

# 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 676  
SPONSOR: Transportation Committee and Senator Sebesta  
SUBJECT: Transportation  
DATE: March 5, 2003 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McAuliffe</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	<u>                    </u>	<u>                    </u>	<u>ATD</u>	<u>                    </u>
3.	<u>                    </u>	<u>                    </u>	<u>AP</u>	<u>                    </u>
4.	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
5.	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
6.	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

## I. Summary:

This CS corrects various technical problems in the statutes. The CS deletes a reference to Federal Motor Vehicle Safety Standards No. 128 which does not exist. The CS corrects a reference to authorize law enforcement agencies to investigate crimes related to driver's licenses. The CS also corrects a technical error related to the powers and duties of the Turnpike Enterprise.

The CS further clarifies FDOT may use bond proceeds from the Beeline-East Expressway, Sunshine Skyway Bridge, and Pinellas Bayway not only for the respective toll facility itself, but also for other transportation projects within the county or counties in which the toll facility is located.

This CS substantially amends sections 316.2952, 322.212, 338.165 and 338. 2216, of the Florida Statutes.

## II. Present Situation:

Section 316.2952, F.S., provides a vehicle may not be operated on any public street with any sign, sunscreening material, product, or covering attached to, or located on the vehicle's windshield, with the following exceptions:

- i. A certificate or paper required to be displayed by law;
- ii. Sunscreening material as described and defined in Federal Motor Vehicle Safety Standards Nos. 205 and 128; and
- iii. A device issued by a governmental entity for the purpose of electronic toll payment.

Federal Motor Vehicle Safety Standard No. 205 specifies requirements for glazing materials for use in motor vehicles and motor vehicle equipment for the purpose of reducing injuries resulting from impact to glazing surfaces. The purpose of this standard is to ensure a necessary degree of transparency in motor vehicle windows for driver visibility, and to minimize the possibility of occupants being thrown through the vehicle windows in collisions. Standard No. 128 does not exist, and therefore should be deleted from the section.

Section 322.212 (1) (a)-(c), F.S., provides driver's license related criminal offenses including knowingly having in your possession or displaying any blank, forged, stolen, fictitious, counterfeit, or unlawfully issued driver's license or identification card. Paragraph (d) of the same subsection provides it is unlawful to knowingly sell, manufacture, or deliver, a blank, forged, stolen, fictitious, counterfeit, or unlawfully issued driver's license or identification card. The paragraph further provides a violation of paragraph (d) may be investigated by a law enforcement agency. The other offenses in paragraphs (a) through (c) do not specifically provide for such investigation, and the intent was to allow law enforcement agencies to investigate any violation of the section.

Section 338.165 (2), F.S., provides for use of toll revenues for improvements to State Highway System roads within the county or counties in which a toll facility is located. Currently, toll revenues from the Beeline-East Expressway are being utilized for four-laning State Road 520. During preparation for the bond sales, FDOT has been advised by the Division of Bond Finance that statutory modification is required to clarify the ability to use bond proceeds for projects other than on the specific facility generating the revenue pledged.

Section 338.226, F.S., provides for the powers and duties of the Florida Turnpike enterprise. Section 338.226 (1)(b), F.S., provides it is the express intention of this part that the Florida Turnpike Enterprise be authorized certain powers to manage the turnpike system. Section 338.22, F.S. provides the short title for the enabling legislation for the Turnpike Enterprise is to be cited as the Florida Turnpike Enterprise Law. The Florida Turnpike Law is not broken into "parts," therefore, the express intent of the legislation should refer to the entire enabling act which is the Turnpike Enterprise Law.

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

Section 316.2952, F.S., is amended to delete the reference to Federal Motor Vehicle Safety Standards No. 128 which does not exist.

Section 322.212, F.S., is amended to authorize law enforcement agencies to investigate crimes related to driver's licenses.

Section 338.165, F.S., is amended to clarify FDOT has specific authority to request the Division of Bond Finance to issue bonds secured by toll revenues collected on the Beeline-East Expressway, Sunshine Skyway Bridge, and Pinellas Bayway toll facilities to provide funding for needed transportation projects on the State Highway System in the counties in which they are located, which are Brevard, Orange, Pinellas, Manatee and Hillsborough Counties.

Section 338.226, F.S, is amended to correct a technical error by providing that the express intent of the enabling legislation providing the powers and duties of the Turnpike Enterprise should refer to the entire enabling act which is the Turnpike Enterprise Law.

**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:

None.

C. Government Sector Impact:

Bonding the Sunshine Skyway toll revenues would provide approximately \$130 million for funding transportation projects in Pinellas, Manatee and Hillsborough Counties. Bonding the Beeline-East toll revenues would provide approximately \$54 million for funding transportation projects in Brevard and Orange Counties.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.