

**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.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: SB 290

INTRODUCER: Senator Rouson

SUBJECT: Motor Vehicle Registration Applications

DATE: October 20, 2017

REVISED: \_\_\_\_\_

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	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Miller	TR	<b>Pre-meeting</b>
2.	_____	_____	ATD	_____
3.	_____	_____	AP	_____

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**I. Summary:**

SB 290 requires the application form for a motor vehicle registration include an option allowing an applicant to *voluntarily* indicate that he or she is hearing impaired. Such information must be included in the Florida Crime Information Center (FCIC) system and the Driver and Vehicle Information Database (DAVID).

This bill will have an insignificant fiscal impact to DHSMV for various programming and implementation costs.

The bill takes effect July 1, 2018.

**II. Present Situation:**

In Florida, applicants for a driver license who are deaf, or cannot hear conversation spoken in a normal tone of voice, are restricted to driving with an outside rearview mirror mounted on the left side of the vehicle, or with a hearing aid.<sup>1</sup> According to the Florida Department of Health over 3 million Floridians are affected by hearing loss.<sup>2</sup>

Sections 322.051 and 322.14, F.S. require the Department of Highway Safety and Motor Vehicles (DHSMV) to issue an identification card or driver license exhibiting the international symbol for the Deaf and Hard of Hearing upon an applicant's request, payment of the required \$1 or \$2 fee<sup>3</sup>, and providing sufficient proof to the DHSMV that the applicant is deaf or hard of

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<sup>1</sup> Rule 15A-1.003(2), F.A.C., and DHSMV website, *Obtaining Your Florida Driver's License or Identification Card*, <http://www.flhsmv.gov/ddl/geninfo.html> (last visited Oct. 13, 2017).

<sup>2</sup> Department of Health website, *Florida Coordinating Council for the Deaf and Hard of Hearing*, available at <http://www.floridahealth.gov/provider-and-partner-resources/fccdhh/index.html> (last visited Oct. 20, 2017).

<sup>3</sup> The designation is added onto a driver license or identification card for a \$1 fee when the license or card is being issued or renewed, or a \$2 fee solely to replace a license or card in order to add on the designation.

hearing. However, this symbol is not available to all Florida applicants until implementation of DHSMV's new designs for the driver license and identification card, which will be available throughout Florida by the end of December 2017.<sup>4</sup>

The symbol may be useful to indicate to others, especially law enforcement, that the individual is deaf or hard of hearing. However, in the event of a traffic stop, law enforcement officials are likely unaware that the individual is deaf or hard of hearing prior to approaching the vehicle. This may result in the individual having difficulty following verbal commands, especially at night when visibility is low.

### **Driver and Vehicle Information Database (DAVID)**

The DAVID system contains driver information, such as driver history, a copy of the driver license and insurance information; motor vehicle information, including vehicle titles; and traffic crash information. The DHSMV is permitted, pursuant to interagency agreements, to share information from its database to be used for specified purposes as provided in s. 322.142, F.S., which includes "in response to law enforcement agency requests." As of 2013, the DAVID system had over 60,000 users in law enforcement, criminal justice, and other Florida agencies.<sup>5</sup>

### **Florida Crime Information Center (FCIC) System**

The FCIC system is Florida's central database for tracking various crime-related information. The system is designed "to provide services, information, and capabilities to the law enforcement and criminal justice community" in the state, and "gives them access to other criminal justice information systems nationwide."<sup>6</sup> All employees that access the FCIC must be certified by the Florida Department of Law Enforcement, and all information obtained through the system is restricted to criminal justice purposes.<sup>7</sup>

## **III. Effect of Proposed Changes:**

The bill requires the application form for a motor vehicle registration include an option allowing an applicant to *voluntarily* indicate that he or she is hearing impaired. Such information must be included in the FCIC system and the DAVID.

A law enforcement officer will be capable of accessing this information when he or she searches for a license plate in the DAVID, through the FCIC system.

The bill takes effect July 1, 2018.

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<sup>4</sup> Email from DHSMV, *New Look: Florida Driver License and Identification Card* (July 26, 2017) (on file with the Senate Committee on Transportation).

<sup>5</sup> Office of Inspector General, *Motorist Services DAVID Audit Review* (Oct. 21, 2013), available at <https://www.flhsmv.gov/pdf/igoffice/102113.pdf> (last visited Oct. 18, 2017).

<sup>6</sup> Florida Highway Patrol Policy Manual, *Policy 14.02*, 2 (Mar. 2015) available at <https://www.flhsmv.gov/fhp/Manuals/1402.pdf> (last visited Oct. 16, 2017).

<sup>7</sup> *Id.* at 4.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

The bill does not appear to have a fiscal impact on the private sector.

## C. Government Sector Impact:

DHSMV estimates a fiscal impact of \$23,745 for programming and implementation costs due to the bill's changes.<sup>8</sup> The DHSMV's Motorist Modernization Project, which is an ongoing multi-year information technology project to replace existing driver license and motor vehicle information systems, may also be impacted.<sup>9</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 320.02 and 320.27.

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<sup>8</sup> Email from DHSMV, *SB 290 – implementing cost* (Oct. 20, 2017) (on file with the Senate Committee on Transportation).

<sup>9</sup> *Id.*

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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

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