

**STORAGE NAME:** h2159z.ga  
**DATE:** May 22, 2000

**\*\*FAILED TO PASS THE LEGISLATURE\*\***

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
GENERAL APPROPRIATIONS  
FINAL ANALYSIS**

**BILL #:** HB 2159 (PCB GA 00-24)

**RELATING TO:** Reducing the Cost of Government--Highway Safety

**SPONSOR(S):** Committee on General Appropriations and Representative Fuller

**TIED BILL(S):**

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

- (1) GENERAL APPROPRIATIONS YEAS 17 NAYS 0
  - (2)
  - (3)
  - (4)
  - (5)
- 

**I. SUMMARY:**

This bill amends statutes in the area of highway safety in order to implement cuts in current state government spending that are made in the 2000-2001 General Appropriations Act. Because the cuts are recurring in nature and affect the base upon which future budgets will be built, permanent changes to the law are necessary.

Specifically, PCB GA 00-24 eliminates references to license inspectors and provides for the appointment of compliance examiners by the Department of Highway Safety and Motor Vehicles. This bill limits the ability of the compliance examiner to enforce only those provisions found in ch. 320, F.S. Furthermore, this bill authorizes any agent of the Department, for the purpose of issuing a title, to conduct a physical examination of a vehicle to assure its identity.

On May 5, 2000, HB 2159 died in the Senate Committee on Transportation.

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"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

During the development of the 2000-2001 General Appropriations Act, reductions were made to the current level of state funding of various programs. This was done as part of an ongoing review of appropriations to determine when programs can be implemented by other agencies/entities or when funding priorities have changed over time.

C. EFFECT OF PROPOSED CHANGES:

This bill modifies several laws in the area of highway safety in order to allow the implementation of certain cuts in the General Appropriations Act. Without this bill, the Legislature could create a conflict of laws situation. Statutory law would require government to perform a function, while the General Appropriations Act, a more recent expression of Legislative intent, would provide no resources to meet the requirements of that law.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 316.1951(4), F.S., eliminating references to license inspectors.

Section 2. Amends ss. 319.14(1)(b), F.S., authorizing any agent of the Department, for the purpose of issuing a title, to conduct a physical examination of a vehicle to assure its identity.

Section 3. Amends s. 320.02(14), F.S., deleting subsections (a), (b), and (c), empowering license inspectors to issue a notice of violation and enter upon both publicly owned and privately owned property in order to carry out the provisions of s. 320.02(14), F.S.

Section 4. Amends s. 320.58, F.S., deleting references regarding the powers and appointment of license inspectors and replaces them with references to the newly created position of compliance examiner. Eliminates references to ch. 319, 322, and 324, F.S., thereby confining the Department to appoint compliance examiners and supervisors to enforce only the provisions of ch. 320, F.S.

Section 5. Provides an effective date.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The elimination of the Motor Vehicle Law Enforcement activity will result in the elimination of ten full-time equivalent (FTE) positions and a \$344,480 budget reduction in the Highway Safety Operating Trust Fund.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

There will be a minimum fiscal impact on local government if the local law enforcement agencies assume the responsibility of the Motor Vehicle Law Enforcement activity.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds to take any actions requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenues in the aggregate, as such authority existed on February 1, 1989.

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

This bill does not reduce the percentage of state tax shared with counties and municipalities as an aggregate on February 1, 1989.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON GENERAL APPROPRIATIONS:

Prepared by:

Staff Director:

Loretta Jones Darity

David K. Coburn

**FINAL ANALYSIS PREPARED BY THE COMMITTEE ON GENERAL APPROPRIATIONS:**

Prepared by:

Staff Director:

Loretta Jones Darity

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