

Tab 1	SB 64 by Gibson (CO-INTRODUCERS) Bean ; (Identical to H 00043) Transportation Facility Designations/Officer Lance Christian Whitaker Highway
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Tab 2	SB 72 by Passidomo (CO-INTRODUCERS) Hooper ; (Identical to H 06011) Alligator Alley Toll Road
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Tab 3	SB 76 by Simpson (CO-INTRODUCERS) Passidomo, Hooper, Mayfield, Book, Rouson, Berman, Perry, Taddeo, Cruz ; (Similar to H 00107) Use of Wireless Communications Devices While Driving					
594074	D	S	RCS	IS, Simpson	Delete everything after	02/19 06:25 PM
211782	AA	S	RCS	IS, Simpson	In directory clause, de	02/19 06:25 PM
958944	AA	S	RCS	IS, Simpson	Delete L.42 - 58:	02/19 06:25 PM
947646	AA	S	RCS	IS, Simpson	Delete L.98 - 116:	02/19 06:25 PM
260730	AA	S	RCS	IS, Simpson	Delete L.126:	02/19 06:25 PM

Tab 4	SB 116 by Stewart ; (Identical to H 00611) Motor Vehicle Racing
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Tab 5	SB 234 by Baxley ; (Similar to CS/CS/H 00087) Registration and Titling of Vehicles and Vessels					
974626	D	S	RCS	IS, Baxley	Delete everything after	02/19 06:25 PM
244584	AA	S	RCS	IS, Baxley	Delete L.107 - 108:	02/19 06:25 PM

Tab 6	SB 252 by Flores ; (Similar to H 00415) Motor Vehicle Registration Applications					
729314	D	S	RCS	IS, Flores	Delete everything after	02/19 06:25 PM

Tab 7	SB 404 by Farmer ; (Identical to H 00573) Strategic Fuel Reserve
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

INFRASTRUCTURE AND SECURITY

Senator Lee, Chair
Senator Perry, Vice Chair

MEETING DATE: Tuesday, February 19, 2019

TIME: 4:30—6:00 p.m.

PLACE: *Toni Jennings Committee Room, 110 Senate Building*

MEMBERS: Senator Lee, Chair; Senator Perry, Vice Chair; Senators Bean, Cruz, Hooper, Hutson, Stewart, and Taddeo

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 64 Gibson (Identical H 43)	Transportation Facility Designations/Officer Lance Christian Whitaker Highway; Providing an honorary designation of a certain transportation facility in a specified county, etc. IS 02/19/2019 Favorable ATD AP	Favorable Yeas 8 Nays 0
2	SB 72 Passidomo (Identical H 6011)	Alligator Alley Toll Road; Requiring specified fees to be used indefinitely, instead of temporarily, to reimburse a local governmental entity for the direct actual costs of operating a specified fire station, etc. IS 02/19/2019 Favorable ATD AP	Favorable Yeas 8 Nays 0
3	SB 76 Simpson (Similar H 107, Compare H 45)	Use of Wireless Communications Devices While Driving; Creating the "Florida Ban on Wireless Communications Devices While Driving Law"; prohibiting a person from operating a motor vehicle while listening or talking on a wireless communications device for the purpose of voice interpersonal communication; deleting a provision requiring that enforcement of this section be accomplished only as a secondary action, etc. IS 02/19/2019 Fav/CS IT JU RC	Fav/CS Yeas 8 Nays 0
4	SB 116 Stewart (Identical H 611)	Motor Vehicle Racing; Increasing the criminal penalty for a third or subsequent violation related to motor vehicle racing within a specified period after the date of a prior violation that resulted in a conviction, etc. IS 02/19/2019 Favorable CJ JU RC	Favorable Yeas 8 Nays 0

COMMITTEE MEETING EXPANDED AGENDA

Infrastructure and Security

Tuesday, February 19, 2019, 4:30—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	SB 234 Baxley (Similar CS/H 87)	Registration and Titling of Vehicles and Vessels; Revising registration periods for certain vehicles; authorizing the Department of Highway Safety and Motor Vehicles to develop and employ methods to implement changes made by the act; authorizing a surviving spouse of a motor vehicle owner to present certain death records when requesting a registration certificate and license plate transfer; authorizing a new owner or surviving coowner of a vessel to submit certain death records when applying for transfer of title, etc. IS 02/19/2019 Fav/CS JU AP	Fav/CS Yeas 8 Nays 0
6	SB 252 Flores (Similar H 415)	Motor Vehicle Registration Applications; Requiring the application form for motor vehicle registration and renewal of registration to include language permitting a voluntary contribution to the Live Like Bella Childhood Cancer Foundation; requiring the Department of Highway Safety and Motor Vehicles to distribute such contributions to the Live Like Bella Childhood Cancer Foundation, etc. IS 02/19/2019 Fav/CS ATD AP	Fav/CS Yeas 8 Nays 0
7	SB 404 Farmer (Identical H 573)	Strategic Fuel Reserve; Creating the Florida Strategic Fuel Reserve Task Force within the Division of Emergency Management to develop a recommended strategic fuel reserve plan for an emergency or disaster, etc. IS 02/19/2019 Favorable GO RC	Favorable Yeas 8 Nays 0

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Infrastructure and Security

BILL: SB 64

INTRODUCER: Senator Gibson

SUBJECT: Transportation Facility Designations/Officer Lance Christian Whitaker Highway

DATE: February 19, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Miller	IS	Favorable
2.			ATD	
3.			AP	

I. Summary:

SB 64 designates the portion of I-295/E. Beltway 295 between Alta Drive and Pulaski Road in Duval County as “Officer Lance Christian Whitaker Highway” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

The estimated cost to the FDOT to install the designation markers required under this bill is \$1,000. See Section V, “Fiscal Impact Statement,” for details.

The bill takes effect July 1, 2019.

II. Present Situation:

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

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

The FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the

¹ Section 334.071(1), F.S.

² Section 334.071(2), F.S.

designated road or bridge segment is located in more than one city or county, each affected local government must pass resolutions supporting the designations before installation of the markers.³

Officer Lance Christian Whitaker

Officer Lance Christian Whitaker was born on February 4, 1970, in High Point, North Carolina, and moved to Jacksonville, Florida in 1982. Officer Whitaker attended DuPont Middle School, graduated from Wolfson High School in 1988, and was a member of the wrestling and football teams. He later graduated with a degree in Business from Gardner Webb College, where he was a member of the Division 2 Bulldog Football Team.

Officer Whitaker began his law enforcement career with the Atlantic Beach Police Department, followed by 17 years with the Jacksonville Sheriff's Office. On May 15, 2018, Officer Whitaker was on duty responding to help others when an accident ended his watch.

III. Effect of Proposed Changes:

The bill designates the portion of I-295/E. Beltway 295 between Alta Drive and Pulaski Road in Duval County as "Officer Lance Christian Whitaker Highway" and directs the Florida Department of Transportation (FDOT) to erect suitable markers for the described designation.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

³ Section 334.071(3), F.S.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The estimated cost to erect the designation markers required under this bill is \$1,000, based on the assumption that two markers are required at a cost to the FDOT of no less than \$500 each. The estimate includes sign fabrication, installation, and maintenance over time but does not include any additional expenses related to maintenance of traffic, dedication event costs, or replacement necessitated by damage, vandalism, or storm events.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida Law.

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

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

None.

B. Amendments:

None.

By Senator Gibson

6-00125A-19

201964__

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A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Officer Lance Christian Whitaker Highway designated; Department of Transportation to erect suitable markers.-

(1) That portion of I-295/E. Beltway 295 between Alta Drive and Pulaski Road in Duval County is designated as "Officer Lance Christian Whitaker Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Officer Lance Christian Whitaker Highway as described in subsection (1).

Section 2. This act shall take effect July 1, 2019.

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 Committee on Infrastructure and Security

BILL: SB 72

INTRODUCER: Senators Passidomo and Hooper

SUBJECT: Alligator Alley Toll Road

DATE: February 19, 2019 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Miller	IS	Favorable
2.			ATD	
3.			AP	

I. Summary:

SB 72 makes permanent the existing statutory obligation of the Florida Department of Transportation (FDOT) to reimburse a county or another local governmental entity for the direct actual costs of operating the fire station at mile marker 63 on I-75/Alligator Alley, currently set to expire no later than June 30, 2019.

The fiscal impact of this bill is indeterminate. See Section V, “Fiscal Impact Statement,” for details.

The bill takes effect July 1, 2019.

II. Present Situation:

Fire Station 63 on I-75/Alligator Alley

The Greater Naples Fire Rescue District currently provides fire, rescue, and emergency management services along I-75/Alligator Alley (the Alley).¹ These services are provided at a facility located at the FDOT’s rest area on the Alley at mile marker 63 (MM63).²

Use of Alley Tolls to Fund Fire Station 63

Section 338.26, F.S., recites the Legislative finding that construction of the Alley, while facilitating connection between the east and west coasts of Florida, “has contributed to the

¹ These services were originally provided by Collier County through its dependent fire district, the Ochopee Fire Control and Rescue District, and the county’s emergency medical services. The county subsequently assigned, and the Greater Naples Fire Rescue District assumed, responsibility for management of the Ochopee Fire Control Rescue District. *Infra* note 9.

² National Park Service, *Big Cypress: I-75, Mile Marker 63*, available at <https://home.nps.gov/bicy/planyourvisit/i-75-mm-63.htm>. (Last visited November 30, 2018.) Greater Naples Fire Rescue District, *Station 63*, available at <https://www.greaternaplesfire.org/gnfrd-location/station-63/>. (Last visited November 30, 2018.)

alteration of water flows in the Everglades and affected ecological patterns of the historical southern Everglades.” The Legislature therefore established a system of tolls on the Alley “to produce needed financial resources to help restore the natural resource values lost by construction of this highway.” The statute sets forth the required uses of the fees generated from tolls for use of the Alley, which are deposited into the State Transportation Trust Fund. Fees must be used to reimburse outstanding contractual obligations and to operate and maintain the highway and toll facilities, including reconstruction and restoration.

Currently, related to the MM63 fire station on the Alley, the statute requires the fees to be used to reimburse a county or another local governmental entity for the direct actual costs of operating the MM63 fire station, which may be used to provide fire, rescue, and emergency management services to the public on the Alley. Reimbursement must be accomplished through an interlocal agreement, effective July 1, 2014, through no later than June 30, 2019.³

Fees may also be transferred to the Everglades Fund for certain environmental projects or may be pledged for revenue bonds or notes issued to pay for environmental projects in the area. Upon termination of the interlocal agreement for the fire station, the FDOT would be authorized to use the fees for the other required or authorized uses described above.

Toll Revenues and Expenses

According to the FDOT’s 2017 Annual Report for its Enterprise Toll Operations,⁴ for Fiscal Year 2017-2018 through 2021-2022 the Alley will average \$36 million in gross toll revenue each year,⁵ with annual operating and maintenance expenses averaging \$10.2 million.⁶ The FDOT advises, as of December 31, 2018, outstanding bonds totaled \$17 million, with Fiscal Year 2019 debt service of \$8.4 million.⁷ The maintenance expenses include funding for rest area, safety, and lighting projects.⁸

The Interlocal Agreement for Fire Station 63

On May 9, 2014, the FDOT and the Board of Commissioners of Collier County entered into an interlocal agreement to provide the terms and conditions under which the FDOT would “provide funding to the County for the County’s expenses in purchasing equipment, compensating County

³ The FDOT’s obligation to “develop and operate” the MM63 fire station was first enacted in 2011. Chapter 2011-64, L.O.F. In 2014, the Legislature revised the FDOT’s obligation, to “design and construct” the MM63 fire station, and to reimburse a county or another local governmental entity for the direct actual costs of operating the station, with the obligation terminating no later than June 30, 2018. Chapter 2014-223, L.O.F. In 2018, the Legislature extended the FDOT’s obligation to reimburse the direct actual costs to no later than June 30, 2019. Chapter 2018-145, L.O.F.

⁴ The 2017 report is the latest located on the FDOT’s Turnpike Enterprise webpage and is available at: http://www.floridasturnpike.com/documents/reports/Toll%20Operations%20Annual%20Report/3_Department%20Owned.pdf. (Last visited December 7, 2018.)

⁵ *Id.* at p. 24, Table 2.8. The FDOT advises that actual revenues for Fiscal Year 2017-2018 totaled \$33,002,684, including tolls, fines, forfeitures, judgements, and fees). See the FDOT email to committee staff dated February 6, 2019. (On file in the Senate Infrastructure and Security Committee.)

⁶ *Id.* at p. 25, Table 2.9.

⁷ See the FDOT email to committee staff dated February 6, 2019. (On file in the Senate Infrastructure and Security Committee.)

⁸ *Supra* note 4 at p. 24.

employees, and otherwise providing fire, rescue, and emergency services utilizing the Fire Station.”⁹

The FDOT included the fire station in its construction project when it rebuilt the rest area at MM63, and the fire station opened in early 2015.¹⁰ The fire station was built “for the exclusive use of the County for the duration of this Agreement.”¹¹ The FDOT owns the fire station and leases it to the County.¹² However, under the agreement, “all equipment, personal property, vehicles, apparatus and supplies acquired by County with funding provided by DEPARTMENT...shall remain the property of County, notwithstanding any termination of this Agreement.”¹³

Funding in the Interlocal Agreement

For the term of the agreement, the FDOT agreed to provide a maximum of \$1,761,235 for direct actual capital costs and a maximum of \$1,498,100 for the county’s direct actual costs of operating the fire station.¹⁴ The County agreed to bear all expenses in excess of the FDOT’s specified participation.¹⁵ The agreed-upon funding includes various annual operating items such as hired paramedics and fire fighters; expenses for administrative and building maintenance; and expenses for bulk fuel and various types of search and rescue equipment. Capital costs include items such as vehicles, radios, and breathing air compressors.¹⁶

Information regarding the FDOT’s Adopted Five-Year Work Program reflects the following funding by specified fiscal year for the MM63 fire station.¹⁷

⁹ FDOT-Collier County Interlocal Agreement (Interlocal Agreement), CSFA No. 55.036, May 9, 2014, at pp. 2-3. (On file in the Senate Infrastructure and Security Committee.) Effective June 20, 2017, Collier County assigned, and the Greater Naples Fire Rescue District assumed, all the rights and responsibilities of the Interlocal Agreement, with certain exceptions specified in Sections 8.D. and 8.F of the Interlocal Agreement. *See the Partial Assignment and Amendment of the Interlocal Agreement between the Florida Department of Transportation and Collier County*, under which the County retained its duties to repay the FDOT for advance payment and interest. Under the assignment, the Great Naples Fire District assumed the County’s responsibility for management of the Ochopee Fire Control District. (On file in the Senate Infrastructure and Security Committee.) Effective June 26, 2018, the term of the Interlocal Agreement was extended to June 30, 2019, in accordance with the 2018 legislation. *Supra* note 3. *See the Second Amendment of Interlocal Agreement between the Florida Department of Transportation and Greater Naples Fire Rescue District*. (On file in the Senate Infrastructure and Security Committee.)

¹⁰ *Id.* at p. 3. *See also* Marco Eagle, *New fire/EMS station opens on Alligator Alley*, April 5, 2015, available at <https://www.marconews.com/story/news/2015/04/03/new-fully-staffed-fireems-station-opens-alligator-alley/25238329/>.

(Last visited December 7, 2018.)

¹¹ *Supra* note 9. Interlocal Agreement at p. 3.

¹² *Supra* note 9. Interlocal Agreement at p. 12.

¹³ *Supra* note 9. Interlocal Agreement at p. 13.

¹⁴ *Supra* note 9. Interlocal Agreement at p. 10. The Interlocal Agreement also authorizes the Greater Naples Fire Rescue District to request a Consumer Price Index adjustment of the total operating amount 30 days prior to July 1 for each year after the first covered by the Interlocal Agreement.

¹⁵ *Supra* note 9. Interlocal Agreement at p. 11.

¹⁶ *Supra* note 9. Interlocal Agreement, Exhibit B.

¹⁷ FDOT, Web Application, Office of Work Program and Budget, *Five Year Work Program – Project Summary for Transportation System: Intrastate Interstate, Description: Alligator Alley Fire Station @ MM^#*, updated January 6, 2019, available at <https://fdotewp1.dot.state.fl.us/FMSupportApps/WorkProgram/Support/WPItemRept.ASPX?RF=HIS&IT=435389&IS=1&FY=> and FDOT, Web Application, Office of Work Program and Budget, *Five Year Work Program – Project Summary for Transportation System: Intrastate Interstate, Description: Alligator Alley Fire Station @ MM63*, updated January 6, 2019, available at

Fiscal Year	Amount
2014-2015	\$1,498,100
2015-2016	\$1,522,070
2016-2017	\$1,522,070
2017-2018	\$1,498,100
2018-2019	\$1,574,235

III. Effect of Proposed Changes:

The bill amends s. 338.26(3)(a), F.S., removing reference to the term of the interlocal agreement, thereby rendering permanent the FDOT's obligation to use Alligator Alley toll revenues to reimburse a local governmental entity for the direct actual costs of operating the fire station at MM63 on the Alley.

The bill also removes reference to use of the MM63 fire station by a "county or another" local governmental entity, leaving a local governmental entity, currently the Greater Naples Fire Rescue District, as the sole entity with permissive authority to use the fire station for provision of fire, rescue, and emergency management services to the public on the Alley.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FDOT will be permanently obligated to continue funding the Greater Naples Fire Rescue District's direct actual costs of operating the MM63 fire station from the fees generated from tolls collected on the Alley. Under current law, the FDOT is authorized to use the fees for the other required or authorized uses described in the statute.

The Greater Naples Fire District will continue to receive funding, indefinitely, for direct actual operating and capital costs of operating the fire station, and thus will only have to expend funds for expenses above the costs agreed to in the interlocal agreement. The exact amount of such funding is unknown but will likely be based on an agreed-upon estimated schedule of expenses incorporated into a new interlocal agreement or extension of the current interlocal agreement, which expires on June 30, 2019.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The FDOT provided the following bond-related comments:

- An "open flow of funds," or the diversion of toll revenues to uses not associated with the debt, could negatively impact bond ratings.
- An open flow of funds "raises the risk evaluation and ratings due to the unpredictability of external influences changing the flow of funds over the term of a bond."
- "Legislative redirection of revenues could be interpreted as a negative change in structural protection because it is a flow of funds external to the debt on the tolled facility."¹⁸

National rating agencies have given the most recent Alligator Alley bonds A+ or Aa3 ratings, with the outlook for the bonds being stable.¹⁹

¹⁸ See the FDOT's SB 72 Bill Analysis available at <http://abar.laspbs.state.fl.us/ABAR/Attachment.aspx?ID=27626> (last visited February 8, 2019.)

¹⁹ See *Fitch Affirms Alligator Alley Toll Road, FL's Rev Refunding Bonds at 'A+'; Outlook Stable*, July 27, 2018, and Moody's Investors Service, *Florida Department of Transportation – Alligator Alley, New Issue: Moody's assigns Aa3 to Florida Department of Transportation Alligator Alley, Series 2017A; outlook stable*. (On file in the Senate Transportation Committee.)

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: 338.26.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

By Senator Passidomo

28-00095A-19

201972__

1 A bill to be entitled
 2 An act relating to the Alligator Alley toll road;
 3 amending s. 338.26, F.S.; requiring specified fees to
 4 be used indefinitely, instead of temporarily, to
 5 reimburse a local governmental entity for the direct
 6 actual costs of operating a specified fire station;
 7 providing an effective date.
 8
 9 Be It Enacted by the Legislature of the State of Florida:
 10
 11 Section 1. Paragraph (a) of subsection (3) of section
 12 338.26, Florida Statutes, is amended to read:
 13 338.26 Alligator Alley toll road.—
 14 (3) (a) Fees generated from tolls shall be deposited in the
 15 State Transportation Trust Fund and shall be used:
 16 1. To reimburse outstanding contractual obligations;
 17 2. To operate and maintain the highway and toll facilities,
 18 including reconstruction and restoration;
 19 3. To pay for those projects that are funded with Alligator
 20 Alley toll revenues and that are contained in the 1993-1994
 21 adopted work program or the 1994-1995 tentative work program
 22 submitted to the Legislature on February 22, 1994; and
 23 4. By interlocal agreement ~~effective July 1, 2014, through~~
 24 ~~no later than June 30, 2019~~, to reimburse a ~~county or another~~
 25 local governmental entity for the direct actual costs of
 26 operating the fire station at mile marker 63 on Alligator Alley,
 27 which may be used by a ~~county or another~~ local governmental
 28 entity to provide fire, rescue, and emergency management
 29 services to the public on Alligator Alley.

Page 1 of 2

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

28-00095A-19

201972__

30 Section 2. This act shall take effect July 1, 2019.

Page 2 of 2

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2.19.19

Meeting Date

SB 72

Bill Number (if applicable)

Topic Alligator Alley Toll Road

Amendment Barcode (if applicable)

Name Kingman Schuldt

Job Title Fire Chief

Address 14575 Collier Blvd.

Phone 239.348.7540

Street

Naples

Florida

34119

Email kschuldt@gnfire.org

City

State

Zip

Speaking: For Against Information

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

Representing Greater Naples Fire Rescue District

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)

2.19.19

Meeting Date

SB 72

Bill Number (if applicable)

Topic Alligator Alley Toll Road

Amendment Barcode (if applicable)

Name John Mullins

Job Title Government Affairs Manager

Address 3299 Tamiami Trail East

Phone 239.252.2520

Street

Naples

Florida

34112

Email john.mullins@colliercountyfl.gov

City

State

Zip

Speaking: For Against Information

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

Representing Collier County

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)

2/19/2019

Meeting Date

72

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S.
Street

Phone 727/897-9291

St Petersburg FL 33705
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19
Meeting Date

72
Bill Number (if applicable)

Topic SB 72

Amendment Barcode (if applicable)

Name JAY FERRIN

Job Title DIRECTOR OF LEGISLATIVE AFFAIRS FOR FDOT

Address 605 SWANNING ST
Street

Phone 414-5100

City

State

Zip

Email jay.ferrin@dot.state.fl.us

Speaking: For Against Information

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

Representing FDOT

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
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 Committee on Infrastructure and Security

BILL: CS/SB 76

INTRODUCER: Infrastructure and Security and Senator Simpson and others

SUBJECT: Driving While Distracted

DATE: February 21, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	FAV/CS
2.			IT	
3.			JU	
4.			RC	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

The committee substitute (CS) for SB 76 amends s. 316.305, F.S., to rename the “Florida Ban on Texting While Driving Law” to the “Florida Driving While Distracted Law”, and authorizes enforcement of a ban on driving while distracted as a primary offense punishable as a moving violation. Driving while distracted is defined to include a number of physical activities which cause driver distractions in addition to the handheld use of wireless communication devices while driving.

The CS allows for a statewide public education and awareness campaign, and allows law enforcement to issue verbal or written warnings leading up to full implementation of the law. In addition, the CS allows for the dismissal of first-time offenses under certain conditions, and if eligible, allows for the election to attend a distracted driving safety program to avoid penalties, costs, and points associated with a citation. It also 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 (DOH).

Due to the redistribution of 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 CS takes effect July 1, 2019.

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 device¹ 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.² 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,³ 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 five years after the date of a prior conviction is punishable as a moving violation.

According to the HSMV, there were a total of 1,627 citations from both state and local law enforcement agencies for violation of s. 316.305, F.S. in calendar year 2017.⁴ Of those, 1,627

¹ 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.

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

³ 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.

⁴ Department of Highway Safety and Motor Vehicles Annual Uniform Traffic Citation Report, available at <https://services.flhsmv.gov/specialtyplates/uniformtrafficcitationreport> (last visited February 12, 2019).

were for a first violation of the statute, and 27 were for a second or subsequent violation of the statute.

Drivers convicted of unlawful use of a wireless communications device that results in a crash will have six points assessed against their driver license,⁵ and drivers convicted of unlawful use of a wireless communications device within a school safety zone is assessed an additional two points.⁶

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 April 2018, 47 States, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands ban text messaging for all drivers. In 43 States, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands texting laws are primary enforcement, and 4 States have secondary enforcement of texting for drivers.⁷

Hand-Held Device Bans in Other States

In 2016, there were 444 fatal crashes (with 486 fatalities) in the United States reported to have involved cell phone use as a distraction (14% of all fatal distraction-affected crashes). For these distraction-affected crashes, the police crash report stated that the driver was talking on, listening to, or engaged in some other cell phone activity at the time of the crash.⁸

There are negative implications associated with distracted driving - especially in conjunction with a crash. Survey research shows that self-reporting of negative behavior is lower than actual occurrence of that negative behavior. There is little reason to believe that self-reporting of distracted driving to a law enforcement officer would differ. The inference may be drawn that the reported occurrence of driver distraction during crashes is lower than the actual occurrence. Additionally, if a driver fatality occurs in the crash, law enforcement must rely on the crash investigation in order to report on whether driver distraction was involved, and they may not have information to indicate distraction.⁹

⁵ Section 322.27(3)(d)3., F.S.

⁶ Section 322.27(3)(d)11., F.S.

⁷ Governors Highway Safety Association, Distracted Driving Laws by State (April 2018), available at https://www.ghsa.org/sites/default/files/2018-06/DistractedDrivingLawChart_Jun18.pdf (last visited February 5, 2019).

⁸ U.S. Department of Transportation - National Highway Traffic Safety Administration, Distracted Driving 2016 (April 2018), available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812517> (last visited February 7, 2019).

⁹ U.S. Department of Transportation - National Highway Traffic Safety Administration, An Examination of Driver Distraction as Recorded in NHTSA Databases (September 2009), available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811216> (last visited February 7, 2019).

As of April 2018, using a hand-held device while driving violations are enforced as primary offenses in 16 States, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands.¹⁰

Distracted Driving

The National Highway Traffic Safety Administration defines distracted driving as any activity that diverts attention from the primary task of driving.¹¹ Besides using electronic devices, distractions can also include adjusting a radio, eating and drinking, reading, grooming, and interacting with passengers. In 2016, distracted driving claimed 3,450 lives nationwide.¹²

According to the Insurance Institute for Highway Safety research, it is not clear that banning hand-held cellphone use and texting reduces crashes. Even though research has documented that bans on hand-held cellphone use reduces overall cellphone use, crashes have increased in recent years, but overall cellphone use has not. The institute points out that drivers seem to be distracted by things other than cellphones, so prohibiting cellphone use alone does not appear to eliminate distracted driving. The institute concluded that broader countermeasures that keep drivers from becoming distracted or that mitigate the consequences of distracted driving, such as crash avoidance technology, may be more effective than cellphone bans.¹³

Both the District of Columbia¹⁴ and Ohio¹⁵ have distracted driver laws that encompass more than just the use of personal electronic devices.

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.¹⁶

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.

¹⁰ Governors Highway Safety Association, Distracted Driving Laws by State (April 2018), available at https://www.ghsa.org/sites/default/files/2018-06/DistractedDrivingLawChart_Jun18.pdf (last visited February 5, 2019).

¹¹ U.S. Department of Transportation - National Highway Traffic Safety Administration, Distracted Driving 2016 (April 2018), available at <https://www.nhtsa.gov/risky-driving/distracted-driving> (last visited February 20, 2019).

¹² U.S. Department of Transportation - National Highway Traffic Safety Administration, Traffic Safety Facts, *Distracted Driving 2016* (April 2018), available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812517> (last visited February 20, 2019).

¹³ Insurance Institute for Highway Safety, Highway Loss Data Institute, available at <https://www.iihs.org/iihs/topics/t/distracted-driving/topicoverview> (last visited February 20, 2019).

¹⁴ Sections 50-1731.02 and 50.1731.03, Code of the District of Columbia

¹⁵ Section 4511.051, Ohio Revised Code

¹⁶ After the addition of court costs and service charges, 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 2018), available at

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/public_documents_/2018_distribution_schedule_1.pdf (last visited February 5, 2019).

- 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 Trust 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.
 - 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.

Driver Improvement Schools

The HSMV has the authority to approve and regulate courses for driver improvement schools, including courses that use technology as a delivery method.¹⁷ In determining whether to approve a course, the HSMV considers course content designed to promote safety, driver awareness, crash avoidance techniques, and other factors or criteria to improve driver performance from a safety viewpoint, including promoting motorcyclist, bicyclist, and pedestrian safety and risk factors resulting from driver attitude and irresponsible driver behaviors, such as speeding, running red lights and stop signs, and using electronic devices while driving.¹⁸

In addition to regular course costs, an assessment of \$2.50 is collected for the driver improvement course from each person who elects to attend a course. The course provider must remit the \$2.50 assessment to the HSMV for deposit into the Highway Safety Operating Trust Fund in order to receive unique course completion certificate numbers for course participants.¹⁹ The assessment fee is used to administer the program and to fund the general operations of the HSMV.

¹⁷ s. 318.1451(1), F.S.

¹⁸ s. 318.1451(2)(a), F.S.

¹⁹ s. 318.1451(4), F.S.

III. Effect of Proposed Changes:

The CS renames the “Florida Ban on Texting While Driving Law” to the “Florida Driving While Distracted Law”, and authorizes enforcement of a ban on driving while distracted as a primary offense. The CS provides for a period from October 1, 2019 to December 31, 2019, during which law enforcement officers have the authority to provide a verbal or written warning to those who are driving while distracted. After December 31, 2019 a uniform traffic citation may be issued for an infraction, which is punishable as a moving violation.

The CS expands the activities covered by the ban to include:

- Reading;
- Writing;
- Grooming;
- Applying beauty products;
- Interacting with pets and unsecured cargo;
- Using personal wireless communications devices; and
- Engaging in any other activity, conduct, task or actions which causes distractions.

The CS also defines “wireless communications device” as any handheld device that can receive or transmit text or character-based messages, record or view images, access or store data, connect to the Internet or a communications service, or allows text communications. To include, but not limited to:

- Cell Phone;
- Tablet;
- Laptop;
- Two-way Messaging Device; or
- Electronic Game

The term “wireless communications device” does not include, a safety, security, or convenience feature built into a motor vehicle that does not require the use of a handheld device.

The CS provides that in the event of a crash that results in a death or serious bodily injury, a user’s billing records for a wireless communications device, or the testimony or written statement from authorities receiving such messages, may be admissible as evidence to determine whether a violation of the Florida Driving While Distracted Law has been committed.

The CS provides those who violate the ban and receive a citation for a first offense may elect to participate in a distracted driving safety program approved by the HSMV to have any penalties, associated costs, and points waived. The CS further provides those whose first citation is due to the use of a personal wireless communications device, may have the citation dismissed if they show proof of having purchased equipment that allows their personal wireless communications device to be used in a hands-free manner.

The CS also requires that all penalties collected for a violation of the ban on driving while distracted be remitted to the Department of Revenue for deposit into the Emergency Medical

Services Trust Fund of the DOH. Currently, only seven and two-tenths percent of the penalties is deposited in this fund pursuant to s. 318.21(2), F.S.

The CS creates an unnumbered section of law which allows the HSMV, in consultation with the Department of Transportation to implement a statewide safety and public awareness campaign to prevent drivers from driving while distracted. The HSMV is authorized to contract with county, and local law enforcement agencies, safety councils, and public schools to assist with planning and conducting the statewide campaign.

The CS takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Operators of motor vehicles who are driving while distracted will have an increased likelihood of being cited for a violation of the ban, with an increased likelihood of resulting penalties. In addition, with the first violation being changed from a nonmoving to a moving traffic violation, the base fine amount doubles from \$30 to \$60, along with 3 points being assessed against their driver license.

C. Government Sector Impact:

The Emergency Medical Services Trust Fund of the DOH will receive 100 percent of the driving while distracted civil penalty amount instead of the current 7.2 percent associated with the texting while driving civil penalty, and will have an indeterminate positive fiscal impact. The other current recipients will no longer receive any of the texting while driving 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 CS substantially amends section 316.305 of the Florida Statutes.

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

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

CS by Infrastructure and Security on February 19, 2019:

The CS changes the “relating to” clause of the bill to “an act relating to driving while distracted,” and adds numerous provisions to the bill. The CS:

- Expands the bill to include multiple forms of driving distracted;
- Renames a section of statute Driving while Distracted prohibition;
- Renames a statute section citation title to “Florida Driving While Distracted Law”;
- Defines the term “driving while distracted”;
- Defines the term “wireless communications device”;
- Allows law enforcement to issue citations to distracted drivers as a primary offense after December 1, 2019;

- Changes the first offense from a nonmoving violation, to a moving violation and provides an option to avoid points and penalties through participation in a distracted driving safety program;
- Allows that an operators first citation due to use of personal wireless communications device may be dismissed if they show proof of having purchased equipment that allows their personal wireless communications device to be used in a hands-free manner;
- Allows a user’s billing records for wireless communications device to be admissible as evidence in the event a crash results in “death or serious bodily injury”, current law allows admissibility when a crash results in “death or personal injury”;
- Allows for use of wireless communications device in hands-free or voice operated mode;
- Provides for a warning period from October 1, 2019 to December 31, 2019;
- Provides that the HSMV may implement a safety and public awareness campaign; and
- Directs all fines collected to be deposited in the Emergency Medical Services Trust Fund of the DOH.

B. Amendments:

None.



594074

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
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The Committee on Infrastructure and Security (Simpson)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 316.305, Florida Statutes, is amended to
read:

316.305 Driving while distracted ~~Wireless communications
devices~~; prohibition.—

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



594074

11 (2) For purposes of this section, the term:

12 (a) "Driving while distracted" means the inattentive
13 operation of a motor vehicle. Inattentive or distracted driving
14 conduct includes reading, writing, performing personal grooming,
15 applying a beauty aid or similar products, interacting with pets
16 or unsecured cargo, using a personal wireless communications
17 device, or engaging in any other activity, conduct, task, or
18 action that causes distraction.

19 (b) "Wireless communications device" means any handheld
20 device that is designed or intended to receive or transmit text-
21 or character-based messages, to record or view images, to access
22 or store data, or to connect to the Internet or any
23 communications service, as defined in s. 812.15, or which allows
24 text communications. The term includes, but is not limited to, a
25 cell phone, a tablet, a laptop, a two-way messaging device, or
26 an electronic game that is used or capable of being used in a
27 handheld manner. The term does not include a safety, security,
28 or convenience feature built into a motor vehicle which does not
29 require the use of a handheld device.

30 (3)~~(2)~~ It is the intent of the Legislature to:

31 (a) Improve roadway safety for all vehicle operators,
32 vehicle passengers, bicyclists, pedestrians, and other road
33 users.

34 (b) Prevent crashes related to the act of driving while
35 distracted when operating ~~text messaging while driving~~ a motor
36 vehicle.

37 (c) Reduce injuries, deaths, property damage, health care
38 costs, health insurance rates, and automobile insurance rates
39 related to motor vehicle crashes.



594074

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

43 ~~(4)(3)~~(a) A person may not operate a motor vehicle when
44 driving while distracted ~~while manually typing or entering~~
45 ~~multiple letters, numbers, symbols, or other characters into a~~
46 ~~wireless communications device or while sending or reading data~~
47 ~~on such a device for the purpose of nonvoice interpersonal~~
48 ~~communication, including, but not limited to, communication~~
49 ~~methods known as texting, e-mailing, and instant messaging. As~~
50 ~~used in this section, the term "wireless communications device"~~
51 ~~means any handheld device used or capable of being used in a~~
52 ~~handheld manner, that is designed or intended to receive or~~
53 ~~transmit text or character-based messages, access or store data,~~
54 ~~or connect to the Internet or any communications service as~~
55 ~~defined in s. 812.15 and that allows text communications. For~~
56 the purposes of this paragraph, a motor vehicle that is
57 stationary is not being operated and is not subject to the
58 prohibition in this paragraph.

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

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

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

67 3. Receiving messages that are:

68 a. Related to the operation or navigation of the motor



594074

69 vehicle;

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

72 c. Data used primarily by the motor vehicle; or

73 d. Radio broadcasts.

74 4. Using a device or system in a hands-free manner for
75 navigation purposes.

76 5. Using a wireless communications device hands-free or
77 hands-free in voice-operated mode, including, but not limited
78 to, a factory-installed or after-market Bluetooth device

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

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

86 ~~6.7.~~ Operating an autonomous vehicle, as defined in s.
87 316.003, in autonomous mode.

88 (c) Only in the event of a crash resulting in death or
89 serious bodily injury, as defined in s. 316.027 ~~personal injury,~~
90 a user's billing records for a wireless communications device or
91 the testimony of or written statements from appropriate
92 authorities receiving such messages may be admissible as
93 evidence in any proceeding to determine whether a violation of
94 paragraph (a) has been committed.

95 (d) Law enforcement officers must indicate the type of
96 distraction in the comment section of the uniform traffic
97 citation.



594074

98 (5)-(4)-(a) Any person who violates this section commits a
99 noncriminal traffic infraction, punishable as a moving
100 violation, as provided in chapter 318, and shall have 3 points
101 assessed against his or her driver license as set forth in s.
102 322.27. For a first offense of this section, in lieu of the
103 penalty specified in s. 318.18 and the assessment of points, a
104 person who violates this section may elect to participate in a
105 distracted driving safety program approved by the Department of
106 Highway Safety and Motor Vehicles. Upon completion of such
107 program, the penalty specified in s. 318.18 and associated costs
108 may be waived by the clerk of the court and the assessment of
109 points must be waived ~~Any person who violates paragraph (3) (a)~~
110 ~~commits a noncriminal traffic infraction, punishable as a~~
111 ~~nonmoving violation as provided in chapter 318.~~

112 ~~(b) Any person who commits a second or subsequent violation~~
113 ~~of paragraph (3) (a) within 5 years after the date of a prior~~
114 ~~conviction for a violation of paragraph (3) (a) commits a~~
115 ~~noncriminal traffic infraction, punishable as a moving violation~~
116 ~~as provided in chapter 318.~~

117 (6)-(5) Notwithstanding s. 318.21, all proceeds collected
118 pursuant to s. 318.18 for violations of this section must be
119 remitted to the Department of Revenue for deposit into the
120 Emergency Medical Services Trust Fund of the Department of
121 Health ~~Enforcement of this section by state or local law~~
122 ~~enforcement agencies must be accomplished only as a secondary~~
123 ~~action when an operator of a motor vehicle has been detained for~~
124 ~~a suspected violation of another provision of this chapter,~~
125 ~~chapter 320, or chapter 322.~~

126 Section 2. This act shall take affect October 1, 2019.



594074

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===== 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 driving while distracted; amending
s. 316.305, F.S.; revising the short title; defining
the term "driving while distracted"; redefining the
term "wireless communications device"; revising
legislative intent; prohibiting a person from
operating a motor vehicle when driving while
distracted; revising exceptions to such prohibition;
revising crash results for which a user's billing
records for a wireless communications device or the
testimony of or written statements from certain
authorities are admissible as evidence; requiring that
law enforcement officers indicate specified
information in the uniform traffic citation; providing
penalties for driving while distracted; authorizing
participation in a distracted driving safety program
for a first offense, in lieu of specified penalties;
requiring the 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.



211782

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
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The Committee on Infrastructure and Security (Simpson)
recommended the following:

1 **Senate Amendment to Amendment (594074)**

2

3 In directory clause, delete line 5

4 and insert:

5 Section 1. Effective October 1, 2019, section 316.305,

6 Florida Statutes, is amended to



958944

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
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The Committee on Infrastructure and Security (Simpson)
recommended the following:

1 **Senate Amendment to Amendment (594074) (with title**
2 **amendment)**

3
4 Delete lines 42 - 58
5 and insert:

6 who are ~~texting while~~ driving while distracted as provided in
7 subsection (4).

8 (4)(3)(a)1. A person may not operate a motor vehicle when
9 driving while distracted ~~while manually typing or entering~~
10 ~~multiple letters, numbers, symbols, or other characters into a~~



958944

11 ~~wireless communications device or while sending or reading data~~
12 ~~on such a device for the purpose of nonvoice interpersonal~~
13 ~~communication, including, but not limited to, communication~~
14 ~~methods known as texting, e-mailing, and instant messaging. As~~
15 ~~used in this section, the term "wireless communications device"~~
16 ~~means any handheld device used or capable of being used in a~~
17 ~~handheld manner, that is designed or intended to receive or~~
18 ~~transmit text or character-based messages, access or store data,~~
19 ~~or connect to the Internet or any communications service as~~
20 ~~defined in s. 812.15 and that allows text communications. For~~
21 the purposes of this paragraph, a motor vehicle that is
22 stationary is not being operated and is not subject to the
23 prohibition in this paragraph.

24 2.a. During the period of October 1, 2019, through December
25 31, 2019, a law enforcement officer may stop motor vehicles to
26 issue verbal or written warnings to persons who are driving
27 while distracted for the purposes of informing and educating
28 such persons. This sub-subparagraph shall stand repealed on
29 October 1, 2020.

30 b. After December 31, 2019, a law enforcement officer may
31 stop motor vehicles and issue citations to persons who are
32 driving while distracted.

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 139

37 and insert:

38 distracted; authorizing a law enforcement officer
39 during a specified period to stop motor vehicles to



958944

40 issue warnings to persons who are driving while
41 distracted; providing for repeal of a provision;
42 authorizing a law enforcement officer, after a
43 specified date, to stop motor vehicles and issue
44 citations to persons who are driving while distracted;
45 revising exceptions to such prohibition;



947646

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
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The Committee on Infrastructure and Security (Simpson)
recommended the following:

**Senate Amendment to Amendment (594074) (with title
amendment)**

Delete lines 98 - 116
and insert:

(5)~~(4)~~(a) Any person who violates this section commits a
noncriminal traffic infraction, punishable as a moving
violation, as provided in chapter 318, and shall have 3 points
assessed against his or her driver license as set forth in s.
322.27. For a first offense under this section, in lieu of the



947646

11 penalty specified in s. 318.18 and the assessment of points, a
12 person who violates this section may elect to participate in a
13 distracted driving safety program approved by the Department of
14 Highway Safety and Motor Vehicles. Upon completion of such
15 program, the penalty specified in s. 318.18 and associated costs
16 may be waived by the clerk of the court and the assessment of
17 points must be waived ~~Any person who violates paragraph (3) (a)~~
18 ~~commits a noncriminal traffic infraction, punishable as a~~
19 ~~nonmoving violation as provided in chapter 318.~~

20 (b) The clerk of the court may dismiss a case and assess
21 court costs in accordance with s. 318.18(11) (a) for a nonmoving
22 traffic infraction for a person who is cited for a first time
23 violation of this section if the inattentive or distracted
24 driving conduct resulting in the violation is for the use of a
25 personal wireless communications device and the person shows the
26 clerk proof of purchase of equipment that enables his or her
27 personal wireless communications device to be used in a hands-
28 free manner ~~Any person who commits a second or subsequent~~
29 ~~violation of paragraph (3) (a) within 5 years after the date of a~~
30 ~~prior conviction for a violation of paragraph (3) (a) commits a~~
31 ~~noncriminal traffic infraction, punishable as a moving violation~~
32 ~~as provided in chapter 318.~~

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Between lines 148 and 149

37 insert:

38 authorizing a clerk of the court to dismiss a case and
39 assess court costs under certain circumstances;



260730

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
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	.	

The Committee on Infrastructure and Security (Simpson)
recommended the following:

Senate Amendment to Amendment (594074)

Delete line 126

and insert:

Section 2. (1) The Department of Highway Safety and Motor Vehicles, in consultation with the Department of Transportation, may implement a statewide campaign to raise awareness and prevent drivers from driving while distracted. The Department of Highway Safety and Motor Vehicles may use television messaging, radio broadcasts, print media, digital strategies, social media,



260730

11 and any other form of messaging deemed necessary and appropriate
12 by the department to implement the campaign.

13 (2) The Department of Highway Safety and Motor Vehicles may
14 contract with counties, local law enforcement agencies, safety
15 councils, and public schools to assist with planning and
16 conducting the statewide driving while distracted safety and
17 public awareness campaign in a manner that encourages compliance
18 with s. 316.305, Florida Statutes.

19 Section 3. Except as otherwise expressly provided in this
20 act, this act shall take effect July 1, 2019.

21
22 Delete line 152

23 and insert:

24 accomplished only as a secondary action; authorizing
25 the Department of Highway Safety and Motor Vehicles,
26 in consultation with the Department of Transportation,
27 to implement a statewide campaign to raise awareness
28 and prevent drivers from driving while distracted;
29 authorizing the department to use certain messaging to
30 implement the campaign; authorizing the department to
31 contract with certain entities for certain purposes;
32 providing contract authority; providing an

By Senator Simpson

10-00079-19

201976__

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

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Subsection (1), paragraphs (b) and (d) of
 20 subsection (2), and subsections (3) and (5) of section 316.305,
 21 Florida Statutes, are amended to read:

22 316.305 Wireless communications devices; prohibition.—

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

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

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

29 (d) Authorize law enforcement officers to stop motor

Page 1 of 4

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

10-00079-19

201976__

30 vehicles and issue citations ~~as a secondary offense~~ to persons
 31 who are using a wireless communications device texting while
 32 driving.

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

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

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

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

57 3. Receiving messages that are:

58 a. Related to the operation or navigation of the motor

Page 2 of 4

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

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201976__

59 vehicle;

60 b. Safety-related information, including emergency,

61 traffic, or weather alerts;

62 c. Data used primarily by the motor vehicle; or

63 d. Radio broadcasts.

64 4. Using a device or system for navigation purposes.

65 ~~5. Conducting wireless interpersonal communication that~~

66 ~~does not require manual entry of multiple letters, numbers, or~~

67 ~~symbols, except to activate, deactivate, or initiate a feature~~

68 ~~or function.~~

69 ~~6. Conducting wireless interpersonal communication that~~

70 ~~does not require reading text messages, except to activate,~~

71 ~~deactivate, or initiate a feature or function.~~

72 ~~5.7.~~ Operating an autonomous vehicle, as defined in s.

73 316.003, in autonomous mode.

74 (c) Only in the event of a crash resulting in death or

75 personal injury, a user's billing records for a wireless

76 communications device or the testimony of or written statements

77 from appropriate authorities receiving such messages may be

78 admissible as evidence in any proceeding to determine whether a

79 violation of paragraph (a) has been committed.

80 (5) Notwithstanding s. 318.21, all proceeds collected

81 pursuant to s. 318.18 for a violation of this section shall be

82 remitted to the Department of Revenue for deposit into the

83 Emergency Medical Services Trust Fund of the Department of

84 Health Enforcement of this section by state or local law

85 enforcement agencies must be accomplished only as a secondary

86 action when an operator of a motor vehicle has been detained for

87 a suspected violation of another provision of this chapter,

Page 3 of 4

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

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201976__

88 ~~chapter 320, or chapter 322.~~

89 Section 2. This act shall take effect October 1, 2019.

Page 4 of 4

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

THE FLORIDA SENATE

APPEARANCE RECORD

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

2/19/2019

Meeting Date

76

Bill Number (if applicable)

958944

Amendment Barcode (if applicable)

Topic Use of Wireless Communications Devices While Driving

Name Chief Gary Hester

Job Title Government Affairs

Address 2636 Mitcham Drive

Phone 8502193631

Street

Tallahassee

FL

32308

Email ghester@fpca.com

City

State

Zip

Speaking: [X] For [] Against [] Information

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

Representing Florida Police Chiefs Association

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] 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)

2/19/2019

76

Meeting Date

Bill Number (if applicable)

947646

Topic Use of Wireless Communications Devices While Driving

Amendment Barcode (if applicable)

Name Chief Gary Hester

Job Title Government Affairs

Address 2636 Mitcham Drive

Phone 8502193631

Street

Tallahassee

FL

32308

Email ghester@fpca.com

City

State

Zip

Speaking: [X] For [] Against [] Information

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

Representing Florida Police Chiefs Association

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] 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)

2/19/2019

Meeting Date

76

Bill Number (if applicable)

260730

Amendment Barcode (if applicable)

Topic Use of Wireless Communications Devices While Driving

Name Chief Gary Hester

Job Title Government Affairs

Address 2636 Mitcham Drive

Phone 8502193631

Street

Tallahassee

FL

32308

Email ghester@fpca.com

City

State

Zip

Speaking: [X] For [] Against [] Information

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

Representing Florida Police Chiefs Association

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] 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)

2/19/2019

Meeting Date

76

Bill Number (if applicable)

211782

Amendment Barcode (if applicable)

Topic Use of Wireless Communications Devices While Driving

Name Chief Gary Hester

Job Title Government Affairs

Address 2636 Mitcham Drive

Phone 8502193631

Street

Tallahassee

FL

32308

Email ghester@fpca.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Police Chiefs 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)

2/19/2019

Meeting Date

76

Bill Number (if applicable)

594074

Amendment Barcode (if applicable)

Topic Use of Wireless Communications Devices While Driving

Name Chief Gary Hester

Job Title Government Affairs

Address 2636 Mitcham Drive

Phone 8502193631

Street

Tallahassee

FL

32308

Email ghester@fpca.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Police Chiefs 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)

2/19/19

Meeting Date

76

Bill Number (if applicable)

594074

Amendment Barcode (if applicable)

Topic Driving while distracted

Name Jim Cordero

Job Title Sen Gov't Affairs

Address 1007 E. De Soto Park Dr.

Street

Tallahassee FL

City

State

Zip

Phone 850/222-7300

Email jcordero@caf.org

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/19

Meeting Date

76

Bill Number (if applicable)

594074

Amendment Barcode (if applicable)

Topic Use of Wireless Communication Devices While Driving

Name William Cotterall

Job Title General Counsel

Address 218 S Monroe St

Street

Tallahassee

City

FL

State

32301

Zip

Phone _____

Email _____

Speaking: For Against Information

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

Representing Florida Justice 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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THE FLORIDA SENATE
APPEARANCE RECORD

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

Meeting Date _____

0076
Bill Number (if applicable)

Topic Distracted Driving

594074
Amendment Barcode (if applicable)

Name Mark Melwitzer

Job Title Student

Address 725 NW 13 St

Phone 786-505-7272

Street

Gainesville

FL

32601

City

State

Zip

Email mbmelwitzer@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

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)

February 19, 2019

Meeting Date

SB 76

Bill Number (if applicable)

Topic Use of Wireless Devices while Distracted

Amendment Barcode (if applicable)

Name H Lee Moffitt

Job Title Attorney

Address 3327 NW Perimeter Road

Phone 813 76-5712

Street

Palm City

FL

34990

Email MrSpeaker@aol.com

City

State

Zip

Speaking: For Against Information

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

Representing AutoNation, Inc.

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)

2/19/2019

76

Meeting Date

Bill Number (if applicable)

Topic Use of Wireless Communications Devices While Driving

Amendment Barcode (if applicable)

Name Chief Gary Hester

Job Title Government Affairs

Address 2636 Mitcham Drive

Phone 8502193631

Street

Tallahassee

FL

32308

Email ghester@fpca.com

City

State

Zip

Speaking: [X] For [] Against [] Information

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

Representing Florida Police Chiefs Association

Appearing at request of Chair: [] Yes [X] No

Lobbyist registered with Legislature: [X] 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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/19
Meeting Date

SB 76
Bill Number (if applicable)

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

Name Angela Drzewiecki (Drez-wick-ee)

Job Title Lobbyist

Address 301 S Bronough St
Street

Phone 850-681-7383

Tallahassee FL 32301
City State Zip

Email Angela@psmf1.net

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-19-19

Meeting Date

SB 76

Bill Number (if applicable)

Topic Use of Wireless communications devices while

Driving

Amendment Barcode (if applicable)

Name John Wayne Smith

Job Title _____

Address 301 S. Bronough St, STE 500

Street

Phone 850-681-7383

Tallahassee

FL

32301

City

State

Zip

Email John@psmfl.net

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.

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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)

2/19/2019
Meeting Date

76
Bill Number (if applicable)

Topic Use of Wireless Communication While Driving

Amendment Barcode (if applicable)

Name ~~Jeff Branch~~ Jeff Branch

Job Title Legislative Advocate

Address _____
Street

Phone 904-3761

Tallahassee FL 32309
City State Zip

Email jb

Speaking: For Against Information

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

Representing Florida League of Cities

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2-19-2019

Meeting Date

76

Bill Number (if applicable)

Topic Distracted Driving

Amendment Barcode (if applicable)

Name Becky Afonso

Job Title Executive Director

Address 174B State St E

Phone 813-748-1513

Street

Oldsmar

FL

34677

Email becky@floridabicycle.org

City

State

Zip

Speaking: For Against Information

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

Representing Florida Bicycle Association, Inc.

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/19
Meeting Date

76
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Leslie Dughi

Job Title _____

Address 101 E. College Ave
Street

Phone _____

Tall Fl 32301
City State Zip

Email dughi1@9flaw.com

Speaking: For Against Information

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

Representing Enterprise Holdings

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)

2/19/19

Meeting Date

76

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Leslie Dughi

Job Title _____

Address 101 E. College Avenue

Phone 350-519-3903

Street

Tallah

Fl

32301

City

State

Zip

Email ldughi@gta.com

Speaking: For Against Information

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

Representing Florida Insurance Council

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)

2/15/2019

Meeting Date

SB 76

Bill Number (if applicable)

Topic Distracted Drive

Amendment Barcode (if applicable)

Name Matt Puckett

Job Title Lobbyist

Address 300 East Brevard Street

Phone _____

Street

Tallahassee

City

FL

State

32301

Zip

Email _____

Speaking: For Against Information

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

Representing Florida Police Benevolent 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)

2/19/19 Meeting Date

SB 76 Bill Number (if applicable)

Topic Use of wireless communication devices

Amendment Barcode (if applicable)

Name Erin Ballas

Job Title Chapter Lobbyist

Address 730 E. Park Ave

Phone 850 681 1065

Tallahassee FL 32301

Email erinballas@pacconsultant.com

Speaking: For Against Information

Waive Speaking: In Support Against

Representing National Waste and Recycling 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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/19

Meeting Date

76

Bill Number (if applicable)

Topic Use of Wireless Communications Devices Whilst Driving

Amendment Barcode (if applicable)

Name Brewster Bevis

Job Title Senior Vice President

Address 516 N. Adams St

Phone 224-7173

Street

Tallahassee

FL

32312

Email bbevis@aif.com

City

State

Zip

Speaking: For Against Information

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

Representing Associated Industries of Florida

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)

2/19/2019

Meeting Date

SB 76

*Bill Number (if applicable)*Topic Use of Wireless Communications Devices While Driving*Amendment Barcode (if applicable)*Name Zayne SmithJob Title Associate State DirectorAddress 200 W. College AvePhone 850-228-4243*Street*TallahasseeFL32301Email zsmith@aarp.org*City**State**Zip*Speaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing AARP FloridaAppearing at request of Chair: Yes NoLobbyist 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)

2.19.19

Meeting Date

76

Bill Number (if applicable)

Topic Wireless Communications While Driving

Amendment Barcode (if applicable)

Name Barney Bishop III

Job Title President & CEO

Address 2215 Thomasville Road

Phone 850.510.9922

Street

Tallahassee

FL

32308

Email barney@barneybishop.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Smart Justice Alliance

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)

02/19/2019
Meeting Date

76
Bill Number (if applicable)

Topic Distracted Driving

Amendment Barcode (if applicable)

Name Carl Mikyska

Job Title Executive Director, FL MPO Advisory Council

Address 605 Suwannee St.
Street

Phone 850-414-4062

Tallahassee, FL 32399
City State Zip

Email carl.mikyska@mpaac.org

Speaking: For Against Information

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

Representing FL MPO Advisory Council

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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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/19/19 Meeting Date

SB 76 Bill Number (if applicable)

Topic Wireless Communications While Driving

Amendment Barcode (if applicable)

Name Leslie Mille

Job Title

Address 4063 Longleaf Ct. Tallahassee FL 32310

Phone (850) 556-7150

Email LRM1973@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

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/19

Meeting Date

76

Bill Number (if applicable)

Topic Use of wireless communications devices...

Amendment Barcode (if applicable)

Name Daphnee Sainvil

Job Title Legislative Policy Advisor

Address 100 S. Andrews Ave, Main Library 8th FL Phone 954-253-7320
Street

Ft. Lauderdale FL 33301
City State Zip

Email dsainvil@broward.org

Speaking: For Against Information

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

Representing Broward Cty Bd. of County Cmsrs.

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE

APPEARANCE RECORD

02/19/2019

Meeting Date

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

SB 76

*Bill Number (if applicable)*Topic Use of Wireless Communications Devices While Driving*Amendment Barcode (if applicable)*Name Joseph Salzverg ("Saul's-verg")Job Title Attorney/Government ConsultantAddress 301 S. Bronough Street, Suite 600Phone 305-416-6880*Street*TallahasseeFL32301Email joseph.salzverg@gray-robinson.com*City**State**Zip*Speaking: For Against InformationWaive Speaking: In Support Against
(The Chair will read this information into the record.)Representing City of West Palm BeachAppearing at request of Chair: Yes NoLobbyist 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)

2/19/19 Meeting Date

76 Bill Number (if applicable)

Topic Distracted Driving

Amendment Barcode (if applicable)

Name Logan McFaddin

Job Title Regional Manager

Address 275 S. Monroe Street, Suite 200

Phone 850-681-2615

Street

Tallahassee

FL

32301

City

State

Zip

Email Logan.McFaddin@apci.org

Speaking: For Against Information

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

Representing American Property Casualty Insurance Association (APCIA)

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

SB 76
Bill Number (if applicable)

Meeting Date _____

Topic Distracted Driving

Amendment Barcode (if applicable) _____

Name Diane Carr

Job Title w/ Johnson & Stanton

Address 537 E Park Ave

Phone 850.210.4024

Street
Tall, FL 32501
City State Zip

Email diane@samjs.com

Speaking: For Against Information

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

Representing Alliance of Automobile Manufacturers

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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THE FLORIDA SENATE

APPEARANCE RECORD

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

02/19/2019

Meeting Date

SB 76

Bill Number (if applicable)

Topic Distracted Driving

Amendment Barcode (if applicable)

Name Erin Milbeck

Job Title SharePoint Developer

Address 4526 Bloxham cutoff rd.

Phone 850-210-8490

Street

Crawfordville FL 32327

City

State

Zip

Email Erinkmilbeck@gmail.com

Speaking: [X] For [] Against [] Information

Waive Speaking: [X] 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 [X] 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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/19
Meeting Date

SB 0076
Bill Number (if applicable)

Topic WIRELESS COMMUNICATIONS

Amendment Barcode (if applicable)

Name COMMISSIONER DANIELA LEVINE CAVE

Job Title COMMISSIONER

Address 111 NW 1ST
Street

Phone 305-375-5600

MIAMI FL 33128
City State Zip

Email _____

Speaking: For Against Information

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

Representing MIAMI-DADE

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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THE FLORIDA SENATE

APPEARANCE RECORD

02/19/19

Meeting Date

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

SB 76

Bill Number (if applicable)

Topic Use of Wireless Communications While Driving

Amendment Barcode (if applicable)

Name Eric Stern

Job Title Florida PTA Legislative Committee

Address 1767 Central Florida Parkway

Phone

Street

Orlando

FL

State

Zip

Email

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

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

SB 76

Bill Number (if applicable)

Meeting Date

Amendment Barcode (if applicable)

Topic Distracted Driving

Name Demetrius Branca

Job Title _____

Address 815 Voncile Ave

Street

Tallahassee FL 32303

City

State

Zip

Phone ⁽⁹⁵⁰⁾ 339-8213

Email Demetrius@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

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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APPEARANCE RECORD

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

2/19/19

Meeting Date

SB 76

Bill Number (if applicable)

Topic Wireless Devices

Amendment Barcode (if applicable)

Name Mary-Lynn Cullen

Job Title Legislative Liaison

Address 1674 University Pkwy.

Phone 941-928-0278

Street

Sarasota Fl. 34243

City

State

Zip

Email aichildren@aol.com

Speaking: For Against Information

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

Representing Advocacy Institute For Children

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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THE FLORIDA SENATE

APPEARANCE RECORD

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

2/19/19

Meeting Date

SB 76

Bill Number (if applicable)

Topic Wireless Phone

Amendment Barcode (if applicable)

Name Greg Pound

Job Title

Address 9166 Sunrise Dr.

Phone

Street

Largo FL 33773

Email

City

State

Zip

Speaking: For Against Information

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

Representing Families

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2-19-19
Meeting Date

SB 0076
Bill Number (if applicable)

Topic DISTRACTED DRIVING

Amendment Barcode (if applicable)

Name MICHAEL CRASS

Job Title LIEUTENANT

Address 2560 W. Colonial Dr
Street

Phone 321-436-4447

ORLANDO
City

FL
State

32804
Zip

Email MICHAEL.CRASS@COFL.NET

Speaking: For Against Information

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

Representing ORANGE COUNTY SHERIFF'S OFFICE

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

Feb. 19, 2019

Meeting Date

SB76

Bill Number (if applicable)

Topic Distracted Driving legislation

Amendment Barcode (if applicable)

Name Reggie Grant

Job Title Assistant Professor of Journalism

Address 444 Appleyard Drive

Phone (850)201-8055

Street

Tallahassee

Florida

32304

Email grantr@tcc.fl.edu

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)

2/19/2019
Meeting Date

76
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S
Street

Phone 727/897-9291

St Petersburg FL 33705
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

The Florida Senate
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 Committee on Infrastructure and Security

BILL: SB 116

INTRODUCER: Senator Stewart

SUBJECT: Motor Vehicle Racing

DATE: February 19, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Favorable
2.			CJ	
3.			JU	
4.			RC	

I. Summary:

SB 116 modifies the type and degree of violation, from a misdemeanor of the first degree to a felony of the third degree, for a third or subsequent violation of the racing on highways statute within 5 years after the date of a prior violation that resulted in a conviction of the same statute.

II. Present Situation:

Drag racing is a type of illegal street racing and originated in California's Mojave Desert in the early 1930s.¹ Unlike racetracks, illegal street racing is often done on public roads and results in spectators standing very close to vehicles involved in the race. Because of the dangers involved in street racing, many states have enacted laws regulating or prohibiting it.

¹ National Hot Rod Association, NHRA History: Drag Racing's Fast Start, <http://nhra.org/nhra101/history.aspx> (last visited February 8, 2019).

Florida enacted its street racing law in 1971, now codified in s. 316.191, F.S., titled “Racing on highways.”² Section 316.191(2), F.S., provides that a person may not:

- Drive any motor vehicle, including any motorcycle, in any race,³ speed competition or contest, drag race⁴ or acceleration contest, test of physical endurance, or exhibition of speed or acceleration or for the purpose of making a speed record on any highway, roadway, or parking lot;
- In any manner participate in, coordinate, facilitate, or collect moneys at any location for any such race, competition, contest, test, or exhibition;
- Knowingly ride as a passenger in any such race, competition, contest, test, or exhibition; or
- Purposefully cause the movement of traffic to slow or stop for any such race, competition, contest, test, or exhibition.

The offense for violating one of the above provisions is a first-degree misdemeanor.⁵ The statute also requires the imposition of a fine of not less than \$500 and not more than \$1,000, and the Department of Highway Safety and Motor Vehicles (HSMV) may revoke the violator’s driver’s license for one year, although a “hardship” hearing may be requested pursuant to s. 322.271, F.S.⁶

If the violator commits the unlawful racing violation within five years after the date of a prior unlawful racing violation that resulted in a conviction, the violator still commits a first-degree misdemeanor and must pay a fine of not less than \$1000 and not more than \$3,000. However, the violator’s driver’s license is revoked for two years, and a “hardship” hearing may be requested pursuant to s. 322.271, F.S.⁷

If the violator commits a third or subsequent unlawful racing violation within five years after the date of a prior unlawful racing violation that resulted in a conviction, the violator still commits a first-degree misdemeanor and must pay a fine of not less than \$2000 and not more than \$5,000.

² Chapter 71-135, s. 1, Laws of Fla. When the statute was first enacted, it was codified in s. 316.186, F.S. The initial statute provided that “[n]o person shall drive any vehicle in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, exhibition of speed or acceleration, or for the purpose of making a speed record, and no person shall in any manner participate in any such race, competition, contest, test, or exhibition.”

³ “Race” means the use of one or more motor vehicles in competition, arising from a challenge to demonstrate superiority of a motor vehicle or driver and the acceptance or competitive response to that challenge, either through a prior arrangement or in immediate response, in which the competitor attempts to outgain or outdistance another motor vehicle, to prevent another motor vehicle from passing, to arrive at a given destination ahead of another motor vehicle or motor vehicles, or to test the physical stamina or endurance of drivers over long-distance driving routes. A race may be prearranged or may occur through a competitive response to conduct on the part of one or more drivers which, under the totality of the circumstances, can reasonably be interpreted as a challenge to race. Section 316.191(1)(c), F.S.

⁴ “Drag race” means the operation of two or more motor vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one or more motor vehicles over a common selected course, from the same point to the same point, for the purpose of comparing the relative speeds or power of acceleration of such motor vehicle or motor vehicles within a certain distance or time limit. Section 316.191(1)(b), F.S.

⁵ Sections 775.082 and 775.083, F.S., provide that a first-degree misdemeanor is punishable by a term of imprisonment not to exceed one year, a \$1,000 fine, or both.

⁶ Section 322.271, F.S., provides the HSMV with the authority to modify a revocation, cancellation, or suspension order. During a hearing, the person whose license has been revoked may show the revocation causes a serious hardship and precludes the person from carrying out his or her normal business occupation.

⁷ Section 316.191(3)(b), F.S.

However, the violator's driver's license is revoked for four years, and a "hardship" hearing may be requested pursuant to s. 322.271, F.S.⁸

Also, the court must be provided with a copy of the violator's driving record in any case charging a person with a violation of the statute. The statute authorizes a law enforcement officer to immediately arrest violators and take them into custody, and authorizes the court to enter an order of impoundment or immobilization of the motor vehicle as a condition of incarceration or probation.⁹ The statute requires the impounding agency to release the motor vehicle under certain conditions related to: stolen vehicles; vehicles purchased after an offense; situations where the family of the violator has no other means of transportation; and vehicles operated solely by the employees of a violator or any business owned by the violator.¹⁰

The statute requires the owner or person leasing or renting the vehicle to pay costs and fees for the impoundment or immobilization, unless the impoundment or immobilization order is dismissed.¹¹

The statute provides that any motor vehicle that was used in unlawful racing may be impounded for 30 business days, if the person who is arrested and taken into custody for the unlawful racing is the registered owner or co-owner of the vehicle. The law enforcement officer shall notify the HSMV of the impoundment.¹² Additionally, any motor vehicle used for unlawful racing by a person within five years after the date of a prior conviction of that person for unlawful racing may be seized and forfeited as provided by the Florida Contraband Forfeiture Act, if the owner of the vehicle is the person charged with unlawful racing.¹³

The statute specifies that it does not apply to licensed or duly authorized racetracks, drag strips, or other designated areas set aside by proper authorities for such purposes.¹⁴

III. Effect of Proposed Changes:

The bill modifies the type and degree of violation, from a misdemeanor of the first degree to a felony of the third degree¹⁵, for a third or subsequent violation of the racing on highways statute within five years after the date of a prior violation that resulted in a conviction of the same statute.

The bill also provides that this conviction for a felony of the third degree is to be punishable pursuant to s. 775.084, F.S., in addition to being punishable under ss. 775.082, and 775.083, F.S. Under s. 775.084, F.S., if the court determines that the defendant is:

- a habitual felony offender, the court may impose a sentence for a term not exceeding ten years;

⁸ Section 316.191(3)(c), F.S.

⁹ Section 316.191(5), F.S.

¹⁰ Id.

¹¹ Id.

¹² Section 316.191(5)(c), F.S.

¹³ Section 316.191(6), F.S.

¹⁴ Section 316.191(7), F.S.

¹⁵ A third-degree felony is punishable by a term of imprisonment not to exceed 5 years and a fine of up to \$5,000. Sections 775.082 and 775.083, F.S.

- a habitual violent felony offender, the court may impose a sentence for a term not exceeding ten years, and such offender shall not be eligible for release for five years;
- a three-time violent felony offender, the court must impose a sentence for a term not exceeding fifteen years; and
- a violent career criminal, the court must impose a sentence for a term not exceeding fifteen years, with a mandatory minimum term of ten years.

The bill takes effect October 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will have a fiscal impact on persons who violate s. 316.191, F.S., for a third or subsequent time within 5 years after the date of a prior violation that resulted in a conviction of the same statute, by increasing fines for violations.

C. Government Sector Impact:

The bill increases the minimum and maximum fine amounts for third, and subsequent convictions under s. 316.191, F.S. This may generate additional revenues for local and state governments as a result of the penalties paid.

According to the HSMV, there were a total of 764 citations from both state and local law enforcement agencies for violation of s. 316.191, F.S. in calendar year 2017.¹⁶

The Criminal Justice Impact Conference, which provides the official estimate of the prison bed impact of criminal legislation, has not reviewed this bill to determine if it will have a prison bed impact

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 316.191 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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

¹⁶ Department of Highway Safety and Motor Vehicles Annual Uniform Traffic Citation Report, available at <https://services.flhsmv.gov/specialtyplates/uniformtrafficcitationreport> (last visited February 8, 2019).

By Senator Stewart

13-00175-19

2019116__

A bill to be entitled

An act relating to motor vehicle racing; amending s. 316.191, F.S.; increasing the criminal penalty for a third or subsequent violation related to motor vehicle racing within a specified period after the date of a prior violation that resulted in a conviction; providing an effective date.

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

Section 1. Subsection (2) and paragraph (c) of subsection (3) of section 316.191, Florida Statutes, are amended to read:
316.191 Racing on highways.—

(2) A person may not do any of the following:

(a) Drive any motor vehicle, including any motorcycle, in any race, speed competition or contest, drag race or acceleration contest, test of physical endurance, or exhibition of speed or acceleration or for the purpose of making a speed record on any highway, roadway, or parking lot. ~~;~~

(b) In any manner participate in, coordinate, facilitate, or collect moneys at any location for any such race, competition, contest, test, or exhibition. ~~;~~

(c) Knowingly ride as a passenger in any such race, competition, contest, test, or exhibition. ~~;~~ ~~or~~

(d) Purposefully cause the movement of traffic to slow or stop for any such race, competition, contest, test, or exhibition.

(3)

(c) Any person who commits a third or subsequent violation

Page 1 of 2

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

13-00175-19

2019116__

of subsection (2) within 5 years after the date of a prior violation that resulted in a conviction for a violation of subsection (2) commits a felony of the third ~~misdemeanor of the first~~ degree, punishable as provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084, and shall pay a fine of not less than \$2,000 and not more than \$5,000. The department shall also revoke the driver license of that person for 4 years. A hearing may be requested pursuant to s. 322.271.

Section 2. This act shall take effect October 1, 2019.

Page 2 of 2

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

02-19-19

Meeting Date

SB0116

Bill Number (if applicable)

Topic Motor Vehicle Racing

Amendment Barcode (if applicable)

Name Michael Crabb

Job Title Lieutenant

Address 2500 W. Colonial Drive

Phone 321-436-4447

Street

Orlando

FL

32804

Email michael.crabb@ocfl.net

City

State

Zip

Speaking: For Against Information

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

Representing Orange County Sheriff's Office

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)

2.19.19

Meeting Date

116

Bill Number (if applicable)

Topic Motor Vehicle Racing

Amendment Barcode (if applicable)

Name Barney Bishop III

Job Title President & CEO

Address 2215 Thomasville Road

Phone 850.510.9922

Street

Tallahassee

FL

32308

Email barney@barneybishop.com

City

State

Zip

Speaking: For Against Information

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

Representing Florida Smart Justice Alliance

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

02/19/2019
Meeting Date

116
Bill Number (if applicable)

Topic Motor Vehicle Racing

Amendment Barcode (if applicable)

Name Carl Mikyska

Job Title Executive Director

Address 605 Suwannee St

Phone 850-414-4062

Tallahassee, FL
City State

32399
Zip

Email carl.mikyska@mpac.org

Speaking: For Against Information

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

Representing FL MPO Advisory Council

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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THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/2019
Meeting Date

116
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S
Street

Phone 727/897-9291

St Petersburg FL FL
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

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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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 Committee on Infrastructure and Security

BILL: CS/SB 234

INTRODUCER: Infrastructure and Security and Senator Baxley

SUBJECT: Registration and Titling of Vehicles and Vessels

DATE: February 21, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Fav/CS
2.			JU	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

In Florida, a “heavy truck” is defined as any motor vehicle with a net vehicle weight of more than 5,000 pounds that is designed or used for the carriage of goods. Most motor vehicle registrations are renewed during the primary registrant’s birth month; however, since 1983 the registrations of all heavy trucks have been required to be renewed in December.

The committee substitute (CS) to SB 234 changes, effective September 1, 2020, the date of registration renewals for heavy trucks in the 5,001 to 7,999 pound weight classification that are registered to natural persons from December to the registrant’s date of birth. The Department of Highway Safety and Motor Vehicles (HSMV) is directed to develop a methodology to prorate heavy truck registration renewal fees to implement this transition to birth-month registration periods, which must give customers the option to renew their registrations on their dates of birth in 2021 or 2022.

Currently, the surviving spouse of a deceased registered owner of a motor vehicle who requests a registration certificate and transfer of the registration license plate from the deceased spouse to the surviving spouse must submit an application and present the decedent’s death certificate to the HSMV or tax collector’s office. Similarly, a death certificate is required in order to transfer a vessel title from a deceased title owner in the event there is not a probated last will and testament or letters of administration.

The CS allows electronic file of death records maintained by the Department of Health, in lieu of a death certificate, to be used for a motor vehicle registration or vessel title transfer.

The CS has a non-recurring positive impact on state revenue. See Fiscal Analysis for more details.

II. Present Situation:

Registration of Heavy Trucks

Motor vehicles subject to registration under s. 320.08, F.S., can be renewed at a HSMV service center, a tax collector's office, or via the HSMV's Virtual Office website. Heavy trucks are a category of motor vehicle that must be registered and renewed. A "heavy truck" is defined as:

Any motor vehicle with a net vehicle weight of more than 5,000 pounds, which is registered on the basis of gross vehicle weight in accordance with s. 320.08(4), and which is designed or used for the carriage of goods or designed or equipped with a connecting device for the purpose of drawing a trailer that is attached or coupled thereto by means of such connecting device and includes any such motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers.¹

Heavy trucks in the 5,001 to 7,999 weight range can renew their registration for 12 or 24 months.² Most motor vehicles are renewed during the primary registrant's birth month;³ however, since 1983 all heavy trucks have been required to be renewed in December.⁴ Some specific examples of heavy trucks that fall into the 5,001 to 7,999 gross vehicle weight (GVW) classification are the Chevrolet Silverado, Ford F-250, Ford F-350, Nissan Titan, Dodge Ram, and GMC Sierra.⁵

Approximately 11.4 percent (87,324) of heavy trucks in the 5,001 to 7,999 GVW classification are registered to businesses that do not have a birth month.⁶ Approximately 88.6 percent (678,676) of heavy trucks in the 5,001 to 7,999 GVW classification are registered to individuals who likely have a birth month other than December.⁷ Based on transaction volume, 84 percent of the renewal transactions in fiscal year 2017-2018 occurred in person in tax collector offices, causing more customers to come into the offices in December.⁸ Additionally, individuals who own both a heavy truck and another classification of vehicle, vessel, or trailer, must renew during their birth month and again in December.

¹ Section 320.01(10), F.S.

² Section 320.055(1)(b), F.S.

³ Section 320.055(1)(a), F.S.

⁴ Section 320.055(5), F.S.

⁵ Florida Department of Highway Safety and Motor Vehicles, Agency Analysis of 2019 Senate Bill 234, p.2 (December 12, 2018).

⁶ Id.

⁷ Id.

⁸ Id.

Heavy trucks weighing 5,001 to 5,999 pounds have a registration renewal fee of \$60.75,⁹ while heavy trucks weighing 6,000 to 7,999 pounds have a registration renewal fee of \$87.75.¹⁰

A registrant of any motor vehicle registered in Florida can renew his or her registration any time during the three months preceding the date of expiration of the registration period.¹¹

Transfer of Registration and Title from a Deceased Person

The surviving spouse of a deceased registered owner of a motor vehicle who requests a registration certificate and transfer of the registration license plate from the deceased spouse to the surviving spouse must submit an application¹² and present the decedent's death certificate to the tax collector's office or the HSMV.¹³ The surviving spouse must also provide a marriage certificate (unless the name of the surviving spouse is on the death certificate) and proof of identity.¹⁴

If a surviving spouse does not bring an original copy of the deceased spouse's death certificate to the tax collector's office or the HSMV, the registration certificate and license plate cannot be transferred into the name of the surviving spouse. Instead, the surviving spouse must leave the office, retrieve the death certificate, and make another trip back to the tax collector's office or HSMV to produce the document.

The new owner or surviving owner of a vessel who wants to transfer the title from a deceased title owner must submit an application along with the original certificate of title and the decedent's probated last will and testament or letters of administration appointing the personal representative. If the probated will and letters of administration are unavailable, the surviving owner may provide a copy of the decedent's death certificate, a copy of the decedent's last will and testament, and an affidavit by the decedent's surviving spouse or heirs affirming rights of ownership may be accepted by the HSMV.¹⁵

If the new owner or surviving owner of a vessel does not bring the decedent's probated last will and testament or letters of administration, the individual must bring a copy of the decedent's death certificate. If the individual does not have a copy of the death certificate, he or she will not be able to transfer the title and will have to make a return visit to the tax collector's office or the HSMV in order to produce the document.

Currently, tax collectors are unable to print death certificates within their offices. After consulting with the Department of Health (DOH), the HSMV and the tax collectors have identified certain death records maintained by the DOH and available electronically to tax

⁹ Section 320.08(4)(a), F.S.

¹⁰ Section 320.08(4)(b), F.S.

¹¹ Section 320.071, F.S.

¹² Department of Highway Safety and Motor Vehicles, Application for Surviving Spouse Transfer of Florida Certificate of Title for a Motor Vehicle, available at <https://www.flhsmv.gov/pdf/forms/82152.pdf> (last visited February 9, 2019).

¹³ Section 320.0609(7), F.S.

¹⁴ Department of Highway Safety and Motor Vehicles, Getting a Hassle Free Title Frequently Asked Questions, available at <https://www.flhsmv.gov/title-faq/> (last visited February 9, 2019).

¹⁵ Section 328.01(3)(c), F.S.

collectors that would enable tax collectors to verify, in lieu of a death certificate, the status of the deceased vehicle or vessel owner.

III. Effect of Proposed Changes:

Registration of Heavy Trucks

Effective September 1, 2020, the CS amends s. 320.055, F.S., changing the date of heavy truck renewals for trucks weighing 5,001 to 7,999 pounds and registered to natural persons, from December to the registrant's date of birth. Businesses registering heavy trucks weighing 5,001 to 7,999 pounds would continue to register their vehicles in December. Similarly, all owners of heavy trucks weighing 8,000 pounds or more would continue to register their vehicles in December.

The CS provides that in order to implement the change in renewal dates, the HSMV must develop methodology to prorate registration renewal fees for applicable motor vehicles. The methodology will give customers the option to renew their registration on their date of birth in 2021 or 2022. Customers whose dates of birth occur in the months of January through June may choose to renew for one to 18 months, and customers whose dates of birth occur in the months of July through December may choose to renew for seven to 24 months. The CS specifies that proration is limited to the renewal of an unexpired registration or a registration that has been expired for no more than 30 days.

The methodology that HSMV is currently reviewing to minimize the fiscal impact based on prorating the registration is a monthly prorated cost of \$5.06 for each month over or under the traditional 12 month renewal period for a heavy truck with a GVW of 5,001 to 6,000, and a monthly prorated cost of \$7.31 for each month over or under the traditional 12 month renewal period for a heavy truck with a GVW of 6,001 to 7,999.¹⁶

Transfer of Registration and Title from a Deceased Person

Effective July 1, 2019, the CS amends ss. 320.0609 and 328.01, F.S., allowing for the utilization of an electronic file of death record maintained by the DOH in lieu of a death certificate for a motor vehicle registration or vessel title transfer.

The CS provides technical and conforming changes in ss. 320.07 and 320.0705, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹⁶ Florida Department of Highway Safety and Motor Vehicles, Agency Analysis of 2019 Senate Bill 234, p.3 (December 12, 2018).

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

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

None.

B. Private Sector Impact:

After September 2020, heavy truck registrants will have the option to renew their registration on their date of birth in 2021 or 2022. Customers whose dates of birth occur in the months of January through June may choose to renew for 1 to 18 months, and customers whose dates of birth occur in the months of July through December may choose to renew for 7 to 24 months.

C. Government Sector Impact:

The CS includes a methodology that prorates the applicable motor vehicle registration renewal fee and transitions heavy truck owners with trucks weighing between 5,001 and 7,999 pounds to a new renewal period based on their birth month.

The Revenue Estimating Conference (REC) met on January 18, 2019, and considered a similar provision prorating registration renewals for specified motor vehicles. In calculating the fiscal impact, the REC assumed customers would elect to maximize the duration of the renewal period, effectively paying more for a longer renewal period. The REC calculated there will be a positive, non-recurring impact of \$1.6 million in revenue (\$416,439 to the General Revenue Fund and approximately \$1.2 million to the State Transportation Trust Fund) for Fiscal Year 2020-2021.

The HSMV estimates that 459 hours will be required for programming and implementation. These hours are estimated to have a fiscal impact to the HSMV of \$25,305 in FTE and contracted resources. However, all expenses will be absorbed within existing resources.

The HSMV and the tax collectors may incur expenses related to public awareness and education efforts relating to the changes in heavy truck registration renewal dates. However, all expenses will be either offset by reducing the number of additional in-person customer trips to tax collector offices in December or absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This CS substantially amends the following sections of the Florida Statutes: 320.055, 320.0609, 320.07, 320.0705, and 328.01.

IX. Additional Information:

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

CS by Infrastructure and Security on February 19, 2019:

- Effective September 1, 2020, requires the HSMV to develop a methodology to prorate motor vehicle registration renewal fees. The methodology must give customers the option to renew their registrations on their dates of birth in 2021 or 2022.
- Provides for the utilization of an electronic file of death record maintained by the DOH in lieu of a death certificate for a motor vehicle registration or vessel title transfer.

- B. **Amendments:**

None.



974626

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
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The Committee on Infrastructure and Security (Baxley)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective September 1, 2020, paragraph (a) of
subsection (1) and subsection (5) of section 320.055, Florida
Statutes, are amended to read:

320.055 Registration periods; renewal periods.—The
following registration periods and renewal periods are
established:



974626

11 (1) (a) For a motor vehicle subject to registration under s.
12 320.08(1), (2), (3), (4) (a) or (b), (5) (b), (c), (d), or (f),
13 (6) (a), (7), (8), (9), or (10) and owned by a natural person,
14 the registration period begins the first day of the birth month
15 of the owner and ends the last day of the month immediately
16 preceding the owner's birth month in the succeeding year. If
17 such vehicle is registered in the name of more than one person,
18 the birth month of the person whose name first appears on the
19 registration shall be used to determine the registration period.
20 For a vehicle subject to this registration period, the renewal
21 period is the 30-day period ending at midnight on the vehicle
22 owner's date of birth.

23 (5) For a vehicle subject to apportioned registration under
24 s. 320.08(4) (c), (d), (e), (f), (g), (h), (i), (j), (k), (l),
25 (m), or (n) ~~s. 320.08(4)~~, (5) (a)1. ~~or~~ (e), (6) (b), or (14), the
26 registration period shall be a period of 12 months beginning in
27 a month designated by the department and ending on the last day
28 of the 12th month. For a vehicle subject to this registration
29 period, the renewal period is the last month of the registration
30 period. The registration period may be shortened or extended at
31 the discretion of the department, on receipt of the appropriate
32 prorated fees, in order to evenly distribute such registrations
33 on a monthly basis. For a vehicle subject to nonapportioned
34 registration under s. 320.08(4) (c), (d), (e), (f), (g), (h),
35 (i), (j), (k), (l), (m), or (n) ~~s. 320.08(4)~~, (5) (a)1., (6) (b),
36 or (14), the registration period begins December 1 and ends
37 November 30. The renewal period is the 31-day period beginning
38 December 1.

39 Section 2. Beginning September 1, 2020, in order to



974626

40 implement the changes made by this act to s. 320.055, Florida
41 Statutes, the Department of Highway Safety and Motor Vehicles
42 shall develop methodology to prorate motor vehicle registration
43 renewal fees. The methodology must give customers the option to
44 renew their registrations on their dates of birth in 2021 or
45 2022. Customers whose dates of birth occur in the months of
46 January through June may choose to renew for 1 to 18 months.
47 Customers whose dates of birth occur in the months of July
48 through December may choose to renew for 7 to 24 months.
49 Proration is limited to the renewal of an unexpired registration
50 or a registration that has been expired for not more than 30
51 days.

52 Section 3. Subsection (7) of section 320.0609, Florida
53 Statutes, is amended to read:

54 320.0609 Transfer and exchange of registration license
55 plates; transfer fee.—

56 (7) A surviving spouse of a registered owner of any motor
57 vehicle may, upon presenting the death certificate or electronic
58 file of death records maintained by the Department of Health,
59 request a registration certificate and transfer of the
60 registration license plate.

61 Section 4. Effective September 1, 2020, paragraph (a) of
62 subsection (2) of section 320.07, Florida Statutes, is amended
63 to read:

64 320.07 Expiration of registration; renewal required;
65 penalties.—

66 (2) Registration shall be renewed semiannually, annually,
67 or biennially, as provided in this subsection, during the
68 applicable renewal period, upon payment of the applicable



974626

69 license tax amounts required by s. 320.08, service charges
70 required by s. 320.04, and any additional fees required by law.

71 (a) Any person who owns a motor vehicle registered under s.
72 320.08(4)(c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m)
73 or (n) ~~s. 320.08(4)~~, (6)(b), or (13) may register semiannually
74 as provided in s. 320.0705.

75 Section 5. Effective September 1, 2020, subsection (1) of
76 section 320.0705, Florida Statutes, is amended to read:

77 320.0705 Semiannual registration or renewal for certain
78 vehicles.—

79 (1) The owner of a motor vehicle taxed under s. 320.08(4)
80 (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m) or (n) ~~s.~~
81 ~~320.08(4)~~ or (6)(b) may register his or her vehicle
82 semiannually, if the amount of license tax due annually is more
83 than \$100 and the vehicle registration fee is not required to be
84 apportioned, upon payment of a fee of \$2.50 for each semiannual
85 registration.

86 Section 6. Paragraph (c) of subsection (3) of section
87 328.01, Florida Statutes, is amended to read:

88 328.01 Application for certificate of title.—

89 (3)

90 (c) In making application for transfer of title from a
91 deceased titled owner, the new owner or surviving coowner shall
92 establish proof of ownership by submitting with the application
93 the original certificate of title and the decedent's probated
94 last will and testament or letters of administration appointing
95 the personal representative of the decedent. In lieu of a
96 probated last will and testament or letters of administration, a
97 copy of the decedent's death certificate or electronic file of



974626

98 death records maintained by the Department of Health, a copy of
99 the decedent's last will and testament, and an affidavit by the
100 decedent's surviving spouse or heirs affirming rights of
101 ownership may be accepted by the department. If the decedent
102 died intestate, a court order awarding the ownership of the
103 vessel or an affidavit by the decedent's surviving spouse or
104 heirs establishing or releasing all rights of ownership and a
105 copy of the decedent's death certificate shall be submitted to
106 the department.

107 Section 7. Except as otherwise expressly provided in this
108 act, this act shall take effect January 1, 2020.

109

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

111 And the title is amended as follows:

112 Delete everything before the enacting clause
113 and insert:

114

A bill to be entitled

115

An act relating to registration and titling of

116

vehicles and vessels; amending s. 320.055, F.S.;

117

revising registration periods for certain vehicles;

118

requiring the Department of Highway Safety and Motor

119

Vehicles to develop methodology to prorate motor

120

vehicle renewal registration fees for certain

121

registrations; requiring the methodology to give

122

customers certain renewal options; amending s.

123

320.0609, F.S.; authorizing the surviving spouse of a

124

motor vehicle owner to present certain electronic

125

death records when requesting a registration

126

certificate and license plate transfer; amending ss.



974626

127 320.07 and 320.0705, F.S.; conforming provisions to
128 changes made by the act; amending s. 328.01, F.S.;
129 authorizing a new owner or surviving coowner of a
130 vessel to submit certain electronic death records when
131 applying for transfer of title; providing effective
132 dates.



244584

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
	.	
	.	
	.	

The Committee on Infrastructure and Security (Baxley)
recommended the following:

Senate Amendment to Amendment (974626)

Delete lines 107 - 108

and insert:

Section 7. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2019.

By Senator Baxley

12-00610-19

2019234__

A bill to be entitled

An act relating to registration and titling of vehicles and vessels; amending s. 320.055, F.S.; revising registration periods for certain vehicles; authorizing the Department of Highway Safety and Motor Vehicles to develop and employ methods to implement changes made by the act; providing a limitation; amending s. 320.0609, F.S.; authorizing a surviving spouse of a motor vehicle owner to present certain death records when requesting a registration certificate and license plate transfer; amending ss. 320.07 and 320.0705, F.S.; conforming provisions to changes made by the act; amending s. 328.01, F.S.; authorizing a new owner or surviving coowner of a vessel to submit certain death records when applying for transfer of title; providing effective dates.

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

Section 1. Effective September 1, 2020, paragraph (a) of subsection (1) and subsection (5) of section 320.055, Florida Statutes, are amended to read:

320.055 Registration periods; renewal periods.—The following registration periods and renewal periods are established:

(1) (a) For a motor vehicle subject to registration under s. 320.08(1), (2), (3), (4) (a) or (b), (5) (b), (c), (d), or (f), (6) (a), (7), (8), (9), or (10) and owned by a natural person, the registration period begins the first day of the birth month

Page 1 of 5

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

12-00610-19

2019234__

of the owner and ends the last day of the month immediately preceding the owner's birth month in the succeeding year. If such vehicle is registered in the name of more than one person, the birth month of the person whose name first appears on the registration shall be used to determine the registration period. For a vehicle subject to this registration period, the renewal period is the 30-day period ending at midnight on the vehicle owner's date of birth.

(5) For a vehicle subject to apportioned registration under s. 320.08(4)(c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), or (n) ~~s. 320.08(4)~~, (5) (a)1. ~~or~~ (e), (6) (b), or (14), the registration period shall be a period of 12 months beginning in a month designated by the department and ending on the last day of the 12th month. For a vehicle subject to this registration period, the renewal period is the last month of the registration period. The registration period may be shortened or extended at the discretion of the department, on receipt of the appropriate prorated fees, in order to evenly distribute such registrations on a monthly basis. For a vehicle subject to nonapportioned registration under s. 320.08(4)(c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), or (n) ~~s. 320.08(4)~~, (5) (a)1., (6) (b), or (14), the registration period begins December 1 and ends November 30. The renewal period is the 31-day period beginning December 1.

Section 2. In order to implement the changes made by this act to s. 320.055, Florida Statutes, the Department of Highway Safety and Motor Vehicles may develop and employ methods including, but not limited to, prorating registration fees for vehicles subject to registration under s. 320.08(4)(a) or (b),

Page 2 of 5

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

12-00610-19 2019234__
 59 Florida Statutes, based on the number of months in the vehicle
 60 registration period. Proration is limited to the renewal of an
 61 unexpired registration or a registration that has been expired
 62 for no more than 30 days.

63 Section 3. Subsection (7) of section 320.0609, Florida
 64 Statutes, is amended to read:

65 320.0609 Transfer and exchange of registration license
 66 plates; transfer fee.—

67 (7) A surviving spouse of a registered owner of any motor
 68 vehicle may, upon presenting the death certificate or death
 69 records maintained by the Department of Health and provided to a
 70 Florida tax collector, request a registration certificate and
 71 transfer of the registration license plate.

72 Section 4. Effective September 1, 2020, paragraph (a) of
 73 subsection (2) of section 320.07, Florida Statutes, is amended
 74 to read:

75 320.07 Expiration of registration; renewal required;
 76 penalties.—

77 (2) Registration shall be renewed semiannually, annually,
 78 or biennially, as provided in this subsection, during the
 79 applicable renewal period, upon payment of the applicable
 80 license tax amounts required by s. 320.08, service charges
 81 required by s. 320.04, and any additional fees required by law.

82 (a) Any person who owns a motor vehicle registered under s.
 83 320.08(4)(c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m),
 84 or (n) ~~s. 320.08(4)~~, (6)(b), or (13) may register semiannually
 85 as provided in s. 320.0705.

86 Section 5. Effective September 1, 2020, subsection (1) of
 87 section 320.0705, Florida Statutes, is amended to read:

12-00610-19 2019234__
 88 320.0705 Semiannual registration or renewal for certain
 89 vehicles.—

90 (1) The owner of a motor vehicle taxed under s.
 91 320.08(4)(c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m),
 92 or (n) ~~s. 320.08(4)~~ or (6)(b) may register his or her vehicle
 93 semiannually, if the amount of license tax due annually is more
 94 than \$100 and the vehicle registration fee is not required to be
 95 apportioned, upon payment of a fee of \$2.50 for each semiannual
 96 registration.

97 Section 6. Paragraph (c) of subsection (3) of section
 98 328.01, Florida Statutes, is amended to read:

99 328.01 Application for certificate of title.—

100 (3)

101 (c) In making application for transfer of title from a
 102 deceased titled owner, the new owner or surviving coowner shall
 103 establish proof of ownership by submitting with the application
 104 the original certificate of title and the decedent's probated
 105 last will and testament or letters of administration appointing
 106 the personal representative of the decedent. In lieu of a
 107 probated last will and testament or letters of administration, a
 108 copy of the decedent's death certificate or death records
 109 maintained by the Department of Health and provided to a Florida
 110 tax collector, a copy of the decedent's last will and testament,
 111 and an affidavit by the decedent's surviving spouse or heirs
 112 affirming rights of ownership may be accepted by the department.
 113 If the decedent died intestate, a court order awarding the
 114 ownership of the vessel or an affidavit by the decedent's
 115 surviving spouse or heirs establishing or releasing all rights
 116 of ownership and a copy of the decedent's death certificate

12-00610-19

2019234__

117 shall be submitted to the department.

118 Section 7. Except as otherwise expressly provided in this

119 act, this act shall take effect July 1, 2019.

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19

Meeting Date

234

Bill Number (if applicable)

Topic SB 234

Amendment Barcode (if applicable)

Name Ben Anderson

Job Title President, Florida Tax Collectors Association

Address 216 S. Monroc St
Street

Phone 850-222-7206

Tallahassee FL 32301
City State Zip

Email TQUALLS@YVLAW.NET

Speaking: For Against Information

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

Representing Florida Tax Collectors 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.

THE FLORIDA SENATE
APPEARANCE RECORD

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

02/19/2019
Meeting Date

SB 234
Bill Number (if applicable)

Topic REGISTRATION AND TILTING OF VEHICLES AND VESSELS-BAXLEY

Amendment Barcode (if applicable)

Name CESAR GRAJALES

Job Title DIRECTOR OF COALITIONS

Address 200 W COLLEGE AVE
Street

Phone 786.260.9283

TALLAHASSEE, FL 32301
City State Zip

Email cgrajales@belibre.org

Speaking: For Against Information

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

Representing AMERICANS FOR PROSPERITY

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/2014

Meeting Date

234

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name BRIAN PITTS

Job Title Trustee

Address 1119 Newton Ave S
Street

Phone 727/897-9291

St Petersburg FL 33705
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

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
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 Committee on Infrastructure and Security

BILL: CS/SB 252

INTRODUCER: Infrastructure and Security and Senator Flores

SUBJECT: Motor Vehicle Registration Applications

DATE: February 21, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Fav/CS
2.			ATD	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

The committee substitute (CS) to SB 252 authorizes the Department of Highway Safety and Motor Vehicles (HSMV) to collect, for the Live Like Bella Childhood Cancer Foundation, a voluntary contribution of \$1 or more per applicant through the motor vehicle registration application form.

The CS removes the requirement that the HSMV application form for motor vehicle registration and renewal of registration include language for a voluntary contribution of \$1 or more per applicant through the motor vehicle registration application form for the Auto Club Group Traffic Safety Foundation, Inc.

The CS has an insignificant fiscal impact.

II. Present Situation:

Motor Vehicle Registration Voluntary Contributions

The application form for motor vehicle registration provides a voluntary contributions section that allows applicants the opportunity to make a donation by checking a box on the form.¹

¹ Sections 320.02(16), F.S., provide motor vehicle registration applicants with 21 options for voluntary contributions.

The Florida Statutes specifically authorize which organizations can receive a voluntary contribution. Section 320.023, F.S., establishes the requirements for organizations seeking to establish a voluntary contribution on motor vehicle registration application forms. It requires:

- A request for the particular voluntary contribution being sought, describing the proposed voluntary contribution in general terms;
- An application fee², not to exceed \$10,000 to defray the department's cost for reviewing the application and developing the voluntary contribution checkoff, if authorized;
- A marketing strategy outlining short-term and long-term marketing plans for the requested voluntary contribution; and
- A financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contribution.

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

Section 320.023, F.S., also establishes a threshold for discontinuation of the voluntary contribution and oversight for organizations approved for a voluntary contribution on motor vehicle registration application forms. It requires:

- The HSMV include any voluntary contributions approved by the Legislature on the motor vehicle application form;
- The HSMV must discontinue the voluntary contribution if:
 - Less than \$25,000 has been contributed by the end of the 5th year; or
 - Less than \$25,000 is contributed during any subsequent five-year period.
- That any voluntary contribution, or any interest earned from those contributions may not be used for commercial or for-profit activities or for general or administrative expenses;
- That an organization submit their audit's to the HSMV for review to determine if any voluntary contribution, or any interest earned from those contributions were used for commercial or for-profit activities or for general or administrative expenses;
- The HSMV is provided the authority to examine all records pertaining to the use of funds from the voluntary contributions authorized; and
- All organizations that operate under the Solicitation of Contributions Act, as provided in Chapter 496, F.S., must do so before funds may be distributed.

Live Like Bella Childhood Cancer Foundation

The Live Like Bella Childhood Cancer Foundation was founded in 2013³ to promote and increase community awareness of childhood cancers and disease and the need for research and development of medical treatments for children through the dissemination of information to the general public; to use funds to support such activities; and to make grants, loans or other distributions.⁴ The Live Like Bella Childhood Cancer Foundation is named after Bella

² State funds may not be used to pay the application fee. See s. 320.023(b), F.S.

³ Florida Department of State, Division of Corporations, Sunbiz, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited February 10, 2019).

⁴ Florida Department of State, Division of Corporations, Live Like Bella, Inc.'s Application by Foreign Not For Profit Corporation For Authorization to Conduct Its Affairs in Florida,

Rodriguez-Torres, who passed away at the age of 10 from pediatric cancer. Their mission is to help children with cancer maintain a love for life. As of September 2017 the Live Like Bella Childhood Cancer Foundation has served families in 44 states and 11 countries, having surpassed \$4 million in donations. To date, donations have been used for on-going research, memorial support, compassionate use, and in-treatment support.⁵

Pediatric Cancer Research

According to the National Cancer Institute, cancer remains the leading cause of death from disease among children. The most common types of cancer diagnosed in children ages 0 to 14 years, are:

- Leukemia;
- Brain and other central nervous system (CNS) tumors; and
- Lymphoma.⁶

Pediatric cancer death rates have declined by 65 percent from 1970 to 2016;⁷ however, even when long-term survival is achieved, many survivors of childhood cancer may experience long-term adverse effects from the disease or its treatment. Research is needed to develop treatments for childhood cancer that are more effective and safe for children.⁸

Pediatric cancer is relatively uncommon, representing less than one percent of all new cases of cancer diagnosed in the United States each year. This presents a major challenge in conducting pediatric cancer research, as clinical trials are increasingly restricted to smaller numbers of patients who are defined by the molecular characteristics of their tumors, rather than where the tumors originated in the body, collaboration among children's cancer centers and a strong national clinical research program will continue to be essential to ensure that trials enroll sufficient numbers of participants to produce meaningful results.⁹

Securing adequate funding to support pediatric cancer research and clinical trials is a challenge. In 2017, pediatric cancer research awarded by the National Institutes of Health totaled approximately \$220 million,¹⁰ which represented only 2.5 percent of the total funding allocated

<http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2013%5C1008%5C00217040.Tif&documentNumber=F13000004224> (last visited February 10, 2019).

⁵ Live Like Bella Childhood Cancer Foundation, About Us, <http://livelikebella.org/aboutus.html> (last visited February 10, 2019).

⁶ National Cancer Institute, Childhood Cancers, <https://www.cancer.gov/types/childhood-cancers> (last visited February 10, 2019).

⁷ Id.

⁸ National Cancer Institute, Childhood Cancers Research, <https://www.cancer.gov/research/areas/childhood> (last visited February 10, 2019).

⁹ Id.

¹⁰ National Institutes of Health, National Cancer Institute, <https://fundedresearch.cancer.gov/nciportfolio/search/SearchForm> (last visited February 10, 2019).

for research.¹¹ Florida received a fraction of the total amount awarded for pediatric cancer research with only \$10,256,609 awarded to Florida-based institutions in 2017.¹²

Auto Club Group Traffic Safety Foundation, Inc.

Effective October 1, 2011, Tampa-based AAA Auto Club South and Dearborn, Michigan-based, The Auto Club Group, affiliated and combined operations.¹³ The enterprise is known as The AAA - Auto Club Group and provides membership, travel, insurance, and financial services to members in 11 states and two United States territories, which include Florida.¹⁴

The Auto Club Group Traffic Safety Foundation, Inc. was founded in 2010, as a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code¹⁵, as a unit of the AAA – The Auto Club Group. In 2013 a \$1 voluntary contribution check-off on an application form for an original, renewal, or replacement driver’s license or identification card was added for the Auto Club Group Traffic Safety Foundation, Inc. Funds received by the foundation were to be used to improve traffic safety culture in communities through effective outreach, education, and activities in the state designed to save lives, reduce injuries, and prevent crashes.¹⁶

The AAA – The Auto Club Group is winding down the operations of the Auto Club Group Traffic Safety Foundation, Inc., and plans to dissolve the entity with an effective date no later than January 1, 2020.¹⁷

III. Effect of Proposed Changes:

The CS authorizes the HSMV to include language permitting a voluntary contribution of \$1 or more per application to the Live Like Bella Childhood Cancer Foundation on the form for motor vehicle registration. Such contributions will be distributed by the HSMV to the Live Like Bella Childhood Cancer Foundation.

The CS notwithstanding s. 320.023(1) and (2), F.S., which covers the application process and \$10,000 application fee to establish a voluntary checkoff on the motor vehicle registration application, and the requirement that if the voluntary contribution is not approved by the Legislature, the application fee would be refunded to the applicant.

¹¹ National Institutes of Health, National Cancer Institute, <https://fundedresearch.cancer.gov/nciportfolio/search/funded?action=full&fy=PUB2017&type=sic> (last visited February 10, 2019).

¹² Id.

¹³ Travel Weekly, <https://www.travelweekly.com/Travel-News/Travel-Agent-Issues/AAA-clubs-in-Tampa-and-Detroit-area-merge> (last visited February 20, 2019).

¹⁴ LinkedIn, The Auto Club Group, About Us, <https://www.linkedin.com/company/the-auto-club-group> (last visited February 20, 2019).

¹⁵ Florida Department of State, Division of Corporations, Sunbiz, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited February 20, 2019).

¹⁶ Ch. 2013-160, Laws of Fla.

¹⁷ Karen Morgan (AAA-The Auto Club Group), letter to Paula Stanfield, January 10, 2019 TS (on file with the Committee on Infrastructure and Security).

The CS amends s. 320.02, F.S., to remove the requirement that the HSMV application form for motor vehicle registration and renewal of registration include language permitting a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The HSMV estimates that approximately 660 programming hours, or the equivalent of \$36,480 in FTE and contracted resources, will be required to implement the CS.¹⁸

VI. Technical Deficiencies:

None.

¹⁸ Email from Kevin Jacobs, Deputy Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, Requested info related to voluntary contributions, (February 12, 2019).

VII. Related Issues:

None.

VIII. Statutes Affected:

This CS amends section 320.02 of the Florida Statutes.

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

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

CS by Infrastructure and Security on February 19, 2019:

- The CS removes the requirement that the HSMV application form for motor vehicle registration and renewal of registration include language permitting a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.
- The CS also modifies the notwithstanding language for the voluntary contribution to the Live Like Bella Childhood Cancer Foundation to only include ss. 320.023(1) and (2), F.S., which relate to the application process for organizations seeking to establish a voluntary contribution.

B. Amendments:

None.



729314

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/19/2019	.	
	.	
	.	
	.	

The Committee on Infrastructure and Security (Flores)
recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (t) of subsection (16) of section
320.02, Florida Statutes, is amended, present paragraph (u) of
that subsection is redesignated as paragraph (t), and a new
paragraph (u) is added to that subsection, to read:

320.02 Registration required; application for registration;
forms.—



729314

11 (16)
12 ~~(t) The application form for motor vehicle registration and~~
13 ~~renewal registration must include language permitting a~~
14 ~~voluntary contribution of \$1 or more per applicant, which shall~~
15 ~~be distributed to the Auto Club Group Traffic Safety Foundation,~~
16 ~~Inc., a nonprofit organization. Funds received by the foundation~~
17 ~~must be used to improve traffic safety culture in communities~~
18 ~~through effective outreach, education, and activities in the~~
19 ~~state which will save lives, reduce injuries, and prevent~~
20 ~~crashes. The foundation must comply with s. 320.023.~~

21 (u) Notwithstanding s. 320.023(1) and (2), the application
22 form for motor vehicle registration and renewal of registration
23 must include language permitting a voluntary contribution of \$1
24 or more per applicant to the Live Like Bella Childhood Cancer
25 Foundation. Such contributions must be distributed by the
26 department to the Live Like Bella Childhood Cancer Foundation.

27
28 For the purpose of applying the service charge provided in s.
29 215.20, contributions received under this subsection are not
30 income of a revenue nature.

31 Section 2. This act shall take effect July 1, 2019.

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete everything before the enacting clause
36 and insert:

37 A bill to be entitled
38 An act relating to motor vehicle registration
39 applications; amending s. 320.02, F.S.; deleting a



729314

40 requirement that the application form for motor
41 vehicle registration and renewal of registration
42 include language permitting a voluntary contribution
43 to the Auto Club Group Traffic Safety Foundation;
44 requiring that such application form include language
45 permitting a voluntary contribution to the Live Like
46 Bella Childhood Cancer Foundation; requiring that the
47 Department of Highway Safety and Motor Vehicles
48 distribute such contributions to the Live Like Bella
49 Childhood Cancer Foundation; providing an effective
50 date.

By Senator Flores

39-00550-19

2019252__

A bill to be entitled

An act relating to motor vehicle registration applications; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration and renewal of registration to include language permitting a voluntary contribution to the Live Like Bella Childhood Cancer Foundation; requiring the Department of Highway Safety and Motor Vehicles to distribute such contributions to the Live Like Bella Childhood Cancer Foundation; providing an effective date.

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

Section 1. Paragraph (v) is added to subsection (16) of section 320.02, Florida Statutes, to read:

320.02 Registration required; application for registration; forms.—

(16)

(v) Notwithstanding s. 320.023, the application form for motor vehicle registration and renewal of registration must include language permitting a voluntary contribution of \$1 or more per applicant to the Live Like Bella Childhood Cancer Foundation. Such contributions must be distributed by the department to the Live Like Bella Childhood Cancer Foundation.

For the purpose of applying the service charge provided in s. 215.20, contributions received under this subsection are not income of a revenue nature.

Section 2. This act shall take effect July 1, 2019.

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 Committee on Infrastructure and Security

BILL: SB 404

INTRODUCER: Senator Farmer

SUBJECT: Strategic Fuel Reserve

DATE: February 19, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	Favorable
2.			GO	
3.			RC	

I. Summary:

SB 404 creates the Florida Strategic Fuel Reserve Task Force (task force) within the Florida Division of Emergency Management (FDEM) to develop a recommended strategic fuel reserve plan for the state to respond to private and public fuel needs in the event of an emergency or disaster. The FDEM must provide administrative and support services relating to the functions of the task force.

The Governor, President of the Senate, and Speaker of the House of Representatives must each appoint three persons to sit on the nine member task force. The task force must elect a chair and vice chair and submit a recommended strategic fuel reserve plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 30, 2020. The task force terminates on June 30, 2020.

The bill takes effect on July 1, 2019.

II. Present Situation:

Florida Division of Emergency Management

The FDEM administers programs to rapidly apply all available aid to impacted communities stricken by emergency.¹ The FDEM is responsible for maintaining a comprehensive statewide program of emergency management to ensure that Florida is prepared to respond to emergencies, recover from them, and mitigate against their impacts. In doing so, the FDEM coordinates efforts with and among the federal government, other state agencies, local governments, school boards,

¹ Section 14.2016, F.S.

and private agencies that have a role in emergency management.² The FDEM is organized by functional area to include the bureaus of Mitigation, Preparedness, Response, and Recovery.

State Emergency Response Team

The State Emergency Response Team (SERT) serves as the primary operational mechanism through which state assistance to local governments is managed.³ To facilitate effective operations, the SERT is organized into 18 groups called Emergency Support Functions (ESF).⁴ Each ESF focuses on a specific mission area and is led by a representative from the state agency that best reflects the authorities, resources, and capabilities of the ESF.

Emergency Support Function 12 – Fuels

The purpose of ESF 12 (Fuels) is to promulgate the policies and procedures to be used by partner agencies in responding to and recovering from shortages and disruptions in the supply and delivery of transportation fuels, electricity, natural gas, and other forms of energy and fuels that impact or threaten, significant numbers of citizens and visitors. The primary agencies providing leadership to ESF 12 are the Public Service Commission and the FDEM. Partner agencies in ESF 12 include, but are not limited to, the Florida Department of Agriculture and Consumer Services, Florida Department of Environmental Protection, Florida Department of Health, Florida Department of Management Services, Florida Department of Transportation, Florida National Guard, Florida Petroleum Council, Florida Petroleum Marketers Association, Florida Propane Association, Florida Trucking Association, and other industry trade groups and associations.⁵

Operations in ESF 12 involve close coordination with private sector providers of energy and transportation fuels such as propane, fuel oil, diesel fuel, and gasoline. The FDEM is primarily responsible for monitoring and coordinating with private sector suppliers of such fuels to ensure that adequate supplies of other energy and transportation fuels are available and deliverable for normal community functioning.⁶ Energy planners from the FDEM Bureaus of Response and Preparedness work alongside ESF 12 prior to an emergency or disaster to develop and maintain plans and procedures to ensure an adequate supply of fuels to support emergency response and recovery operations.⁷

III. Effect of Proposed Changes:

The bill creates the Florida Strategic Fuel Reserve Task Force within the FDEM to develop a recommended strategic fuel reserve plan for the state to respond to private and public fuel needs in the event of an emergency or disaster, as defined in s. 252.34, F.S. The FDEM must provide administrative and support services relating to the functions of the task force.

² Section 252.35(1), F.S.

³ FDEM, The State of Florida 2018 Comprehensive Emergency Management Plan, 6 (2018), <https://www.floridadisaster.org/globalassets/cemp/2018-state-cemp.pdf> (last visited February 4, 2019).

⁴ Id.

⁵ FDEM, The State of Florida 2018 Comprehensive Emergency Management Plan, Appendix XII – Emergency Support Function 12 – Energy (2018), <https://www.floridadisaster.org/globalassets/cemp/2018-state-cemp.pdf> (last visited February 6, 2019).

⁶ Id.

⁷ FDEM, Natural Hazards, <https://www.floridadisaster.org/dem/preparedness/natural-hazards/> (last visited February 4, 2019).

The Governor, President of the Senate, and Speaker of the House of Representatives must each appoint three persons to sit on the nine member task force. The task force must elect a chair and vice chair and submit a recommended strategic fuel reserve plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by April 30, 2020. The task force terminates on June 30, 2020.

The bill takes effect on July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill directs the FDEM to provide administrative and support services relating to the functions of the Florida Strategic Fuel Reserve Task Force. According to the FDEM, the agency would incur an estimated \$569,000 in contractor and staff costs.⁸

⁸ Email from Jared Rosenstein, Legislative Affairs Director, Florida Division of Emergency Management, RE: SB 404, (February 12, 2019).

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

By Senator Farmer

34-00718-19

2019404__

1 A bill to be entitled
 2 An act relating to a strategic fuel reserve; creating
 3 the Florida Strategic Fuel Reserve Task Force within
 4 the Division of Emergency Management to develop a
 5 recommended strategic fuel reserve plan for an
 6 emergency or disaster; requiring the division to
 7 provide administrative and support services to the
 8 task force; specifying the membership of the task
 9 force; requiring the task force to elect a chair and a
 10 vice chair; requiring the task force to submit a
 11 recommended plan to the Governor and the Legislature
 12 by a specified date; providing an expiration date;
 13 providing an effective date.
 14

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

16
 17 Section 1. (1) The Florida Strategic Fuel Reserve Task
 18 Force, a task force as defined in s. 20.03(8), Florida Statutes,
 19 is created within the Division of Emergency Management within
 20 the Executive Office of the Governor to develop a recommended
 21 strategic fuel reserve plan for the state to respond to private
 22 and public fuel needs in the event of an emergency or disaster,
 23 as those terms are defined in s. 252.34, Florida Statutes.

24 (2) The division shall provide administrative and support
 25 services relating to the functions of the task force.

26 (3) The task force shall consist of the following members:

27 (a) Three persons appointed by the President of the Senate.

28 (b) Three persons appointed by the Speaker of the House of
 29 Representatives.

Page 1 of 2

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

34-00718-19

2019404__

30 (c) Three persons appointed by the Governor.
 31 (4) The task force shall elect a chair and vice chair.
 32 (5) The task force shall submit a recommended strategic
 33 fuel reserve plan to the Governor, the President of the Senate,
 34 and the Speaker of the House of Representatives by April 30,
 35 2020.
 36 (6) This section expires on June 30, 2020.
 37 Section 2. This act shall take effect July 1, 2019.

Page 2 of 2

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19
Meeting Date

404
Bill Number (if applicable)

Topic Fuel Reserves

Amendment Barcode (if applicable)

Name David Mica

Job Title Director

Address 215 S Monroe St

Phone 561-6300

Street

Tallahassee
City

FL
State

32301
Zip

Email MICAD@API.ORG

Speaking: For Against Information

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

Representing FLORIDA PETROLEUM COUNCIL

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

THE FLORIDA SENATE
APPEARANCE RECORD

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

2/19/2019
Meeting Date

404
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Brian Pitts

Job Title Trustee

Address 1119 Newton Ave S
Street

Phone 727/897-9291

St Petersburg FL 33705
City State Zip

Email justice2jesus@yahoo.com

Speaking: For Against Information

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

Representing Justice-2-Jesus

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.

CourtSmart Tag Report

Room: EL 110

Case No.:

Type:

Caption: Senate Committee on Infrastructure and Security

Judge:

Started: 2/19/2019 4:32:35 PM

Ends: 2/19/2019 5:58:04 PM

Length: 01:25:30

4:32:33 PM Meeting called to order by Chair Lee
4:32:49 PM Roll call by Administrative Assistant Marilyn Hudson
4:33:00 PM Quorum present
4:33:06 PM Comments from Chair Lee
4:33:51 PM Introduction of Tab 2, SB 72 by Chair Lee
4:34:05 PM Explanation of SB 72, Alligator Alley Toll Road by Senator Passidomo
4:34:29 PM Comments from Chair Lee
4:34:34 PM Question from Senator Taddeo
4:34:55 PM Response from Senator Passidomo
4:35:15 PM Follow-up question from Senator Taddeo
4:35:24 PM Response from Senator Passidomo
4:36:05 PM Comments from Senator Taddeo
4:36:27 PM Kingman Schuldt, Fire Chief, Greater Naples Fire Rescue District waives in support
4:36:40 PM John Mullins, Government Affairs Manager, Collier County waives in support
4:36:50 PM Brian Pitts, Justice-2-Jesus waives in support
4:37:04 PM Speaker Jay Ferren, Florida Department of Transportation
4:37:55 PM Question from Senator Taddeo
4:38:01 PM Response from Mr. Ferren
4:38:49 PM Comments from Chair Lee
4:39:46 PM Closure waived by Senator Passidomo
4:39:52 PM Roll call by Administrative Assistant Marilyn Hudson
4:40:13 PM SB 72 reported favorably
4:40:24 PM Introduction of Tab 1, SB 64 by Chair Lee
4:40:33 PM Explanation of SB 64, Transportation Facility Designations/Officer Lance Christian Whitaker Highway by Senator Gibson
4:42:01 PM Comments from Chair Lee
4:42:11 PM Closure waived by Senator Gibson
4:42:15 PM Roll call by Administrative Assistant Marilyn Hudson
4:42:26 PM SB 64 reported favorably
4:43:06 PM Introduction of Tab 5, SB 234 by Chair Lee
4:43:22 PM Explanation of SB 234, Registration and Titling of Vehicles and Vessels by Senator Baxley
4:44:01 PM Introduction of Strike-all Amendment
4:44:17 PM Explanation of Strike-all Amendment No. 974626 by Senator Baxley
4:45:10 PM Question from Chair Lee
4:45:18 PM Response from Senator Baxley
4:45:41 PM Introduction of Amendment to Amendment
4:45:56 PM Explanation of Amendment to Amendment Barcode No. 244584 by Senator Baxley
4:46:11 PM Comments from Chair Lee
4:46:15 PM Amendment Barcode No. 244584 adopted
4:46:27 PM Strike-All Amendment Barcode No. 974626 adopted
4:46:35 PM Comments from Chair Lee
4:46:48 PM Ben Anderson, President, Florida Tax Collectors Association waives in support
4:46:57 PM Cesar Grasales, Director of Coalitions, Americans for Prosperity waives in support
4:47:09 PM Speaker Brian Pitts, Justice-2-Jesus
4:51:23 PM Comments from Chair Lee
4:52:26 PM Question from Senator Stewart
4:52:59 PM Closure by Senator Baxter
4:53:41 PM Roll call by Administrative Assistant Marilyn Hudson
4:53:58 PM CS/SB 234 reported favorably
4:54:16 PM Introduction of Tab 6, SB 252 by Chair Lee
4:54:29 PM Explanation of Strike-All Amendment No. 729314 by Senator Flores
4:55:13 PM Comments from Chair Lee

4:55:25 PM Karen Morgan, Manager of Public Policy, AAA waives in support
4:55:43 PM Question from Senator Hutson
4:57:10 PM Response from Senator Flores
4:59:13 PM Follow-up question from Senator Hutson
4:59:21 PM Response from Senator Flores
4:59:41 PM Amendment Barcode No. 729314 adopted
4:59:56 PM Comments from Senator Taddeo
5:00:24 PM Closure waived by Senator Flores
5:00:26 PM Roll call on CS/SB 252 by Administrative Assistant Marilyn Hudson
5:00:40 PM CS/SB 252 reported favorably
5:00:52 PM Introduction of Tab 7, SB 404 by Chair Lee
5:01:01 PM Explanation of SB 404, Strategic Fuel Reserve by Senator Farmer
5:04:11 PM Comments from Chair Lee
5:04:26 PM Speaker Dave Mica, Director, Florida Petroleum Council in opposition
5:08:28 PM Question from Chair Lee
5:08:32 PM Response from Mr. Mica
5:11:00 PM Question from Senator Cruz
5:11:06 PM Response from Mr. Mica
5:13:15 PM Comments from Chair Lee
5:13:27 PM Speaker Brian Pitts, Justice-2-Jesus
5:16:07 PM Comments from Chair Lee
5:16:14 PM Senator Hooper in debate
5:17:16 PM Senator Stewart in debate
5:18:14 PM Comments from Chair Lee
5:19:06 PM Closure by Senator Farmer
5:21:59 PM Roll call on SB 404 by Administrative Assistant Marilyn Hudson
5:22:15 PM SB 404 reported favorably
5:22:39 PM Introduction of Tab 4, SB 116 by Chair Lee
5:22:49 PM Explanation of SB 116, Motor Vehicle Racing by Senator Stewart
5:24:06 PM Comments from Chair Lee
5:24:17 PM Speaker Michael Crabb, Lieutenant, Orange County Sheriff's Office
5:24:59 PM Barney Bishop, President & CEO, Florida Smart Justice Alliance waives in support
5:25:18 PM Speaker Brian Pitts, Justice-2-Jesus
5:26:30 PM Carl Mikyska, Executive Director, FL MPO Advisory Council waives in support
5:26:41 PM Comments from Chair Lee
5:27:43 PM Closure by Senator Stewart
5:27:50 PM Roll call on SB 116 by Administrative Assistant Marilyn Hudson
5:27:59 PM SB 116 reported favorably
5:28:09 PM Introduction of Tab 3, SB 76 by Chair Lee
5:28:17 PM Explanation of SB 76, Use of Wireless Communications Devices While Driving by Senator Simpson
5:28:59 PM Strike-all Amendment No. 594074 explained by Senator Simpson
5:30:41 PM Comments from Chair Lee
5:30:56 PM Introduction of Amendment Barcode No. 958944 by Chair Lee
5:31:09 PM Explanation of Barcode No. 958944 by Senator Simpson
5:31:34 PM Comments from Chair Lee
5:31:43 PM Chief Gary Hester, Government Affairs, Florida Police Chiefs Association waives in support
5:31:58 PM Amendment to Amendment Barcode No. 958944 adopted
5:32:06 PM Introduction of Amendment to Amendment Barcode No. 947646 by Chair Lee
5:32:13 PM Explanation of Amendment to Amendment Barcode No. 947646 by Senator Simpson
5:32:33 PM Chief Gary Hester Government Affairs, Florida Police Chiefs Association waives in support
5:32:45 PM Amendment to Amendment Barcode No. 947646 adopted
5:32:53 PM Introduction of Amendment to Amendment Barcode No. 260730 by Chair Lee
5:33:03 PM Explanation of Amendment to Amendment Barcode No. 260730 by Senator Simpson
5:33:24 PM Chief Hester, Government Affairs, Florida Police Chiefs Association waives in support
5:33:32 PM Amendment to Amendment Barcode No. 260730 adopted
5:33:41 PM Introduction of Amendment to Amendment Barcode No. 211782 by Chair Lee
5:33:48 PM Explanation of Amendment to Amendment Barcode No. 211782 by Senator Simpson
5:33:57 PM Chief Hester, Government Affairs, Florida Police Chiefs Association waives in support
5:34:08 PM Amendment to Amendment Barcode No. 211782 adopted
5:34:24 PM Speaker Chief Gary Hester, Government Affairs, Florida Police Chiefs Association in support
5:35:53 PM Jim Cordero, Director Governmental Affairs waives in support
5:36:09 PM William Cotterall, General Counsel, Florida Justice Association waives in support

5:36:20 PM Comments from Chair Lee
5:36:52 PM Strike-All Amendment Barcode No. 594074 adopted
5:37:03 PM Speaker Mark Merwitzer, Gainesville, Florida in support
5:39:37 PM H. Lee Moffitt, Attorney, AutoNation, Inc. waives in support
5:39:54 PM Chief Gary Hester, Government Affairs, Florida Police Chiefs Association waives in support
5:40:05 PM Angela Drzewiecki, Florida Sheriffs Association waives in support
5:40:13 PM John Wayne Smith, Florida Association of Counties waives in support
5:40:20 PM Jeff Branch, Legislative Advocate, Florida League of Cities waives in support
5:40:25 PM Becky Alfonso, Executive Director, Florida Bicycle Association, Inc. waives in support
5:40:40 PM Speaker Reggie Grant, Assistant Professor of Journalism, TCC in support
5:47:50 PM Leslie Dughi in support
5:47:58 PM Leslie Dughi in support
5:48:00 PM Matt Puckett, Florida Police Benevolent Association waives in support
5:48:05 PM Erin Balals, National Waste and Recycling Association waives in support
5:48:27 PM Brewster Bevis, Senior Vice President, Associated Industries of Florida waives in support
5:48:32 PM Zayne Smith, Associate State Director, AARP Florida waives in support
5:48:36 PM Barney Bishop, President & CEO, Florida Smart Justice Alliance waives in support
5:48:40 PM Carl Mikyska, Executive Director, FL MPO Advisory Council waives in support
5:48:48 PM Leslie Mille waives in support
5:48:53 PM Daphnee Sainvil, Legislative Policy Advisor, Broward County Board of County Commissioners waives in support
5:48:59 PM Joseph Salzverg, Attorney/Government Consultant, City of West Palm Beach waives in support
5:49:03 PM Logan McFadden, American Property Casualty Insurance Association waives in support
5:49:10 PM Diere Carr, Alliance of Automobile Manufacturers waives in support
5:49:17 PM Erin Milbeck, Share Point Developer waives in support
5:49:23 PM Commissioner Daniela Levine Cave, Miami-Dade waives in support
5:49:36 PM Eric Stern, Florida PTA Legislative Committee waives in support
5:49:55 PM Speaker Demetrius Branca, Anthony Phoenix Branca Foundation in support
5:55:39 PM Time Certain by Senator Hutson at 5:59
5:55:47 PM Mary Lynn Cullery, Advocate Institute for Children waives in support
5:55:52 PM Greg Pound
5:55:59 PM Michael Crass, Lieutenant, Orange County Sheriff's Office waives in support
5:56:07 PM Brian Pitts, Justice to Jesus
5:56:23 PM Comments from Chair Lee
5:56:29 PM Comments from Vice Chair Perry
5:57:11 PM Closure by Senator Simpson
5:57:17 PM Roll call on CS/SB 76 by Administrative Assistant Marilyn Hudson
5:57:36 PM CS/SB 76 reported favorably
5:57:46 PM Senator Hooper moves to adjourn, without objection