

**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 Transportation and Economic Development Appropriations Committee

BILL: CS/SB 1882

INTRODUCER: Transportation and Economic Development Appropriations Committee and Senator Fasano

SUBJECT: Highway Safety

DATE: April 2, 2008                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carey	Noble	TA	Fav/CS
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

A. COMMITTEE SUBSTITUTE.....  Statement of Substantial Changes

B. AMENDMENTS.....  Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

**I. Summary:**

This bill provides for statutory changes necessary to implement program reductions and efficiencies in the Department of Highway Safety and Motor Vehicles (department), included in Senate Proposed Bill 7090. These reductions include:

- Reduces funding provided for the Interlock Ignition Device Program;
- Eliminates funding provided to the Florida Prosecuting Attorney’s Association for DUI training;
- Reduces funding provided for the Florida Rider Trainer’s Program and the Motorcycle Safety Education Program;
- Provides for the issuance of electronic titles.

This bill substantially amends ss. 17.61, 215.20, 319.001, 319.40, 320.08, 320.95, 322.025, 322.0255, 322.271, 322.293, 328.30; 328.80, 316.251 and 501.976, Florida Statutes.

**II. Present Situation:**

Currently, s. 320.08(1)(c), F.S., provides that for each motorcycle registered in Florida a \$2.50 motorcycle safety education fee is collected and deposited into the Highway Safety Operating Trust Fund. These funds are used exclusively to fund motorcycle driver improvement programs implemented pursuant to s. 322.025, F.S., or the Florida Motorcycle Safety Education Program that was established in s. 322.0255, F.S.

Chapter 322.293, F.S., specifies that a \$12 fee is assessed against each person who enrolls in a DUI Program. This fee is deposited into the DUI Programs Coordination Trust Fund to be used solely to fund the supervision of such programs.

**III. Effect of Proposed Changes:**

Section 1 amends s. 17.61, F.S., to eliminate the DUI Programs Coordination Trust Fund from the list of trust funds that invest the money in the trust fund but transfer interest earnings to the General Revenue Fund..

Section 2 amends s. 215.20, F.S., to remove the DUI Programs Trust fund from the list of funds subject to a 0.3 service charge to the General Revenue Fund..

Section 3 amends s. 319.001, F.S, to provide the definition of “certificate of title” as the record that evidences ownership of a motor vehicle whether it is a paper certificate or a certificate consisting information stored electronically by the department.

Section 4 amends s. 319.40, F.S., to permit the department to issue an electronic certificate of title in lieu of printing a paper title and to collect and use e-mail addresses of motor vehicle owners in lieu of providing notification through the regular mail

Section 5 amends s. 320.08, F.S., to allow \$2.50 from the registration of each motorcycle registered, to be used to fund a motorcycle driver improvement program implemented, the Florida Motorcycle Safety Education Program, or for the general operations of the department.

Section 6 amends s. 320.95, F.S., to allow the department to collect and use e-mail addresses of vehicle registrants in lieu of providing notification through the regular mail.

Section 7 amends s. 322.025, F.S., to provide that driver improvement programs are not limited to safety awareness campaigns, driver training, and licensing improvement and to delete the provision limiting the use of the motorcycle safety education fee.

Section 8 amends s. 322.0255, F.S., grants the department the flexibility to reimburse motorcycle course providers for students who begin the on-cycle portion of the course, based on the availability of funds.

Section 9 amends s. 322.371, F.S. to allow the department the discretion to waive the hardship hearing requirements following a drivers' license suspension after review of the driver history

and to reinstate the license on a restricted basis for business and employment purposes for non-egregious first time offenders..

Section 10 amends s. 322.293, F.S. to eliminate the DUI Programs Coordination Trust Fund and to direct those revenues to be deposited into the Highway Safety Operating Trust Fund for use by DUI programs and general operations of the department.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

According to the Department of Highway Safety and Motor Vehicles, 210,517 motorcycles have been registered during the first four months of Fiscal Year 2007-08. This represents a 4.2% increase over the same time period in the Fiscal Year 2006-07. Based on these numbers, it is projected that the department will collect \$1,578,750 in fiscal year 2007-08 from the registration of approximately 631,500 motorcycles.

The DUI Programs Coordination Trust Fund is included in the list of trust funds subject to the 0.3 percent general revenue service charge pursuant to s. 215.20, F.S. The general revenue service charge was \$49,659 in Fiscal Year 2007-2008.

Based on the redirection of the \$12 assessment fee from the DUI Programs Coordination Trust Fund to the Highway Safety Operating Trust Fund, the Highway Safety Operating Trust Fund is estimated to receive \$687,000 more each year.

B. Private Sector Impact:

Collectively, the 60 motorcycle course providers could lose between \$300,000 - \$450,000 annually in reimbursements.

The department currently hires consultants to train various law enforcement officers, DUI program staff, and probation officers on the Ignition Interlock Device Program.

Reducing funding for the Ignition Interlock Device Program may result in the elimination of some contracted services.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

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

Senate Bill 1882 was originally filed as a shell bill expressing legislative intent to revise laws relating to Highway Safety. The changes to this bill by the Transportation and Economic Development Appropriations Committee are addressed in this bill analysis.

B. Amendments:

None.