

STORAGE NAME: h1897.tr

DATE: March 29, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
TRANSPORTATION
ANALYSIS**

BILL #: HB 1897

RELATING TO: Traffic Crash Reports/Information

SPONSOR(S): Representative Andrews

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) TRANSPORTATION
 - (2) UTILITIES & COMMUNICATIONS
 - (3) LAW ENFORCEMENT & CRIME PREVENTION
 - (4) TRANSPORTATION & ECONOMIC DEVELOPMENT APPROPRIATIONS
 - (5)
-

I. SUMMARY:

Currently, a traffic crash report is required whenever the driver of a vehicle is involved in a crash resulting in the injury or death of another person or damage to any vehicle or property in an apparent amount of \$500 or more. The traffic crash report form used by law enforcement officers does not require the officer to indicate whether or not a cellular phone was in use when the accident occurred.

This bill requires the Florida Highway Patrol to include on a traffic crash report information of whether a cellular phone was in use when an accident occurred.

The bill also requires the Florida Highway Patrol to compile an annual report of the use of cellular phones in accidents. This report would be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives, with the first report due on January 1, 2002.

The bill has an effective date of October 1, 2000.

The bill has no known fiscal impact to the state.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

B. PRESENT SITUATION:

Section 316.066, F.S., provides that a traffic crash report is required whenever the driver of a vehicle is involved in a crash resulting in the injury or death of another person or damage to any vehicle or property in an apparent amount of \$500 or more.

Currently, the traffic crash report form used by law enforcement officers does not require the officer to indicate whether or not a cellular phone was in use when the accident occurred. The forms used after a fatal crash, however, provides for the indication of whether a cellular phone or other communication device could have been a contributing factor to the crash.

C. EFFECT OF PROPOSED CHANGES:

This bill amends s. 316.066, F.S., to require the Florida Highway Patrol to include on a traffic crash report information of whether a cellular phone was in use when an accident occurred.

The bill also requires the Florida Highway Patrol to compile an annual report of the use of cellular phones in accidents. This report would be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives, with the first report due on January 1, 2002.

D. SECTION-BY-SECTION ANALYSIS:

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

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1. Revenues:

N/A

2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

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B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

The annual report would only include data by the Florida Highway Patrol on the possible contribution of cellular phones to traffic crashes. According to FHP, this may not provide a clear indication if a real problem exists throughout the state since the report would not contain this information from local law enforcement.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON TRANSPORTATION:

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