital letter “D” to a person diagnosed as having a developmental disability as defined in s. 393.063, F.S., upon submission of a request, proof of the condition, and payment of:

- \$1.00 at the time of a driver license renewal
- \$2.00 at the time of a driver license replacement.

These fees will cover the \$1.25 materials cost associated with producing each driver license.¹ The current \$6.25 statutorily required tax collector service fee will still be charged. Implementation of this bill will require programming.² The Department recommends the effective date of the bill be changed to October 1, 2020, to allow enough time to implement programming to accommodate the provisions of this bill.

The bills will require the Department to train members of its Division of Florida Highway Patrol (FHP) and other law enforcement entities on the new “D” designation and its meaning. Additionally, if there are restrictions or limitations on how this information may be used, the Department will need to train members on this as well. This bill will likely benefit law enforcement by providing notification to officers of whether

¹ See Fiscal Analysis section, below.

² See Additional Comments section, below.

a person has a developmental disability. This knowledge could be vital in the de-escalation of scenarios during law enforcement encounters. Additionally, Department procedures and website changes will be required.

3. DOES THE BILL DIRECT OR ALLOW THE AGENCY/BOARD/COMMISSION/DEPARTMENT TO DEVELOP, ADOPT, OR ELIMINATE RULES, REGULATIONS, POLICIES, OR PROCEDURES? Y N

If yes, explain:	
Is the change consistent with the agency's core mission?	Y <input type="checkbox"/> N <input type="checkbox"/>
Rule(s) impacted (provide references to F.A.C., etc.):	

4. WHAT IS THE POSITION OF AFFECTED CITIZENS OR STAKEHOLDER GROUPS?

Proponents and summary of position:	Proponents may be individuals who have a developmental disability. The Department is not aware of any opponents, although some members of the developmental disability community may resist the branding proposed in the bill.
Opponents and summary of position:	The Department is not aware of any opponents.

5. ARE THERE ANY REPORTS OR STUDIES REQUIRED BY THIS BILL? Y N

If yes, provide a description:	
Date Due:	
Bill Section Number(s):	

6. ARE THERE ANY NEW GUBERNATORIAL APPOINTMENTS OR CHANGES TO EXISTING BOARDS, TASK FORCES, COUNCILS, COMMISSIONS, ETC. REQUIRED BY THIS BILL? Y N

Board:	
Board Purpose:	
Who Appoints:	
Changes:	
Bill Section Number(s):	

FISCAL ANALYSIS

1. DOES THE BILL HAVE A FISCAL IMPACT TO LOCAL GOVERNMENT? Y N

Revenues:	Tax Collectors will receive \$6.25 per request for a "D" designation. This will cause a positive, insignificant revenue impact for Tax Collectors.
Expenditures:	None
Does the legislation increase local taxes or fees? If yes, explain.	No
If yes, does the legislation provide for a local referendum or local governing body public vote prior to implementation of the tax or fee increase?	N/A

2. DOES THE BILL HAVE A FISCAL IMPACT TO STATE GOVERNMENT?Y N

Revenues:	If a person diagnosed as having a developmental disability as defined in s. 393.063, F.S. chooses to exhibit the capital letter "D" on their DL, they may purchase this designation for an additional \$1 for a renewal license or \$2 for a replacement license. This will cause a positive, insignificant impact to the Highway Safety Operating Trust Fund.
Expenditures:	The Department estimates that there will be a significant impact due to programming. There is no fiscal impact to the Division of Florida Highway Patrol.
Does the legislation contain a State Government appropriation?	No
If yes, was this appropriated last year?	N/A

3. DOES THE BILL HAVE A FISCAL IMPACT TO THE PRIVATE SECTOR?Y N

Revenues:	None
Expenditures:	If a person diagnosed as having a developmental disability as defined in s. 393.063, F.S. chooses to exhibit the capital letter "D" on their DL, they may purchase this designation for an additional \$1 for a renewal license or \$2 for a replacement license.
Other:	N/A

4. DOES THE BILL INCREASE OR DECREASE TAXES, FEES, OR FINES?Y N

If yes, explain impact.	No
Bill Section Number:	N/A

TECHNOLOGY IMPACT**1. DOES THE BILL IMPACT THE AGENCY'S TECHNOLOGY SYSTEMS (I.E. IT SUPPORT, LICENSING SOFTWARE, DATA STORAGE, ETC.)?**Y N

If yes, describe the anticipated impact to the agency including any fiscal impact.	This legislation would be a significant impact to both the Department's operational resources and to the resources dedicated to Motorist Modernization Phase I. Programming will be required in the Florida Driver License Information System (FDLIS) to add the "D" designation to driver license and fee code changes to collect the \$1.00 or \$2.00 fee.
--	--

FEDERAL IMPACT**1. DOES THE BILL HAVE A FEDERAL IMPACT (I.E. FEDERAL COMPLIANCE, FEDERAL FUNDING, FEDERAL AGENCY INVOLVEMENT, ETC.)?**Y N

If yes, describe the anticipated impact including any fiscal impact.	None
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ADDITIONAL COMMENTS

Amendment:

House Bill 787 has an effective date of July 1, 2020. The Department recommends this be changed to October 1, 2020, to allow enough time to implement programming to accomplish the provisions of this bill.

Section 1, Page 2, Line 32:

This act shall take effect ~~July 1,~~ October 1, 2020.

LEGAL - GENERAL COUNSEL'S OFFICE REVIEW

Issues/concerns/comments:	None.
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CourtSmart Tag Report

Room: EL 110

Case No.:

Type:

Caption: Senate Appropriations Subcommittee on Transportation, Tourism, and Economic Development Judge:

Started: 2/18/2020 4:01:58 PM

Ends: 2/18/2020 4:21:50 PM

Length: 00:19:53

4:01:58 PM Sen. Hutson (Chair)
4:02:49 PM S 78
4:02:55 PM Sen. Broxson
4:03:10 PM Am. 626912
4:03:15 PM Sen. Broxson
4:03:31 PM S 78 (cont.)
4:03:35 PM Kevin Jacobs, Dep. Legislative Affairs Director, DHSMV (waives in support)
4:03:43 PM Sen. Broxson
4:04:30 PM S 1500
4:04:33 PM Sen. Broxson
4:04:59 PM Sen. Thurston
4:05:26 PM Sen. Broxson
4:06:02 PM Sen. Thurston
4:06:10 PM Sen. Broxson
4:06:59 PM S 1692
4:07:05 PM Sen. Flores
4:07:41 PM Am. 788272
4:07:47 PM Sen. Flores
4:08:22 PM Am. 499998
4:08:25 PM Sen. Flores
4:08:42 PM S 1692 (cont.)
4:09:13 PM S 1694
4:09:19 PM Sen. Flores
4:09:29 PM Am. 748456
4:09:34 PM Sen. Flores
4:09:46 PM S 1694 (cont.)
4:10:21 PM S 1000
4:10:26 PM Sen. Perry
4:11:28 PM Am. 961378
4:11:32 PM Sen. Perry
4:12:40 PM Sen. Brandes
4:12:50 PM Sen. Perry
4:13:12 PM Jeff Branch, Legislative Advocate, Florida League of Cities
4:15:42 PM S 1000 (cont.)
4:15:48 PM Sen. Thurston
4:16:07 PM Sen. Torres
4:17:37 PM Sen. Perry
4:18:44 PM Sen. Torres
4:19:17 PM Sen. Hutson
4:19:35 PM Mary-Lynn Cullen, Legislative Liaison, Advocacy Institute for Children (waives in support)
4:19:48 PM Sen. Perry
4:21:38 PM Sen. Hutson



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Infrastructure and Security, *Chair*
Appropriations
Appropriations Subcommittee on Transportation,
Tourism, and Economic Development
Banking and Insurance
Rules

JOINT COMMITTEE:
Joint Legislative Auditing Committee

SENATOR TOM LEE

20th District

February 18, 2020

The Honorable Travis Hutson
Chairman
Appropriations
201, The Capitol
404 S. Monroe Street
Tallahassee, FL 32399-1100

Mr. Chairman,

I respectfully request an excused absence from this afternoon's committee meeting.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Tom Lee".

Tom Lee

cc: Jennifer Hrdlicka, Staff Director
Rael Candelaria, Administrative Assistant

REPLY TO:

- 915 Oakfield Drive, Suite D, Brandon, Florida 33511 (813) 653-7061
- 418 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5020

Senate's Website: www.flsenate.gov

BILL GALVANO
President of the Senate

DAVID SIMMONS
President Pro Tempore