

Tab -1	SPB 7004 by TR ; OGSR/Financial Information/Guarantor of a Private Entity Applicant
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Tab 2	SB 376 by Gibson ; (Identical to H 06015) Jacksonville Transportation Authority Leases
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

TRANSPORTATION
Senator Harrell, Chair
Senator Perry, Vice Chair

MEETING DATE: Tuesday, January 26, 2021
TIME: 3:30—6:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator Harrell, Chair; Senator Perry, Vice Chair; Senators Berman, Bracy, Gainer, Jones, Rodriguez, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A1 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
1	Consideration of proposed bill:		
	SPB 7004	OGSR/Financial Information/Guarantor of a Private Entity Applicant; Expanding an existing exemption from public records requirements for financial information of a private entity applicant which the Department of Transportation requires as part of a certain application process to include the financial information of the private entity applicant's guarantor; including a private entity applicant's guarantor in an exception to the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	Submitted and Reported Favorably as Committee Bill Yeas 8 Nays 0
2	SB 376 Gibson (Identical H 6015)	Jacksonville Transportation Authority Leases; Removing a limitation on the term of a lease into which the authority may enter, etc. TR 01/26/2021 Favorable CA RC	Favorable Yeas 8 Nays 0
3	Presentation by the Florida Department of Transportation on Electric Vehicles and Transportation Revenue Trends		Presented
4	Update by the Florida Department of Transportation on the SunPass Program		Presented
5	Presentation by the Florida Department of Highway Safety and Motor Vehicles on Motorist Modernization and Mobile Driver Licenses		Presented

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SPB 7004

INTRODUCER: For consideration by the Transportation Committee

SUBJECT: OGSR/Financial Information/Guarantor of a Private Entity Applicant

DATE: January 27, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Vickers		Submitted and Reported Favorably

I. Summary:

SPB 7004 proposes to expand an existing public records exemption from the public records inspection and access requirements of Art. I, s. 24(a) of the State Constitution and s. 119.07(1), F.S., for certain financial information held by the Florida Department of Transportation (FDOT). Specifically, under current law, the financial information of a private entity applicant for a loan or credit enhancement from the State-funded Infrastructure Bank (SIB) within the FDOT, for use in constructing and improving transportation facilities or ancillary facilities that produce or distribute natural gas or fuel, is exempt from the public records inspection and access requirements.

The bill would expand the exemption to apply to the financial information of a private entity applicant's guarantor.

The current exemption does not apply to the financial information of a private applicant in default on a SIB loan. Likewise, the expanded exemption would not apply to the financial information of an applicant's guarantor in default on a SIB loan.

The bill would provide the exemptions are subject to the Open Government Sunset Review Act and stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.

Because the proposed bill expands the current exemption, a public necessity statement and passage by a two-thirds vote of each house is required.

The bill would take effect July 1, 2021.

II. Present Situation:

Public Records Law

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ This applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

In addition to the Florida Constitution, the Florida Statutes provide that the public may access legislative and executive branch records.³ Chapter 119, F.S., constitutes the main body of public records laws, and is known as the Public Records Act.⁴ The Public Records Act states that:

[I]t is the policy of this state that all state, county and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.⁵

According to the Public Records Act, a public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.⁶ The Florida Supreme Court has interpreted public records as being “any material prepared in connection with official agency business which is intended to perpetuate, communicate or formalize knowledge of some type.”⁷ A violation of the Public Records Act may result in civil or criminal liability.⁸

The Legislature may create an exemption to open meetings requirements by passing a general law by a two-thirds vote of the House and the Senate.⁹ The exemption must explicitly lay out the public necessity justifying the exemption, and must be no broader than necessary to accomplish the stated purpose of the exemption.¹⁰ A statutory exemption which does not meet these two criteria may be unconstitutional and may not be judicially saved.¹¹

¹ FLA. CONST., art. I, s. 24(a).

² FLA. CONST., art. I, s. 24(a).

³ The Public Records Act does not apply to legislative or judicial records. *Locke v. Hawkes*, 595 So. 2d 32 (Fla. 1992). Also see *Times Pub. Co. v. Ake*, 660 So. 2d 255 (Fla. 1995). The Legislature’s records are public pursuant to s. 11.0431, F.S. Public records exemptions for the Legislature are primarily located in s. 11.0431(2)-(3), F.S.

⁴ Public records laws are found throughout the Florida Statutes.

⁵ Section 119.01(1), F.S.

⁶ Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

⁷ *Shevin v. Byron, Harless, Schaffer, Reid and Assoc. Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

⁸ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

⁹ FLA. CONST., art. I, s. 24(c).

¹⁰ FLA. CONST., art. I, s. 24(c).

¹¹ *Halifax Hosp. Medical Center v. New-Journal Corp.*, 724 So. 2d 567 (Fla. 1999). In *Halifax Hospital*, the Florida Supreme Court found that a public meetings exemption was unconstitutional because the statement of public necessity did not define

When creating a public records exemption, the Legislature may provide that a record is “confidential and exempt” or “exempt.”¹² Records designated as “confidential and exempt” may be released by the records custodian only under the circumstances defined by the Legislature. Records designated as “exempt” may be released at the discretion of the records custodian under certain circumstances.¹³

Open Government Sunset Review Act

The Open Government Sunset Review Act (“OGSR”) prescribes a legislative review process for newly created or substantially amended public records or open meetings exemptions.¹⁴ The OGSR provides that an exemption automatically repeals on October 2nd of the fifth year after creation or substantial amendment; in order to save an exemption from repeal, the Legislature must reenact the exemption.¹⁵ In practice, many exemptions are continued by repealing the sunset date rather than reenacting the exemption.

The OGSR provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.¹⁶ An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivision to effectively and efficiently administer a program, and administration would be significantly impaired without the exemption;¹⁷
- Releasing sensitive personal information would be defamatory or would jeopardize an individual’s safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;¹⁸ or
- It protects trade or business secrets.¹⁹

The OGSR also requires specified questions to be considered during the review process.²⁰ In examining an exemption, the OGSR asks the Legislature to carefully question the purpose and necessity of reenacting the exemption.

important terms and did not justify the breadth of the exemption. *Id.* at 570. The Florida Supreme Court also declined to narrow the exemption in order to save it. *Id.* In *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004), the court found that the intent of a statute was to create a public records exemption. The *Baker County Press* court found that since the law did not contain a public necessity statement, it was unconstitutional. *Id.* at 196.
¹² If the Legislature designates a record as confidential, such record may not be released to anyone other than the persons or entities specifically designated in the statutory exemption. *WFTV, Inc. v. The School Board of Seminole*, 874 So. 2d 48 (Fla. 5th DCA 2004).

¹³ *Williams v. City of Minneola*, 575 So. 2d 683 (Fla. 5th DCA 1991).

¹⁴ Section 119.15, F.S. Section 119.15(4)(b), F.S., provides that an exemption is considered to be substantially amended if it is expanded to include more information or to include meetings. The OGSR does not apply to an exemption that is required by federal law or that applies solely to the Legislature or the State Court System pursuant to section 119.15(2), F.S.

¹⁵ Section 119.15(3), F.S.

¹⁶ Section 119.15(6)(b), F.S.

¹⁷ Section 119.15(6)(b)1., F.S.

¹⁸ Section 119.15(6)(b)2., F.S.

¹⁹ Section 119.15(6)(b)3., F.S.

²⁰ Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?

If, in reenacting an exemption, the exemption is expanded, then a public necessity statement and a two-thirds vote for passage are required.²¹ If the exemption is reenacted without substantive changes or if the exemption is narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.²²

State-funded Infrastructure Bank

The 2000 Legislature created the SIB within the FDOT to provide loans and credit enhancements for use in constructing and improving transportation facilities.²³ Government units and private entities may apply to the SIB for assistance. As outstanding obligations are repaid to the SIB, those repayments are made available for future lending on other eligible SIB projects. All proceeds are invested by the State Treasurer in accordance with established investment guidelines.²⁴

The SIB consists of two separate escrow accounts, one federally-funded and one state-funded. Projects eligible for assistance from the former account include those which meet all federal requirements under the Transportation Equity Act for the 21st Century and are eligible for assistance under Title 23, U.S.C.,²⁵ or capital projects as defined in s. 5302 of Title 49, U.S.C.²⁶ and other applicable federal guidelines.²⁷

For assistance from the state-funded account, a project must:

- Be on the State Highway System; or
- Provide for increased mobility on the state's transportation system; or
- Provide intermodal connectivity with airports, seaports, rail facilities, and other transportation terminals for the movement of people and goods.²⁸

Additionally, projects identified under the Transportation Regional Incentive Program are eligible for assistance from the state-funded account. The FDOT is authorized to match up to 50% of the cost for projects that, at a minimum:

- Serve national, statewide, or regional functions and function as part of an integrated regional transportation system;
- Are identified in the capital improvements element of a comprehensive plan and are in compliance with local government plan policies relative to corridor management;

-
- What is the identifiable public purpose or goal of the exemption?
 - Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
 - Is the record or meeting protected by another exemption?
 - Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

²¹ FLA. CONST. art. I, s. 24(c).

²² Section 119.15(7), F.S.

²³ Section 339.55, F.S.

²⁴ See the FDOT's website for further information describing the SIB, its history, and its capitalization: <https://www.fdot.gov/comptroller/pfo/sibintro.shtm> (last visited December 9, 2020).

²⁵ See 23 U.S.C. s. 119. Generally, projects on the National Highway System.

²⁶ Generally, public transportation projects.

²⁷ 23 U.S.C. s. 610.

²⁸ Section 339.55(2)(a), F.S.

- Are consistent with the Strategic Intermodal System Plan developed under s. 339.64, F.S.; and
- Have a commitment for local, regional, or private financial matching funds as a percentage of the overall project cost.²⁹

Emergency loans for damages incurred to public-use seaports, airports, and other transit and intermodal facilities within an area that is part of an official state declaration of emergency are also authorized under specified conditions.³⁰

A public or private entity seeking financial assistance from the SIB is required to submit an application,³¹ based on published advertisement periods via the FDOT's on-line advertised process, which the FDOT reviews to ensure any potential project meets eligibility, financial, and production criteria.³² If the criteria are met, the FDOT determines an "indicative interest rate for the application based on current market conditions, financial strength of the borrower, term, and risk of loan."³³

Examples of financial information items required in a SIB loan application include, but are not limited to, providing details of the proposed finance plan, funding sources, information regarding any anticipated bond issue or other debt instrument, loan term and amount, and primary and secondary repayment sources.

Open Government Sunset Review of the Public Records Exemption for Financial Information of a Private Entity submitted to the FDOT as Part of the Application Process for a Loan or Credit Enhancement from the SIB

The current public records exemption³⁴ was enacted in 2016³⁵ and, as noted, provides that the financial information of a private entity applicant for a loan or credit enhancement from the SIB, for use in constructing and improving transportation facilities or ancillary facilities that produce or distribute natural gas or fuel, is exempt from the public records inspection and access requirements. The term "financial information" means any private entity applicant's:

- Business plan;
- Pro forma statement;³⁶
- Account balance;
- Operating income or revenue;
- Asset value; or

²⁹ Section 339.55(2)(b) and see s. 339.2819, F.S.

³⁰ Section 339.55(2)(c), F.S.

³¹ To review an application form, see FDOT, *SIB Application and Awards*, available at <https://www.fdot.gov/comptroller/pfo/sib-application-and-awards.shtm> (last visited December 10, 2020).

³² See the FDOT's *SIB Guidelines for Federal/State* available at [Microsoft Word - SIB - Guidelines Federal-State 07.12.18 Final \(windows.net\)](https://www.fdot.gov/comptroller/pfo/sib-guidelines-federal-state-07.12.18-final-windows.net) (last visited December 9, 2020).

³³ FDOT, "State Infrastructure Bank," available at [State Infrastructure Bank \(fdot.gov\)](https://www.fdot.gov/state-infrastructure-bank) (last visited December 9, 2020).

³⁴ Section 339.55(10), F.S.

³⁵ Ch. 2016-38, L.O.F.

³⁶ Pro forma statements are financial statements that estimate a firm's future financial position based on the analysis of current trends and assumptions and are used to prepare future scenarios, business plans or estimates of required cash for financing proposals. The Law Dictionary, *Featuring Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.*, available at <http://thelawdictionary.org/pro-forma-statement/> (Last visited December 10, 2020).

- Debt.

The exemption ceases if the private entity goes into default.³⁷

Consistent with Art. I, s. 24(c) of the State Constitution, the 2016 law included a public necessity statement for a newly created public records exemption, stating that disclosure of the specified information:

- Could harm a private entity by giving the private entity's competitors insights into its financial status and business plan, putting the private entity at a competitive disadvantage.
- Could create the opportunity for theft, fraud, and other illegal activity, jeopardizing the financial security of the private entity and placing it at risk for substantial financial harm.
- Could expose a private person who is required to provide his or her personal financial information to FDOT to identity theft or other criminal activity.

The 2016 law further stated:

- Private entities may be unwilling to submit an application to the SIB for a loan without the exemption, which unwillingness could limit the FDOT's opportunities for cost-effective or strategic solutions for constructing and improving transportation facilities.
- The public benefit derived from having more private entities apply for SIB assistance outweighs the public benefit derived from accessing a private entity's financial information.

The existing public records exemption for the financial information of a private entity SIB applicant stands repealed on October 2, 2021, unless reviewed and reenacted by the Legislature.

In preparation for the required review, committee staff surveyed the FDOT with respect to the existing exemption. As described by the FDOT:

For any private entity borrower, FDOT has required customary financial statements and information regarding historical and projected collections of revenues and the value of any assets that are proposed to be pledged as collateral for repayment of the loan, together with information regarding any other liens, existing or proposed, that attach to any collateral to be pledged to FDOT. This may extend to revenues or assets of the private borrower that were not originally proposed by the borrower as a source of repayment or collateral for the requested loan. *Depending on the strength of the private borrower's financial position and the value of available collateral, FDOT may require an additional third party guaranty of repayment. Financial information required of a private borrower, or private guarantor, may include tax returns and financial account information.* The definition of "financial information" contained in s. 339.55(10), "any business plan, pro forma statement, account balance, operating income or revenue, asset value, or debt of the applicant"

³⁷ The right of the public to inspect or copy the financial information of a government-unit applicant for a SIB loan is unchanged by the bill.

describes information that FDOT typically requires to be furnished by private borrowers.³⁸

The FDOT additionally advises that all financial information is not always provided with the application, and not all loans are closed within a year, so applicants *and their guarantors* may have to provide updated information as negotiation for SIB assistance continues. Further, the original collateral may change, in which case new supporting financial information is required. However, the current exemption applies only to the private entity applicant's financial information and does not apply to the financial information of an applicant's guarantor.³⁹

The FDOT recommends that the Legislature retain the current exemption for the financial information of a private entity SIB applicant and, in addition, the FDOT recommends expanding the exemption to apply to the financial information of a private entity SIB applicant's guarantor.

Based upon a review of this public records exemption under the Open Government Sunset Review Act, as well as survey responses from, discussions with, and recommendations of the FDOT, the professional staff of the Senate Transportation Committee recommends that the Legislature retain the existing public records exemption for the financial information of a private entity SIB applicant established in s. 338.55(10), F.S., and expand the exemption to apply to the financial information of a private entity SIB applicant's guarantor.

III. Effect of Proposed Changes:

SPB 7004 is based on an Open Government Sunset Review of a public records exemption for the financial information of a private entity applicant for a loan or credit enhancement from the State-funded Infrastructure Bank (SIB) within the FDOT, for use in constructing and improving transportation facilities or ancillary facilities that produce or distribute natural gas or fuel.

Section 1 of the bill would retain the existing public records exemption established in s. 339.55(10), F.S., for the financial information of a private entity SIB applicant, and expand the exemption to apply to the financial information of a private entity SIB applicant's guarantor. The existing exemption does not apply to financial information of an applicant who is in default on a SIB loan, and would not apply to the financial information of an applicant's guarantor who is in default on a SIB loan.

The bill would subject the exemptions to the Open Government Sunset Review Act and provide the exemptions stand repealed on October 2, 2026, unless reviewed and saved from repeal through reenactment by the Legislature.

³⁸ Emphasis added. See the FDOT's Open Government Sunset Review Questionnaire Response by email to committee staff, September 10, 2020. (On file in the Senate Transportation Committee.) Between 2012 and just prior to enactment of the current exemption in 2016, based on available records, the FDOT advises it received approximately seven requests for financial information provided by a private entity SIB applicant to the FDOT. After enactment on July 1, 2016, through October 28, 2020, the FDOT received approximately 22 requests. During both periods of time, the requesting entities included public involvement advocates, development companies, governmental bodies, private citizens, and the media.

³⁹ See the FDOT's email to committee staff, November 19, 2020. (On file in the Senate Transportation Committee.)

Section 2 contains Legislative findings that:

- It is a public necessity that financial information of the guarantor of a SIB applicant required as part of the application process for a loan or credit enhancement from the SIB be protected.
- Disclosure of such information could harm a guarantor in the marketplace by giving the guarantor's competitors insights into its financial status and business plan, thereby putting the guarantor at a competitive disadvantage; and could create the opportunity for theft, fraud, and other illegal activity, thereby jeopardizing the financial security of the guarantor and placing it at risk for substantial financial harm.
- Without the exemption, some guarantors might be unwilling to provide guarantees for SIB applicants, and this unwillingness could limit the ability of private entity applicants to apply for SIB assistance which could, in turn, limit opportunities the FDOT might otherwise have to offer SIB assistance to private entities who could propose cost-effective or strategic solutions for construction and improving transportation facilities.
- The benefit to the public of increased opportunities for the provision of such facilities by SIB applicants, facilitated by applicant guarantors, outweighs any public benefit that may be derived from the disclosure of a guarantor's financial information.

The bill would take effect on July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This proposed bill expands the existing public records exemption for the financial information of a private entity SIB applicant to apply to the financial information of a SIB applicant's guarantor; thus, a two-thirds vote for final passage would be required.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a public necessity statement for a newly created or expanded public records or public meeting exemption. The bill would expand an existing public records exemption and includes a public necessity statement in support thereof. The statement to a large extent mirrors that which was contained in the 2016 legislation creating the existing exemption applicable to SIB applicants. The exemption applied to applicant guarantors appears to be no broader than necessary to accomplish the stated purpose of the law.

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:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill would substantially amend the following section of the Florida Statutes: 339.55.

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.

FOR CONSIDERATION By the Committee on Transportation

596-00715-21

20217004pb

A bill to be entitled

An act relating to a review under the Open Government Sunset Review Act; amending s. 339.55, F.S.; expanding an existing exemption from public records requirements for financial information of a private entity applicant which the Department of Transportation requires as part of a certain application process to include the financial information of the private entity applicant's guarantor; including a private entity applicant's guarantor in an exception to the exemption; amending the definition of the term "financial information" to include the financial information of the private entity applicant's guarantor; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

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

Section 1. Subsection (10) of section 339.55, Florida Statutes, is amended to read:

339.55 State-funded infrastructure bank.—

(10) (a) Financial information of a private entity applicant, or of an applicant's guarantor, which the department requires as part of the application process for loans or credit enhancements from the state-funded infrastructure bank is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to records of an applicant, or of an applicant's guarantor, who is in default of

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a loan issued under this section. As used in this subsection, the term "financial information" means any business plan, pro forma statement, account balance, operating income or revenue, asset value, or debt of the applicant or the applicant's guarantor.

(b) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, ~~2026~~ ~~2024~~, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. (1) The Legislature finds that it is a public necessity that financial information of the guarantor of a private entity applicant which the Department of Transportation requires as part of the application process for a loan or credit enhancement from the state-funded infrastructure bank be protected from disclosure. The disclosure of such information could harm a guarantor in the marketplace by giving the guarantor's competitors insights into its financial status and business plan, thereby putting the guarantor at a competitive disadvantage. Additionally, the disclosure of sensitive financial information regarding a guarantor could create the opportunity for theft, fraud, and other illegal activity, thereby jeopardizing the financial security of the guarantor and placing it at risk for substantial financial harm.

(2) Without an exemption from public records requirements under s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution, some guarantors might be unwilling to provide guarantees for private entity applicants who submit an application to the state-funded infrastructure bank. This unwillingness to provide guarantees for private entity

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59 applicants could limit the ability of private entity applicants
60 to submit applications for assistance from the state-funded
61 infrastructure bank, which could, in turn, limit opportunities
62 the department might otherwise have for providing loans or
63 credit enhancements to private entities who could propose cost-
64 effective or strategic solutions for constructing and improving
65 transportation facilities. The Legislature finds that the
66 benefit to the public of increased opportunities for the
67 provision of such facilities facilitated by private entity
68 applicant guarantors outweighs any public benefit that may be
69 derived from the disclosure of the financial information of a
70 private entity applicant's guarantor. For this reason, the
71 Legislature declares that financial information that the
72 department requires of a guarantor as part of a private entity's
73 application process for loans or credit enhancements from the
74 state-funded infrastructure bank is exempt from s. 119.07(1),
75 Florida Statutes, and s. 24(a), Article I of the State
76 Constitution.

77 Section 3. This act shall take effect July 1, 2021.

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 Transportation

BILL: SB 376

INTRODUCER: Senator Gibson

SUBJECT: Jacksonville Transportation Authority Leases

DATE: January 27, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Price	Vickers	TR	Favorable
2.			CA	
3.			RC	

I. Summary:

SB 376 addresses the authorization of the Jacksonville Transportation Authority (JTA) to enter into lease agreements. The JTA is currently authorized to enter into various types of lease agreements, including leases involving real property. However, unlike other transportation and expressway authorities, the term or duration of such leases is limited to 40 years. The bill removes the 40-year limitation on the term of a lease agreement into which the JTA is authorized to enter.

The bill presents no immediate fiscal impact to the JTA or to state or local revenues. See Section V., “Fiscal Impact Statement.”

The bill takes effect July 1, 2021.

II. Present Situation:

Jacksonville Transportation Authority

Chapter 349, F.S., creates the JTA as a body politic and corporate and an agency of the state.¹ The governing body of the JTA consists of seven members: three appointed by the Governor and confirmed by the Senate; three appointed by the City of Jacksonville Mayor, subject to confirmation by the City of Jacksonville Council; and a seventh member who is the Florida Department of Transportation District 2 Secretary. The six appointed members must be residents and qualified electors of Duval County and generally serve for four-year terms.²

¹ Section 349.03(1), F.S.

² Section 349.03(2), F.S.

The JTA is authorized to acquire, hold, construct, improve, maintain, operate, and own the Jacksonville Expressway System,³ but the authority also has multi-modal responsibilities. The JTA designs and constructs bridges and highways⁴ and provides varied mass transit services including, but not limited to, express and regular bus service;⁵ a downtown Skyway Monorail;⁶ the St. Johns River Ferry;⁷ the Gameday Xpress for various sporting events;⁸ inter-county service between points in Baker, Clay, Nassau, Putnam and St. Johns Counties;⁹ and paratransit service.¹⁰

Leasing Authority

Current law authorizes the JTA to enter into lease agreements, including, but not limited to the authority to lease:

- As lessor, the Jacksonville Expressway System;¹¹ a mass transit system employing motor cars or buses, street railway systems beneath the surface, on the surface, or above the surface, or any other means determined useful to the rapid transfer of large numbers of people among the locations of residence, commerce, industry, and education in Duval County.¹²
- Public transportation projects, such as express bus services; bus rapid transit services; light rail, commuter rail, heavy rail, or other transit services; ferry services; transit stations; park-and-ride lots; transit-oriented development nodes; or feeder roads, reliever roads, connector roads, bypasses, or appurtenant facilities, that are intended to address critical transportation needs or concerns in the Jacksonville, Duval County, metropolitan area.¹³
- As lessee or lessor, and use any franchise or any property, real, personal, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the purposes of the authority and to sell, lease as lessor, transfer, and dispose of any property or interest therein at any time acquired by it, including, without limitation, land, buildings, and other facilities located within or comprising transit-oriented developments which enhance the use or utility of transportation facilities owned or constructed by the authority and administrative and other buildings for the use of the authority in carrying out its powers and obligations.¹⁴

³ Section 349.04(1)(a), F.S.

⁴ See the JTA website for a list of projects, available at [JTA Mobility Works - Projects \(jtafla.com\)](https://www.jtafla.com/projects) (retrieved January 15, 2021).

⁵ See the JTA website, *Riding JTA*, available at [Jacksonville Transportation Authority - Riding JTA \(jtafla.com\)](https://www.jtafla.com/riding-jta) (retrieved January 15, 2021).

⁶ See the JTA website, *Skyway*, available at [Jacksonville Transportation Authority - Skyway \(jtafla.com\)](https://www.jtafla.com/skyway) (retrieved January 15, 2021).

⁷ See the JTA website, *St. Johns River Ferry*, available at [JTA Ferry - St. John's River Ferry | Schedule, Costs, Information, Directions | JTA \(jtafla.com\)](https://www.jtafla.com/st-johns-river-ferry) (retrieved January 15, 2021).

⁸ See the JTA website, *Gameday Xpress*, available at [Jacksonville Transportation Authority - Gameday Xpress \(jtafla.com\)](https://www.jtafla.com/gameday-xpress) (retrieved January 15, 2021).

⁹ See the JTA website, *Regional Services*, available at [Jacksonville Transportation Authority - Regional Services \(jtafla.com\)](https://www.jtafla.com/regional-services) (retrieved January 15, 2021).

¹⁰ See the JTA website, *Paratransit*, available at [Jacksonville Transportation Authority - Paratransit \(jtafla.com\)](https://www.jtafla.com/paratransit) (retrieved January 15, 2021). Some of the JTA services listed have been modified or suspended due to the COVID virus.

¹¹ Section 349.04(1)(a), F.S.

¹² Section 349.04(1)(b), F.S.

¹³ Section 349.04(1)(e), F.S.

¹⁴ Section 349.04(2)(c), F.S.

Various transportation, bridge, and expressway authorities are granted the power under current law to enter into agreements for similar or other types of leases, such as the South Florida Regional Transportation Authority,¹⁵ the Central Florida Regional Transportation Authority,¹⁶ the Tampa Bay Area Regional Transit Authority,¹⁷ the Tampa-Hillsborough Expressway Authority,¹⁸ and the Santa Rosa Bay Bridge Authority.¹⁹ The authorization in each of these instances, however, is open-ended and not limited in duration. The duration for which the Central Florida Expressway Authority is authorized to enter into lease agreements is for a term not exceeding 99 years.²⁰

Standing alone among these various transportation, bridge, and expressway authorities, the JTA is the only such entity with leasing authority that is limited in duration to 40 years.

The JTA advises removal of the 40-year limitation is needed “to be able to move forward with advancing properties that will impact the economy in a positive way, by giving [the JTA] the authority to enter into what is a standard lease term [99 years] across the investment industry in order to secure financing for projects.”²¹

III. Effect of Proposed Changes:

The bill amends s. 349.04(2)(d), F.S., to remove the 40-year limitation on the term of a lease into which the Jacksonville Transportation Authority (JTA) is authorized to enter. With the exception of the Central Florida Expressway Authority, the bill grants to the JTA the same authority currently granted to various other transportation, expressway, and bridge authorities with respect to leasing.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁵ Section 343.54(1)(b) and (3)(d), (e), and (i), F.S.

¹⁶ Section 343.64(1)(b) and (3)(d), (e), and (i), F.S.

¹⁷ Section 343.922(5)(d), (e), and (i), F.S.

¹⁸ Section 348.54(3), F.S.

¹⁹ Section 348.968(2)(c), and (d), F.S.

²⁰ Section 348.754(1)(a) and (2)(c), F.S.

²¹ See email to committee staff, January 14, 2021. (On file in the Senate Transportation Committee.)

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:

Unknown.

C. Government Sector Impact:

The bill presents no immediate fiscal impact to the JTA; rather, the bill simply removes the 40-year limitation on the term of leases into which the JTA may enter. The details and terms of any potential lease are currently unknown. The bill otherwise presents no immediate fiscal impact to state or local revenues.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 349.04(2)(d) 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.

By Senator Gibson

6-00696-21

2021376__

1 A bill to be entitled
2 An act relating to Jacksonville Transportation
3 Authority leases; amending s. 349.04, F.S.; removing a
4 limitation on the term of a lease into which the
5 authority may enter; providing an effective date.
6
7 Be It Enacted by the Legislature of the State of Florida:
8
9 Section 1. Paragraph (d) of subsection (2) of section
10 349.04, Florida Statutes, is amended to read:
11 349.04 Purposes and powers.—
12 (2) The authority is hereby granted, and shall have and may
13 exercise all powers necessary, appurtenant, convenient, or
14 incidental to the carrying out of the aforesaid purposes,
15 including, but without being limited to, the right and power:
16 (d) To enter into and make leases ~~for terms not exceeding~~
17 ~~40 years~~, as either lessee or lessor, in order to carry out the
18 right to lease as set forth in this chapter.
19 Section 2. This act shall take effect July 1, 2021.

THE FLORIDA SENATE
APPEARANCE RECORD

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

1-26-2011
Meeting Date

SB 376
Bill Number (if applicable)

Topic JTA

Amendment Barcode (if applicable)

Name Sally Patrenas

Job Title PRESIDENT

Address 136 S. Broughton St
Street

Phone 850/933-1386

Tallahassee FL 32301
City State Zip

Email spatrenas@bettertransportation.org

Speaking: For Against Information

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

Representing FLORIDIANS FOR Better Transportation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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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)

11/20/2021
Meeting Date

SB 376
Bill Number (if applicable)

Topic Jacksonville Transportation Authority

Amendment Barcode (if applicable)

Name Jim Boxold

Job Title Capita City Consulting

Address 124 W Jefferson
Street

Phone 8502570119

TH FL 32309
City State Zip

Email jim@cccfla.com

Speaking: For Against Information

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

Representing Jacksonville Transportation Authority

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/14/14)



Electric Vehicles and Transportation Revenue Trends

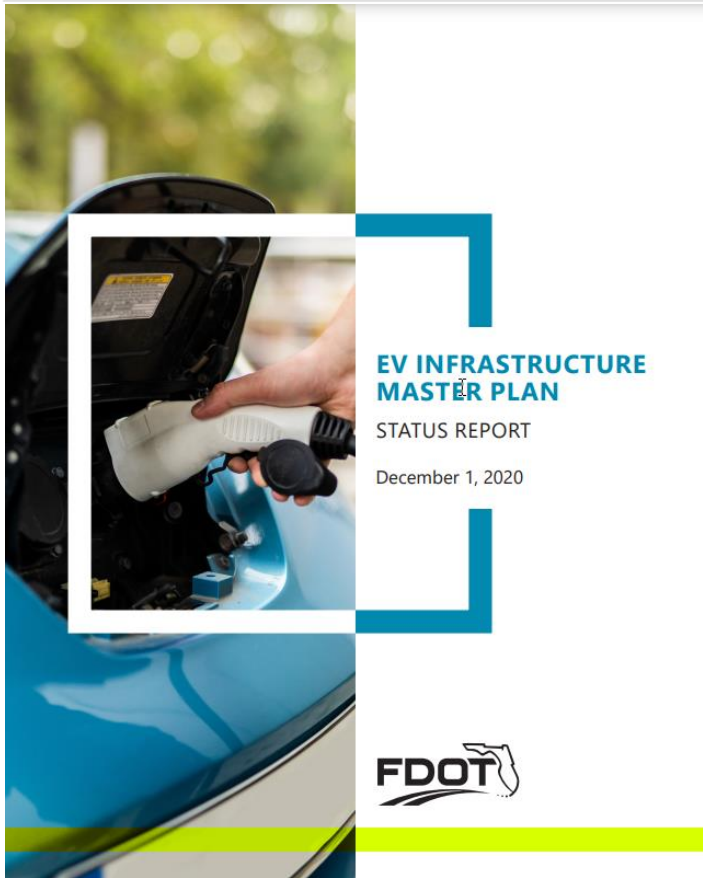
Brad Thoburn
Assistant Secretary for Strategic Development
Florida Department of Transportation

01/26/2021





Transportation Funding



- Erosion of Gas Tax effectiveness
 - Vehicle fuel economy is increasing
 - Travel behavior is changing
 - Alternative Fuel and Electric Vehicles
 - States need funding to cover operations and maintenance backlogs





Electric Vehicles and Electric Vehicle Infrastructure - Overview

Plug-In Hybrid Electric Vehicle (PHEV)

- Battery + internal combustion engine (ICE)

Battery Electric Vehicle (BEV)

- Battery-only
- 40-300 mile range, depending on make/model



EV Infrastructure

Level 2

- Slower charging speed (>2 hours-full charge)
- Short-range travel (commuting, intra-regional)
- Currently dominant





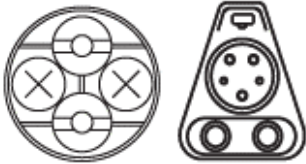
Direct Current Fast Charger (DCFC)

- Fast charging speed (~30 minutes-full charge)
- Long-range travel (evacuation, inter-regional)
- Future-oriented





Electric Vehicle Supply Equipment (EVSE)

EVSE Type	Supply Voltage	Charger Examples	Power Level	Charge Rate (miles / hr)	Cost to Install	Use Cases
Level 1	120V (Toaster)	 J1772 Connector	1 - 1.8 kW	3 - 7	\$	Home / Overnight
Level 2	208-240V (Clothes Dryer)	 J1772 Connector	3.3 - 19.2 kW 7.7 kW typical	10 - 60 26	\$\$	Home / Work Destination Charging
DC Fast Charger	480V (Commercial HVAC Unit)	 CHAdeMO / SAE Combo	50 kW 150 kW 350 kW	175 500 1,200	\$\$\$	Roadside / Travel Emergency Charging

KEY POINTS



Obsolete for commercial purposes

Currently dominant for commercial purposes

Most applicable for long-range travel and evacuations





Barriers to EV Adoption



EV cost parity with ICE vehicles - expected to occur 2025-2030.



Range anxiety during longer trips



Lack of EV models available on the market - >50% of vehicles registered in FL are truck/SUV



Lack of dealership knowledge / willingness to suggest EVs; Lack of EVs available at FL dealerships





Barriers to EVSE Adoption



Low EV customer base /
Lack of public awareness
regarding EVSE locations



EVSE charging speed –
function of power delivery
of EVSE & how much power
an EV can accept



Service Providers locate
EVSEs where EV adoption
is highest – gaps of EVSEs
in rural and emergency -
critical areas



Utility demand
charges



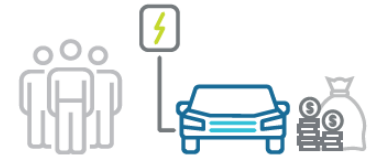
Lack of site-specific
back-end utility
infrastructure for DCFC
stations, especially in
rural areas



Additional costs when
providing back-up power
for emergency-critical
EVSE locations



Lack of state-level public
funding to deploy EVSEs,
especially in low-utilization
areas



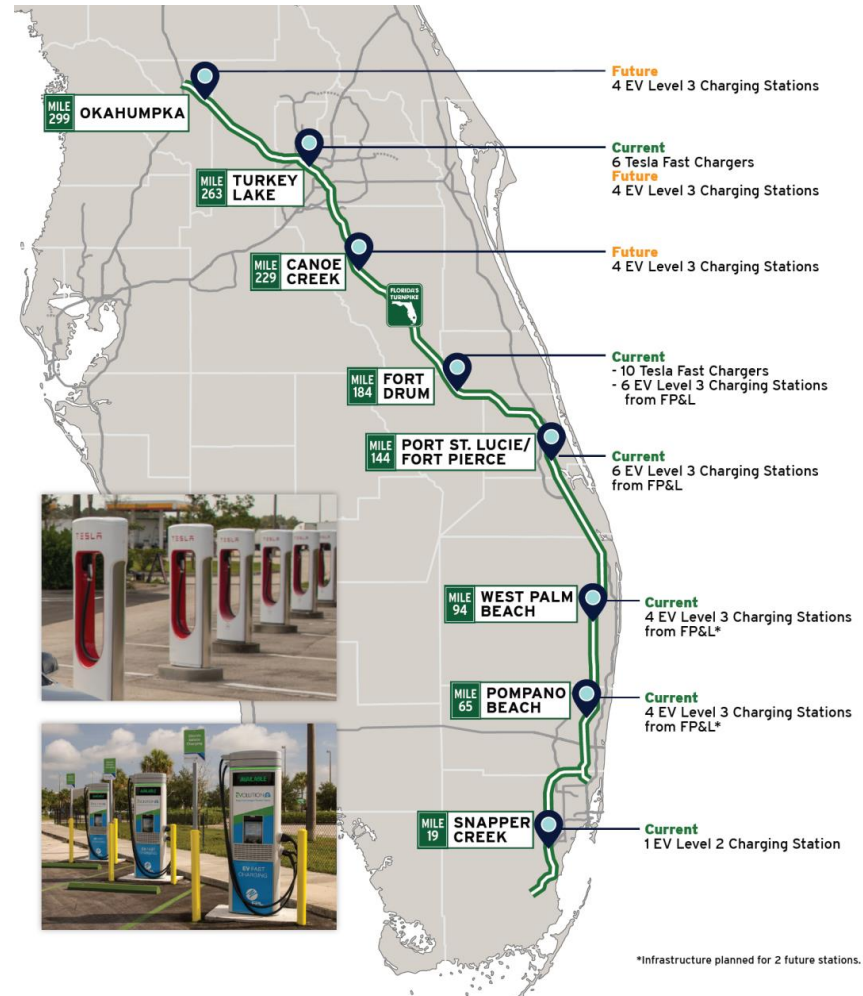
Perception is that gasoline
is cheap and/or familiarity
with ICE vehicles



Florida's Commitment to Innovation

Governor Ron DeSantis has directed FDOT to strengthen Florida's EV Infrastructure

- Increase the number of EV Charging stations along Florida's Turnpike by nearly double.
- A total of 104 DC fast chargers will be installed along more than 1,200 miles of highway, covering the most traveled corridors in the state.





EV Technology Trends



Increased Battery Power Density



Increased Battery Lifetime (Recharge Cycles)



Higher Battery Voltages



Decreased Charging Time



Decreased Battery Cost (\$ / kWh)

BEVs HISTORICAL BATTERY COST & RANGE



2010 COST
~\$1,175
per kWh

2015 COST
~\$375
per kWh



2010 RANGE
~75
miles

2015 RANGE
~160
miles

BEVs FORECASTED BATTERY COST & RANGE

2020 COST
~\$160
per kWh

2025 COST
~\$100
per kWh

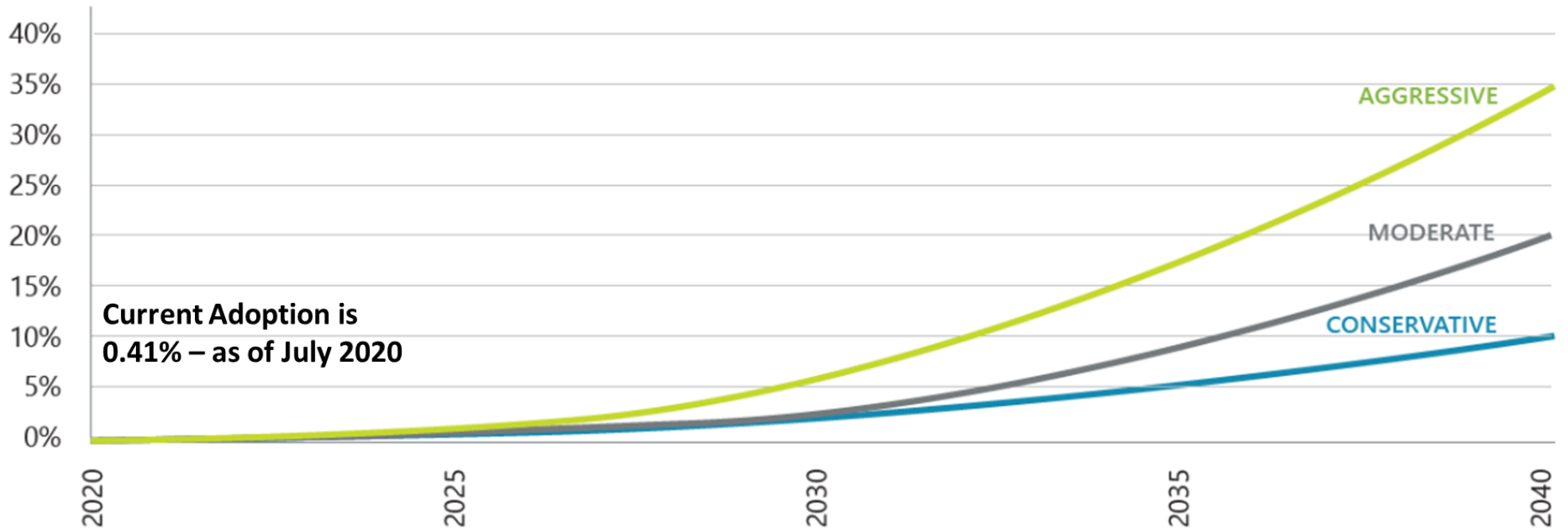
2020 RANGE
~250
miles

2025 RANGE
~450
miles

* Targeted cost to be competitive with traditional gasoline vehicles



Projected Electric Vehicle Adoption in Florida





Revenue Estimating Conference (REC) Projections

STTF Net Revenue Projections by REC (in millions)

Applicable Revenue Category	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2021-30
Motor Fuel Sales Tax (highway)	\$2,383	\$2,351	\$2,236	\$2,428	\$2,536	\$2,616	\$2,678	\$2,747	\$2,814	\$2,889	\$2,959	\$3,040	\$26,942
Other Revenues	\$1,421	\$1,401	\$1,396	\$1,488	\$1,533	\$1,559	\$1,577	\$1,595	\$1,613	\$1,630	\$1,648	\$1,665	\$15,705
Total STTF Net Revenue	\$3,804	\$3,751	\$3,632	\$3,916	\$4,068	\$4,175	\$4,255	\$4,342	\$4,427	\$4,520	\$4,607	\$4,705	\$42,647

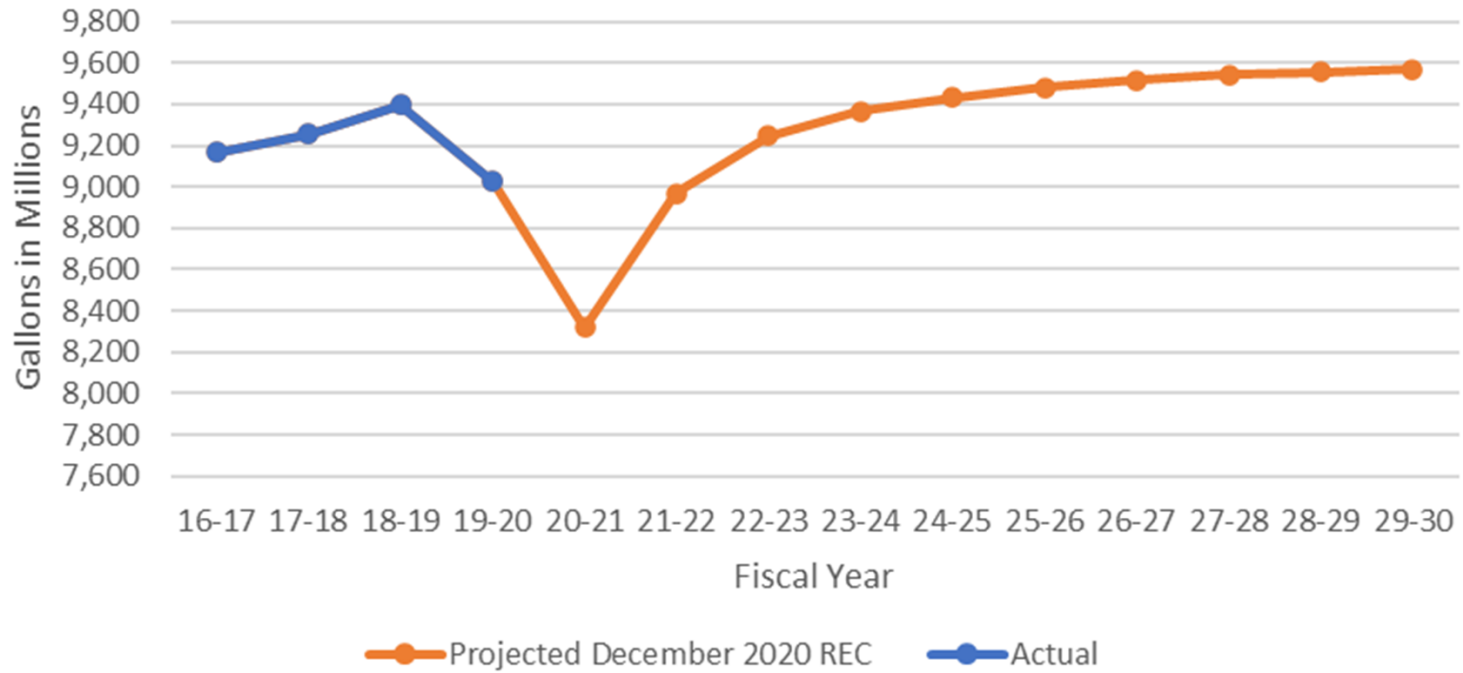
Source: FL Transportation REC, August 2020



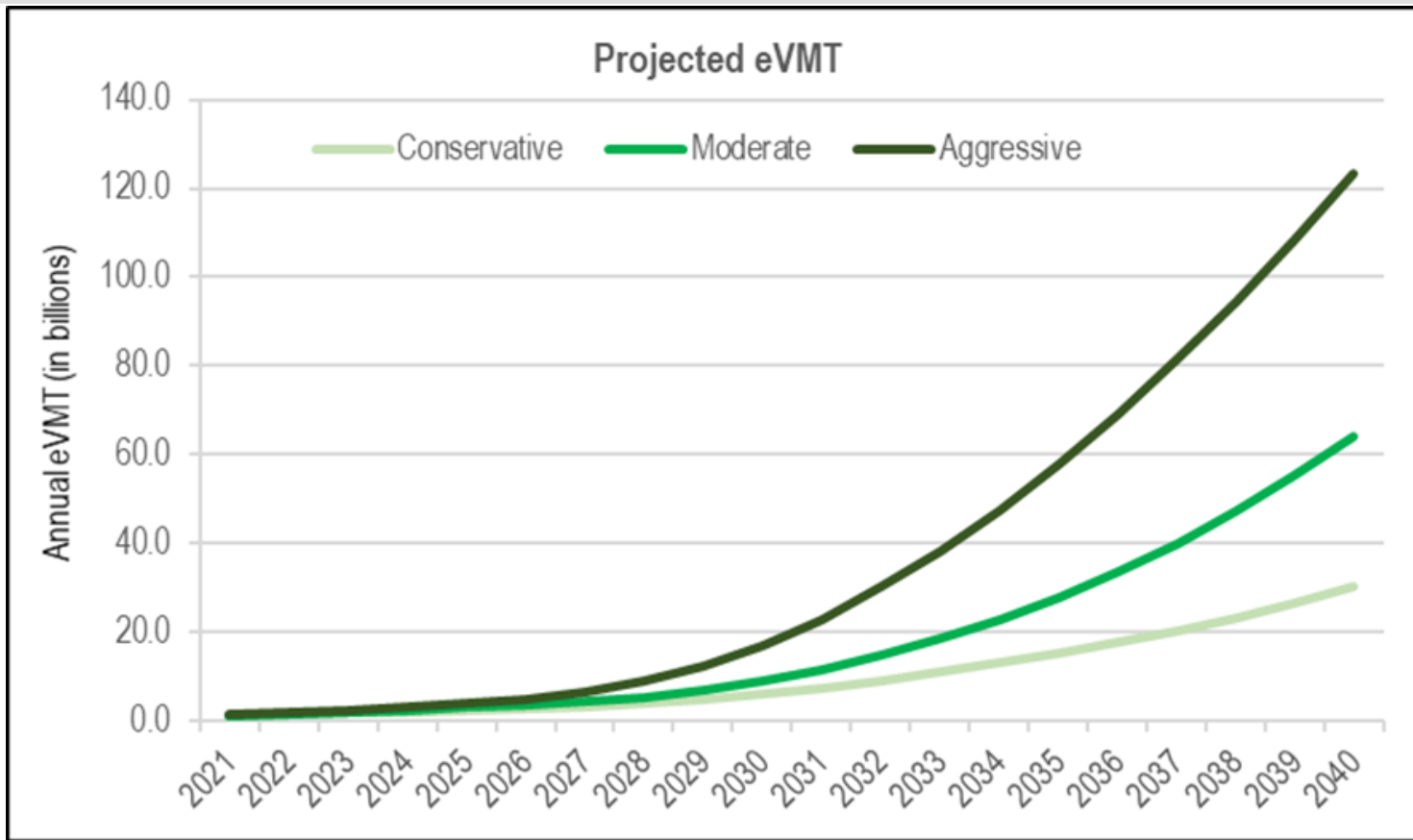


REC Motor Fuel Consumption Projections

Motor Fuel Consumption



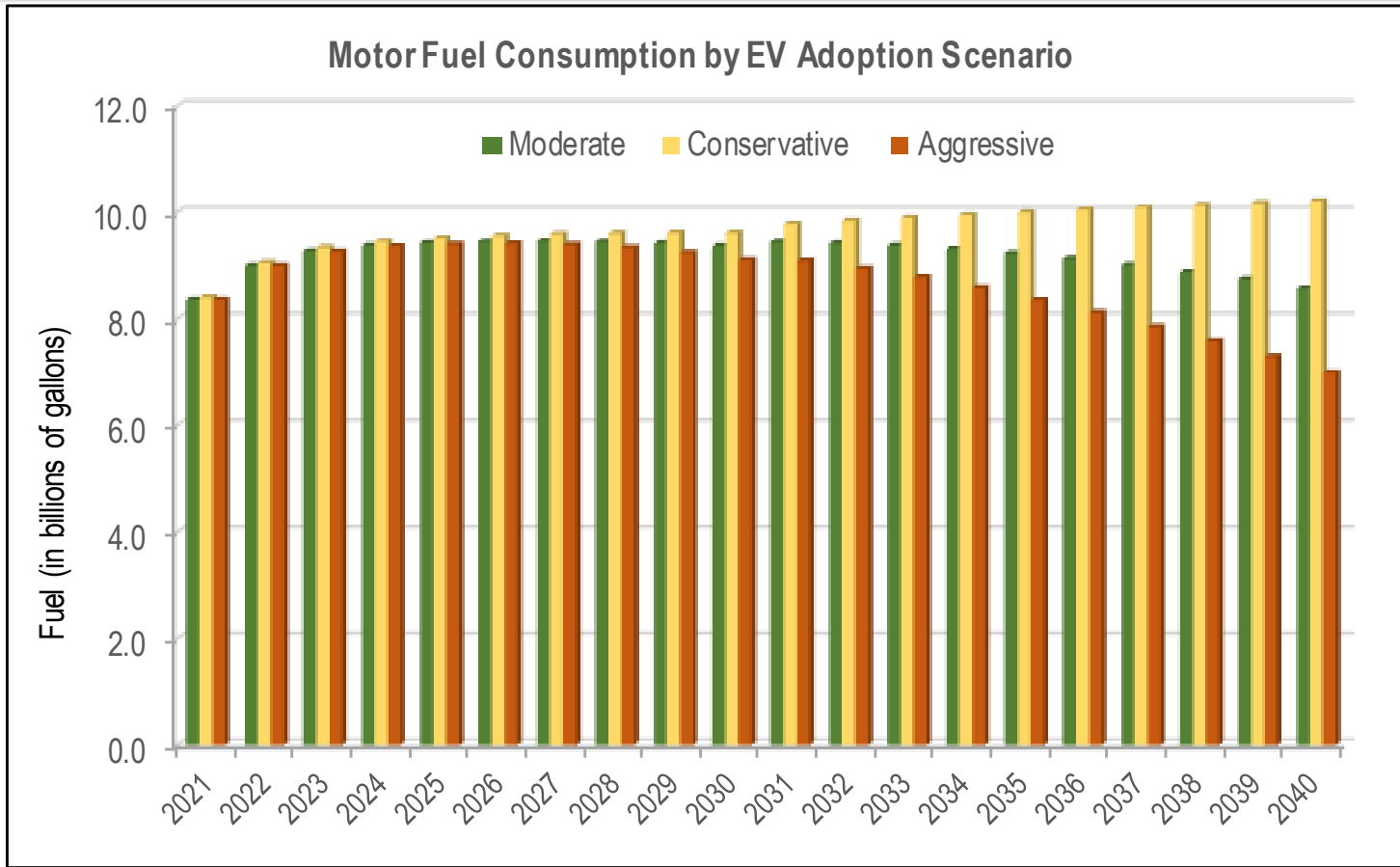
Electric Vehicle Miles Travelled (eVMT) Projections



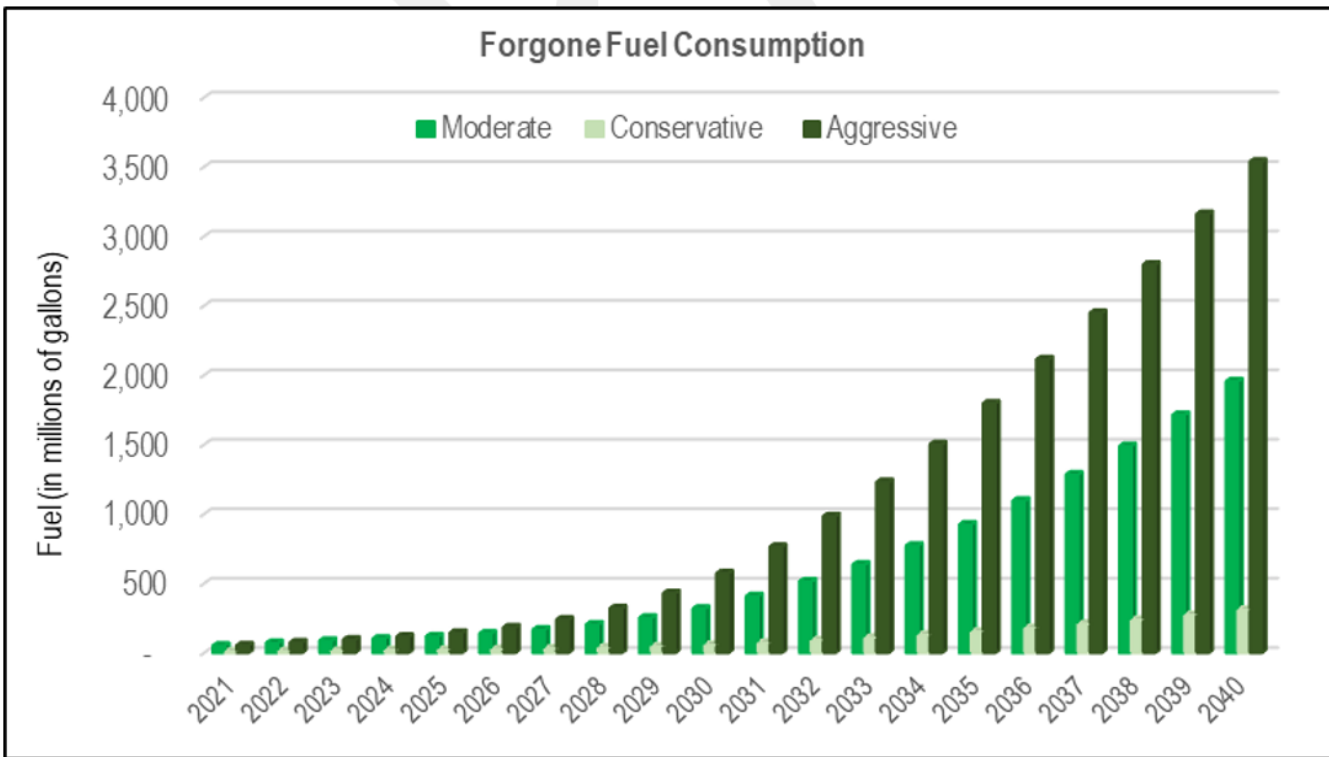
eVMT = Electric Vehicle Miles Travelled



Motor Fuel Consumption by EV Adoption Scenario



Forgone Highway Fuel Consumption by EV Adoption Scenario





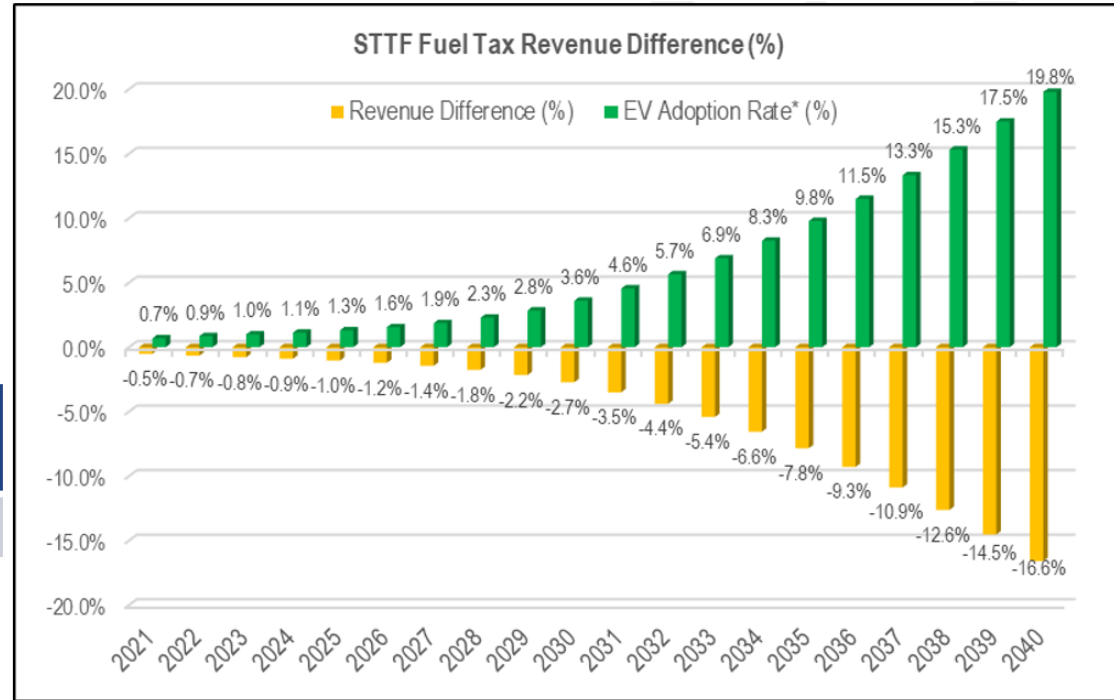
STTF Subtotal Revenue Loss Due to Rising EV Adoption

- Analysis does not include other revenue streams that are assumed to remain unchanged and/or align with REC projections

STTF 2040 Subtotal Net Revenue Loss Projections

Conservative Growth Scenario	Moderate Growth Scenario	Aggressive Growth Scenario
-8.4%	-16.6%	-30.0%

STTF Subtotal Net Revenue Impact Projection – 2021-2040 – Moderate Scenario



* EV Adoption Rate represents Light Vehicles only





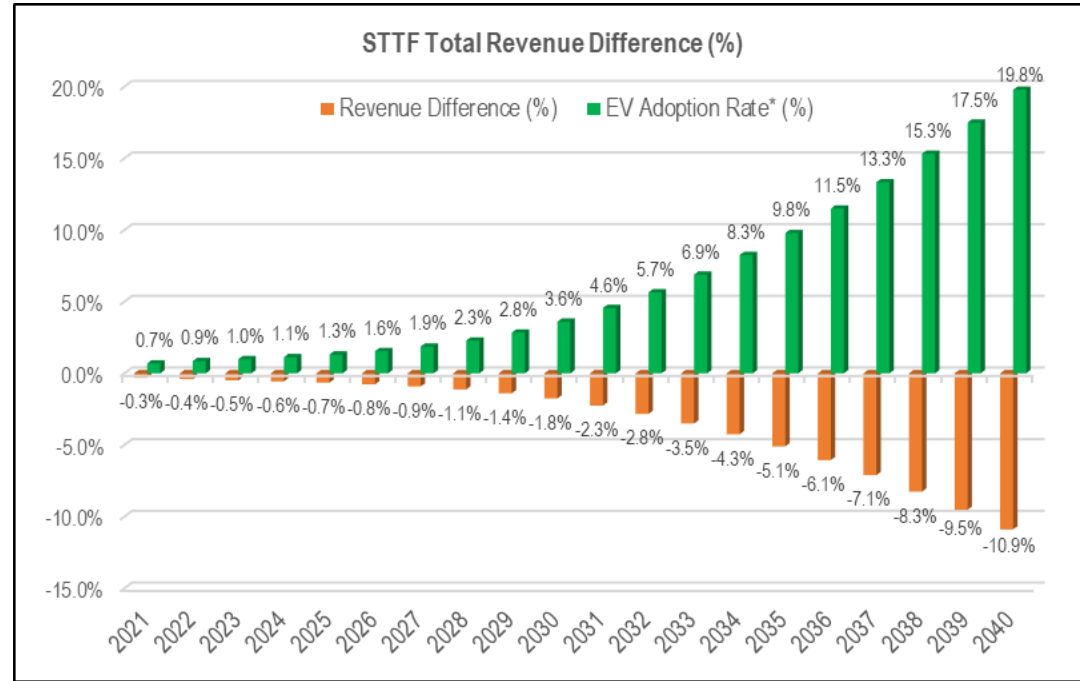
STTF Total Revenue Loss Due to Rising EV Adoption

- This differential forecast includes all the STTF revenue streams (as projected by REC in its baseline till 2030, and extended through 2040)

STTF 2040 Total Net Revenue Loss Projections

Conservative Growth Scenario	Moderate Growth Scenario	Aggressive Growth Scenario
-5.5%	-10.9%	-19.7%

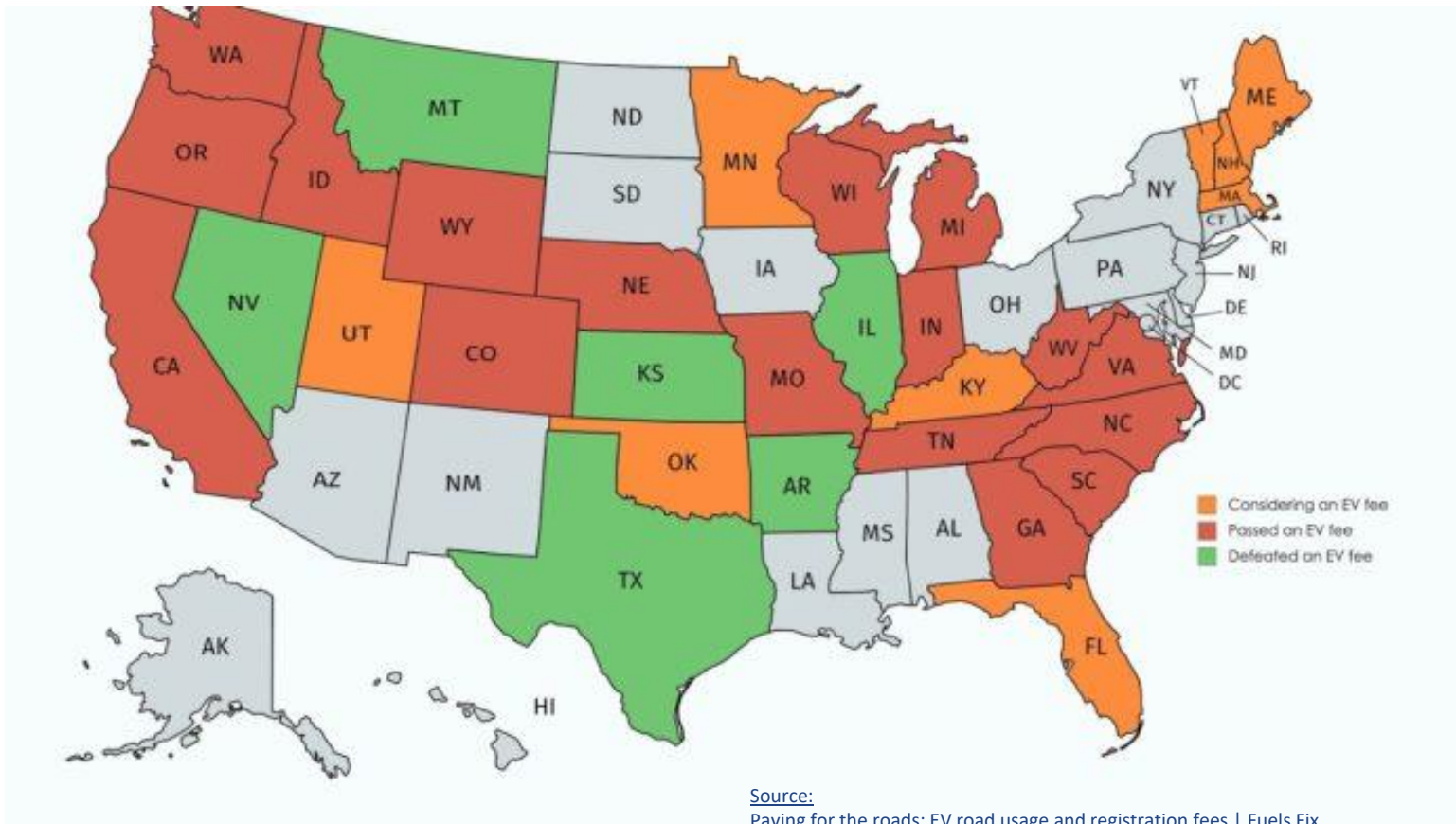
STTF Total Net Revenue Impact Projection – 2021-2040 Moderate Scenario



* EV Adoption Rate represents Light Vehicles only



What are other States considering?



Source: [Paying for the roads: EV road usage and registration fees | Fuels Fix](#)





Potential Solutions to Mitigate STTF Revenue Loss

	EV Registration Fee	Road Usage Fee	EV Electricity Connection Fee	EV Electricity Usage Fee
Definition	Addition to annual registration fee (may or may not be tied to inflation)	Per mile fee for EV usage	Flat fee per charge	Charge per kWh (e.g., utility to service provider fee) Similar fee structure used in other fuel markets
Range in Cost	\$32.50 to \$213.88 per year	\$.01 to \$.03 per mile	TBD	TBD
Example Deployments	26 states	Pilot projects in California, Delaware, Oregon, Utah, and Washington	Not yet deployed at a statewide level	Not yet deployed





Questions / Discussion / Thank You

THE FLORIDA SENATE
APPEARANCE RECORD

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

01/26/2020

Meeting Date

Bill Number (if applicable)

Topic FDOT Presentation

Amendment Barcode (if applicable)

Name Brad Thoburn

Job Title Assistant Secretary for Strategic Development

Address 605 Suwannee Street

Phone 850-414-4147

Street

Tallahassee

FL

Email brad.thoburn@dot.state.fl.us

City

State

Zip

Speaking: For Against Information

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

Representing Florida Department of Transportation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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S-001 (10/14/14)

APPEARANCE RECORD

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

1 26 2021

Meeting Date

Bill Number (if applicat

Topic Electric Vehicles and Transportation Revenue

Amendment Barcode (if applica

Name Matthew Alford

Title Executive Director

Address 1679 Clearlake Rd

Phone 850 556-6487

Street

Cocoa

FL

32922

Email mattalford@driveelectricflorida.org

City

State

Zip

Speaking: For Against Information

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

Representing Drive Electric Florida

Bearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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S-001 (10/11)

THE FLORIDA SENATE

APPEARANCE RECORD

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1/26/21
Meeting Date

Bill Number (if applicable)

Topic Electric Vehicles

Amendment Barcode (if applicable)

Name Sally Patrenos

Job Title PRESIDENT

Address 136 S. Bronough St.

Phone (850) 933-1386

Tallahassee FL 32301
City State Zip

Email spatrenos@bettertrans
portation.org

Speaking: For Against Information

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

Representing FLORIDIANS For Better Transportation

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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SunPass Update

Nicola Liquori

Executive Director and CEO, Florida's Turnpike Enterprise

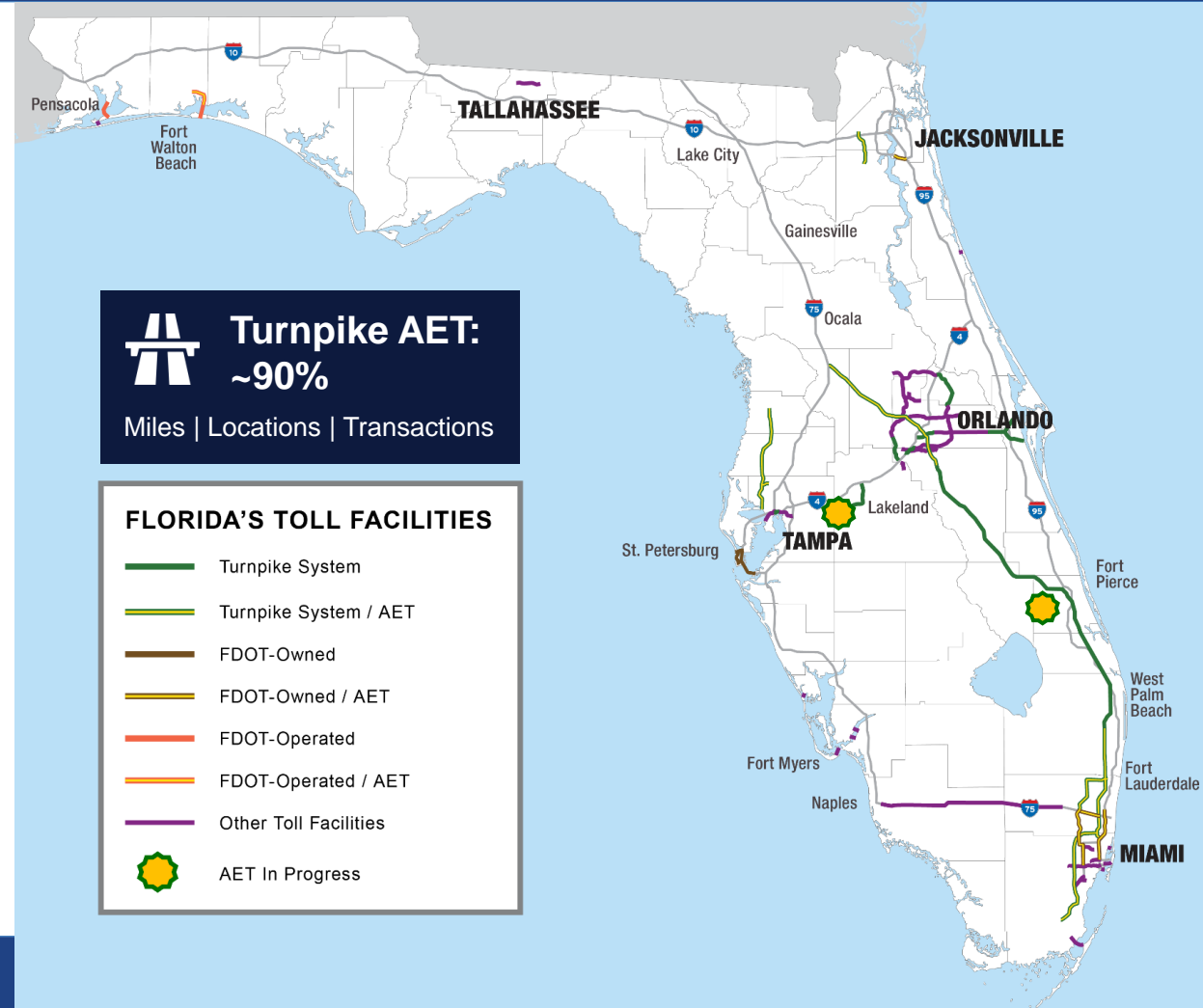
January 26, 2021

Florida's Turnpike Enterprise

Centerline Miles				
	AET		Non-AET	Total
	Open	In Progress		
Turnpike System	253	180	65	498
FDOT-owned	66	0	107	173
FDOT-operated	12	0	7	19
Enterprise	331	180	179	690
	48%	26%		

Transactions (M)				
	AET		Non-AET	Total
	Open	In Progress		
Turnpike System	652	86	123	861
FDOT-owned	95	0	36	131
FDOT-operated	3	0	8	11
Enterprise	750	86	167	1,003
	75%	9%		

Toll Locations				
	AET		Non-AET	Total
	Open	In Progress		
Turnpike System	77	23	16	116
FDOT-owned	19	0	6	25
FDOT-operated	1	0	2	3
Enterprise	97	23	24	144
	67%	16%		



Building on Past Accomplishments . . .

Florida's Turnpike System				
Year	Interchanges	Centerline Miles	Lane Miles	% Change (Since 1990)
1990	62	343	1443	—
2000	106	401	1701	18%
2020	144	498	2433	69%

Year	Turnpike Work Program as Percent of FDOT
1990	9%
2000	9%
2020	17%

Providing a Financial Engine for Tomorrow

- Pledge of system (Statewide) revenues
- Diverse revenue base
- Affordable toll rates
- Low O&M costs/High operating margin
- Invest more in transportation
 - \$8.2B current Tentative Work Program
 - \$1B invested annually in capital projects

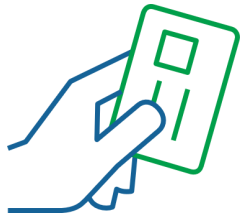
Commercial Back Office

Current System



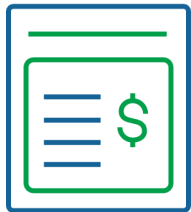
27M Accounts (SunPass and TOLL-BY-PLATE)

130k transponders sold per month



\$4B Payment Card **Transactions**

\$160M prepaid balances



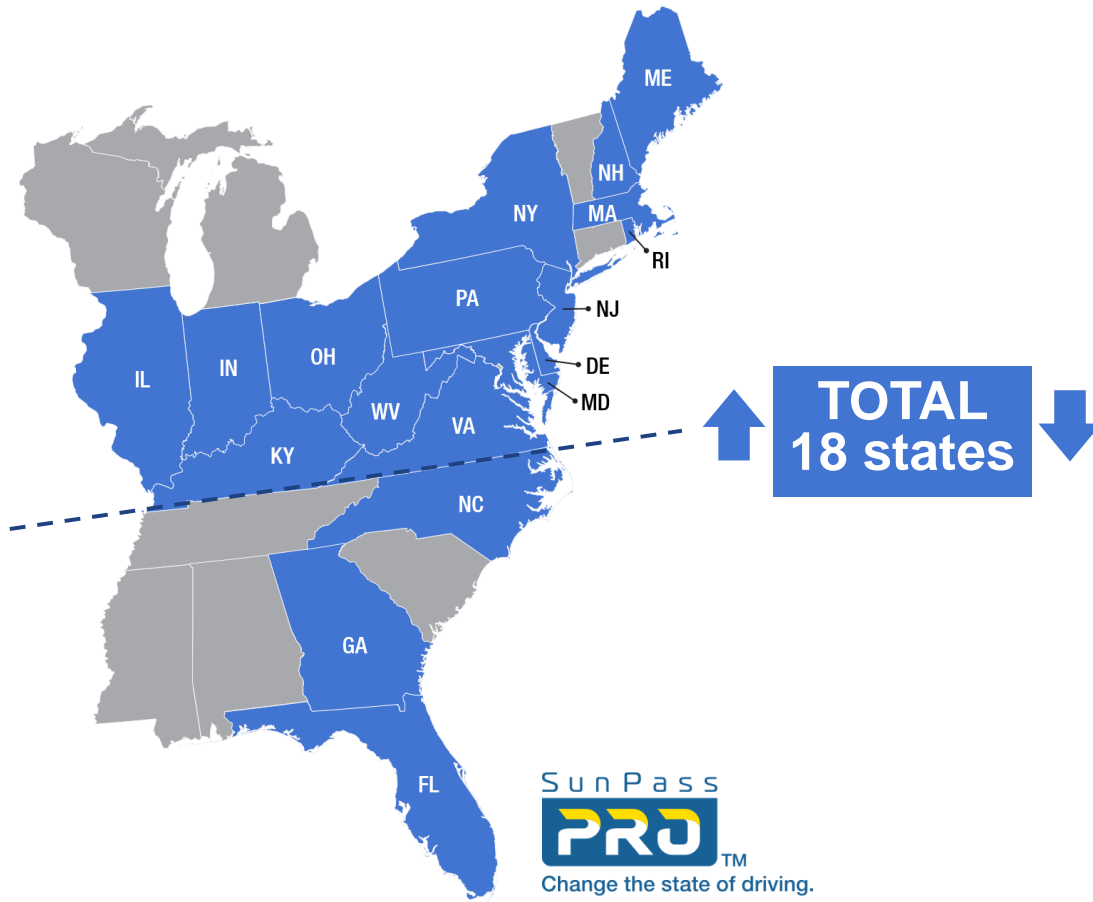
50M Invoices Mailed

2 million per month

Procurement of New Back Office

- Agency accountability
- Reduce risk, minimize customization, automate workflows
- Independent verification/validation team
- Seamless transition for customers

SunPass Interoperability



- 25M Accounts
- 41M Transponders



- 10M Accounts
- 12M Transponders



Florida Department of Transportation



THE FLORIDA SENATE
APPEARANCE RECORD

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01/26/2020

Meeting Date

Bill Number (if applicable)

Topic FDOT Presentation - SunPass

Amendment Barcode (if applicable)

Name Nicola Liquori

Job Title Executive Director/CEO - Florida Turnpike Enterprise

Address 605 Suwannee Street

Phone 850-414-4147

Street

Tallahassee

FL

Email nicola.liquori@dot.state.fl.us

City

State

Zip

Speaking: For Against Information

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

Representing Florida Department of Transportation

Appearing at request of Chair: Yes No

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S-001 (10/14/14)



FLORIDA
ARRIVE ALIVE
BUCKLE UP



Motorist Modernization Overview

JANUARY 26, 2021

Why the Modernization Effort Began



PHASE I

Driver License Issuance



Renewal Notifications



MyDMV Portal



Motorist Database Design



Benefits and Efficiencies

- **Delivers a software system that is sustainable and scalable.**
- **Increases customer service and expands service delivery options.**
 - **New Customer Portal**
- **Increases departmental efficiencies using process reengineering.**
- **Increases customer service by increasing software application efficiencies.**

Benefits and Efficiencies

- **Enhances employee tools and work processes to strengthen the focus on customers and outcomes.**
 - **System checks to reduce user errors**
 - **Streamlined transaction workflow**
 - **Enterprise Content Management**
- **Reduces software development efforts by utilizing modern technology.**
- **Enhances the department's ability to take advantage of cloud-computing services.**

Digital Government Benefits

MyDMV Portal

- **Expands services to customers by providing the ability to clear certain sanctions online.**
- **Enables customers to subscribe to receive personalized alerts, as well as department notifications through the online portal.**
- **Provides businesses with new commercial driver license self-services online.**
- **Expands self-services for active-duty military personnel online.**

PHASE 1 ACCOMPLISHMENTS

- **Successfully re-baselined book of business inventory for all insurance providers and onboarded them to the new system.**
- **All FLHSMV offices have been converted to ORION and processing well.**
- **MyDMV Portal was soft launched, and transactions and activities processed, including electronic driving transcript fulfillment, driver license and motor vehicle renewals and replacements; Bureau of Administrative Reviews hearing requests; sanction clearances; etc.**
- **Tax Collector offices in three counties are utilizing ORION full-time at specific locations.**

PHASE II

Motor Vehicle Issuance



MyDMV Portal



IFTA/IRP



CSP/FSID



Digital Government Benefits

MyDMV Portal

- **Expands services to customers by allowing applications for duplicate titles and personalized plate availability inquiries online.**
- **Enables customers to subscribe to receive personalized alerts, as well as department notifications through the online portal.**
- **Provides businesses with new services online with Fleet Management.**
- **Expands services for customers with decal and plate replacements online.**

PHASE III

Business Services



Dealer Services



Revenue Collection
and Distribution



Customer Relationship
Management



ORIN



“FLORIDA”
ARRIVE ALIVE
“BUCKLE UP”



Overview 01.26.21

PHASE II MOTORIST MODERNIZATION

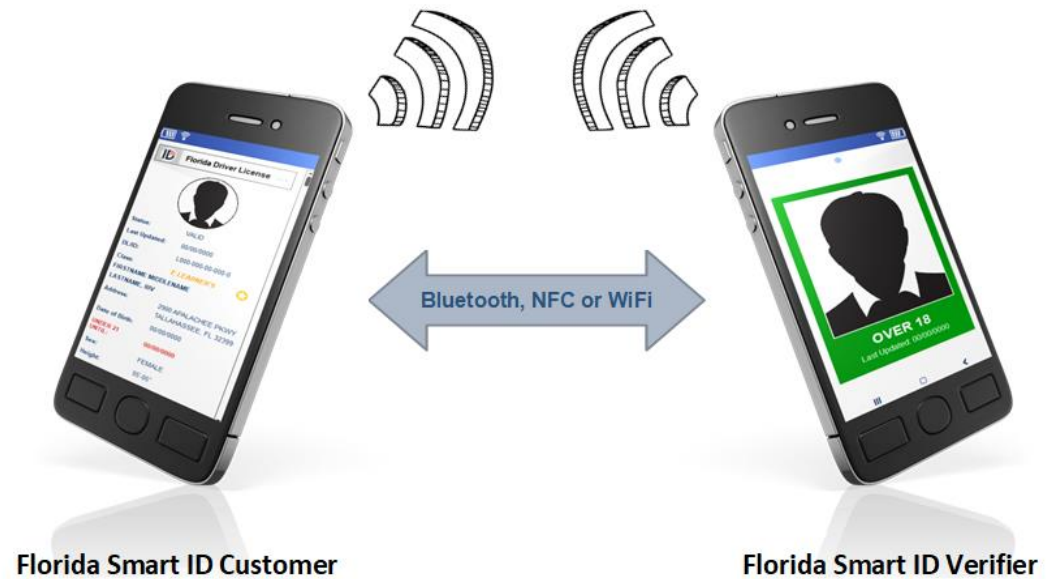
Mobile DL Overview

The Motorist Modernization Program has procured and will implement a Mobile DL solution as part of Phase II of the Motorist Modernization effort.

- **Received legislative authority to implement in 2014.**
- **American Association of Motor Vehicle Administrators (AAMVA) standards completed in 2019.**

Florida Smart ID Components

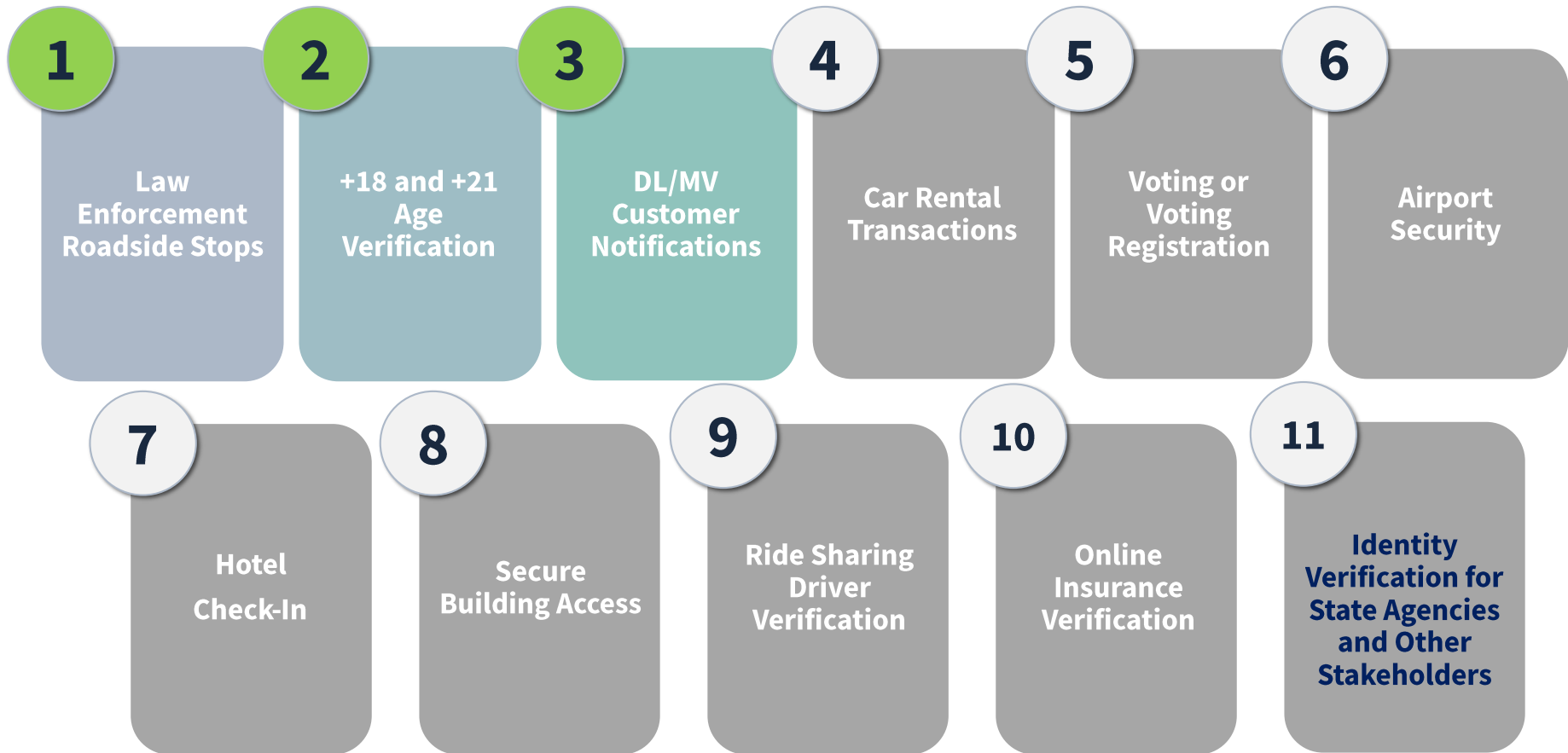
1. Florida Smart ID application is installed on a mobile device.
2. Verifier application is installed on a mobile device.
3. Age verifications are accomplished by device-to-device offline communication.



**Will conform to American Association of Motor Vehicle Administrators (AAMVA) and International Organization for Standardization (ISO) standards.*

**FLHSMV has representation on the AAMVA mDL Standards Committee.*

Mobile DL Use Cases



Florida Smart ID Benefits

- **Contactless interaction for proof of identity or age**
- **Safeguarding of customer's personal information**
- **Transactional convenience**
- **Up-to-date driver status information**
- **Provides access to additional services requiring proof of identity**
 - **Financial Institutions**
 - **Healthcare**
 - **Governmental Agencies**

**THANK
YOU**

MotoristModernization@flhsmv.gov

THE FLORIDA SENATE
APPEARANCE RECORD

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

1/26/21

Meeting Date

Bill Number (if applicable)

Topic Transportation

Amendment Barcode (if applicable)

Name Terrance Samuel

Job Title Motorist Modernization Office, Director

Address 2900 Apalachee Pkwy

Phone (850)617-3195

Street

Tallahassee

City

FL

State

32399

Zip

Email _____

Speaking: For Against Information

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

Representing FLHSMV

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)

1/26/21

Meeting Date

Bill Number (if applicable)

Topic Transportation

Amendment Barcode (if applicable)

Name Chad Hutchinson

Job Title Chief Technology Officer

Address 2900 Apalachee Pkwy

Phone (850) 617-3195

Street

Tallahassee FL 32399

City

State

Zip

Email _____

Speaking: For Against Information

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

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

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

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

S-001 (10/14/14)

APPEARANCE RECORD

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

JAN 26th 2021

Meeting Date

Bill Number (if applicable)

Topic Public IN Put / #5 Presentation

Amendment Barcode (if applicable)

Name DAVID SARDAN

By PDOT

Job Title Concerned Senior Citizen

Who is pushing TRASH BAGS + CARS + BOATS

Address 66 WINTERGREEN DR

Phone 352 805 1597

Street

Fruitland Park FL 34731

Email gotfendave1955@gmail.com

City

State

Zip

Speaking: For Against Information

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

Representing Citizens 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.

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

CourtSmart Tag Report

Room: EL 110
Caption: Senate Transportation Committee

Case No.:

Type:
Judge:

Started: 1/26/2021 3:30:55 PM

Ends: 1/26/2021 5:37:42 PM

Length: 02:06:48

3:30:54 PM Meeting called to order by Chair Harrell
3:31:06 PM Comments by Chair Harrell
3:31:37 PM Roll call by CAA Marilyn Hudson
3:32:29 PM Quorum present
3:32:50 PM Introduction of Tab 2, SB 376 by Chair Harrell
3:33:05 PM Explanation of SB 376, Jacksonville Transportation Authority Leases by Senator Gibson
3:34:37 PM Question from Chair Harrell
3:34:54 PM Speaker Sally Patrenos, President, Floridians for Better Transportation
3:35:36 PM Speaker Jim Boxald, Jacksonville Transportation Authority
3:35:57 PM Closure waived by Senator Gibson
3:36:02 PM Roll call by AA
3:36:12 PM SB 376 reported favorably
3:36:31 PM Chair turned over to Senator Perry
3:36:49 PM Introduction of SPB 7004 by Chair Perry
3:36:59 PM Explanation of SPB 7004, OGSR/Financial Information/Guarantor of a Private Entity Applicant by Senator Harrell
3:39:02 PM Question from Senator Bracy
3:39:08 PM Response from Senator Harrell
3:40:00 PM Follow-up question from Senator Bracy
3:40:08 PM Response from Senator Harrell
3:41:07 PM Comments from Chair Perry
3:41:15 PM Senator Berman in debate
3:41:35 PM Senator Bracy moves that SPB 7004 be submitted as Committee Bill
3:41:52 PM Closure by Senator Harrell
3:42:01 PM Roll call by CAA
3:42:13 PM SPB 7004 is favorably reported as a Committee Bill
3:42:37 PM Chair returned to Chair Harrell
3:42:45 PM Comments from Chair Harrell
3:44:17 PM Introduction of Mr. Brad Thoburn by Chair Harrell
3:44:42 PM Presentation by Brad Thoburn, Assistant Secretary for Strategic Development, Florida Department of Transportation regarding Electric Vehicles and Transportation Revenue Trends
4:02:08 PM Question from Senator Berman
4:02:25 PM Response from Mr. Thoburn
4:02:55 PM Additional question from Senator Berman
4:03:07 PM Response from Mr. Thoburn
4:03:40 PM Question from Chair Harrell
4:03:48 PM Response from Mr. Thoburn
4:03:55 PM Follow-up question from Chair Harrell
4:04:02 PM Response from Mr. Thoburn
4:04:17 PM Follow-up question from Chair Harrell
4:04:26 PM Response from Mr. Thoburn
4:04:42 PM Follow-up question from Senator Berman
4:04:50 PM Response from Mr. Thoburn
4:05:25 PM Follow-up question from Senator Berman
4:05:36 PM Question from Chair Harrell
4:05:57 PM Response from Mr. Thoburn
4:06:44 PM Follow-up question from Senator Berman
4:06:52 PM Response from Mr. Thoburn
4:07:32 PM Comments from Chair Harrell
4:07:42 PM Question from Senator Perry
4:08:03 PM Response from Mr. Thoburn
4:08:51 PM Follow-up question from Senator Perry

4:08:59 PM Response from Mr. Thoburn
4:10:58 PM Follow-up question from Senator Perry
4:11:07 PM Question from Chair Harrell
4:12:05 PM Response from Mr. Thoburn
4:12:29 PM Question from Senator Gainer
4:12:36 PM Response from Mr. Thoburn
4:13:18 PM Follow-up question from Senator Gainer
4:13:36 PM Comments from Chair Harrell
4:14:35 PM Comments from Mr. Thoburn
4:14:58 PM Follow-up question from Senator Gainer
4:15:06 PM Comments from Senator Rodriguez
4:16:54 PM Comments from Chair Harrell
4:17:28 PM Speaker Sally Patrenos, President, Floridians for Better Transportation
4:19:30 PM Speaker Matthew Alford, Executive Director, Drive Electric Florida
4:21:04 PM Comment from Chair Harrell
4:21:49 PM Introduction of Nicola Liquori by Chair Harrell
4:22:23 PM Speaker Nicola Liquori, Executive Director/CEO, Florida Turnpike Enterprise, Florida Department of Transportation regarding SunPass Program
4:48:20 PM Comments from Chair Harrell
4:48:30 PM Question from Senator Jones
4:48:39 PM Response from Ms. Liquori
4:49:35 PM Follow-up question from Senator Jones
4:50:08 PM Response from Ms. Liquori
4:51:35 PM Follow-up question from Senator Jones
4:51:45 PM Response from Ms. Liquori
4:52:53 PM Follow-up from Senator Jones
4:53:00 PM Response from Ms. Liquori
4:54:05 PM Question from Senator Wright
4:54:12 PM Response from Ms. Liquori
4:54:31 PM Question from Senator Berman
4:54:35 PM Response from Ms. Liquori
4:56:21 PM Follow-up question from Senator Berman
4:56:27 PM Response from Ms. Liquori
4:56:35 PM Follow-up question from Senator Berman
4:56:45 PM Response from Ms. Liquori
4:58:08 PM Question from Chair Harrell
4:58:16 PM Response from Ms. Liquori
4:59:04 PM Follow-up question from Chair Harrell
4:59:17 PM Response from Ms. Liquori
4:59:35 PM Follow-up question from Chair Harrell
4:59:45 PM Response from Ms. Liquori
5:00:14 PM Follow-up question from Chair Harrell
5:00:26 PM Response from Ms. Liquori
5:00:41 PM Comments from Senator Rodriguez
5:01:32 PM Response from Ms. Liquori
5:01:59 PM Comments from Chair Harrell
5:02:33 PM Introduction of Terrance Samuel by Chair Harrell
5:03:33 PM Presentation by Terrance Samuel, Motorist Modernization Office Director, Florida Highway Safety and Motor Vehicles regarding Modernization and Mobile Driver Licenses
5:16:13 PM Presentation by Chad Hutchinson, Chief Technology Officer, Florida Department of Highway Safety and Motor Vehicles
5:26:14 PM Comments from Chair Harrell
5:26:21 PM Question from Chair Harrell
5:26:46 PM Response from Mr. Hutchinson
5:29:23 PM Follow-up question from Chair Harrell
5:29:32 PM Response from Mr. Hutchinson
5:30:31 PM Question from Senator Berman
5:30:35 PM Response from Mr. Hutchinson
5:32:31 PM Speaker David Serdar
5:35:57 PM Comments from Chair Harrell
5:36:39 PM Senator Rodriguez would like to be shown voting favorably for SB 376 and SPB 7004
5:37:12 PM Senator Wright moves to adjourn

5:37:28 PM Meeting adjourned