

Tab 1		SB 90 by Perry (CO-INTRODUCERS) Garcia, Mayfield, Rodriguez, Campbell; (Compare to H 00121) Use of Wireless Communications Devices While Driving				
914702	D	S	UNFAV	CU, Clemens	Delete everything after	10/24 06:34 PM
728712	A	S	RCS	CU, Clemens	btw L.30 - 31:	10/24 06:34 PM

The Florida Senate  
**COMMITTEE MEETING EXPANDED AGENDA**

**COMMUNICATIONS, ENERGY, AND PUBLIC UTILITIES**

Senator Bean, Chair  
 Senator Montford, Vice Chair

**MEETING DATE:** Tuesday, October 24, 2017

**TIME:** 3:00—5:00 p.m.

**PLACE:** 301 Senate Office Building

**MEMBERS:** Senator Bean, Chair; Senator Montford, Vice Chair; Senators Broxson, Campbell, Clemens, Grimsley, Stargel, and Young

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 90</b> Perry (Identical S 72, Compare H 121)	Use of Wireless Communications Devices While Driving; Revising the legislative intent relating to the authorization of law enforcement officers to stop motor vehicles and issue citations to persons who are texting while driving; requiring deposit of fines into the Emergency Medical Services Trust Fund, etc.  CU 10/24/2017 Fav/CS TR ATD AP	Fav/CS Yeas 7 Nays 1
2	Presentation by the Florida Electric Cooperatives Association on Hurricane Irma		Presented
3	Presentation by the Florida Municipal Electric Association on Hurricane Irma		Presented
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.)

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Prepared By: The Professional Staff of the Committee on Communications, Energy, and Public Utilities

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BILL: CS/SB 90

INTRODUCER: Committee on Communications, Energy, and Public Utilities; and Senator Perry and others

SUBJECT: Use of Wireless Communications Devices While Driving

DATE: October 25, 2017

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Wiehle	Caldwell	CU	<b>Fav/CS</b>
2.			TR	
3.			ATD	
4.			AP	

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 90 amends s. 316.305, F.S., to authorize enforcement of the ban on texting while driving as a primary offense. It requires that all penalties collected for a violation of the ban be remitted to the Department of Revenue for deposit into the Emergency Medical Services Trust Fund of the Department of Health. Finally, it requires that a law enforcement officer who has stopped a person for texting while driving inform the person of the right to decline a search of his or her wireless communications device.

Due to the redistribution of texting while driving penalty revenues, the bill will have an indeterminate fiscal impact to the General Revenue Fund, a number of state trust funds, the clerks of court, and municipalities. See Section V. Fiscal Impact Statement.

The bill takes effect October 1, 2018.

## II. Present Situation:

### Florida Ban on Texting While Driving Law

Section 316.305, F.S., is the “Florida Ban on Texting While Driving Law.” It bans a person from operating a motor vehicle while using a wireless communications device<sup>1</sup> in specified ways. Enforcement is permitted only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another provision of chapter 316, F.S., the “Florida Uniform Traffic Control Law,” chapter 320, F.S., relating to motor vehicle licenses, or chapter 322, F.S., relating to driver licenses.

More specifically, the statute bans operation of a motor vehicle either while manually typing or entering multiple letters, numbers, symbols, or other characters into a wireless communications device or while sending or reading data on such a device for the purpose of non-voice interpersonal communication.<sup>2</sup> The ban does not apply to a stationary motor vehicle or to a motor vehicle operator who is:

- Performing official duties as an operator of an authorized emergency vehicle,<sup>3</sup> a law enforcement or fire service professional, or an emergency medical services professional.
- Reporting an emergency or criminal or suspicious activity to law enforcement authorities.
- Receiving messages that are: related to the operation or navigation of the motor vehicle; safety-related information, including emergency, traffic, or weather alerts; data used primarily by the motor vehicle; or radio broadcasts.
- Using a device or system for navigation purposes.
- Conducting wireless interpersonal communication that does not require manual entry of multiple letters, numbers, or symbols, except to activate, deactivate, or initiate a feature or function.
- Conducting wireless interpersonal communication that does not require reading text messages, except to activate, deactivate, or initiate a feature or function.
- Operating an autonomous vehicle in autonomous mode.

Any person who violates the ban commits a noncriminal traffic infraction. A first violation is punishable as a nonmoving violation, and a second or subsequent violation within 5 years after the date of a prior conviction is punishable as a moving violation.

Drivers convicted of unlawful use of a wireless communications device that results in a crash will have six points assessed against their driver license,<sup>4</sup> and drivers convicted of unlawful use

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<sup>1</sup> The statute defines the term “wireless communications device” to mean any handheld device used or capable of being used in a handheld manner, that is designed or intended to receive or transmit text or character-based messages, access or store data, or connect to the Internet or any communications service as defined in s. 812.15, F.S., and that allows text communications.

<sup>2</sup> This includes but is not limited to texting, e-mailing, and instant messaging.

<sup>3</sup> The term “authorized emergency vehicle” is defined in s. 322.01(4), F.S., to mean a vehicle that is equipped with extraordinary audible and visual warning devices, that is authorized to display red or blue lights, and that is on call to respond to emergencies. The term includes, but is not limited to, ambulances, law enforcement vehicles, fire trucks, and other rescue vehicles; it does not include wreckers, utility trucks, or other vehicles that are used only incidentally for emergency purposes.

<sup>4</sup> Section 322.27(3)(d)3., F.S.

of a wireless communications device within a school safety zone is assessed an additional two points.<sup>5</sup>

A user's billing records for a wireless communications device or the testimony of or written statements from appropriate authorities receiving such messages are admissible as evidence in any proceeding to determine whether a violation of the ban has been committed only in the event of a crash resulting in death or personal injury.

### **Texting While Driving Bans in Other States**

As of January 2017, texting while driving violations are enforced as primary offenses in 41 states.<sup>6</sup>

### **Traffic Infraction Civil Penalties**

Section 318.18, F.S., provides for penalties for traffic infractions and establishes a penalty of \$30 for a nonmoving traffic violation and \$60 for a moving violation.<sup>7</sup>

Section 318.21, F.S., requires that all traffic infraction civil penalties be paid monthly as follows:

- One dollar from every civil penalty shall be remitted to the Department of Revenue for deposit into the Child Welfare Training Trust Fund for child welfare training purposes.
- One dollar from every civil penalty shall be remitted to the Department of Revenue for deposit into the Juvenile Justice Training Trust Fund for juvenile justice purposes.
- Of the remainder:
  - Fifty-six and four-tenths percent: shall be divided if the violation occurred within a municipality, with 50.8 percent paid to that municipality and 5.6 percent deposited into the Fine and Forfeiture Trust Fund for use by the Clerks of the Circuit Court in performing court-related functions; shall be deposited into the fine and forfeiture fund for use by the Clerks of the Circuit Court in performing court-related functions if the violation occurred within the unincorporated area of a county; or shall be paid to a special improvement district of the Seminole Indian Tribe or Miccosukee Indian Tribe if the violation occurred there.
  - Twenty and six-tenths percent shall be remitted to the Department of Revenue for deposit into the General Revenue Fund of the state, except that the first \$300,000 shall be deposited into the Grants and Donations Trust Fund in the Justice Administrative Commission for administrative costs, training costs, and costs associated with the implementation and maintenance of Florida foster care citizen review panels in a constitutional charter county.
  - Seven and two-tenths percent shall be remitted to the Department of Revenue for deposit in the Emergency Medical Services Trust Fund.

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<sup>5</sup> Section 322.27(3)(d)11., F.S.

<sup>6</sup> Governors Highway Safety Association, *Distracted Driving Laws by State* (July 2017), available at [http://www.ghsa.org/sites/default/files/2017-07/DistractedDrivingLawChart\\_July17.pdf](http://www.ghsa.org/sites/default/files/2017-07/DistractedDrivingLawChart_July17.pdf) (last visited Oct. 16, 2017).

<sup>7</sup> After court costs, the final amount paid could be up to \$108 for a nonmoving traffic violation and up to \$158 for a moving violation. See The Florida Court Clerks and Comptrollers, *Distribution Schedule* (July 2015), available at [http://c.ymcdn.com/sites/www.flclerks.com/resource/resmgr/publicationsanddocuments/2017\\_Distribution\\_Schedule\\_7.pdf](http://c.ymcdn.com/sites/www.flclerks.com/resource/resmgr/publicationsanddocuments/2017_Distribution_Schedule_7.pdf) (last visited Oct. 16, 2017).

- Five and one-tenth percent shall be remitted to the Department of Revenue for deposit in the Additional Court Cost Clearing Trust Fund for criminal justice purposes.
- Eight and two-tenths percent shall be remitted to the Department of Revenue for deposit in the Brain and Spinal Cord Injury Program Trust Fund.
- Two percent shall be remitted to the Department of Revenue and transmitted monthly to the Florida Endowment Foundation for Vocational Rehabilitation.
- Five-tenths percent shall be paid to the Clerk of the Circuit Court for administrative costs.

### **III. Effect of Proposed Changes:**

The bill authorizes enforcement of the texting ban as a primary offense.

It also requires that all penalties collected for a violation of the ban on texting while driving be remitted to the Department of Revenue for deposit into the Emergency Medical Services Trust Fund of the Department of Health. Currently, only seven and two-tenths percent of the penalties is deposited in this fund pursuant to s. 318.21, F.S.

Finally, it requires that a law enforcement officer who has stopped a person for texting while driving inform the person of the right to decline a search of his or her wireless communications device.

The bill takes effect October 1, 2018.

### **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:**

None.

#### **B. Private Sector Impact:**

Operators of motor vehicles who are texting while driving will have an increased likelihood of being cited for a violation of the ban, with an increased likelihood of resulting penalties.

**C. Government Sector Impact:**

The Emergency Medical Services Trust Fund of the Department of Health will receive 100 percent of the texting while driving civil penalty amount instead of the current 7.2 percent, and will have an indeterminate positive fiscal impact. The other current recipients will no longer receive any of these penalty revenues, resulting in an indeterminate negative fiscal impact to the following:

- Child Welfare Training Trust Fund;
- Juvenile Justice Training Trust Fund;
- Municipalities;
- Circuit Court Clerks/Fine and Forfeiture Trust Fund;
- General Revenue Fund;
- Additional Court Cost Clearing Trust Fund;
- Brain and Spinal Cord Injury Program Trust Fund;
- Florida Endowment Foundation for Vocational Rehabilitation; and
- Circuit Court Clerks for administrative costs.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 316.305 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.)

**CS by Communications, Energy, and Public Utilities on October 24, 2017:**

- Requires that a law enforcement officer who has stopped a person for texting while driving inform the person of the right to decline a search of his or her wireless communications device.

- B. **Amendments:**

None.



914702

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
10/24/2017	.	
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The Committee on Communications, Energy, and Public Utilities (Clemens) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (1), paragraphs (b) and (d) of  
subsection (2), and subsections (3) and (5) of section 316.305,  
Florida Statutes, are amended to read:

316.305 Wireless communications devices; prohibition.—

(1) This section may be cited as the "Florida Ban on  
Wireless Communications Devices ~~Texting~~ While Driving Law."





914702

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

(b) Prevent crashes related to the act of using a wireless communications device ~~text messaging~~ while driving a motor vehicle.

(d) Authorize law enforcement officers to stop motor vehicles and issue citations ~~as a secondary offense~~ to persons who are using a wireless communications device ~~texting~~ while driving.

(3)(a) A person may not operate a motor vehicle while manually typing or entering multiple letters, numbers, symbols, or other characters into a wireless communications device or while sending or reading data or listening or talking on such a device for the purpose of nonvoice or voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, and instant messaging. As used in this section, the term "wireless communications device" means any handheld device used or capable of being used in a handheld manner, that is designed or intended to receive or transmit text or character-based messages, access or store data, or connect to the Internet or any communications service as defined in s. 812.15 and that allows text and voice communications. For the purposes of this paragraph, a motor vehicle that is stationary is not being operated and is not subject to the prohibition in this paragraph.

(b) Paragraph (a) does not apply to a motor vehicle operator who is:

1. Performing official duties as an operator of an authorized emergency vehicle as defined in s. 322.01, a law enforcement or fire service professional, or an emergency



914702

medical services professional.

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

3. Receiving messages that are:

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

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

c. Data used primarily by the motor vehicle; or

d. Radio broadcasts.

4. Using a device or system for navigation purposes.

~~5. Conducting wireless interpersonal communication that does not require manual entry of multiple letters, numbers, or symbols, except to activate, deactivate, or initiate a feature or function.~~

~~6. Conducting wireless interpersonal communication that does not require reading text messages, except to activate, deactivate, or initiate a feature or function.~~

~~5.7.~~ Operating an autonomous vehicle, as defined in s. 316.003, in autonomous mode.

(c) Only in the event of a crash resulting in death or personal injury, a user's billing records for a wireless communications device or the testimony of or written statements from appropriate authorities receiving such messages may be admissible as evidence in any proceeding to determine whether a violation of paragraph (a) has been committed.

(5) Notwithstanding s. 318.21, all proceeds collected pursuant to s. 318.18 for a violation of this section shall be remitted to the Department of Revenue for deposit into the



914702

Emergency Medical Services Trust Fund of the Department of  
Health ~~Enforcement of this section by state or local law~~  
~~enforcement agencies must be accomplished only as a secondary~~  
~~action when an operator of a motor vehicle has been detained for~~  
~~a suspected violation of another provision of this chapter,~~  
~~chapter 320, or chapter 322.~~

Section 2. This act shall take effect October 1, 2018.

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to the use of wireless communications  
devices while driving; amending s. 316.305, F.S.;  
revising the short title; revising legislative intent;  
prohibiting a person from operating a motor vehicle  
while listening or talking on a wireless  
communications device for the purpose of voice  
interpersonal communication; redefining the term  
"wireless communications device" to include voice  
communications; conforming provisions to changes made  
by the act; requiring deposit of fines into the  
Emergency Medical Services Trust Fund; deleting a  
provision requiring that enforcement of this section  
be accomplished only as a secondary action; providing  
an effective date.



728712

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
10/24/2017	.	
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The Committee on Communications, Energy, and Public Utilities  
(Clemens) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 30 and 31  
insert:

(6) A law enforcement officer shall inform a person who is  
stopped for texting while driving of the person's right to  
decline a search of his or her wireless communications device.

===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

And the directory clause is amended as follows:



728712

11       Delete line 16  
12 and insert:  
13       (5) of section 316.305, Florida Statutes, are amended, and  
14 subsection (6) is added to that section, to read:  
15  
16 ===== T I T L E   A M E N D M E N T =====  
17 And the title is amended as follows:  
18       Delete line 11  
19 and insert:  
20       as a secondary action; requiring a law enforcement  
21 officer to inform a person who is stopped for texting  
22 while driving of the person's right to decline a  
23 search of his or her wireless communications device;  
24 providing an effective date.

By Senator Perry

8-00222-18

201890\_\_

A bill to be entitled

An act relating to the use of wireless communications devices while driving; amending s. 316.305, F.S.; revising the legislative intent relating to the authorization of law enforcement officers to stop motor vehicles and issue citations to persons who are texting while driving; requiring deposit of fines into the Emergency Medical Services Trust Fund; deleting a provision requiring that enforcement of the Florida Ban on Texting While Driving Law be accomplished only as a secondary action; providing an effective date.

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

Section 1. Paragraph (d) of subsection (2) and subsection (5) of section 316.305, Florida Statutes, are amended to read:

316.305 Wireless communications devices; prohibition.—

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

(d) Authorize law enforcement officers to stop motor vehicles and issue citations ~~as a secondary offense~~ to persons who are texting while driving.

(5) Notwithstanding s. 318.21, all proceeds collected pursuant to s. 318.18 for a violation of this section shall be remitted to the Department of Revenue for deposit into the Emergency Medical Services Trust Fund of the Department of Health ~~Enforcement of this section by state or local law enforcement agencies must be accomplished only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another provision of this chapter,~~

Page 1 of 2

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

8-00222-18

201890\_\_

~~chapter 320, or chapter 322.~~

Section 2. This act shall take effect October 1, 2018.

Page 2 of 2

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

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

10/24/17

Meeting Date

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

SB 90

Bill Number (if applicable)

Topic Use of Wireless Communications Devices While Driving Amendment Barcode (if applicable)

Name Robert Brown

Job Title Associate Director of Public Policy

Address 100 S. Monroe Street

Street

Tallahassee FL 32301

City

State

Zip

Phone 850 922 4300

Email rbrown@flcounties.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Association of Counties

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**  
**APPEARANCE RECORD**

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

10-24-2017

Meeting Date

SB 90

Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Becky Afonso

Job Title Executive Director

Address 250 Strathmore Ave

Street

Oldsmar

City

FL

State

34677

Zip

Phone 813-748-1513

Email becky@floridabicycle.org

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Bicycle Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)



THE FLORIDA SENATE

APPEARANCE RECORD

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

10-24-17

Meeting Date

90

Bill Number (if applicable)

Topic Texting Bill

Amendment Barcode (if applicable)

Name Beth Brainard

Job Title Executive Director Naples Pathways Coalition

Address 300 Fifth Ave. S, Suite 101

Phone 239-777-7718

Street

Naples

City

FL

State

3402

Zip

Email bethbrainard@naplespathways.org

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Naples Pathways Coalition, DNT TXT W DRV Coalition

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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10/24/17  
Meeting Date

SB 90  
Bill Number (if applicable)

Topic SB 90

Amendment Barcode (if applicable)

Name STEVE ANGELLO

Job Title DISTRACTED DRIVING ADVOCATE

Address 11434 VERSAILLES LN

Phone 352-398-5464

Street

PORT RICHEY FL 34668

City

State

Zip

Email STEANGEL@AOL.COM

Speaking: ☐ For ☐ Against ☐ Information

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

Representing \_\_\_\_\_

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/2017

*Meeting Date*

90

*Bill Number (if applicable)*

Topic Use of Wireless Communications Devices While Driving

*Amendment Barcode (if applicable)*

Name Matt Dunagan

Job Title Deputy Director

Address 2617 Mahan Drive

Phone 850-877-2165

*Street*

Tallahassee

FL

32308

Email mdunagan@flsheriffs.org

*City*

*State*

*Zip*

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Sheriffs Association

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.*

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17  
Meeting Date

SB 90  
Bill Number (if applicable)

Topic Texting while driving

Amendment Barcode (if applicable)

Name Zayne Smith

Job Title Associate State Director

Address 200 W. College Ave.  
Street

Phone \_\_\_\_\_

Tallahassee FL 32301  
City State Zip

Email \_\_\_\_\_

Speaking: ☐ For ☐ Against ☐ Information

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

Representing AARP

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/2017

*Meeting Date*

SB 90

*Bill Number (if applicable)*

Topic Use of Wireless Communications Devices While Driving

*Amendment Barcode (if applicable)*

Name Rebecca DeLaRosa

Job Title Legislative Affairs Director

Address 301 N. Olive Ave, Suite 1101.3

Phone 850.284.7235

*Street*

West Palm Beach

FL

33401

Email rdelarosa@pbcgov.org

*City*

*State*

*Zip*

Speaking: ☐ For ☐ Against ☐ Information

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

Representing \_\_\_\_\_

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.*

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/2017

*Meeting Date*

SB 90

*Bill Number (if applicable)*

Topic Use of Wireless Communication Devices

*Amendment Barcode (if applicable)*

Name Jim Cordero

Job Title Director of Governmental Affairs

Address 1007 E. De Soto Park Drive, Ste. 201

Phone 850-222-7322

*Street*

Tallahassee

Florida

32301

Email jcordero@acaf.org

*City*

*State*

*Zip*

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Asphalt Contractors Association of Florida

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/2017

*Meeting Date*

SB 90

*Bill Number (if applicable)*

Topic Use of Wireless Communications Devices while Driving

*Amendment Barcode (if applicable)*

Name Bob Burleson

Job Title President

Address 1007 E. De Soto Park Drive, Ste. 200

Phone 850-942-1404

*Street*

Tallahassee

Florida

32301

Email bburleson@ftba.com

*City*

*State*

*Zip*

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Transportation Builders Association

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.*

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

10-24-17  
Meeting Date

SB 90  
Bill Number (if applicable)

Topic Texting while Driving

Amendment Barcode (if applicable)

Name Joy Ryan

Job Title \_\_\_\_\_

Address \_\_\_\_\_  
Street

Phone 425-4000

City

State

Zip

Email joy@meenanlaw

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Nationwide Insurance Co.

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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

S-001 (10/14/14)



THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

90

Meeting Date

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name JESS McCARTY

Job Title

Address 111 NW 1st St 2810

Phone 305-979-7110

Street

MIAMI

33128

City

State

Zip

Email JMM2@MIAMIDODE.GA

Speaking: ☐ For ☐ Against ☐ Information

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

Representing MIAMI - DADE COUNTY

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17  
Meeting Date

SB 90  
Bill Number (if applicable)

Topic Wireless Communication Device

Amendment Barcode (if applicable)

Name Doug Bell

Job Title \_\_\_\_\_

Address 119 S. Monroe St. 200  
Street  
TLH, 32312  
City State Zip

Phone 205-9000

Email doug.bell@mhdfirm.com

Speaking: ☐ For ☐ Against ☐ Information

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

Representing Florida Chapter American Academy of Pediatrics

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

10/24/17  
Meeting Date

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

SB 90  
Bill Number (if applicable)

Topic SB 90

Amendment Barcode (if applicable)

Name Karen Morgan

Job Title Government Relations

Address 1515 N. Westshore Blvd

Phone 813 842 3003

Street

TAMPA

City

FL

State

33607

Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

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

Representing AAA

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

10.24.17

Meeting Date

90

Bill Number (if applicable)

Topic TEXTING & DRIVING

Amendment Barcode (if applicable)

Name RANA BROWN

Job Title \_\_\_\_\_

Address 18857 NE 29 Ave Ste 1010

Phone 305 935 1866

Street

Aventura FL 33180

City

State

Zip

Email Rana@RLBOOKLPA.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing AUTO NATION

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17

Meeting Date

SB90

Bill Number (if applicable)

914702

Amendment Barcode (if applicable)

Topic texting & driving

Name Jennifer Smith

Job Title Exec. Director

Address PO Box 6743  
Street

Phone 708-334-3058

River Forest IL 60305  
City State Zip

Email j.smith@stopdistractions.org

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Stopdistractions.org

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17

*Meeting Date*

SB 90

*Bill Number (if applicable)*

Topic Texting While Driving

*Amendment Barcode (if applicable)*

Name Erin Ballas

Job Title \_\_\_\_\_

Address 730 East Park Ave

Phone 8507286387

*Street*

Tallahassee

FL

32301

*City*

*State*

*Zip*

Email erinballas@paconsultants.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Florida Don't Text and Drive Coalition (DNT TXT N DRV)

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

Oct. 24, 2017  
Meeting Date

Senate Bill 90  
Bill Number (if applicable)

Topic Texting & Driving as a Primary Offense Amendment Barcode (if applicable)

Name Debbie Wanninkhof

Job Title Author & Safety Advocate

Address 255 W. Heather Drive  
Street

Phone 305-361-7268

Key Biscayne FL 33149  
City State Zip

Email debbie.wanninkhof@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Patrick Wanninkhof

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.*

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

10/24/2017  
Meeting Date

SB 90  
Bill Number (if applicable)

Topic TEXTING + DRIVING PRIMARY

Amendment Barcode (if applicable)

Name RIK WANNINKHOF

Job Title OCEANOGRAPHER

Address 255 WEST HEATHER DRIVE  
Street

Phone 305-361-7268

KEY BISCAYNE FL 33149  
City State Zip

Email WANNINKHOF@EXCISE.COM

Speaking: ☒ For ☐ Against ☐ Information

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

Representing PATRICK WANNINKHOF

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17  
Meeting Date

SB90  
Bill Number (if applicable)

Topic Distracted Driving SB90

Amendment Barcode (if applicable)

Name Demetrius Branca

Job Title President APB Foundation

Address PO Box 3062

Phone (469) 850 2723

Street

Tallahassee

FL

32315

City

State

Zip

Email info@APBFoundation.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Anthony Phoenix Branca Foundation

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

10/31/17

Meeting Date

SB90

Bill Number (if applicable)

Topic

Tougher Texting Laws

Amendment Barcode (if applicable)

Name

Gwendolyn Reese

Job Title

Address

2501 Union St. SO

Phone

727-418-2881

Street

St. Pete FL 33712

Email

gwen.reese@gmail.com

City

State

Zip

Speaking:

☒

For

☐

Against

☐

Information

Waive Speaking:

☐

In Support

☐

Against

(The Chair will read this information into the record.)

Representing

The Reese Family

Appearing at request of Chair:

☐

Yes

☐

No

Lobbyist registered with Legislature:

☐

Yes

☐

No

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

10/24/17  
Meeting Date

SB 90  
Bill Number (if applicable)

Topic Distracted Driving

Amendment Barcode (if applicable)

Name Jeffery Peaten

Job Title \_\_\_\_\_

Address 2722 New Market Circle  
Street  
Tallahassee FL 32309  
City State Zip

Phone (850) 321-9667

Email jeffery.peaten@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing \_\_\_\_\_

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

10/24/17  
Meeting Date

90  
Bill Number (if applicable)

Topic TEXTING while Driving - BAN

Amendment Barcode (if applicable)

Name PATRICIA VICCARO

Job Title Flight Attendant

Address 430 S. Neptune Dr

Phone 321 243-4930

Street

Satellite Beach FL 32937

City

State

Zip

Email R+464f@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Self / family

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10-24  
Meeting Date

90  
Bill Number (if applicable)

Topic Texting while driving

✓  
Amendment Barcode (if applicable)

Name Mark Merwitzer

Job Title Student

Address 14730  
Street

Phone 786-505-7272

Miami FL 33157  
City State Zip

Email mmerwitzer@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing —

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

10/24/2017

Meeting Date

SB 90

Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Jodi Dominguez

Job Title Homemaker

Address 6508 Thoroughbred Loop

Street

Odessa

City

FL

State

33556

Zip

Phone 813 299 9941

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

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

Representing \_\_\_\_\_

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.

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S-001 (10/14/14)

# APPEARANCE RECORD

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

Oct 24 2017

Meeting Date

90

Bill Number (if applicable)

Topic Primary Enforcement -- Texting while Driving

Amendment Barcode (if applicable)

Name H. Lee Moffitt

Job Title Attorney at Law

Address 3327 NW Perimeter RD

Phone 813 760-5712

Street

Palm City

FL

34990

City

State

Zip

Email MrSpeaker@aol.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing AutoNation

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

At 24<sup>17</sup>  
Meeting Date

SB90  
Bill Number (if applicable)

Topic Testing + Driving  
Name Candice Encks

Amendment Barcode (if applicable)

Job Title \_\_\_\_\_  
Address 205 S. Adams St  
Street

Phone 954-648-1204

City

State

Zip

Email \_\_\_\_\_

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Broward County

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

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S-001 (10/14/14)



**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17

*Meeting Date*

90

*Bill Number (if applicable)*

Topic Use of Wireless Communications While Driving

*Amendment Barcode (if applicable)*

Name Chief Larry Krantz

Job Title Chief of Police, Casselberry Police Department

Address 4195 S US Hwy 17-92

Phone 407-262-7616

*Street*

Casselberry

FL

32707

Email lkrantz@casselberry.org

*City*

*State*

*Zip*

Speaking: ☒ For ☐ Against ☐ Information

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

Representing The Florida Police Chiefs Association

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

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

10/24/17

Meeting Date

SB 90

Bill Number (if applicable)

Topic Texting While Driving

Amendment Barcode (if applicable)

Name Nancy Lawther

Job Title \_\_\_\_\_

Address 9140 SW 59 Ave  
Street

Phone 305 607-3837

Miami FL 33156  
City State Zip

Email nllawther@gmail.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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

10/24/17  
Meeting Date

90  
Bill Number (if applicable)

Topic \_\_\_\_\_

Amendment Barcode (if applicable)

Name Chris Noland

Job Title \_\_\_\_\_

Address 1000 Riverside Ave #240  
Street  
Jacksonville, FL 32204  
City State Zip

Phone 904-233-3051

Email nolandlaw@aol.com

Speaking: ☒ For ☐ Against ☐ Information

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

Representing Florida Neurosurgical Society

Appearing at request of Chair: ☐ Yes ☒ No

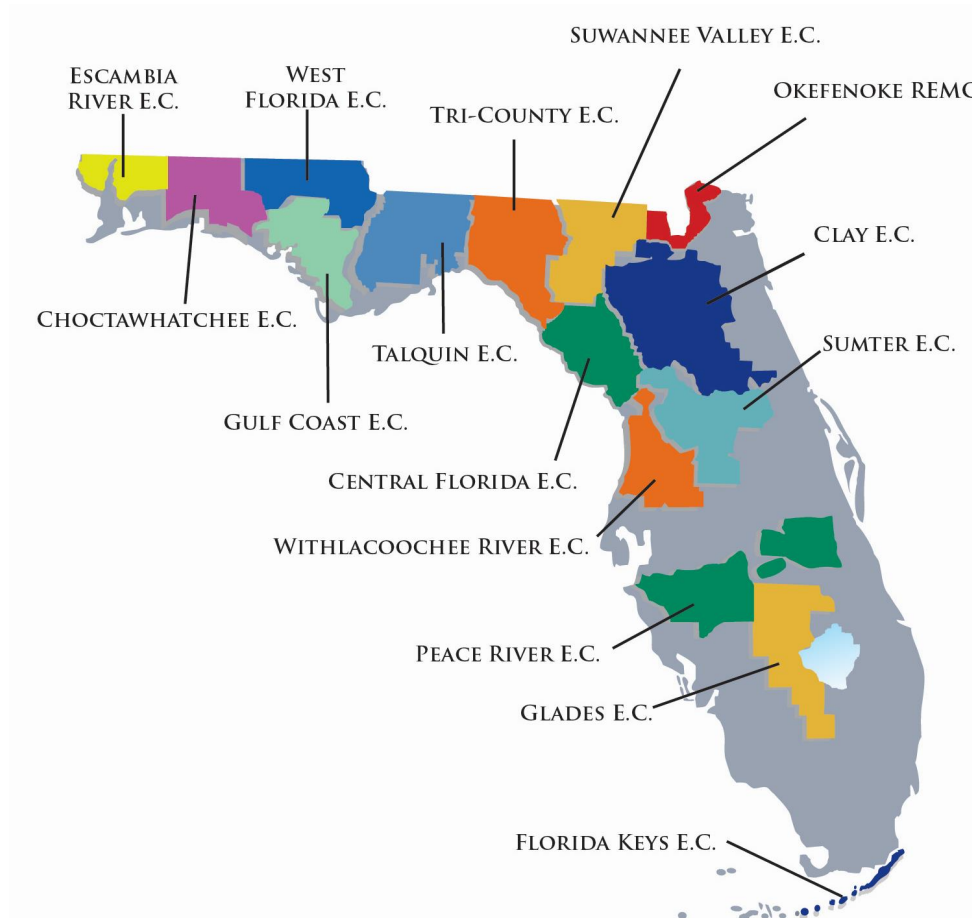
Lobbyist registered with Legislature: ☒ Yes ☐ No

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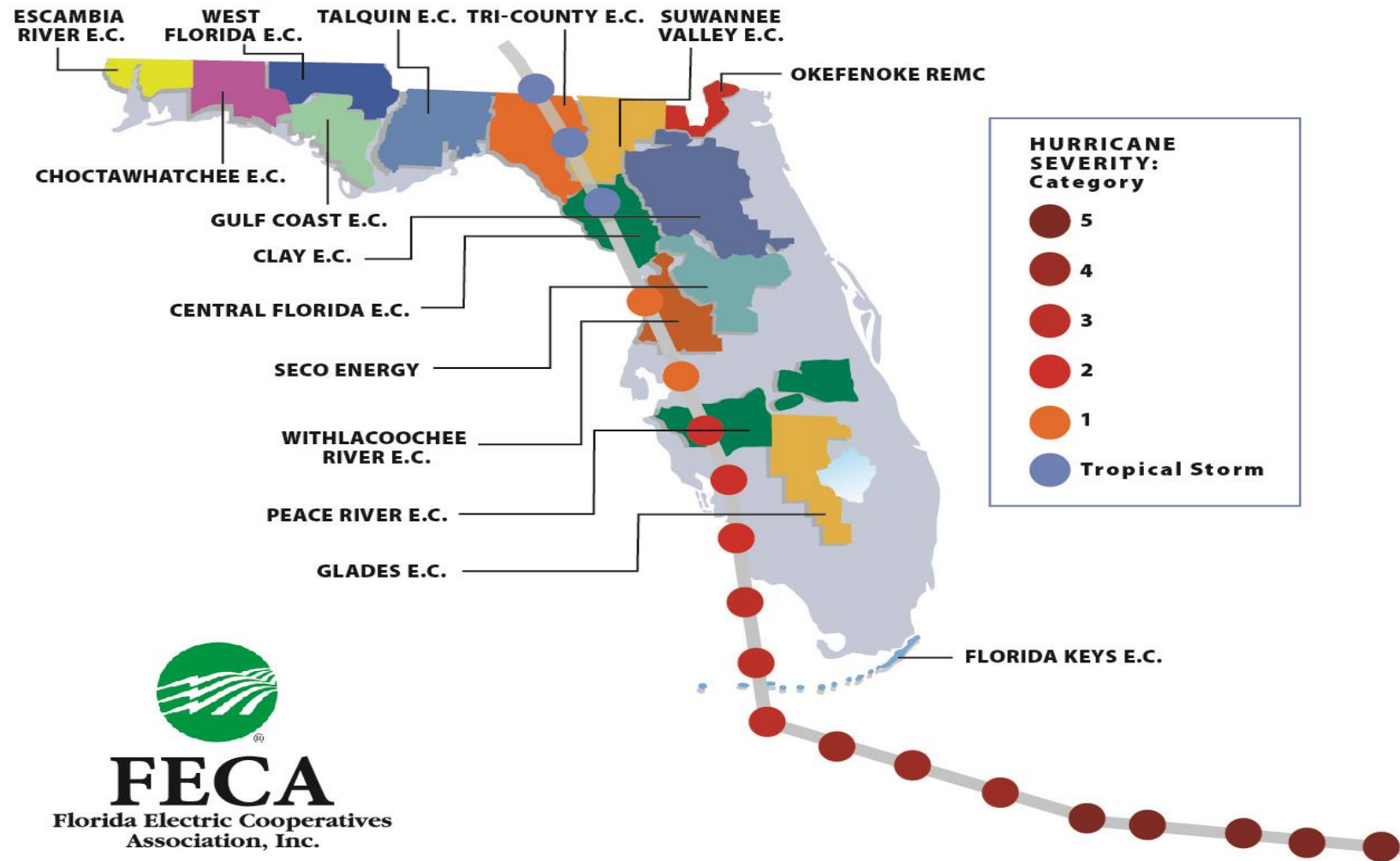
This form is part of the public record for this meeting.

S-001 (10/14/14)

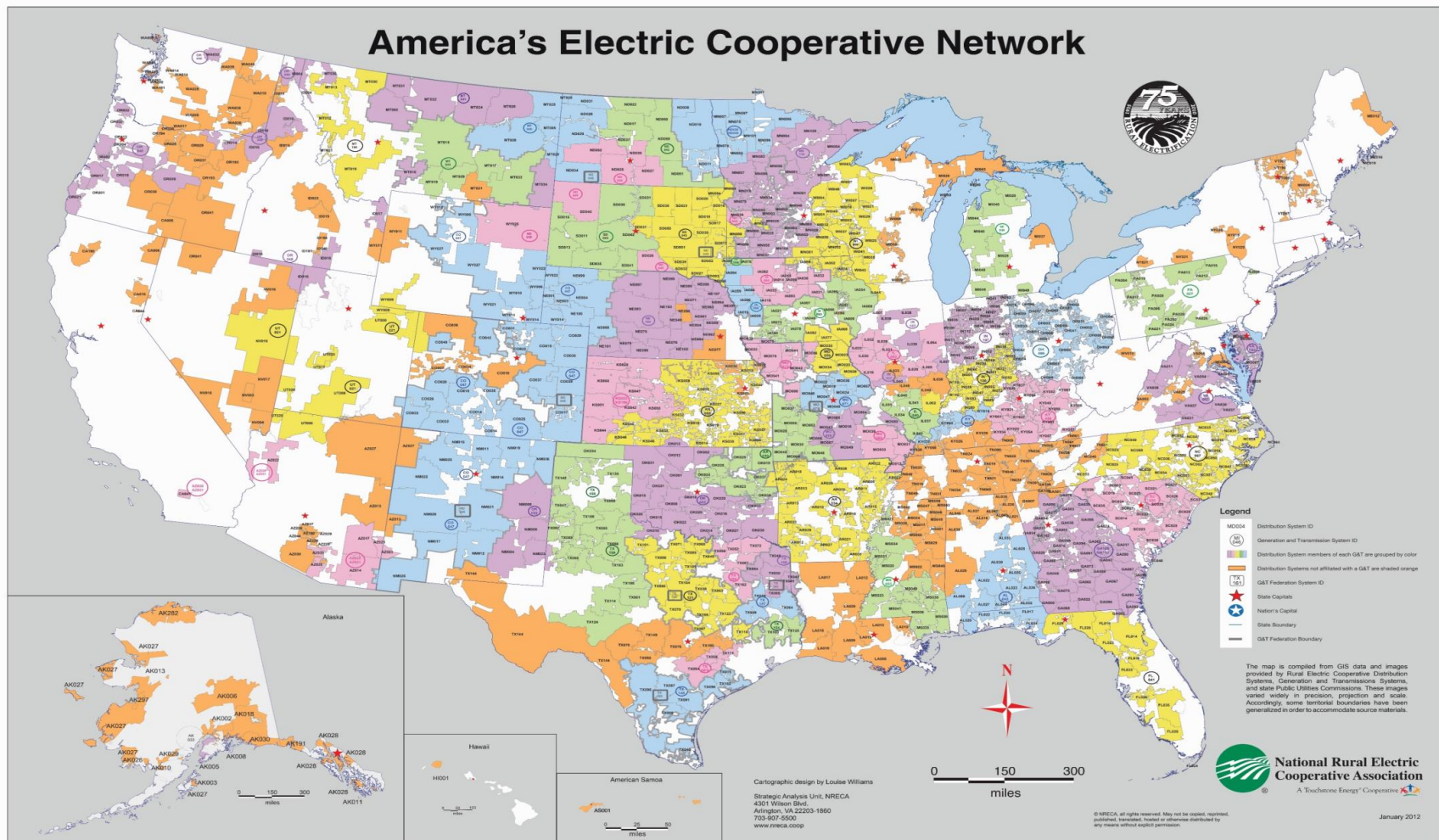
# FLORIDA ELECTRIC COOPERATIVES ASSOCIATION



# FLORIDA ELECTRIC COOPERATIVES ASSOCIATION / PATH OF IRMA



# Electric Cooperatives Mutual Aid Network







**ALABAMA  
ARKANSAS  
FLORIDA  
GEORGIA  
IOWA  
INDIANA  
KENTUCKY  
LOUISIANA**

**MINNESOTA  
MISSISSIPPI  
MISSOURI  
NORTH CAROLINA  
SOUTH CAROLINA  
TENNESSEE  
TEXAS  
WISCONSIN**



# **SOCIAL MEDIA IMPACT**

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**MIKE BJORKLUND**  
Executive Vice President &  
General Manager

## THE FLORIDA SENATE

## APPEARANCE RECORD

24 Oct 17

*Meeting Date*

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

*Bill Number (if applicable)*

Topic HURRICANE IRMA

Amendment Barcode (if applicable)

Name MIKE BRACKLUND (B-YORK-LUND)

Job Title Exec. VP. & GEN. MGR.

Address 2916 APALACHEE PKWY  
Street

Phone \_\_\_\_\_

Street

TLH  
City

FL  
State

32301  
Zip

Email

Speaking: ☐ For ☐ Against ☒ Information

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

*(The Chair will read this information into the record.)*

Representing FLORIDA ELECTRIC COOPERATIVES ASSOC.

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.*

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S-001 (10/14/14)

# Hurricane Irma

## Florida Public Power Disaster Planning, Mutual Aid and Restoration

Amy Zubaly

*Executive Director*

*Florida Municipal Electric Association*

[azubaly@publicpower.com](mailto:azubaly@publicpower.com)

# Florida Public Power

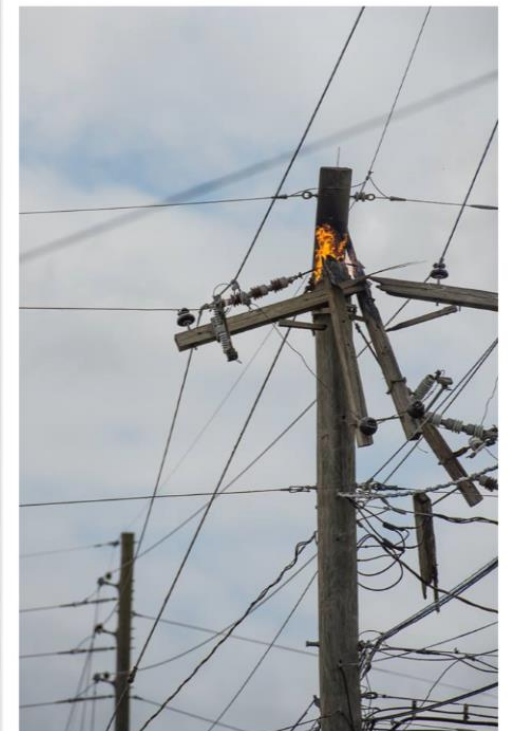
- 34 municipal electric utilities
- 1.3 million customer meters
- 14% of Florida's population
- Large Utilities
  - JEA (Jacksonville): 404,000 customers
  - OUC (Orlando): 198,000 customers
  - Tallahassee: 113,000 customers
- Small Utilities
  - Moore Haven: 1,015 customers
  - Bushnell: 1,065 customers
- Combined, 3<sup>rd</sup> largest utility behind FPL & Duke Energy Florida



# Hurricane Irma

- Communications
- Conduct exercises
- Review internal plans
- Logistics planning

## Preparedness





# Hurricane Irma

- Mutual aid agreements in place with munis and coops across the country and Florida's IOUs.
- More than 2,000 public power lineworkers responded from approximately 170 utilities from 24 states plus Canada.
- 23 of Florida's 34 public power utilities used mutual aid assistance.



## Mutual Aid Assistance

Alabama	Louisiana	Ohio
Arkansas	Maryland	Oklahoma
Georgia	Massachusetts	Pennsylvania
Illinois	Michigan	South Carolina
Indiana	Minnesota	Tennessee
Iowa	Missouri	Texas
Kansas	Nebraska	Virginia
Kentucky	North Carolina	Wisconsin



# Hurricane Irma

*Storm landfalls*

Monday, September 11, 2017 12:00pm  
**Tropical Storm: North Florida/Panhandle**

## Irma Track History

September 9-11, 2017



Sunday, September 10, 2017 2:51pm  
**Category 3: Marco Island**

Sunday, September 10, 2017 9:10am  
**Category 4: Cudjoe Key**



# Hurricane Irma

- Approximately 50 employees stayed in CAT 5 bldg
- No communications – satellite phones only
- No water, no sewer
- Bridges needed to be inspected before any travel
- Tie line damaged, repeated faults
- Supply and transport problems

## Keys Energy Services Ground Zero





# Hurricane Irma

- All 34 public power utilities impacted
- **More than 825,000 customers out at peak**
- Nearly 50% of those restored in 24 hours
- **More than 80% of total customers restored in 48 hours**
- 98% restored in less than a week

## Public Power Restoration

DATE	# Customers Out	% Customers Out
Sept 11, 2017	827,664	57%
Sept 12, 2017	397,941	27%
Sept 13, 2017	255,185	18%
Sept 14, 2017	149,482	10%
Sept 15, 2017	84,032	6%
Sept 16, 2017	39,532	3%
Sept 17, 2017	22,338	2%

**THE FLORIDA SENATE**  
**APPEARANCE RECORD**

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

10/24/17  
Meeting Date

\_\_\_\_\_  
Bill Number (if applicable)

Topic Hurricane Irma

\_\_\_\_\_  
Amendment Barcode (if applicable)

Name Amy Zubaly

Job Title Executive Director

Address 417 E. College Ave  
Street

Phone 850-224-3314 x1

Tallahassee FL 32301  
City State Zip

Email azubaly@publicpower.com

Speaking: ☐ For ☐ Against ☒ Information

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

Representing Florida Municipal Electric Association

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)

# CourtSmart Tag Report

**Room:** SB 301

**Case No.:**

**Caption:** Communications, Energy, and Public Utilities

**Type:**

**Judge:**

**Started:** 10/24/2017 3:01:34 PM

**Ends:** 10/24/2017 4:40:55 PM

**Length:** 01:39:22

3:01:36 PM Meeting called to order  
3:02:13 PM Roll Call  
3:02:29 PM Quorum Present  
3:03:03 PM Tab 1 - SB 90 by Senator Perry (Use of Wireless Communications Devices While Driving)  
3:03:23 PM Senator Perry presenting SB 90  
3:03:59 PM Questions?  
3:04:23 PM Senator Young questions to Sen. Perry and responses regarding what you can use while driving and what happens when pulled over  
3:13:21 PM Chair remarks regarding speaker cards  
3:13:39 PM Senator Broxson questions to Sen. Perry and responses regarding burden of proof, primary offenses, pressure on officers  
3:17:08 PM Senator Campbell questions to Sen. Perry re: how a law enforcement officer would know someone is texting and driving, can cell phone be searched without warrant  
3:19:15 PM Senator Clemens questions to Sen. Perry re: what evidence do you have this is the correct solution to the problem, what studies, how do you expect officers to respond to Supreme Ct. Decision etc.  
3:23:54 PM Amendments  
3:24:05 PM Barcode 914702 Late Filed Delete-All Amendment by Senator Clemens  
3:25:42 PM Questions on Amendment  
3:25:51 PM Senator Bean question to Sen. Clemens  
3:27:16 PM Jennifer Smith, Exec. Director (Stopdistractions.org)  
3:30:10 PM Senator Bean question to Jennifer Smith regarding if she is for the amendment  
3:30:58 PM Senator Perry response to the delete-all  
3:31:21 PM Senator Broxson in debate  
3:32:11 PM Senator Clemens to close on the delete-all  
3:33:14 PM Voice vote on amendment  
3:33:25 PM Amendment is not adopted  
3:33:40 PM Amendment Late-Filed 728712 by Senator Clemens  
3:34:28 PM Question Senator Young to Senator Clemens  
3:36:04 PM Senator Perry response to the amendment  
3:36:26 PM Senator Young in debate  
3:37:27 PM Senator Clemens to close on amendment  
3:38:53 PM Voice vote on amendment  
3:39:03 PM Roll call on amendment  
3:39:22 PM Amendment 728712 is adopted  
3:40:31 PM Anyone wishing to speak against the bill as amended?  
3:40:54 PM Chair Bean turns chair over to Sen. Montford  
3:41:13 PM Appearance cards for those waiving in support  
3:41:50 PM Erin Ballas, Florida Don't Text and Drive Coalition  
3:42:45 PM Appearance cards for those waiving in support again  
3:44:59 PM Debbie and Rick Wanninkhof (son killed by distracted driver)  
3:49:36 PM Jodi Dominguez (son killed by distracted driver)  
3:53:36 PM Demetrius Branca, Anthony Phoenix Branca Foundation (lost son)  
3:57:53 PM Gwendolyn Reese (niece lost)  
4:00:18 PM Jeffery Peaten  
4:02:16 PM Patricia Viccaro (lost son)  
4:05:59 PM Mark Merwitzer (student)  
4:08:38 PM Jennifer Smith, Executive Director (Stopdistractions.org)  
4:10:54 PM Debate on SB 90  
4:11:01 PM Senator Clemens in debate  
4:15:25 PM Senator Stargel in debate  
4:16:49 PM Senator Young in debate  
4:18:57 PM Senator Broxson in debate

<b>4:20:01 PM</b>	Senator Montford comments
<b>4:20:10 PM</b>	Senator Perry to close on SB 90
<b>4:22:39 PM</b>	Roll call on CS/SB 90
<b>4:22:59 PM</b>	CS/SB 90 reported favorably
<b>4:23:31 PM</b>	Tab 2 - Presentation by Florida Electric Cooperatives Assoc. on Hurricane Irma, Mike Bjorklung
<b>4:31:45 PM</b>	Tab 3 - Presentation by the Florida Municipal Electric Association on Hurricane Irma, Amy Zubaly
<b>4:40:47 PM</b>	Meeting Adjourned