

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 221 Drowsy Driving Prevention
SPONSOR(S): Roads, Bridges & Ports Policy Committee; Williams
TIED BILLS: **IDEN./SIM. BILLS:** SB 1144

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Roads, Bridges & Ports Policy Committee	11 Y, 0 N, As CS	Johnson	Miller
2)	_____	_____	_____	_____
3)	_____	_____	_____	_____
4)	_____	_____	_____	_____
5)	_____	_____	_____	_____

SUMMARY ANALYSIS

The bill creates the Ronshay Dugans Act.

The bill designates the first week in September as “Drowsy Driving Prevention Week” in Florida, and encourages the Department of Highway Safety and Motor Vehicles (DHSMV) and the Department of Transportation (DOT) to educate law enforcement and the public about the relationship between fatigue and the dangers of driving.

Any fiscal impact to the DHSMV and DOT can be absorbed within their existing resources. There is no fiscal impact to local governments.

The bill takes effect upon becoming law.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

The bill creates the "Ronshay Dugans Act"

Drowsy Driving

Current Situation

A 2005 National Sleep Foundation poll found that 60 percent of adult drivers had driven, in the past year, a vehicle while feeling drowsy, with more than one-third actually falling asleep behind the wheel. Forty percent of the drivers admitted to having an accident or near accident because they dozed off or were too tired to drive.

The National Highway Traffic Safety Administration estimates that each year, driver fatigue results in 100,000 police reported crashes, with an estimated 1,550 deaths, 71,000 injuries, and \$12.5 billion in monetary losses. However, it is difficult to attribute an accident to drowsiness because there is no test available to determine drowsiness, and there are inconsistent reporting practices related to drowsy driving. In addition, drowsiness may be a factor in crashes which are attributed to other causes.

Some of the dangers that sleepiness or fatigue may cause are:

- Impaired reaction time, judgment, or vision;
- Problems with information processing and short-term memory;
- Decreased performance, vigilance, and motivation; and
- Increased moodiness and aggressive behavior.

The National Sleep Foundation currently promotes a "Drowsy Driving Prevention Week." In 2009, that week was from November 2 through 8.¹

Proposed Changes

The bill designates the first week in September as "Drowsy Driving Prevention Week" in Florida. During this week, the Department of Highway Safety and Motor Vehicles (DHSMV) and the Department of

¹ Information concerning drowsy driving was obtained from www.drowsydriving.org, which is sponsored by the National Sleep Foundation.

Transportation (DOT) are encouraged to educate the law enforcement community and the public about the relationship between fatigue and performance and the research showing that fatigue is as much of an impairment as alcohol and is as dangerous behind the wheel.

According to DOT, its impaired driving initiatives incorporate educational information related to drowsy driving.

B. SECTION DIRECTORY:

Section 1 Provides a short title.

Section 2 Designates the first week in September as "Drowsy Driving Prevention Week" in Florida.

Section 3 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

According to DOT, any administrative expenses associated with reviewing its current initiatives for an appropriate focus on drowsy driving is expected to be absorbed within its existing resources.

According to DHSMV, the cost of creating and implementing educational materials related to drowsy driving will be absorbed by the department.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Awareness of drowsy driving may reduce the number of accidents attributed to it.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not affect county or municipal government.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On March 17, 2010, the Roads, Bridges & Ports Policy Committee adopted a Proposed Committee Substitute to HB 221. The Proposed Committee Substitute removed the prohibition against school bus drivers using mobile telecommunications devices.

The bill was reported favorably as a committee substitute.