

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Evers offered the following:

2  
3 **Amendment (with title amendment)**

4 Between line(s) 2459 and 2460, insert:

5 Section 47. Paragraph (b) of subsection (2) and paragraph  
6 (b) of subsection (3) of section 316.006, Florida Statutes, are  
7 amended to read:

8 316.006 Jurisdiction.--Jurisdiction to control traffic is  
9 vested as follows:

10 (2) MUNICIPALITIES.--

11 (b) A municipality may exercise jurisdiction over any  
12 private road or roads, or over any limited access road or roads  
13 owned or controlled by a special district, located within its  
14 boundaries if the municipality and party or parties owning or  
15 controlling such road or roads provide, by written agreement  
16 approved by the governing body of the municipality, for

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17 municipal traffic control jurisdiction over the road or roads  
18 encompassed by such agreement. Pursuant thereto:

19 1. Provision for reimbursement for actual costs of traffic  
20 control and enforcement and for liability insurance and  
21 indemnification by the party or parties, and such other terms as  
22 are mutually agreeable, may be included in such an agreement.

23 2. The exercise of jurisdiction provided for herein shall  
24 be in addition to jurisdictional authority presently exercised  
25 by municipalities under law, and nothing in this paragraph shall  
26 be construed to limit or remove any such jurisdictional  
27 authority. Such jurisdiction includes regulation of access to  
28 such road or roads by security devices or personnel.

29 3. Any such agreement may provide for the installation of  
30 multiparty stop signs by the parties controlling the roads  
31 covered by the agreement if a determination is made by such  
32 parties that the signage will enhance traffic safety. Multiparty  
33 stop signs must conform to the manual and specifications of the  
34 Department of Transportation; however, minimum traffic volumes  
35 may not be required for the installation of such signage.  
36 Enforcement for the signs shall be as provided in s. 316.123.

37 4. The board of directors of a homeowners' association as  
38 defined in chapter 720 may, by majority vote, elect to have  
39 state traffic laws enforced by local law enforcement agencies on  
40 private roads that are controlled by the association.

41 (3) COUNTIES.--

42 (b) A county may exercise jurisdiction over any private  
43 road or roads, or over any limited access road or roads owned or  
44 controlled by a special district, located in the unincorporated  
45 area within its boundaries if the county and party or parties

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46 | owning or controlling such road or roads provide, by written  
47 | agreement approved by the governing body of the county, for  
48 | county traffic control jurisdiction over the road or roads  
49 | encompassed by such agreement. Pursuant thereto:

50 |       1. Provision for reimbursement for actual costs of traffic  
51 | control and enforcement and for liability insurance and  
52 | indemnification by the party or parties, and such other terms as  
53 | are mutually agreeable, may be included in such an agreement.

54 |       2. Prior to entering into an agreement which provides for  
55 | enforcement of the traffic laws of the state over a private road  
56 | or roads, or over any limited access road or roads owned or  
57 | controlled by a special district, the governing body of the  
58 | county shall consult with the sheriff. No such agreement shall  
59 | take effect prior to October 1, the beginning of the county  
60 | fiscal year, unless this requirement is waived in writing by the  
61 | sheriff.

62 |       3. The exercise of jurisdiction provided for herein shall  
63 | be in addition to jurisdictional authority presently exercised  
64 | by counties under law, and nothing in this paragraph shall be  
65 | construed to limit or remove any such jurisdictional authority.

66 |       4. Any such agreement may provide for the installation of  
67 | multiparty stop signs by the parties controlling the roads  
68 | covered by the agreement if a determination is made by such  
69 | parties that the signage will enhance traffic safety. Multiparty  
70 | stop signs must conform to the manual and specifications of the  
71 | Department of Transportation; however, minimum traffic volumes  
72 | may not be required for the installation of such signage.  
73 | Enforcement for the signs shall be as provided in s. 316.123.

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74        5. The board of directors of a homeowners' association as  
75 defined in chapter 720 may, by majority vote, elect to have  
76 state traffic laws enforced by local law enforcement agencies on  
77 private roads that are controlled by the association.

78        Section 48. Section 318.1215, Florida Statutes, is amended  
79 to read:

80        318.1215 Dori Slosberg Driver Education Safety  
81 Act. -- ~~Effective October 1, 2002,~~ Notwithstanding the provisions  
82 of s. 318.121, a board of county commissioners may require, by  
83 ordinance, that the clerk of the court collect an additional \$5  
84 ~~\$3~~ with each civil traffic penalty, which shall be used to fund  
85 driver education programs in public and nonpublic schools. The  
86 ordinance shall provide for the board of county commissioners to  
87 administer the funds, which shall be used for enhancement, and  
88 not replacement, of driver education program funds. The funds  
89 shall be used for direct educational expenses and shall not be  
90 used for administration. Each driver education program receiving  
91 funds pursuant to this section shall require that a minimum of  
92 30 percent of a student's time in the program be behind-the-  
93 wheel training. This section may be cited as the "Dori Slosberg  
94 Driver Education Safety Act."

95        Section 49. Subsection (2) of section 318.15, Florida  
96 Statutes, is amended to read:

97        318.15 Failure to comply with civil penalty or to appear;  
98 penalty.--

99        (2) After suspension of the driver's license and privilege  
100 to drive of a person under subsection (1), the license and  
101 privilege may not be reinstated until the person complies with  
102 all obligations and penalties imposed on him or her under s.  
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103 318.18 and presents to a driver license office a certificate of  
104 compliance issued by the court, together with a nonrefundable  
105 service charge of up to \$47.50 imposed under s. 322.29, or  
106 presents a certificate of compliance and pays the aforementioned  
107 service charge of up to \$47.50 to the clerk of the court or a  
108 driver licensing agent authorized in s. 322.135 ~~tax collector~~  
109 clearing such suspension. Of the charge collected by the clerk  
110 of the court or driver licensing agent ~~the tax collector~~, \$10  
111 shall be remitted to the Department of Revenue to be deposited  
112 into the Highway Safety Operating Trust Fund. Such person shall  
113 also be in compliance with requirements of chapter 322 prior to  
114 reinstatement.

115 Section 50. Paragraph (a) of subsection (8) of section  
116 320.08056, Florida Statutes, is amended to read:

117 320.08056 Specialty license plates.--

118 (8)(a) The department must discontinue the issuance of an  
119 approved specialty license plate if the number of valid  
120 specialty plate registrations falls below 1,000 plates for at  
121 least 12 consecutive months. A warning letter shall be mailed to  
122 the sponsoring organization following the first month in which  
123 the total number of valid specialty plate registrations is below  
124 1,000 plates. This paragraph does not apply to collegiate  
125 license plates established under s. 320.08058(3).

126 Section 51. Subsection (1) of section 322.02, Florida  
127 Statutes, is amended to read:

128 322.02 Legislative intent; administration.--

129 (1) The Legislature finds that over the past several years  
130 the department and individual county tax collectors have entered  
131 into contracts for the delivery of full and limited driver

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132 license services where such contractual relationships best  
133 served the public interest through state administration and  
134 enforcement and local government implementation. It is the  
135 intent of the Legislature that future interests and processes  
136 for developing and expanding the department's relationship with  
137 tax collectors and other county constitutional officers through  
138 contractual relationships for the delivery of driver license  
139 services be achieved through the provisions of this chapter,  
140 thereby serving best the public interest considering  
141 accountability, cost-effectiveness, efficiency, responsiveness,  
142 and high-quality service to the drivers in Florida.

143 Section 52. Subsection (10) is added to section 322.135,  
144 Florida Statutes, to read:

145 322.135 Driver's license agents.--

146 (10) The department may contract with any county  
147 constitutional officer to provide driver license services in the  
148 same manner as provided in this section in a county where the  
149 tax collector is not elected or elects not to provide driver  
150 license services.

151 Section 53. (1) The Department of Highway Safety and  
152 Motor Vehicles shall study the outsourcing of its driver license  
153 services and shall make recommendations to the Governor, the  
154 President of the Senate, and the Speaker of the House of  
155 Representatives by January 1, 2007. As used in this section, the  
156 term "outsourcing" means the process of contracting with an  
157 external service provider or other governmental agency to  
158 provide a service, in whole or in part, while the department  
159 retains the responsibility and accountability for the service.

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160       (2) As part of its study, the department shall provide a  
161 description of the services to be outsourced. Types of issues  
162 for the department to consider must include, but need not be  
163 limited to:

164       (a) A detailed description of the service to be outsourced  
165 and a description and analysis of the department's current  
166 performance of the service.

167       (b) A cost-benefit analysis describing the estimated  
168 specific direct and indirect costs or savings; performance  
169 improvements, including reduced wait times at driver license  
170 offices; risks; and qualitative and quantitative benefits  
171 involved in or resulting from outsourcing the service. The cost-  
172 benefit analysis must include a detailed plan and timeline  
173 identifying all actions that must be implemented to realize the  
174 expected benefits.

175       (c) A statement of the potential effect on applicable  
176 federal, state, and local revenues and expenditures. The  
177 statement must specifically describe the effect on general  
178 revenue, trust funds, general revenue service charges, and  
179 interest on trust funds, together with the potential direct or  
180 indirect effect on federal funding and cost allocations.

181       (d) A plan to ensure compliance with public records law.

182       (e) A transition and implementation plan for addressing  
183 changes in the number of department personnel, affected business  
184 processes, and employee-transition issues. Such a plan must also  
185 specify the mechanism for continuing the operation of the  
186 service if the contractor fails to perform or comply with the  
187 performance standards and provisions of the contract. Within  
188 this plan, the department shall identify all resources,

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189 | including full-time equivalent positions, that are subject to  
190 | outsourcing.

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===== T I T L E A M E N D M E N T =====

Between line(s) 218 and 219, insert:  
amending s. 316.006, F.S.; authorizing the board of  
directors of a homeowner's association to provide for  
local law enforcement agencies to enforce state traffic  
laws on private roads that are controlled by the  
association; amending s. 318.1215, F.S.; increasing the  
amount of a local option surcharge on traffic penalties;  
amending s. 318.15, F.S.; providing for the collection of  
certain service charges by authorized driver licensing  
agents; amending s. 320.08056, F.S.; exempting collegiate  
license plates from the requirement for maintaining a  
specified number of license plate registrations; amending  
s. 322.02, F.S.; revising legislative intent provisions to  
include references to county constitutional officers  
providing driver licensing services; amending s. 322.135,  
F.S.; authorizing the department to contract with any  
county constitutional officer for driver license services  
in counties where the tax collector is not elected or does  
not provide the services; directing the department to  
study the outsourcing of its driver license services to a  
provider or other governmental agency, in whole or in  
part, while retaining responsibility and accountability  
for the services; requiring that the department submit a  
report to the Governor and Legislature by a specified



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218 |       date; providing requirements for the department with  
219 |       respect to issues to be included in the study; requiring a  
220 |       cost-benefit analysis and a transition and implementation  
221 |       plan;