

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 626

SPONSOR: Transportation Committee and Senator Saunders

SUBJECT: Driver Improvement Schools

DATE: April 5, 2001

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Vickers	Meyer	TR	Favorable/CS
2.	_____	_____	CA	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This CS eliminates the existing prohibition against any governmental entity or court maintaining or providing any information regarding driver improvement schools or course providers. The CS provides a governmental entity or court may maintain and provide information regarding driver improvement schools, including a list of course providers who provide curriculum to driver improvement schools within the geographical area of the governmental entity or court, and a corresponding telephone number for the course provider.

This CS directs the Department of Highway Safety and Motor Vehicles to prepare for governmental entities and courts a traffic school course provider list that includes the benefits of attending a driver improvement school and the names of approved course providers together with a single telephone number for each provider.

The CS also authorizes the Department to review and approve certain driver improvement courses that use technology as the delivery method.

This CS substantially amends sections 318.1451, 322.0261, and 322.095 of the Florida Statutes.

## II. Present Situation:

Currently, s. 318,1451, F.S., prohibits governmental agencies and the courts from providing, maintaining, or issuing to the public any information or orders regarding driver improvement schools or course providers. All inquiries concerning driver improvement schools are directed to the local telephone directory heading of driver instruction. An exception is provided for individuals who make a public information record request for such information in accordance with s. 119.07, F.S.

Pursuant to s. 318.1451, F.S., the Department does not license driver improvement schools. However, the Department does review and approve the courses that driver improvement schools use as curriculum. The Department currently lacks specific authority to regulate certain courses that use technology as the delivery method.

### **III. Effect of Proposed Changes:**

This CS amends s. 318.1451, F.S., to eliminate the current prohibition against governmental entities or courts providing any information regarding driver improvement schools or course providers. The CS provides that a governmental entity or court may maintain and provide information regarding driver improvement schools, including a list of course providers who provide curriculum to driver improvement schools within the geographical area of the governmental entity or court, and a corresponding telephone number for the course provider.

In addition, the Department is directed to prepare for governmental entities and courts a traffic school course provider list that includes the benefits of attending a driver improvement school and the names of Department-approved course providers together with a single telephone number for each provider.

The CS amends s. 322.0261, F.S., to provide the Department is to approve and regulate certain driver improvement courses (advanced driver improvement) that rely on technology for delivery. The CS also provides criteria for course approval.

The CS amends s. 322.095, F.S., to provide the Department is to approve and regulate certain driver improvement courses (Traffic Law and Substance Abuse Education courses) that rely on technology as the delivery method. The CS also provides criteria for course approval.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Economic Impact and Fiscal Note:**

#### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

The impact of the bill on the private sector is unknown.

**C. Government Sector Impact:**

The bill should have minimal impact on the government sector.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

Traffic schools generally advertise through television, radio, direct-mail marketing, and print media. Prior to June 2000, traffic schools also advertised indirectly through brochures distributed through the court clerks and local law enforcement offices. In a number of jurisdictions the court clerk maintained a listing of approved course providers and distributed the list to prospective students. During the 2000 Legislative Session, s. 318.1451, F.S., was amended to prohibit governmental entities from providing any information concerning driver improvement schools and to direct all inquiries to the local telephone directory listing for driving instruction.

**VIII. Amendments:**

None.