

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/HB 77 — Diesel Exhaust Fluid

by Commerce Committee and Rep. Overdorf and others (CS/CS/SB 1082 by Appropriations Committee; Transportation Committee; and Senator Albritton)

The bill addresses safety issues associated with airport use of diesel exhaust fluid (DEF). The bill directs each public airport with specified uses of DEF to require a safety mitigation and exclusion plan for each fixed-base operator that performs onsite treatment of aviation fuel with a fuel system icing inhibitor and provides minimum requirements for the plan. By January 1, 2022, each airport must make the plan available for review during inspections by the Florida Department of Transportation (FDOT).

The bill also requires the FDOT, by November 1, 2021, to convene a workgroup of public airport representatives to develop uniform industry standards based on a National Air Transportation Association best practice relating to the handling of DEF, and authorizes the FDOT to adopt rules to develop a uniform industry standards form for the required plans based on the workgroup recommendations.

If approved by the Governor, these provisions take effect October 1, 2021.

Vote: Senate 40-0; House 114-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/SB 100 — Highway Projects

by Appropriations Committee and Senators Harrell and Taddeo

The bill repeals the Multi-use Corridors of Regional Economic Significance (M-CORES) program and related provisions and instead creates programs related to arterial highway projects. More specifically, the bill:

- Authorizes the Florida Department of Transportation (FDOT) to upgrade existing arterial roadways with targeted improvements, such as adding new tolled or non-tolled limited access alignments to manage congestion points and retrofitting roadways with tolled or non-tolled grade separations that provide alternatives to a signalized intersection for through traffic.
- Prohibits reduction of any non-tolled general use lanes of an existing facility, requires maintenance of existing access points, and limits the location of any tolling points such that a non-tolled alternative exists for local traffic.
- Provides that all existing applicable requirements relating to FDOT or turnpike projects apply to any projects undertaken. Further, the FDOT and the Florida Turnpike Enterprise must take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects.
- Directs the FDOT to develop by December 31, 2035, and include in the work program, construction of controlled access facilities to achieve free flow of traffic on U.S. 19 and requires the facility to be developed using existing or portions of existing roadway by specified improvements.
- Directs the FDOT to identify and include in the work program projects to widen certain two lane arterial rural roads serving high volumes of truck traffic to four lanes.
- Directs the FDOT to begin the project development and environmental phase for a project to extend the Florida Turnpike from its current terminus in Wildwood to a terminus as determined by the FDOT, and to submit a summary report by December 31, 2022.

The revenue redirected to the State Transportation Trust Fund (STTF) as a result of the 2019 M-CORES legislation is retained in the STTF and is dedicated for purposes of funding the authorized controlled access facility projects and widening projects on arterial rural highways. Additionally, beginning July 1, 2023, the distribution of \$35 million to the Florida Turnpike Enterprise for feeder roads and related projects is discontinued; such funds will remain in the STTF to support statewide transportation priorities.

If approved by the Governor, these provisions take effect July 1, 2021, except as otherwise provided.

Vote: Senate 39-1; House 115-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/HB 139 — Motor Vehicle and Vessel Registration Data

by Tourism, Infrastructure and Energy Subcommittee and Rep. Fernandez-Barquin (CS/SB 754 by Transportation Committee and Senator Diaz)

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to provide integration of other tax collection systems used by tax collectors and their vendors with the Florida Real Time Vehicle Information System (FRVIS) with respect to motor vehicle, mobile home, trailer, and vessel registration renewals.

Specifically the bill:

- Authorizes the DHSMV, upon a tax collector's request, to provide information technology hardware and/or software to allow for the seamless communication between the state information technology systems and other tax collection systems used by tax collectors in order to provide tax collectors with data access and uniform interface functionalities for registration renewal transactions performed at a tax collector's office or online through a tax collector's website;
- Requires the DHSMV to provide a tax collectors' vendor with the ability to record registration renewals in FRVIS in real time and with the ability to do bulk data reporting;
- Requires the DHSMV to ensure that the ancillary technology and other tax collection systems protect consumer data and privacy; and
- Provides that the data and functionalities may be used only for purposes of fulfilling the tax collector's statutory duties and may not be resold or used for any other purpose.

The specified data access and requested system interface must be developed no later than July 1, 2023.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 119-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/SB 184 — Purple Alert

by Appropriations Committee; Transportation Committee; and Senator Berman

The bill requires the Division of Emergency Management to identify and maintain an inventory of available digitally displayed automatic changeable facing signs capable of providing the immediate distribution of critical information to the public in times of declared emergency and regarding missing endangered persons.

Effective July 1, 2022, the bill also establishes criteria and processes for issuing Purple Alerts to assist in finding a missing adult:

- Who has a mental or cognitive disability that is not Alzheimer’s disease or a dementia-related disorder; an intellectual disability or a developmental disability; a brain injury; another physical, mental, or emotional disability that is not related to substance abuse; or a combination of any of these;
- Whose disappearance indicates a credible threat of immediate danger or serious bodily harm to himself or herself, as determined by the local law enforcement agency;
- Who cannot be returned to safety without law enforcement intervention; and
- Who does not meet the criteria for activation of a local Silver Alert or the Silver Alert Plan of the Department of Law Enforcement.

The bill provides the Florida Department of Law Enforcement with budget authority of \$199,901 (\$92,790 nonrecurring) in the Operating Trust Fund and 2 FTE in order to accommodate increased workload and make technology improvements.

If approved by the Governor, the provisions take effect July 1, 2021, except where otherwise provided.

Vote: Senate 40-0; House 116-1

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/SB 342 — Vehicle and Vessel Registration

by Transportation Committee and Senator Diaz

The bill provides that a tax collector may exercise his or her authority to contract with a privately owned license plate agent, and may determine any additional service charges that will be collected by the license plate agent. Any additional service charges must be fully itemized and disclosed to a person paying the service charges.

The bill requires the license plate agent to enter into a contract with the tax collector regarding the disclosure of additional service charges.

The bill also requires tax collectors and their approved license plate agents to enter into a memorandum of understanding with the Department of Highway Safety and Motor Vehicles regarding use of the Florida Real Time Vehicle Information System.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 116-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

HB 353 — Bicycle Operation Regulations

by Rep. Hage (CS/SB 738 by Rules Committee and Senator Baxley)

The bill amends a current prohibition against a person operating a bicycle other than upon or astride a permanent and regular attached seat, providing that the prohibition applies unless the bicycle was designed by the manufacturer to be ridden without a seat. Under the bill, a person riding a bicycle manufactured without a seat would not be subject to an existing penalty for a violation of the prohibition.

The bill also amends existing electric bicycle regulations that afford an electric bicycle or electric bicycle operator the same rights, privileges, and duties of a bicycle or bicycle operator, providing that such regulations do not prevent a municipality, county, or agency of the state with jurisdiction over a beach or dune from restricting or prohibiting the operation of an electric bicycle on such beach or dune.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/SB 676 — Special and Specialty License Plates

by Appropriations Committee; Transportation Committee; and Senators Baxley, Pizzo, Harrell, Stewart, Berman, and Garcia

The bill provides that the Department of Highway Safety and Motor Vehicles (DHSMV) may allow the purchaser of a voucher for a specialty license plate that has met its presale requirement but has not been issued, to use the annual fee that was collected towards any other specialty license plate or apply for a refund.

The bill requires the DHSMV to discontinue the existing specialty license plate of an independent college or university which elects to use the standard template specialty license plate.

The bill revises provisions regarding license plate eligibility or uses of annual use fees for the following existing specialty license plates:

- Florida Indian River Lagoon;
- Wildlife Foundation of Florida; and
- Divine Nine.

The bill creates the following specialty license plates and specifies the design and the distribution of the associated annual use fees:

- Florida State Parks;
- Support Healthcare Heroes;
- Biscayne Bay;
- Disease Prevention & Early Detection;
- Honor Flight;
- Protect Marine Wildlife; and
- 30A.com/Scenic Walton.

The bill also creates one new special military plate for recipients of the Army of Occupation Award and revises requirements for the issuance of certain special license plates.

If approved by the Governor, these provisions take effect October 1, 2021.

Vote: Senate 39-0; House 115-2

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/SB 950 — Bicycle and Pedestrian Safety

by Committee on Transportation and Senator Book

The bill addresses issues relating to bicycle and pedestrian safety. In summary, the bill:

- Defines the terms “bicycle lane” and “separated bicycle lane”;
- Provides requirements for a vehicle overtaking a bicycle or other nonmotorized vehicle, or an electric bicycle occupying the same travel lane;
- Requires the Department of Highway Safety and Motor Vehicles (DHSMV) to provide an awareness campaign regarding vehicles overtaking a bicycle, other nonmotorized vehicle, or an electric bicycle;
- Provides that no-passing zones do not apply to drivers who safely and briefly drive to the left of center of the roadway to overtake a bicycle, other nonmotorized vehicle, or an electric bicycle;
- Requires a vehicle making a right turn while overtaking and passing a bicycle proceeding in the same direction, to do so only if the bicycle is at least 20 feet from the intersection, and is of such a distance that the driver of a vehicle may safely turn;
- Authorizes bicyclists riding in groups, after coming to a full stop, to go through an intersection in groups of 10 or fewer;
- Provides riders may ride two abreast if certain conditions exist; and
- Requires at least 25 questions in the test bank for the driver license test to address bicycle and pedestrian safety.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 39-0; House 114-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/SB 1126 — Department of Transportation

by Appropriations Committee and Senator Harrell

The bill contains a number of revisions to current law relating to the Florida Department of Transportation (FDOT) including:

- Adds road and bridge maintenance or construction vehicles to the list of vehicles subject to the Move Over Law.
- Increases from \$275 to \$300 million the authorized dollar amount representing an alternative debt service cap on Right-of-Way Acquisition and Bridge Construction Bonds issued to finance or refinance the cost of acquiring real property for state roads or the cost of bridge construction.
- Removes the expiration date for the Legislative Budget Commission chair and vice chair's authority to approve amendments to the FDOT's work program that transfer fixed capital outlay appropriations between categories or increase an appropriation category.
- Clarifies that the Department of Revenue is the entity responsible for transferring a portion of documentary stamp tax revenues distributed to the State Treasury and credited to the State Transportation Trust Fund (STTF) from the State Treasury to the General Revenue Fund.
- Revises from October 1 to August 1 the date for metropolitan planning organization (MPO) annual submissions of project priorities to the FDOT districts for purposes of developing the FDOT's tentative work program and MPO transportation improvement programs.
- Removes provisions requiring the FDOT to provide space and video conference capability at each FDOT district office for persons requesting a hearing before the Commercial Motor Vehicle Review Board, instead requiring the FDOT to allow such persons to appear remotely before the board via communications media technology already authorized by Administration Commission rule.
- Grants the FDOT rulemaking authority for the purpose of implementing statutory provisions relating to airport zoning.
- Revises provisions relating to a notice and hearing the FDOT is required to provide when a transportation project on the State Highway System modifies an existing access to an abutting property owner to provide clarity and improve readability.
- Removes obsolete references to a previously expired general service revenue service charge from specified collected revenue deposited into the STTF.

The bill also repeals the Multi-use Corridors of Regional Economic Significance (M-CORES) program and related provisions and instead creates programs related to arterial highway projects. More specifically, the bill:

- Authorizes the FDOT to upgrade existing arterial roadways with targeted improvements, such as adding new tolled or non-tolled limited access alignments to manage congestion points and retrofitting roadways with tolled or non-tolled grade separations that provide alternatives to a signalized intersection for through traffic.

- Prohibits reduction of any non-tolled general use lanes of an existing facility, requires maintenance of existing access points, and limits the location of any tolling points such that a non-tolled alternative exists for local traffic.
- Provides that all existing applicable requirements relating to FDOT or turnpike projects apply to any projects undertaken. Further, the FDOT and the Florida Turnpike Enterprise must take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects.
- Directs the FDOT to develop by December 31, 2035, and include in the work program construction of controlled access facilities to achieve free flow of traffic on U.S. 19 and requires the facility to be developed using existing or portions of existing roadway by specified improvements.
- Directs the FDOT to identify and include in the work program projects to widen certain two lane arterial rural roads serving high volumes of truck traffic to four lanes.
- Directs the FDOT to begin the project development and environmental phase for a project to extend the Florida Turnpike from its current terminus in Wildwood to a terminus as determined by the FDOT, and to submit a summary report by December 31, 2022.

The revenue redirected to the STTF as a result of the 2019 M-CORES legislation is retained in the STTF and is dedicated for purposes of funding the authorized controlled access facility projects and widening projects on arterial rural highways. Additionally, beginning July 1, 2023, the distribution of \$35 million to the FTE for feeder roads and related projects is discontinued; such funds will remain in the STTF to support statewide transportation priorities.

Except as otherwise provided, this act shall take effect July 1, 2021.

Vote: Senate 40-0; House 115-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

SB 1134 — Department of Highway Safety and Motor Vehicles

by Senator Harrell

The bill relates to the Department of Highway Safety and Motor Vehicles (DHSMV) and includes the following provisions:

- Updates the date of adoption of federal regulations and rules for commercial motor vehicles (CMV) to December 31, 2020;
- Provides that a person who has been convicted of any felony involving human trafficking under state or federal law involving the use of a CMV may not be licensed as a CMV operator, or hold a CMV license;
- Incorporates violations for texting or using a handheld phone device while operating a CMV as a serious disqualifying offense, which may result in a person being disqualified from operating a CMV for a specified period of time, to align with federal regulations;
- Provides that the expiration date for an original issuance of a commercial driver license is at midnight eight years after the licensee's last birthday;
- Revises the length of time within which an officer of the DHSMV is authorized to give written notice requiring correction of an unduly hazardous operating condition from 14 days to 15 days;
- Updates statute to reflect the DHSMV is the agency responsible for the safe operations of nonpublic sector buses and further provides that an agent of the DHSMV may require the driver of any nonpublic sector bus operated on the highways of this state to stop and submit to an inspection of the vehicle or the driver's records;
- Provides that current seat belt requirements are applicable when a vehicle is stationary at a traffic signal;
- Exempts from odometer disclosure a vehicle with a model year of 2011 or newer after 20 years;
- Provides that a motor carrier or vehicle owner whose registration has been suspended is required to return the license plate to the DHSMV or surrender it to law enforcement; and
- Provides expanded and new subpoena powers for the DHSMV related to motor vehicle dealers and manufacturers, private rebuilt inspection providers, title certificates, and driver licenses.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 118-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/CS/SB 1194 — Transportation

by Rules Committee; Appropriations Committee; Transportation Committee; and Senator Hooper

The bill contains various transportation-related provisions, including the following:

- Authorizes a municipal or county governing body to abandon roads and rights of way dedicated in a recorded residential subdivision plat and to simultaneously convey the municipality's or the county's interest to a community development district under specified conditions.
- Precludes a governmental entity from prohibiting a bid relating to the entity's procurement of certain contractual services from vendors holding specified certificates or licenses.
- Provides that with respect to any port that has received or is eligible to apply for or receive certain state seaport funding, a local ballot initiative or referendum may not restrict maritime commerce in such port based on specified but unlimited factors. These provisions apply retroactively and prospectively, prohibiting, rendering void, and preempting to the state any conflicting initiative or referendum.
- Authorizes on roadways with a posted speed limit of 55 miles per hour or higher:
 - o Construction equipment in a work zone to display a combination of flashing green, amber, and red lights during periods when workers are present.
 - o Flashing lights on vehicles during periods of extremely low visibility.
- Increases the penalties for violations of a prohibition against modification of a motor vehicle exhaust system so that the noise emitted by the motor vehicle is above that emitted by the vehicle as originally manufactured.
- Substitutes an affidavit with an attestation on a form provided by the Florida Department of Highway Safety and Motor Vehicles (DHSMV) as a requirement for an insurance company to receive from the DHSMV a salvage certificate of title or certificate of destruction for motor vehicles and mobile homes.
- Clarifies that the types of vehicles authorized to elect a permanent registration period are rental vehicles, making clear that the authorization does not apply to leased vehicles.
- Requires motor vehicle dealer licensees to deliver to the DHSMV copies of renewed, continued, changed, or new insurance policies, surety bonds, or irrevocable letters of credit within 10 days after any renewal, continuation, change, or new issuance of the same, ensuring continuous insurance coverage.
- Removes a prohibition against the Miami-Dade County metropolitan planning organization (MPO) from assessing fees against governmental-entity members of the MPO.
- Dissolves the inactive Northwest Florida Transportation Corridor Authority and repeals ch. 343, part III, F.S., under which the authority was established.
- Authorizes a mayor to appoint a specified designee to attend a Tampa Bay Area Regional Transit Authority (TBARTA) meeting to act in his or her place with full voting rights on all issues, revising quorum requirements for the TBARTA board, revises the organization

of the Chair's Coordinating Committee (CCC), removes the requirement for the TBARTA to provide administrative support and direction to the CCC, and removes obsolete language.

- Increases the number of the Governor's appointees to the Greater Miami Expressway Authority from three to four, one of which must be member of the Miami-Dade County MPO, and providing for staggered terms.
- Prohibits the Central Florida Expressway Authority from constructing any extensions, additions, or improvements to the Central Florida Expressway System in Lake County without prior consultation with, rather than consent of, the Secretary of Transportation.
- Increases from 40 years to 99 years an existing limitation on the term of a lease into which the Jacksonville Transportation Authority may enter.
- Revises provisions relating to an annual cap on the Florida Department of Transportation's (FDOT) authorization to enter into contracts for innovative transportation projects.
- Amends financial statement requirements relating to applications for certificates of qualification to bid on contracts for the performance of work for the FDOT under certain construction contracts.
- Excludes certain airports from the prohibition against the same entity performing design and performing construction engineering and inspection services on a project funded by the FDOT and administered by a local governmental entity.
- Substantially revises provisions relating to the State Arbitration Board, which hears claims for additional compensation arising out of construction and maintenance contracts between the FDOT and its contractors.
- Authorizes the FDOT to use surplus toll revenue to support public transportation projects that benefit the operation of high-occupancy toll lanes or express lanes on the State Highway System.
- Defines the term "borrow pit" and requires a borrow pit operator to provide a notice of intent to extract to the Florida Department of Environmental Protection; prohibits the FDOT, and its contractors and subcontractors, from purchasing or using specified substances extracted from a borrow pit unless conditions relating to compliance with existing statutory requirements and permitting are met; and requires the FDOT, if it determines substances are being obtained and used from a noncompliant borrow pit, to cease accepting any substances within 48 hours.
- Requires the FDOT to create and implement a publicly accessible electronic database for sign permit information; specifies requirements for the database; prohibits the department from furnishing permanent metal permit tags or replacement tags and from enforcing related provisions once the department creates and implements the database.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 21-17; House 75-40

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/HB 1289 — Autonomous Vehicles

by Commerce Committee; Tourism, Infrastructure and Energy Subcommittee; and Rep. McFarland and others (CS/CS/SB 1620 by Rules Committee; Transportation Committee; and Senator Brandes)

The bill defines the term “low-speed autonomous delivery vehicle” as a fully autonomous vehicle that meets the current federal definition and authorizes such vehicles to operate only on streets or roads where the posted speed limit is 35 miles per hour or less. Such vehicles are not prohibited from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour. However, a low-speed autonomous delivery vehicle may operate on a street or road with a posted speed limit of more than 35 miles per hour, but no more than 45 miles per hour, if:

- The vehicle travels no more than one continuous mile, except that the entity with jurisdiction over the street or road may authorize travel in excess of that distance;
- The vehicle operates exclusively in the right lane, other than for the purpose of completing a turn; and
- On a two-lane street or road where overtaking and passing another vehicle is unsafe, and five or more vehicles are formed in a line behind the low-speed autonomous delivery vehicle, the delivery vehicle exits the roadway wherever sufficient space exists, to permit the following vehicles to proceed.

The bill sets out equipment requirements for such vehicles and provides that the new provisions are superseded by any conflicting federal regulations. The bill also establishes insurance coverage requirements for such vehicles and exempts them from specified provisions of law relating to authorized use of golf carts, low-speed vehicles, and utility vehicles.

The provisions of any motor vehicle equipment laws or regulations of this state, relating to or supporting motor vehicle operation by a human driver but not relevant for an automated driving system, are rendered inapplicable to fully autonomous vehicles designed to be operated *exclusively* by the automated driving system for *all* trips.

The bill also revises the definition of the terms:

- “Autocycle,” by clarifying that the required brakes on such autocycles must meet the requirements of a specified Federal Motor Vehicle Safety Standard relating to antilock brakes, and by revising the requirement for a steering “wheel” to a steering “mechanism.”
- “Personal delivery device,” by removing the current 80-pound weight limitation (excluding cargo) and replacing it with a weight that does not exceed the maximum established by rule by the Florida Department of Transportation (FDOT).

The bill authorizes the FDOT to adopt rules to implement provisions of law relating to personal delivery devices.

If approved by the Governor, these provisions take effect July 1, 2021.

This summary is provided for information only and does not represent the opinion of any Senator, Senate Officer, or Senate Office.
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Vote: Senate 39-1; House 116-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/HB 1313 — Digital Driver Licenses and Identification Cards

by Commerce Committee; and Rep. LaMarca and others (CS/SB 1324 by Committee on Rules and Senator Harrell)

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to establish a secure and uniform system for issuing optional digital proofs of driver licenses and identification cards. Under the bill, the DHSMV may contract with one or more private entities to develop an electronic credentialing system. The electronic credentialing system may not retain Internet Protocol addresses, geolocation data, or other information that describes the location, computer, computer system, or computer network from which a customer accesses the system.

The bill prohibits a private entity from storing, selling, or sharing personal information collected by scanning a digital proof of driver license or identification card unless consent has been provided by the individual.

The bill provides that, notwithstanding any law prescribing the design for, or information required to be displayed on, a driver license or identification card, a digital proof of driver license or identification may comprise a limited profile that includes only information necessary to conduct a specific transaction on the electronic credentialing system.

The bill also provides that a person may not be issued a digital proof of driver license or identification card until he or she satisfies all requirements for issuance of the respective driver license or identification card and has been issued a printed driver license or identification card. The bill establishes penalties for a person who manufactures or possesses a false digital identification card.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 117-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/HB 1315 — Public Records/Department of Highway Safety and Motor Vehicles

by Government Operations Subcommittee and Rep. LaMarca (CS/SB 1326 by Committee on Transportation and Senator Harrell)

The bill, which is contingent on HB 1313 becoming law, creates a public record exemption for the following information held by the Department of Highway Safety and Motor Vehicles (DHSMV):

- Secure login credentials held by the DHSMV; and
- Internet protocol addresses, geolocation data, and other information held by the DHSMV which describes the location, computer, computer system, or computer network from which a user accesses a public-facing portal, and the dates and times that a user accesses a public-facing portal.

The bill provides that the exemption is retroactive and applies to records held by the DHSMV before, on, or after the effective date of the exemption.

The bill provides that the public record exemption is subject to the Open Government Sunset Review Act and will repeal on October 2, 2026, unless the Legislature reviews and reenacts the exemption by that date. The bill provides a public necessity statement as required by the Florida Constitution.

If approved by the Governor, these provisions take effect on the same date that HB 1313 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Vote: Senate 40-0; House 118-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

HB 1359 — Public Records/Department of Highway Safety and Motor Vehicles

by Rep. Brannan (CS/SB 1502 by Committee on Transportation and Senator Harrell)

The bill, which is contingent on SB 1134 becoming law, creates four public records exemptions, each making confidential and exempt from public disclosure information received by the Department of Highway Safety and Motor Vehicles (DHSMV) as part of its investigations or examinations of:

- Suspected violations by private rebuilt inspection providers, or any contract entered into thereunder by such a provider;
- Suspected violations of ch. 319, F.S., relating to motor vehicle titles, or any rule or order thereunder;
- Suspected violations of ch. 320, F.S., relating to motor vehicle registrations and motor vehicle dealer and manufacturer licensing, or any rule or order thereunder; and
- Suspected violations of ch. 322, F.S., relating to driver licenses and identification cards, or any rule or order thereunder.

The above exemptions shield investigative records until the investigation ceases to be active or administrative action taken by the DHSMV has concluded or been made part of any hearing or court proceeding, after which the investigative records are no longer confidential and exempt.

The bill provides that the public record exemption is subject to the Open Government Sunset Review Act and will repeal on October 2, 2026, unless the Legislature reviews and reenacts the exemption by that date. The bill provides a statement of public necessity as required by the State Constitution.

If approved by the Governor, these provisions take effect on the same date that CS/HB 1151 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Vote: Senate 40-0; House 118-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

SB 1716 — Transportation Facility Designations Honoring Fallen Law Enforcement Officers

by Senator Hooper

The bill creates the following transportation-related facility designations:

- The portion of C.R. 611/E. Lake Road between Forelock Road and Keystone Road in Pinellas County as “Deputy Michael J. Magli Memorial Road.”
- The portion of S.R. 60 between Interstate 75 and Phillip Lee Boulevard in Hillsborough County as “Sergeant Brian LaVigne Road.”
- The portion of Interstate 275 between E. Sligh Avenue and E. Dr. Martin Luther King, Jr., Boulevard in Hillsborough County as “Officer Jesse Madsen Memorial Highway.”

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

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
2021 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/HB 7037 — OGSR/State-funded Infrastructure Bank

by State Affairs Committee; Government Operations Subcommittee; and Rep. McClure (CS/SB 7004 by Governmental Oversight and Accountability Committee and Transportation Committee)

The bill saves from repeal the current public records exemption for certain financial information held by the Florida Department of Transportation (FDOT). The information covered by the exemption includes the financial information of a private entity applicant submitted for a loan or credit enhancement from the State-funded Infrastructure Bank (SIB) within the FDOT for use in constructing and improving transportation facilities or ancillary facilities that produce or distribute natural gas or fuel. The current exemption does not apply to the financial information of a private applicant in default on a SIB loan.

The Open Government Sunset Review Act requires the Legislature to review each public record and each public meeting exemption five years after enactment. The exemption contained in s. 339.55, F.S., is scheduled to repeal on October 2, 2021. This bill removes the scheduled repeal to continue the exempt status of the information.

If approved by the Governor, these provisions take effect October 1, 2021.

Vote: Senate 38-2; House 118-0