

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4019 Traffic Offenses

SPONSOR(S): Workman

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee	14 Y, 0 N	Brown	Tinker
2) Economic Affairs Committee			

SUMMARY ANALYSIS

HB 4019 repeals unnecessary language from Chapter 316, Florida Statutes, relating to motor vehicle operation. The language being repealed prohibits motor vehicle drivers from travelling on a downgrade with the vehicle in neutral or the clutch disengaged.

The bill does not have a fiscal impact, and has an effective date of July 1, 2011.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Section 316.2024, F.S., prohibits the operator of a motor vehicle from “travelling upon a downgrade... with the gears or transmission... in neutral or the clutch disengaged.” A violation of the provision is considered a moving violation punishable by a fine of \$60 plus local court costs, which vary by jurisdiction.

The Department of Highway Safety and Motor Vehicles (DHSMV) prepares an annual report on the number of citations issued by law enforcement officers statewide. Violations of s. 316.2024, F.S., are aggregated on the Uniform Traffic Citation itself as “Other Moving” violations along with 42 other moving violations.

Proposed Changes

The bill repeals s. 316.02024, F.S., prohibiting coasting on a downgrade while in neutral. DHSMV reports that five citations were issued for this behavior in 2009 (the most recent available data).¹

B. SECTION DIRECTORY:

Section 1 Repeals s. 316.2024, F.S., which prohibits a motor vehicle coasting on a downgrade.

Section 2 Provides an effective date of July 1, 2011.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

¹ Department of Highway Safety and Motor Vehicles, *2011 Bill Analysis – HB 4019*.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES