

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Appropriations Subcommittee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1184

INTRODUCER: Transportation Committee and Senator Brandes

SUBJECT: Department of Highway Safety and Motor Vehicles

DATE: April 7, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Eichin	TR	Fav/CS
2.	Gusky	Miller	ATD	Pre-meeting
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1184 revises multiple laws administered by the Department of Highway Safety and Motor Vehicles (DHSMV). More specifically, the bill:

- Allows an employing state agency to pay up to \$5,000 directly to a venue to cover funeral and burial expenses for full-time law enforcement, correctional, or correctional probation officers killed in the line of duty;
- Revises the size of required red hazard flags on projecting loads from 12-inches square to 18-inches square to comply with federal regulations;
- Allows the Florida Department of Transportation (FDOT) to issue a special permit for truck tractor semitrailer combinations carrying *multiple sections or single units* of manufactured buildings on an over-length trailer and extends the length requirements.
- Amends the definition of ancient and antique motor vehicles by requiring the use of the model date of the vehicle to determine its age rather than the manufacture date of a vehicle's engine; and
- Allows disclosure of confidential insurance policy numbers to DHSMV-approved third parties and governmental entities, if required to perform its duties.

With respect to the laws regulating traffic infraction detectors, the bill:

- Prohibits the issuance of notices of violation or uniform traffic citations through the use of traffic infraction detectors not compliant with all specifications;

- Requires the DOT to identify engineering countermeasures to reduce violations before installing a traffic infraction detector;
- Requires that the decision to place a new traffic infraction detector on any roadway be based on a traffic engineering study; and
- Specifies information a county or municipality operating a traffic infraction detector must submit in its annual report to the DHSMV, and provides a penalty for counties or municipalities not compliant with the reporting requirements.

The Revenue Estimating Conference reviewed the provisions of the bill relating to traffic infraction detectors (“red light cameras”) on April 3, 2015. In the absence of specific “grandfathering” language, the Conference assumed that the engineering countermeasure study requirement would only apply to new red light camera installations. The Conference estimates that the bill will reduce state and local government revenues by \$20.8 million in Fiscal Year 2015-2016 and will have a recurring negative fiscal impact of \$40 million. See Section V for additional fiscal impacts of the bill.

The bill provides an effective date of October 1, 2015.

II. Present Situation:

Due to the disparate issues addressed in the bill, the present situation for each section is discussed below in Effect of Proposed Changes.

III. Effect of Proposed Changes:

Funeral Expenses of Law Enforcement, Correctional, or Correctional Probation Officers (Section 1)

Present Situation

Section 112.19, F.S., provides supplemental death benefits for law enforcement officers, correctional officers, and correctional probation officers.¹ If a full-time law enforcement, correctional, or correctional probation officer who is employed by a state agency is killed in the line of duty², \$1,000 will be paid toward the officer’s funeral and burial expenses.³ This is in addition to the benefits provided under the provisions of the Workers’ Compensation Law, which provide up to \$7,500 for actual funeral expenses to be paid for by the employer within 14 days after receiving the bill.⁴

¹ Section 112.19(1)(b), F.S., the term “law enforcement, correctional, or correctional probation officer” means any officer as defined by s. 943.10(14) or any employee of the state or any political subdivision of the state, including any state attorney investigator or public defender investigator whose duties require such officer or employee to investigate, pursue, apprehend, arrest, transport, or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime; any member of a bomb disposal unit whose primary responsibility is the location, handling, and disposal of explosive devices; and any full-time officer or employee of the state or any political subdivision of the state, certified pursuant to chapter 943, whose duties require such officer to serve process or to attend a session of a circuit or county court as bailiff.

² Section 112.19(2)(f), F.S., “as a result of an act of violence inflicted by another person while the officer is engaged in the performance of law enforcement duties or as a result of an assault against the officer under riot conditions.”

³ Section 112.19(2)(f), F.S.

⁴ Section 440.16(1)(a), F.S.

The \$1,000 funeral and burial expense benefit is paid to the beneficiary designated by the officer to the employer in writing. If no designation has been made, the benefit is paid, in equal parts, to the officer's surviving children or spouse. If the officer has no surviving child or spouse, the benefit will be paid to the officer's parents or parent. In the event there is no surviving beneficiary, the benefit is paid to the officer's estate.⁵

In the past five years, the state has paid out funeral expense claims for 20 full-time state employees killed in the line of duty.⁶

As of 2012, the median cost of a funeral in the United States was \$7,045.⁷ However, the DHSMV estimates funerals for state officers killed in the line of duty generally require a larger venue and often cost more than the current benefit provided by the State.

Effect of Proposed Changes

Section 1 of the bill allows the employing state agency of a full-time law enforcement, correctional, or correctional probation officer who is killed in the line of duty to pay up to \$5,000 *directly to a venue* to cover funeral and burial expenses.

This change provides greater flexibility for an employing state agency to cover funeral and burial expenses by allowing direct payment to a venue, as well as providing additional funds for funeral expenses.

Section 1 also removes the provision that the officer was killed “as a result of an act of violence inflicted by another person.”⁸ This change expands these additional funeral benefits to officers killed in the line of duty while performing law enforcement duties, even if it was not as a result of an act of violence inflicted by another person.

Placement and Installation of Traffic Infraction Detectors (Section 3)

Present Situation

In 2010, the Florida Legislature enacted ch. 2010-80, L.O.F. The law expressly preempted to the state regulation of the use of cameras for enforcing the provisions of ch. 316, F.S.⁹ The law authorized the DHSMV, counties, and municipalities to authorize officials to issue notices of violations of ss. 316.074(1) and 316.075(1)(c)1., F.S., for a driver's failure to stop at a traffic signal when such violation was identified by a traffic infraction detector.¹⁰

Municipalities may install or authorize installation of traffic infraction detectors on streets and highways in accordance with the FDOT standards, and on state roads within the incorporated

⁵ Section 112.19(2)(d), F.S.

⁶ E-mail from Tod Stupski, Bureau Chief, Division of Risk Management, Department of Financial Services (Feb. 24, 2015) (on file with the Senate Committee on Transportation).

⁷ National Funeral Directors Association, *About Funeral Service: 2012 Funeral Costs*, April 2013, (<http://nfda.org/about-funeral-service/-trends-and-statistics.html>) (Last visited Feb. 18, 2015.)

⁸ Section 112.19(2)(f), F.S.

⁹ Section 316.0076, F.S.

¹⁰ See generally s. 316.0083, F.S.

area when permitted by the FDOT.¹¹ Counties may install or authorize installation of traffic infraction detectors on streets and highways in unincorporated areas of the county in accordance with the FDOT standards, and on state roads in unincorporated areas of the county when permitted by the FDOT.¹² The DHSMV may install or authorize installation of traffic infraction detectors on any state road under the original jurisdiction of the FDOT, when permitted by the FDOT.¹³

Engineering Countermeasures to Reduce Red Light Running

The Federal Highway Administration (FHWA) reports research has shown that engineering improvements, safety education, and increased enforcement by law enforcement officers can significantly reduce red light violations. In addition, jurisdictions have implemented the use of red-light cameras. The FHWA states:

“The solution to the problem of red light running and resulting crashes may require one or a combination of engineering, education, and enforcement measures.”¹⁴

These measures include:

- Intersection engineering improvements, such as modifying traffic signal timing, improving signing and marking, improving sight lines, modifying grades and/or grade separation, adjusting the prevailing speeds, changes in surface treatments, altering lane configuration, and replacing the traffic signal with some other form of traffic control device or intersection type;
- Education campaigns to assist motorists and the general public in understanding the safety issues inherent to red light running;
- Traditional enforcement by law enforcement officers specifically targeting red light running violators at problem locations; and
- Red light camera systems.

According to the FHWA, “An engineering study should consider each of these possible solutions in order to identify the most appropriate solution to the documented problem at the intersection.”¹⁵

Effect of Proposed Changes

Section 3 prohibits a notice of violation or uniform traffic citation to be issued through the use of a traffic infraction detector that is not compliant with all of the FDOT specifications.

The bill also requires the FDOT to identify engineering countermeasures intended to reduce red-light violations which may be considered and applied, where appropriate, prior to the installation

¹¹ Section 316.008(8), F.S.; s. 316.0776(1), F.S.

¹² *Id.*

¹³ Section 321.50, F.S. The DHSMV is not currently administering a red-light camera program.

¹⁴ Federal Highway Administration, *Red Light Camera Systems Operational Guidelines* (Jan. 2005), at 8: <http://safety.fhwa.dot.gov/intersection/redlight/cameras/fhwasa05002/fhwasa05002.pdf>. (Last visited March 5, 2015.)

¹⁵ *Id.*

of a traffic infraction detector on any roadway. After October 1, 2015 (the bill's effective date), any new installation of a traffic infraction detector must be based on the results of a traffic engineering study. The study must document the implementation and failure of any engineering countermeasure for the specific location, and must be signed and sealed by a professional engineer.

Traffic Infraction Detectors – Reporting Requirements (Section 2)

Present Situation

Each county or municipality that operates a traffic infraction detector must annually submit a report to the DHSMV by October 1st, which details the results of using the traffic infraction detector and the enforcement procedures for the preceding state fiscal year.¹⁶

The DHSMV is required to submit a summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives at the end of every year providing information and recommendations regarding the use and operation of traffic infraction detectors.¹⁷ The report must include the information submitted by the counties or municipalities operating traffic infraction detectors, as well as describe the enhancement of traffic safety and enforcement programs.¹⁸

DHSMV's Red-Light Camera Summary Report¹⁹

The DHSMV created an online, 27-question survey to gather information and data from counties and municipalities operating traffic infraction detectors; 68 jurisdictions completed the survey.²⁰ According to the survey respondents, during the 2013-2014 fiscal year:

- 940,814 red-light camera notices of violation were issued;
- 64 of the 68 respondents indicated they used red-light cameras to investigate other crimes; and
- Half of the respondents reported implementing additional safety measures used in conjunction with red-light cameras.²¹

According to the DHSMV, “The Department is unable to determine the effectiveness that red light cameras have in decreasing intersection crashes due to the inability to validate vehicle crash information provided by the various jurisdictions.”²² The DHSMV has provided detailed recommendations for information each county or municipality should be required to submit in its report²³ to the DHSMV.

¹⁶ Section 316.0083(4)(a), F.S.

¹⁷ Section 316.0083(4)(b), F.S.

¹⁸ *Id.*

¹⁹ DHSMV, *Red-Light Camera Summary Report FY 2013-2014*, Feb. 27, 2015.

²⁰ *Id.* at p. 2. Three cities did not respond, and seven jurisdictions indicated their red-light cameras have been removed or red-light program had been terminated prior to the reporting period.

²¹ *Id.* at p. 6.

²² *Id.* at p. 5

²³ See s. 316.0083(4)(a), F.S.

Notices of Violation Issued Through the Use of Red Light Cameras

Within 30 days after a violation of s. 316.074(1), F.S.(obeying official traffic control devices), or s. 316.075(1)(c)1., F.S., (stopping at a red-light), notification must be sent to the registered owner of the motor vehicle involved in the violation. The penalty for each of these violations is \$158.²⁴ Of the 940,814 notices of violation disposed of between 2013 and October of 2014:

- 647,991 were paid timely;
- 255,587 were issued uniform traffic citations; and
- 37,236 were contested.²⁵

If a county or municipality enforces the violation, \$75 of the \$158 fine is retained by that county or municipality. The remaining balance is remitted to the Department of Revenue.²⁶

Effect of Proposed Changes

Section 2 adds specific information that must be submitted to the DHSMV by each county or municipality operating a traffic infraction detector. The report must be submitted annually by September 30, and must include:

- The name of the jurisdiction and contact information of the person responsible for the red-light camera program;
- The location of each camera, including geospatial and cross-road descriptions;
- The date each camera became operational, and dates of operation including any status change of the camera's use;
- Data related to the issuance and disposition of notices of violation and uniform traffic citations;
- Vehicle crash data for crashes that occurred within a 250-foot radius of the geospatial coordinates for each traffic infraction detectors during the 12-month period immediately preceding the initial date of camera operation;
- Identification of any and all alternative safety measures the jurisdiction considered or implemented in lieu of, or in addition to, the use of a traffic infraction detector; and
- The date any such alternative safety measures were implemented.

If the county or municipality fails to comply with the reporting requirements, as determined by the DHSMV, its revenues from red-light camera violations will be remitted to the Department of Revenue while noncompliant. The Department of Revenue must maintain records of the noncompliant county's or municipality's remissions. The revenue will be returned to the affected county or municipality once it becomes compliant. The DHSMV will notify the Department of Revenue when the county or municipality establishes compliance with the reporting requirements.

²⁴ Section 316.0083(1)(b)1.a., F.S.

²⁵ *Red-Light Camera Summary Report Presentation* by DHSMV, March 5, 2015, Senate Transportation Committee meeting.

²⁶ Section 316.0083(1)(b)3.b., F.S.

Hazard Flags on Projecting Loads (Section 4)

Present Situation

Section 316.228, F.S., requires red hazard flags on any vehicle having a load which extends beyond its sides or more than four feet beyond its rear. The flags must be at least 12 inches square and mark the extremities of such load.²⁷ The penalty for a violation of this section is \$30, plus administrative and court costs.

In 2005, the federal regulations were amended requiring necessary warning flags on commercial motor vehicles transporting projecting loads to be at least 18 inches square.²⁸ The Federal regulations were revised to make the requirements consistent with the American Association of State Highway and Transportation Officials' (AASHTO) Guide for Maximum Dimensions and Weights of Motor Vehicles and for the Operation of Nondivisible Load Oversize and Overweight Vehicles, GSW-3, 1991, which represents a consensus of state and industry practices.²⁹

Under current federal regulations, hazard flags on commercial motor vehicles *permitted* to operate within the state are required to "be clean, red or florescent orange, and at least 18 inches square."³⁰ These specifications, however, are not reflected in the Florida Statutes. The Federal Motor Carrier Safety Administration has noted this discrepancy between Florida Statutes requiring 12-inch square flags and federal regulations requiring 18-inch square flags.

Effect of Proposed Changes

Section 4 of the bill revises the size of required hazard flags on protruding loads from 12-inch square flags to 18-inch square flags. This change brings Florida into compliance with federal regulations.

Commercial Motor Vehicles/Manufactured Building/Special Permits (Section 5)

Present Situation

The Office of Commercial Vehicle Enforcement of the DHSMV administers a Weight Enforcement program. Protection of the public's investment in the highway system is the primary purpose of the program. To prevent heavy trucks from causing unreasonable damage to roads and bridges, maximum weight and size limits are established in chapter 316, F.S.³¹ Section 316.515, F.S., sets out the maximum width, height, and length limitations, and s. 316.545, F.S., addresses unlawful weight.

The FDOT or a local authority, with respect to roads under their respective jurisdiction, may issue a special permit to operate or move a vehicle or combination of a size or weight exceeding the maximums specified. Issuance of such a permit must not be contrary to the public interest

²⁷ Section 316.228(1), F.S.

²⁸ 49 C.F.R. s. 393.87(a)

²⁹ 70 Fed. Reg. 48023 (August 15, 2005).

³⁰ Florida Highway Patrol, *Commercial Motor Vehicle Manual*, Eighth Edition, April 2013, at p. 25, <http://www.flhsmv.gov/fhp/cve/2013TruckingManual.pdf> (Last visited Feb. 18, 2015.)

³¹ See the DHSMV website: <http://www.flhsmv.gov/fhp/CVE/WeightEnforcement.htm/>. (Last visited March 3, 2015).

and is within the discretion of the FDOT or the local authority.³² Significant penalties can result from failure to obtain a special permit or failure to comply with the specific terms of the permit.³³

Generally, as to truck tractor-semitrailer combinations and length, the extreme overall outside dimension of the combination may not exceed 48 feet, measured from the front of the unit to the rear of the unit and the load carried.³⁴ However, the FDOT is authorized, if not contrary to the public interest and within its discretion, to issue a special permit for a combination if the total number of over-width deliveries of manufactured buildings may be reduced by permitting the use of an over-length trailer not exceeding 54 feet.³⁵ Issuance of this type of over-length special permit does not exempt the combination vehicle from existing weight limitations or special permit requirements if the weight of the combination exceeds the maximums specified in ch. 316, F.S.

Effect of Proposed Changes

Section 5 amends s. 316.515(4), F.S., to insert “multiple sections or single units” with reference to manufactured buildings transported on permitted, over-length trailers, and to increase the allowable trailer over-length from 54 to 80 feet.

The Federal Highway Administration has reviewed the proposed language and opined that it does not appear to conflict with federal regulations, as long as weight restrictions are not triggered.³⁶ Transporters of manufactured buildings on truck tractor-semitrailer combinations continue to be required to obtain a permit for such combinations, even with a trailer length of 80 feet. Overweight permits also continue to be required when applicable. Issuance of such permits remains within the discretion of the FDOT.

Ancient or Antique Motor Vehicles (Sections 6, 8 and 9)

Present Situation

An *ancient* motor vehicle is defined as a private-use motor vehicle manufactured in 1945 or earlier, equipped with an engine manufactured in 1945 or earlier or manufactured to the specifications of the original engine.³⁷ An *antique* motor vehicle is defined as a private-use motor vehicle manufactured after 1945 and of the age of 30 years or more after the date of manufacture, equipped with an engine of the age of 30 years or more after the date of manufacture.³⁸

The owner of an ancient or antique motor vehicle, upon application to the DHSMV and upon payment of the license tax, will be issued a special license plate for such motor vehicle. For *ancient* motor vehicles, the license plate is valid for use without renewal so long as the vehicle is

³² See s. 316.550, F.S.

³³ See s. 316.550(10), F.S.

³⁴ Section 316.550(3)(b)1., F.S.

³⁵ Section 316.515(14), F.S.

³⁶ See the FHWA email, Feb. 11, 2015. (On file in the Senate Transportation Committee).

³⁷ Section 320.086(1), F.S.

³⁸ Section 320.086(2)(a), F.S.

in existence.³⁹ Additionally, owners of antique and ancient motor vehicles pay a reduced registration annual license tax.⁴⁰

The Office of the Inspector General found the DHSMV's Bureau of Issuance Oversight is identifying antique motor vehicles by model date of vehicle rather than inspecting vehicles to determine if they are equipped with an engine 30 years or older. This is due to not having the resources to physically inspect each vehicle's engine.⁴¹ The manufacture date of a motor vehicle is not captured in motor vehicle records, however the model year of the vehicle is indicated on these records.⁴² The Bureau of Issuance Oversight has requested a legislative change in the definition of an antique or ancient motor vehicle to address this issue.

Effect of Proposed Changes

Section 6 amends the definition of ancient and antique motor vehicles from requiring the DHSMV to verify the vehicle engine's manufacture date is before 1945 or 30 years or older, to instead verifying the model date of the vehicle is before 1945 or 30 years or older.

Sections 8 and 9 reenact statutes referring to ancient and antique motor vehicles to conform to the revised definition.

Insurance Policy Number Public Records Disclosure (Section 7)

Present Situation

The Florida Motor Vehicle No-Fault Law⁴³ requires every owner or registrant of a motor vehicle, which is required to be registered and licensed in Florida, to maintain personal injury protection and property damage liability insurance coverage. Insurers are required to report to the DHSMV and verify the issuance of a new policy to a driver, as well as the renewal, nonrenewal, or cancellation of that policy. These customer lists, held by the DHSMV, contain detailed client and policy information. For that reason, the state deemed⁴⁴ certain information regarding these policies confidential and exempt⁴⁵ from the state's public records requirements.⁴⁶ Specifically, personal identifying information of an insured or former insured, and insurance policy numbers are confidential and exempt from public records disclosure.

³⁹ Section 320.086(1), F.S.

⁴⁰ Section 320.08(1)(d), (2)(a), and (2)(e), F.S.

⁴¹ Office of the Inspector General, *Follow-up Review of the GO Renew (Virtual Office) Audit*, at p. 6, (Oct. 10, 2014).

⁴² *Id.*

⁴³ Sections 627.730-627.7405, F.S.

⁴⁴ See Ch. 2007-325, Laws of Fla. (creating s. 324.242, F.S.)

⁴⁵ FLA. CONST., art. I, s. 24(c). There is a difference between records the Legislature designates as exempt from public records requirements and those the Legislature designates confidential and exempt. A record classified as exempt from public disclosure may be disclosed under certain circumstances (see *WFTV, Inc. v. The School Board of Seminole*, 874 So.2d 48 (Fla. 5th DCA 2004), review denied 892 So.2d 1015 (Fla. 2004); *City of Riviera Beach v. Barfield*, 642 So.2d 1135 (Fla. 4th DCA 2004); and *Williams v. City of Minneola*, 575 So.2d 687 (Fla. 5th DCA 1991)). If the Legislature designates a record as confidential and exempt from public disclosure, such record may not be released, by the custodian of public records, to anyone other than the persons or entities specifically designated in the statutory exemption (see Attorney General Opinion 85-62, August 1, 1985).

⁴⁶ FLA. CONST. art. I, s. 24(a) and ch. 119.07(1), F.S.

Section 324.242, F.S., provides for the limited release of the policy number for a policy covering a vehicle involved in a motor vehicle accident. Upon receipt of a written request and copy of a crash report⁴⁷, the DHSMV can release the policy number to:

- Any person involved in such accident;
- The attorney of any person involved in such accident; or
- A representative of the insurer of any person involved in such accident.

The DHSMV is currently unable to release policy numbers of vehicles involved in accidents to governmental entities and third parties contracted with the insurer that may need this information to perform their duties. This can include, but is not limited to:

- Clerks of Courts;
- Law Enforcement agencies;
- State Attorneys Offices; or
- DHSMV-approved data collectors who contract with the insurer.

Effect of Proposed Changes

Section 7 of the bill adds “department-approved third parties” and “governmental entities” to the individuals and entities to which the DHSMV can disclose confidential and exempt insurance policy numbers to for motor vehicles involved in an accident.

The bill requires an insurer’s representative, contracted third party, or an attorney for a person involved in an accident to show proof of representation before the DHSMV may release an insurance policy number.

Governmental entities⁴⁸ are not required to provide a written request or copy of the crash report if the information is needed to perform its duties and responsibilities.

The bill effectively reduces the public records exemption related to crash data. Since the bill provides for additional parties to receive protected information, it is a contraction of public records exemptions and does not require a two-thirds vote of the body nor does it require a separate bill.

Effective Date (Section 10)

This bill takes effect October 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁴⁷ Sections 316.064, 316.066, and 316.064, F.S., provide crash report requirements.

⁴⁸ Defined as “any federal, state, county, district, authority, or municipal officer, department, division, board, bureau, or commission created or established by law.”

B. Public Records/Open Meetings Issues:

The bill does not create or expand a public records exemption.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

The Revenue Estimating Impact Conference reviewed the provisions of the bill relating to traffic infraction detectors (“red light cameras”) on April 3, 2015. In the absence of specific “grandfathering” language, the Conference assumed that the engineering countermeasure study requirement would only apply to new red light camera installations. The Conference estimates that the bill will reduce state and local government revenues by \$20.8 million in Fiscal Year 2015-2016, and will have a recurring negative fiscal impact of \$40 million, as follows:

- General Revenue Fund: \$(8.9) million, \$(17) million recurring;
- State Trust Funds:⁴⁹ \$(1.7) million, \$(3.2) million recurring; and
- Local government funds: \$(10.3) million, \$(19.7) million recurring.

B. Private Sector Impact:

Under CS/SB 1184, surviving beneficiaries of a full-time law enforcement, correctional, or correctional probation officer who is killed in the line of duty may experience reduced out-of-pocket expenses due to increased funeral benefits.

The bill may have a minimal negative fiscal impact on those needing to replace 12-inch square hazard flags with 18-inch square hazard flags. Commercial motor vehicles with a permit to operate in the state are already required to use 18-inch square hazard flags.

The bill may have an indeterminate positive fiscal impact for:

- Deliverers of manufactured homes related to the FDOT being able to issue permits for longer trailers used to haul manufactured homes;
- Individuals with a motor vehicle that falls under the revised definition of antique and ancient motor vehicles, due to the decreased registration fee; and
- DHSMV-approved third parties who contract with insurers.

⁴⁹ Affected state trust funds include: State Transportation Trust Fund; Department of Health Emergency Medical Services Trust Fund; Brain & Spinal Cord Injury Trust Fund; State Courts Revenue Trust Fund; State Attorneys Revenue Trust Fund; Public Defenders Revenue Trust Fund; and State Radio Systems Trust Fund.

C. Government Sector Impact:

An employing state agency may incur additional costs if they pay a venue up to \$5,000 for funeral and burial services for an officer killed in the line of duty. The government sector fiscal impact for this provision of the bill is indeterminate.

There may be a minimal negative fiscal impact on state agencies that need to replace 12-inch square hazard flags with 18-inch square hazard flags.

The bill may have a minimal positive impact on governmental entities needing insurance policy numbers of vehicles involved in an accident to perform its duties.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 112.19, 316.0083, 316.0776, 316.228, 316.515, 320.086, and 324.242.

This bill reenacts the following sections of the Florida Statutes: 319.23 and 320.08.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on March 5, 2015:

The CS makes the following changes to the bill:

- Specifies the information a county or municipality that operates a traffic infraction detector must submit in its report to the DHSMV annually;
- Requires a county or municipality that is not compliant with the reporting requirements, as determined by the DHSMV, to remit its portion of revenues from notices of violation of ss. 316.074(1) and 316.075(1)(c)1., F.S., to the Department of Revenue, to be returned once the county or municipality has established compliance;
- Prohibits the issuance of a notice of violation or uniform traffic citation through the use of a traffic infraction detector not in compliance with all specifications developed by the FDOT;
- Requires the FDOT to identify engineering countermeasures to reduce violations of ss. 316.074(1) and 316.075(1)(c)1., F.S., before installing a traffic infraction detector;

- Requires that the decision to place a traffic infraction detector on any roadway is based on results from a traffic engineering study that must be signed and sealed by a professional engineer licensed in the state; and
- Allows the FDOT to issue a special permit for truck tractor semitrailer combinations carrying *multiple sections or single units* of manufactured buildings on an over-length trailer. The length requirements are extended from 54 feet to 80 feet.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
