

**STORAGE NAME:** h1733.frc  
**DATE:** March 22, 2001

**HOUSE OF REPRESENTATIVES**  
**FISCAL RESPONSIBILITY COUNCIL**  
**ANALYSIS**

**BILL #:** HB 1733

**RELATING TO:** Department of Transportation

**SPONSOR(S):** Fiscal Responsibility Council and Representative Johnson

**TIED BILL(S):**

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

- (1) FISCAL RESPONSIBILITY COUNCIL YEAS 21 NAYS 0
- (2)
- (3)
- (4)
- (5)

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- I. **SUMMARY:** This bill would eliminate the Department's responsibility to develop and administer state rail system safety and performance standards with respect to hazardous material handling and to inspect hazardous materials transportation, including the loading, unloading, and labeling of hazardous materials at shippers', receivers', and transfer points.

The bill conforms to a funding reduction made in the Department's budget for fiscal year 2001-02. Specifically, one position and \$28,425 was reduced from the Department's Rail Program.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |   |                             |   |
|-----------------------------------|---|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input 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:

The primary responsibility for rail system inspections, including hazardous materials handling and transportation, rests with the federal government. Federal law allows for participation by the states, and Florida has chosen to supplement federal efforts in the past. Section 341.302(7) and (8), F.S., requires the Department to develop and administer rail system standards for hazardous material handling and inspect hazardous materials transportation.

Hazardous material handling and transportation inspections were identified as a candidate for elimination as part of the Department of Transportation's detailed review of the Rail Program. This bill will eliminate the requirement that the department perform inspections relating to hazardous materials handling and transportation.

C. EFFECT OF PROPOSED CHANGES:

Amends section 341.302(7) and (8), F.S., to eliminate the requirement that the Department develop and administer rail system standards for hazardous material handling and inspect hazardous materials transportation.

D. SECTION-BY-SECTION ANALYSIS:

(See Effect of Proposed Changes)

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

This proposal would result in the elimination of one position and \$28,425 from the State Transportation Trust Fund.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

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 or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

The bill does not reduce the authority of counties or municipalities 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:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

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VII. SIGNATURES:

FISCAL RESPONSIBILITY COUNCIL:

Prepared by:

Staff Director:

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Eliza Hawkins

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