STORAGE NAME: h0783.go
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HOUSE OF REPRESENTATIVES
COMMITTEE ON
GOVERNMENTAL OPERATIONS
ANALYSIS

BILL #: HB 783

RELATING TO: Daylight Saving Time

SPONSOR(S): Representative Jacobs

TIED BILL(S):

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:
(1) GOVERNMENTAL OPERATIONS
(2) BUSINESS REGULATION & CONSUMER AFFAIRS
(3)
(4)
(5)

I. SUMMARY:

Under current federal law, 15 U.S.C. 260a, every state observes Daylight Saving Time during the period beginning 2:00 a.m. on the first Sunday of April of each year and ending at 2:00 a.m. on the last Sunday of October of each year, unless a state decides to exempt itself from Daylight Saving Time by executive order of their governor or by law through legislation.

This bill would exempt Florida from observing Daylight Saving Time.

This bill becomes effective upon becoming a law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

1.	Less Government	Yes []	No []	N/A []
2.	Lower Taxes	Yes []	No []	N/A [X]
3.	Individual Freedom	Yes []	No []	N/A [X]
4.	Personal Responsibility	Yes []	No []	N/A [X]
5.	Family Empowerment	Yes []	No []	N/A [X]

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

B. PRESENT SITUATION:

Daylight Saving Time has been used in the United States and in many European countries since World War I, when the system was adopted in order to conserve fuel needed to produce electric power. Under the U.S. Constitution, Article II, Section 8, Congress has the enumerated power to regulate "weights and measures" in our country, in order to ensure uniformity within the nation. The measurement of time falls within this power. In 1918, in order to conserve resources for the war effort, Congress placed the country on Daylight Saving Time for the remainder of World War I. It was observed for seven months in 1918 and 1919. The law, however, proved so unpopular, due to earlier average rising and going to bed times, that the law was later repealed in 1919 over President Wilson's veto. It was continued in a few states (Massachusetts, Rhode Island) and some cities (New York, Philadelphia, Chicago, and others).[1]

During World War II, the United States observed year round Daylight Saving Time (from February 2, 1942 to September 10, 1945). From 1945 to 1966, there was no federal law about Daylight Saving Time. So, states and localities were free to choose whether or not to observe Daylight Saving Time, and could choose when it began and ended. This, however, created confusion for national industries such as broadcasting and transportation.

By 1962, the transportation industry found the lack of uniformity in time observance confusing enough to push for federal regulation. This drive resulted in the Uniform Time Act of 1966 (15 U.S. Code Section 260a). The act mandated standard time within the established time zones and provided for advanced time: clocks would be advanced one hour beginning at 2:00 a.m. on the last Sunday in April and turned back one hour at 2:00 a.m. on the last Sunday in October. States were allowed to exempt themselves from Daylight Saving Time as long as the entire state did so. In 1968, Arizona became the first state to exempt themselves from Daylight Saving Time.

In 1972, Congress revised the law to provide that, if a state was in two or more time zones, the state could exempt the part of the state that was in one time zone while providing that the part of the state in a different time zone would observe Daylight Saving Time. The newly created Department of Transportation was given the power to enforce the law.

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[1]"Daylight Saving Time," <http://www.webexhibits.com/daylightsaving/c.html

During the 1973 oil embargo by the Organization of Petroleum Exporting Countries, in an effort to conserve fuel, Congress enacted a trial period of year-round Daylight Saving Time, beginning January 6, 1974, and ending April 27, 1975. From the beginning, the trial was debated. Those in favor pointed to the benefits of increased daylight hours in the winter evening: more time for recreation, reduced lighting and heating demands, reduced crime and reduced automobile accidents. Opposition was voiced by farmers and others whose hours are set by the sun rather than the clock. DOT, charged with evaluating the plan of extending Daylight Saving Time into March, reported in 1975 that “modest overall benefits might be realized by a shift from the historic six-month Daylight Saving Time in areas of energy conservation, overall traffic safety and reduced violent crime.” However, DOT also reported that these benefits were minimal and difficult to distinguish from seasonal variations and fluctuations in energy prices.

Congress then asked the National Bureau of Standards (NBS) to evaluate the DOT report. NBS found no significant energy savings or differences in traffic fatalities.[2]

The federal law was amended in 1986 to begin Daylight Saving Time on the first Sunday in April.

Under U.S. Code, Title 15, Section 260a:

> (1) any state that lies entirely within one time zone may by law exempt itself from the provisions of this subsection providing for the advancement of time, but only if that law provides that the entire state shall observe the standard time otherwise applicable during that period, and (2) any state with parts thereof in more than one time zone may by law exempt either the entire state as provided in (1) or may exempt the entire area of the state lying within any time zone.

Under the Uniform Time Act, moving an area on or off Daylight Saving Time is accomplished though legal action at the state level. Some states require legislation, while others require executive action such as a governor’s executive order. Currently, Hawaii, Indiana, and Arizona have exempted themselves or parts of themselves from Daylight Saving Time by law.

Opponents of Daylight Saving Time have data that shows that the changing of the clocks in the spring disrupts our circadian rhythms and therefore causes around 7 percent more automobile accidents and pedestrian fatalities due to our sleep deprivation the week immediately after the time change. They also show the accidents decrease a corresponding 7 percent when clocks go back to standard time in the fall.

On the other hand, Proponents of Daylight Saving Time state that the data above is only for one week in the spring and one week in the fall, and doesn’t show the total decrease in accidents and pedestrian fatalities during the Daylight Saving Time due to the increase of daylight during daily activities.

Currently, Florida law does not speak on the issue of Daylight Saving Time, but instead follows the Federal Uniform Time Act.

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[2]"Daylight Saving Time,” CRS Report for Congress, 98-99.

C. EFFECT OF PROPOSED CHANGES:

This bill creates an unnumbered statute declaring that the State of Florida and all of its political subdivisions are exempt from the operation of Daylight Saving Time and shall observe the standard time, pursuant to the Uniform Time Act of 1966, 15 U.S.C. s. 260a.

This bill shall take effect upon becoming a law.

D. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

III. <u>FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT</u>:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. <u>Revenues</u>:

N/A

2. <u>Expenditures</u>:

See Fiscal Comments below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. <u>Revenues</u>:

N/A

2. <u>Expenditures</u>:

See Fiscal Comments below.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments below.

D. FISCAL COMMENTS:

There could be cost to state and local government as well as the private sector to reprogram computers to eliminate the automatic changing of the clocks. However, this cost does not appear to be significant. DOT does not report a fiscal impact, neither does the Public Service Commission.

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 or to take action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

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

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON GOVERNMENTAL OPERATIONS:

Prepared by:	Staff Director:
Jennifer D. Krell	Jimmy O. Helms