

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on General Government Appropriations offered the following:

Amendment (with title amendment)

On page 62, between lines 4 and 5,

and insert in lieu thereof:

Section 50. Subsection (9) is added to section 20.055, Florida Statutes, to read:

20.055 Agency inspectors general.--

(9) Each state agency's head shall, by December 31, 2000, conduct a review of motor vehicle utilization with oversight from the agency's inspector general. This review shall consist of two parts. The first part of the review shall determine the number of miles that each assigned motor vehicle has been driven on official state business in the past fiscal year. Commuting mileage shall be excluded from calculating vehicle use. The purpose of this review is to determine whether employees with assigned motor vehicles are driving the vehicles a sufficient number of miles to warrant continued vehicle assignment. The second part of the review shall

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1 identify employees who have driven personal vehicles
2 extensively on state business in the past fiscal year. The
3 purpose of this review is to determine whether it would be
4 cost-effective to provide state motor vehicles to such
5 employees. In making this determination, the inspector general
6 shall use the break-even mileage criteria developed by the
7 Department of Management Services. A copy of the review shall
8 be presented to the Office of Program Policy Analysis and
9 Government Accountability.

10 Section 51. Subsection (1) of section 287.151, Florida
11 Statutes, is amended to read:

12 287.151 Limitation on classes of motor vehicles
13 procured.--

14 (1) All motor vehicles purchased or leased by the
15 state with funds provided in the General Appropriations Act
16 shall be of the subcompact class except vehicles used for law
17 enforcement purposes by law enforcement officers of the state,
18 used as tow vehicles, routinely used to transport more than
19 three adults or bulk materials, or vehicles operated
20 frequently on unpaved roads. All vehicles purchased shall be
21 of the smallest class that can safely and adequately meet the
22 transportation requirements. ~~The exception from the~~
23 ~~subcompact vehicle requirement for law enforcement purposes~~
24 ~~shall not apply to state attorneys and public defenders.~~

25 Section 52. Subsection (3) of section 287.16, Florida
26 Statutes, is amended, and subsection (11) is added to that
27 section, to read:

28 287.16 Powers and duties of division.--The Division of
29 Motor Pool shall have the following powers, duties, and
30 responsibilities:

31 (3) In its discretion, to require every state agency

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1 to transfer its ownership, custody, and control of every
2 aircraft and motor vehicle, and associated maintenance
3 facilities and equipment, except those used principally for
4 law enforcement, state fire marshal, or fire control purposes,
5 to the Department of Management Services, including all right,
6 title, interest, and equity therein.

7 (11) To calculate biennially the break-even mileage at
8 which it becomes cost-effective for the state to provide
9 assigned motor vehicles to employees. The division shall
10 provide the information to agency heads and agency inspectors
11 general to assist them in meeting the reporting requirements
12 of s. 20.055.

13 Section 53. Section 287.17, Florida Statutes, is
14 amended to read:

15 287.17 Limitation on use of motor vehicles and
16 aircraft.--

17 (1) The aircraft and motor vehicles owned, leased, or
18 operated by any state agency, as defined in s. 287.012, shall
19 be available for official state business only as authorized by
20 agency heads, as defined in s. 287.012.

21 (2) The following criteria shall be considered in
22 determining appropriate uses of motor vehicles and aircraft:

23 (a) Whether the use of a motor vehicle or aircraft is
24 necessary to carry out state official or employee job
25 assignments.

26 (b) Whether the use of a motor vehicle or aircraft is
27 for transporting an employee, state official, or other person
28 authorized by the agency head for purposes of conducting
29 official state business or for purposes of performing services
30 for the state.

31 (c) Whether the Department of Law Enforcement has been

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1 directed by the agency head to provide security or
2 transportation pursuant to s. 281.20.

3 (d) Whether an emergency exists requiring the use of a
4 motor vehicle or aircraft for the protection of life or
5 property.

6 (3) The term "official state business" may not be
7 construed to permit the use of a motor vehicle or aircraft for
8 ~~personal business or~~ commuting purposes, unless special
9 assignment of a motor vehicle is authorized as a perquisite by
10 the Department of Management Services, required by an employee
11 after normal duty hours to perform duties of the position to
12 which assigned, or authorized for an employee whose home is
13 the official base of operation.

14 (4) An agency head, as defined in s. 287.012, shall
15 comply with the following criteria for the special assignment
16 of motor vehicles:

17 (a) An agency head may assign a motor vehicle to a
18 state officer or employee only if the officer or employee is
19 projected to drive the motor vehicle a minimum of 10,000 miles
20 annually on official state business, unless an agency head
21 annually provides written justification for the need of the
22 assignment of a motor vehicle. Commuting mileage incidental to
23 use of the motor vehicle on official state business shall be
24 excluded from calculating the projected mileage. Priority in
25 assigning motor vehicles shall be given to those employees who
26 drive over 15,000 miles annually on state business.

27 (b) An agency head may assign motor vehicles to state
28 officers and employees who perform duties related to law
29 enforcement. However, the agency head shall not assign a
30 pursuit motor vehicle to an officer or employee whose job
31 duties do not routinely require performance of a patrol or law

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1 enforcement function requiring a pursuit vehicle.

2 ~~(5)(4)~~ A person who is not otherwise authorized in
3 this section may accompany the Governor, the Lieutenant
4 Governor, a member of the Cabinet, the President of the
5 Senate, the Speaker of the House of Representatives, or the
6 Chief Justice of the Supreme Court when such official is
7 traveling on state aircraft for official state business and
8 the aircraft is traveling with seats available.
9 Transportation of a person accompanying any official specified
10 in this subsection shall be approved by the official, who
11 shall also guarantee payment of the transportation charges.
12 When the person accompanying such official is not traveling on
13 official state business as provided in this section, the
14 transportation charge shall be a prorated share of all fixed
15 and variable expenses related to the ownership, operation, and
16 use of such state aircraft. The spouse of any official
17 specified in this subsection may, without payment of
18 transportation charges, accompany the official when such
19 official is traveling for official state business and the
20 aircraft has seats available.

21 ~~(6)(5)~~ It is the intention of the Legislature that
22 persons traveling on state aircraft for purposes consistent
23 with, but not necessarily constituting, official state
24 business may travel only when accompanying persons who are
25 traveling on official state business and that such persons
26 shall pay the state for all costs associated with such travel.
27 A person traveling on state aircraft for purposes other than
28 official state business shall pay for any trip not exclusively
29 for state business by paying a prorated share of all fixed and
30 variable expenses related to the ownership, operation, and use
31 of such aircraft.

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

2 And the title is amended as follows:

3 On page 5, line 5,

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5 after the semicolon insert:

6 amending s. 20.055, F.S.; requiring a report
7 from agency heads on employee use of state
8 motor vehicles; amending s. 287.151, F.S.;
9 revising purchasing requirements for state
10 motor vehicles used by state attorneys and
11 public defenders; amending s. 287.16, F.S.,
12 relating to the powers of the Division of Motor
13 Pool of the Department of Management Services;
14 removing the power to require transfer of
15 ownership, custody, or control of aircraft and
16 motor vehicles used principally for state fire
17 marshal purposes; requiring a report on
18 break-even mileage to be submitted biennially
19 to agency inspectors general; amending s.
20 287.17, F.S.; providing definitions; providing
21 criteria to be followed by an agency head in
22 assigning a state-owned motor vehicle to an
23 employee;

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