

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

SB 144 — Identification Cards

by Senator Hutson

The bill exempts additional persons from paying a fee to issue, replace, or renew an identification card. The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to issue, replace, or renew an identification card at no charge to a person who presents a valid Florida voter's registration card to the DHSMV and attests that he or she is experiencing a financial hardship. Additionally, the bill requires the DHSMV to issue an identification card at no charge to a person who is 80 years of age or older and whose driving privilege is denied due to failure to pass a vision test.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 35-1; House 116-0

Committee on Transportation

CS/CS/SB 160 — Transportation-related Facility Designations

by Appropriations Committee; Transportation Committee; and Senator Harrell

The bill creates a number of honorary designations of transportation facilities around the state and directs the Florida Department of Transportation to erect suitable markers for each of the following designations:

- S.R. 715/Bacom Point Road between W. Morgan Road and S.W. 14th Street in Palm Beach County as “Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway.”
- Bridge number 100850 on S.R. 60/Courtney Campbell Causeway over Old Tampa Bay in Hillsborough County as “Virginia Creighton Bridge.”
- The intersection of S.W. 23rd Avenue and S.W. 8th Street in Miami-Dade County as “Arturo Diaz Artiles Plaza.”
- W. Columbus Drive between N. Himes Avenue and N. MacDill Avenue in Hillsborough County as “Maximino Capdevila Road.”
- S.R. 19 between C.R. 48 and Lane Park Cutoff Road in Lake County as “Sergeant First Class Michael C. Aten Memorial Highway.”
- Bridge number 720684 on I-95 over the Trout River in Jacksonville/Duval County as “Warren Alvarez Memorial Bridge.”
- U.S. 27/S.R. 25 between the Polk County line and the Glades County line in Highlands County as “Deputy William Gentry, Jr., Highway.”
- S.R. 100 in Clay County between the Bradford County line and the Putnam County line as “Veterans Honor Highway.”
- Upon completion of construction, the interchange at First Coast Expressway/S.R. 23 and Henley Road in Clay County as “Sergeant Eric John Twisdale Memorial Interchange.”
- S.R. A1A between the northern terminus and southern terminus of Galt Ocean Drive in Broward County as “Pio Ieraci Memorial Drive.”
- S.R. 520/W. King Street between S.R. 501/Clearlake Road and S.R. 519/Fiske Boulevard in Brevard County as “Sgt. George Lee Taylor, Sr., Memorial Highway.”
- S.R. 519/Fiske Boulevard between Rosa L. Jones Drive and I-95 in Brevard County as “Dr. Martin Luther King, Jr., Boulevard.”
- U.S. 90 between Canal Street and Stewart Street in Santa Rosa County as “Reverend Murray Hamilton, Sr., Highway.”
- S.R. 87 between E. Bay Boulevard and U.S. 98 in Santa Rosa County as “Ira Mae Wells-Bruce Memorial Highway.”
- Bayfront Parkway between Tarragona Street and N. 17th Avenue in Escambia County as “Pensacola Police Fallen Heroes Highway.”
- The Cow Key Channel Bridge, bridge numbers 900086 and 900125, between milepost 4.100 and milepost 4.169 on Overseas Highway in Monroe County as “Cheryl H. Cates Memorial Bridge.”
- S.R. 953/NW 42nd Avenue/Le Jeune Road from N.W. 11th Street to N.W. 14th Street in Miami-Dade County as “Oswaldo Payá Way.”

- S.R. 82 between Veronica S. Shoemaker Boulevard and Ortiz Avenue in Lee County as “Coach Guy Thomas Memorial Highway.”
- North University Drive between S.R. 827 and the Sawgrass Expressway as “Michael Moskowitz Drive.”
- S.R. 408/Spessard L. Holland East-West Expressway between the Mills Avenue exit and the Rosalind Avenue in Orange County as “Austin D. Gayne Memorial Highway.”
- S.R. 826/Sunny Isles Boulevard between N.E. 35th Avenue and S.R. A1A in Miami-Dade County as “Anthony Reznik Boulevard.”
- N.W. 12th Avenue/John Henry Peavy Jr. Avenue between N.W. 62nd Street and N.W. 71st Street in Miami-Dade County as “Soul of Miami Avenue.”
- Bridge number 380097 on U.S. 27 over the Fenholloway River in Taylor County as “Private Tillman R. Clark Memorial Bridge.”
- Matanzas Woods Parkway between Bird of Paradise Drive and Old Kings Road in Flagler County as “Staff Sergeant Keon Clyde Sands Memorial Parkway.”
- I-75 between the Charlotte County line bordering DeSoto County and the Lee County line bordering Collier County as “Purple Heart Highway.”
- U.S. 41/S.W. 8th Street between S.W. 21st Avenue and S.W. 22nd Avenue in Miami-Dade County as “Bellas Artes Way.”

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 39-0; House 116-0

THE FLORIDA SENATE
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CS/CS/SB 364 — Specialty License Plates

by Appropriations Committee; Transportation Committee; and Senators Bean and Perry

The bill reduces the minimum voucher sale requirement for all specialty license plates to 3,000, before manufacture of the license plate may commence. In addition, the bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to extend the presale period by an additional 24 months, from 24 months to 48 months, for an approved specialty license plate organization that, as of the date the bill becomes a law, is in the presale period but has not recorded at least 3,000 voucher sales.

The bill decreases the specialty license plate limit from 150 to 135.

The bill provides that independent colleges or universities opting to use the standard template specialty license plate will have their plate sales combined with existing valid registrations of individual independent college or university license plates for purposes of meeting the minimum license plate sales threshold for at least 12 consecutive months and license plate limits in statute.

The bill creates a Blue Angels motorcycle specialty license plate and eight new specialty license plates: Inter Miami CF; Safe Haven for Newborns; Pap Corps Champions for Cancer Research; Learn to Fly; Florida Swims; Down Syndrome Awareness; Gopher Tortoise; and Take Stock in Children. The bill also amends the existing Live the Dream specialty license plate.

If approved by the Governor, these provisions, except as otherwise expressly provided for in the bill, take effect upon becoming law.

Vote: Senate 38-0; House 105-10

Committee on Transportation

CS/CS/CS/HB 399 — Motor Vehicle and Vessel Law Enforcement

by Judiciary Committee; Tourism, Infrastructure and Energy Subcommittee; Criminal Justice and Public Safety Subcommittee; and Rep. Rodriguez (CS/CS/CS/SB 876 by Rules Committee; Criminal Justice Committee; Transportation Committee; and Senators Pizzo and Rodrigues)

The bill amends the crimes under s. 316.191(2), F.S., to add additional types of vehicles and additional prohibited conduct including a street takeover, stunt driving, and operating a vehicle to film or record prohibited activities or to carry fuel for other vehicles involved in prohibited activities. The bill defines the terms “burnout,” “doughnut,” “drifting,” “motor vehicle,” “street takeover,” “stunt driving,” and “wheelie.” The bill also amends the current definition of “spectator” to include a person who is knowingly present at and views a street takeover and provides that evidence of filming or recording such an event or posting the event on social media are factors to be considered in determining whether a person qualifies as a spectator. Under the bill, a person commits a noncriminal traffic infraction if he or she is found to be a spectator at a race or street takeover.

The bill amends the first degree misdemeanor crimes under s. 316.191(2), F.S., to add drag race, street takeover, and stunt driving to each type of prohibited conduct. The bill also adds street takeovers and stunt driving to the list of violations which require an offender to pay a \$65 penalty.

Under the bill, if an officer has probable cause to believe that a person has committed a violation relating to a street takeover or stunt driving, the officer may arrest the person without a warrant.

The bill also provides that a person commits a first degree misdemeanor under s. 316.2397, F.S., by operating a vehicle displaying red, red and white, or blue lights if in displaying such lights he or she effects or attempts to effect a stop of another vehicle; and provides that a court or jury may consider any relevant evidence, including, but not limited to whether a defendant used certain prohibited lights, in determining if a defendant committed an offense of false personation, under s. 843.081, F.S.

If approved by the Governor, these provisions take effect October 1, 2022.

Vote: Senate 39-0; House 113-0

THE FLORIDA SENATE
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Committee on Transportation

HB 631 — Airport Funding

by Rep. Grall (SB 780 by Senator Hutson)

The bill expands the public airports eligible for higher funding levels for master planning and eligible aviation development projects by the Florida Department of Transportation (FDOT). Currently, the higher funding is dependent on the availability of federal funds. If federal funds are *not* available, the FDOT may fund up to 80 percent of such projects and a 20 percent local match is required. If federal funds *are* available, the FDOT may fund up to 80 percent of *the non-federal* share of such projects, or 80 percent of the local match requirement. This funding is currently limited to airports that have no scheduled commercial service.

The bill revises this restriction so that the 80 percent funding levels are limited to:

- General aviation airports, or
- Commercial service airports that have fewer than 100,000 passenger boardings per year as determined by the Federal Aviation Administration.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 38-0; House 107-0

THE FLORIDA SENATE
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Committee on Transportation

CS/SB 754 — Mobile Home Registration Periods

by Transportation Committee and Senators Gainer, Hooper, and Rodrigues

The bill provides that the registration renewal period of a mobile home owned by a natural person begins the first day of the birth month of the owner and ends the last day of the month immediately preceding the owner's birth month in the succeeding year. If the mobile home is registered in the name of more than one person, the birth month of the person whose name first appears on the registration will be used to determine the registration period.

The bill requires the Department of Highway Safety and Motor Vehicles to prorate mobile home registration renewal fees to give customers the option to renew their registrations on their dates of birth in 2024 or 2025.

For a mobile home not owned by a natural person, the registration period would continue to be January 1 and end December 31.

If approved by the Governor, these provisions take effect September 1, 2023.

Vote: Senate 37-0; House 113-0

Committee on Transportation

SB 914 — Department of Highway Safety and Motor Vehicles

by Senator Harrell

The bill makes the following revisions relating to the Department of Highway Safety and Motor Vehicles (DHSMV):

- Revises the dates associated with the texting and driving annual report of the DHSMV to require that information be provided to the DHSMV annually by April 1, and the report must be submitted annually by July 1;
- Requires an operator of a motor vehicle to provide proof of insurance upon the request of a law enforcement officer;
 - Any operator who is the owner or registrant of the vehicle being operated and who fails to provide proof of insurance commits a nonmoving traffic infraction and will be required to furnish proof of insurance that was in effect at the time of the violation at or before a scheduled court appearance or have their driver license suspended.
 - Any operator who is not the owner or registrant of the vehicle being operated and fails to provide proof of insurance commits a nonmoving traffic infraction.
- Expands the existing Private Rebuilt Vehicle Inspection Program to Bay, Broward, Duval, Escambia, Hillsborough, Leon, Manatee, Marion, Orange, Palm Beach, and Volusia counties beginning October 1, 2022;
- Provides a fee exemption for a surviving spouse transferring a motor vehicle title solely into their name when only the deceased spouse is named on the title;
- Provides that charter buses are apportionable vehicles subject to the requirements of the International Registration Plan;
- Prohibits individuals who have registration stops associated with toll violations from either renewing their registrations or replacing their license plates until satisfying the toll violation;
- Requires mobile home and recreational vehicle dealers, manufacturers, distributors, and importers to deliver to the DHSMV copies of renewed, continued, changed, or new insurance policies, surety or cash bonds, or irrevocable letters of credit within a specified time period;
- Revises certain minimum insurance requirements for commercial vehicles that carry passengers to comply with federal requirements; and
- Provides that beginning November 1, 2023, each distinguishing number assigned to an original, renewal, or replacement driver license and identification card must have a minimum of four randomly generated digits.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 39-0; House 111-1

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Committee on Transportation

CS/CS/HB 915 — Commercial Motor Vehicle Registration

by Commerce Committee; Tourism, Infrastructure and Energy Subcommittee; and Rep. Melo and others (SB 1582 by Senator Harrell)

The bill addresses the issuance of license plates and cab cards for commercial motor vehicles registered in accordance with the International Registration Plan (apportioned vehicles).

Currently apportioned vehicles are issued an annual license plate and a cab card denoting the declared vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate. Beginning July 1, 2024, the bill requires apportioned vehicles to be issued a license plate for a three-year period, at which time the plate must be replaced upon renewal.

The bill also authorizes the Department of Highway Safety and Motor Vehicles to replace a damaged or worn license plate at no cost to an applicant surrendering the current license plate.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 33-0; House 115-0

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Committee on Transportation

SB 1038 — Florida Seaport Transportation and Economic Development Council

by Senator Perry

The bill revises the membership of the Florida Seaport Transportation and Economic Development (FSTED) Council to include as a member the port director (or the director's designee) of the Port of Putnam County. The bill increases the total number of members on the FSTED Council from 17 to 18.

Until July 1, 2024, the bill authorizes Putnam County to apply for a grant through the FSTED Council to perform a study examining the economic, technical, and operational viability of the establishment of a port in Putnam County. The bill directs the Council to evaluate the grant application in accordance with existing statutory provisions governing evaluation and selection of projects for funding under the FSTED Program within the Florida Department of Transportation (FDOT).

If the grant application is approved, the bill requires the FDOT to include the feasibility study in its annual legislative budget request for funding of the FSTED Program. The Council must review the study upon completion to determine if a port in Putnam County is viable. If the Council does not approve the study, the membership of Putnam County on the FSTED Council terminates.

The bill also reenacts a number of statutory provisions to incorporate amendments made by the bill to the FSTED Council statute.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 37-1; House 110-0

Committee on Transportation

CS/HB 1435 — Code and Traffic Enforcement

by Judiciary Committee and Rep. Leek (CS/SB 1954 by Transportation Committee and Senator Wright)

The bill creates s. 316.1891, F.S., to provide the sheriff or chief administrative officer of a county or municipality the authority to designate an area as a special event zone in response to a special event, defined as an unpermitted activity or event organized or promoted via a social media platform which is attended by 50 or more persons and substantially increases or disrupts the normal flow of traffic on a roadway, street, or highway. The bill:

- Provides notice requirements for a special event zone and requires a specified warning sign be posted at each point of ingress and egress at least 24 hours prior to enforcement;
- Doubles the statutory fine for any noncriminal traffic infraction that occurs within a special event zone;
- Allows a law enforcement officer to impound a vehicle for up to 72 hours for any criminal traffic violation or noncriminal traffic infraction that occurs in a special event zone, but requires the vehicle to be released immediately upon payment of any impoundment costs or fees;
- Authorizes a law enforcement officer to enforce occupancy limits in a special event zone; and
- Provides for the recovery of costs associated with designating and enforcing a special event zone from the organizer or promoter of the special event.

The bill also amends s. 316.3045, F.S., which prohibits excessive noise emanating from a motor vehicle, by removing the portion of statute which the Florida Supreme Court deemed invalid in 2012. Additionally, the bill updates the types of soundmaking devices that are subject to such noise limitations and authorizes a local authority to impose more stringent regulations than those currently provided in statute.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 35-3; House 83-32

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED

Committee on Transportation

HB 1469 — Transportation Facility Designations

by Rep. Greico and others (SB 1682 by Senators Pizzo, Book, Simpson, Albritton, Ausley, Baxley, Bean, Berman, Boyd, Bracy, Bradley, Brandes, Brodeur, Broxson, Burgess, Cruz, Diaz, Farmer, Gainer, Garcia, Gibson, Gruters, Harrell, Hooper, Hutson, Jones, Mayfield, Passidomo, Perry, Polsky, Powell, Rodrigues, Rodriguez, Rouson, Stargel, Stewart, Taddeo, Torres, and Wright)

The bill designates the portion of S.R. A1A/Collins Avenue between 87th Terrace and 88th Street in Miami-Dade County as “98 Points of Light Way,” in honor of the 98 victims of the June 24, 2021, collapse of the Champlain Towers South condominium in Surfside, Florida.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 39-0; House 117-0

Committee on Transportation

CS/CS/SB 1614 — Public Records/Motor Vehicle Crashes/Traffic Citations by Governmental Oversight and Accountability Committee; Transportation Committee; and Senator Harrell

The bill expands a current public records exemption related to personal information in a crash report, and make crash report data in a computerized database confidential and exempt from public inspection and copying requirements. The bill also makes driver information contained in a uniform traffic citation (UTC) exempt from public record inspection and copying requirements.

The bill makes crash report data in a computerized database confidential and exempt from public inspection and copying requirements, and designates certain governmental and third-party entities to whom a crash report may be made immediately available. The bill permits a crash report to be available to the media provided that it does not contain the following information for the parties involved in the crash: home or employment street address; driver license or identification card number; date of birth; and home and employment telephone numbers.

The bill provides that crash reports may be made available 60 days after the report is filed to any person or entity eligible to access crash reports under the bill or in accordance with any of the permissible uses listed in the Driver's Privacy Protection Act (DPPA) of 1994 and pursuant to the resale and redisclosure requirements in the DPPA.

The bill makes driver information in a UTC exempt from public records inspection and copying requirements, and defines the term "driver information" to mean a driver's date of birth, driver license number, address excluding the five-digit zip code, telephone number, motor vehicle license plate number, and trailer tag number. The bill excludes the driver's name from the definition.

The bill specifically provides authority for an agency to release driver information in a UTC in accordance with the exemptions in the DPPA and in the same manner prescribed by statute.

The bill provides additional penalties for a person who obtains a crash report or crash data and who knowingly discloses or uses personal information revealed in the report for a purpose not permitted under the DPPA is liable to the individual to whom the information pertains, who may bring a civil action in court. The court may award: actual damages, but not less than liquidated damages in the amount of \$2,500; punitive damages upon proof of willful or reckless disregard of the law; reasonable attorney fees and other litigation costs reasonably incurred; or such other preliminary and equitable relief as the court determines to be appropriate.

The bill is subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2027, unless reviewed and reenacted by the Legislature.

If approved by the Governor, these provisions take effect March 1, 2023.

Vote: Senate 35-3; House 115-1