

**HOUSE OF REPRESENTATIVES
FINAL BILL ANALYSIS**

BILL #:	CS/HB 135	FINAL HOUSE FLOOR ACTION:		
SUBJECT/SHORT TITLE	Motor Vehicle Registration Applications	113	Y's 0	N's
SPONSOR(S):	Transportation & Infrastructure Subcommittee; Ausley; and others	GOVERNOR'S ACTION:		Approved
COMPANION BILLS:	CS/SB 290			

SUMMARY ANALYSIS

CS/HB 135 passed the House on January 31, 2018, and subsequently passed the Senate on March 7, 2018.

An individual who is deaf or hard of hearing may add the international symbol for the Deaf and Hard of Hearing to his or her driver license or identification card upon providing sufficient proof that he or she is deaf or hard of hearing and paying an additional fee. In August 2017, the Department of Highway Safety and Motor Vehicles (DHSMV) introduced driver licenses and identification cards with the Deaf and Hard of Hearing designation in selected counties, which are being issued statewide.

The bill requires DHSMV to include language on the motor vehicle registration application that allows a deaf or hard of hearing applicant to indicate voluntarily that he or she is deaf or hard of hearing. This notation will be included through the Driver and Vehicle Information Database and available through the Florida Crime Information Center system. Additionally, the bill changes the name of the organization authorized to receive a voluntary \$1 contribution on the registration application from Prevent Blindness to Preserve Vision.

DHSMV estimates that approximately 579 programming hours, or the equivalent of \$23,745 in FTE and contracted resources, will be required to implement the bill. These costs can be absorbed within existing resources.

The bill was approved by the Governor on March 21, 2018, ch. 2018-42, L.O.F., and will become effective on October 1, 2018.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Current Situation

Motor Vehicle Registration

The motor vehicle registration process is set out in s. 320.02, F.S., and incorporated in form HSMV 82040.¹ Applicants must provide the street address of the owner's permanent residence and a valid driver license, identification card, or passport.² Any vehicle registered outside the state must be accompanied by a sworn affidavit from the seller and purchaser verifying the vehicle identification number (VIN), or a copy of the outside state's departmental form indicating that the vehicle has been physically inspected and the VIN verified.³ The owner of any motor vehicle registered in the state must notify the Department of Highway Safety and Motor Vehicles (DHSMV) in writing of any change of address within 30 days of such change.⁴ Additionally, the owner of the vehicle must provide proof that personal injury protection benefits, property damage liability coverage, bodily injury or death coverage, and combined bodily liability insurance and property damage liability insurance have been purchased.⁵

For the majority of motor vehicles, the registration period begins the first day of the birth month of the owner and ends the last day of the month immediately preceding the owner's birth month the next year.⁶ The renewal period is the 30-day period ending at midnight on the vehicle owner's date of birth.⁷ For vehicles weighing over a certain amount, the registration period must be a period of 12 months beginning in a month designated by DHSMV and ending on the last day of the 12th month.⁸ For a vehicle subject to this registration period, the renewal period is the last month of the registration period.⁹ However, there is an extended registration period where a motor vehicle registration is valid for 24 months.¹⁰

Section 320.02(14), F.S., allows applicants to make voluntary contributions of specified minimum amounts to various organizations for philanthropic and other causes. There are currently 21 charitable causes included on the motor vehicle registration form, including Prevent Blindness Florida.¹¹

Florida's Implementation of the International Symbol for the Deaf and Hard of Hearing

An individual who is deaf or hard of hearing may add the international symbol for the Deaf and Hard of Hearing to his or her driver license¹² or identification card¹³ upon providing sufficient proof that he or she is deaf or hard of hearing and paying an additional fee. An individual who wishes to add the designation when issued an original or renewal driver license or identification card must pay an additional \$1 fee. An individual who surrenders and replaces his or her driver license or identification card before its expiration date for the purpose of adding the international symbol for the Deaf and Hard of Hearing must pay an additional \$2 fee to be deposited into the Highway Safety Operating Trust Fund. If the applicant is not conducting any other transaction affecting the driver license or identification card, the standard \$25 replacement fee is waived.

¹ Florida Department of Highway Safety and Motor Vehicles Form HSMV 82040, available at <https://www.flhsmv.gov/pdf/forms/82040.pdf> (last visited March 13, 2018).

² Section 320.02(2)(a), F.S.

³ Section 320.02(3), F.S.

⁴ Section 320.02(4), F.S.

⁵ Section 320.02(5)(a), F.S.

⁶ Section 320.055(1)(a), F.S.

⁷ Section 320.055(1)(a), F.S.

⁸ Section 320.055(5), F.S.

⁹ Section 320.055(5), F.S.

¹⁰ Sections 320.055(1)(b), 320.01(19)(b), F.S.

¹¹ Section 320.02(15)(a)-(u), F.S.

¹² Section 322.14, F.S.

¹³ Section 322.051, F.S.

In August 2017, DHSMV introduced driver licenses and identification cards with the Deaf and Hard of Hearing designation in selected counties.¹⁴ As of March 16, 2018, 1,295 driver licenses and identification cards with the Deaf and Hard of Hearing designation have been issued statewide.¹⁵

Driver and Vehicle Information Database (DAVID)

DAVID provides easy-to-use, secure web-based access to driver license identity information, driver license transactions, driver license records, and vehicle titles and registrations.¹⁶ In order for an agency to gain access to the information in DAVID, DHSMV and the requesting agency must enter into a Memorandum of Understanding (MOU).¹⁷ The MOU establishes the purposes for and conditions of electronic access to DAVID.¹⁸ DAVID may only be used by law enforcement for official law enforcement purposes such as traffic stops, investigations, missing persons, automobile crashes, and natural disasters.¹⁹ As of 2017, there were 68,790 active DAVID users.²⁰

Florida Crime Information Center (FCIC) System

The FCIC system is a database that provides criminal justice agencies with access to federal and state criminal justice information.²¹ The FCIC system is used for rapid communications such as:

- Be On the Look Out (BOLO) notices, used to notify the public and law enforcement when assistance is needed finding a suspect.
- All Points Bulletin, used as a broadcast alert from one police station to all others in a particular area or state with instructions to arrest a suspect.
- Florida Administrative Message, law enforcement related messages used when the sender and recipient are both within the State of Florida.²²

Additionally, the FCIC system provides connectivity to DHSMV and the National Crime Information Center (NCIC) and contains additional “Hot Files” with the most heavily used types of criminal justice information not stored in NCIC.²³ Some of the information in Hot Files include abandoned vehicles, recovered guns, deported felons, sexual predators, and injunctions related to domestic violence.²⁴

Proposed Changes

The bill amends s. 320.02, F.S., requiring DHSMV to include language on the motor vehicle registration application that allows a deaf or hard of hearing applicant to indicate voluntarily that he or she is deaf or hard of hearing. This notation will be included through DAVID and available through the FCIC system. The bill will enable law enforcement officers to access this information upon searching a license plate prior to approaching the motor vehicle during a traffic stop.

¹⁴ Email from Kevin Jacobs, Deputy Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, RE: implementation of deaf and hard of hearing symbol on driver license (October 26, 2017) (on file with the House Transportation & Infrastructure Subcommittee).

¹⁵ Email from Jennifer Langston, Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, RE: Production of DLs and ID cards with deaf or hard of hearing designation (March 20, 2018) (on file with the House Transportation & Infrastructure Subcommittee).

¹⁶ Florida Department of Highway Safety and Motor Vehicles, *D.A.V.I.D.*, slide 2 (on file with the House Transportation & Infrastructure Subcommittee).

¹⁷ Florida Department of Highway Safety and Motor Vehicles, *DAVID*, slide 3 (on file with the House Transportation & Infrastructure Subcommittee).

¹⁸ *Id.*

¹⁹ *Id.* at 8.

²⁰ Email from Kevin Jacobs, Deputy Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, RE: HB 135 DAVID Users (October 26, 2017).

²¹ Florida Department of Law Enforcement, *Criminal Justice Information Services*, slide 13 (on file with the House Transportation & Infrastructure Subcommittee).

²² *Id.*

²³ *Id.*

²⁴ *Id.* at 14.

Additionally, the bill changes the name of the organization authorized to receive a voluntary \$1 contribution on the registration application from Prevent Blindness to Preserve Vision. This change reflects the fact that this organization has changed its name.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DHSMV estimates that approximately 579 programming hours, or the equivalent of \$23,745 in FTE and contracted resources, will be required to implement the bill.²⁵ These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

²⁵ Department of Highway Safety and Motor Vehicles, *SB 290 Agency Analysis*, p. 5 (2018) (on file with the House Transportation & Infrastructure Subcommittee).