

**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 288

INTRODUCER: Senator Rodriguez

SUBJECT: Designation of a Certain Diagnosis on Motor Vehicle Registrations

DATE: February 5, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shutes	Vickers	TR	<b>Pre-meeting</b>
2.			ATD	
3.			FP	

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**I. Summary:**

SB 288 is to be cited as the “Safeguarding Families Everywhere (SAFE) Act.” The bill provides that upon presentation of proof acceptable to the Department of Highway Safety and Motor Vehicles (DHSMV), a motor vehicle owner or registrant may designate on his or her application form for motor vehicle registration that the owner or registrant has been diagnosed with, or is the parent or legal guardian of a child or ward who has been diagnosed with, a developmental disability or psychiatric disorder by a physician licensed under chs. 458 or 459, F.S. Such designation may be removed at any time upon request of the owner or registrant.

The bill will have a negative fiscal impact on state government.

The bill takes effect July 1, 2024.

**II. Present Situation:**

**Motor Vehicle Registration Application**

Every owner or person in charge of a motor vehicle that is operated or driven on the roads of Florida must register the vehicle in the state. The owner or person in charge must apply to the Department of Highway Safety and Motor Vehicles (DHSMV) or to its authorized agent for registration of each such vehicle on a form prescribed by the DHSMV.<sup>1</sup>

The application for registration must include the street address of the owner’s permanent residence or the address of his or her permanent place of business and be accompanied by personal or business identification information. An individual applicant must provide a valid driver license or identification card issued by this state or another state or a valid passport. A

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<sup>1</sup> Section 320.02(1), F.S.

business applicant must provide a federal employer identification number, if applicable, or verification that the business is authorized to conduct business in the state, or a Florida municipal or county business license or number.<sup>2</sup>

Additionally, DHSMV must include certain language on the application form such as, but not limited to, language allowing an applicant who is deaf or hard of hearing to voluntarily indicate that he or she is deaf or hard of hearing. If the applicant indicates on the application that he or she is deaf or hard of hearing, such information must be included through the Driver and Vehicle Information Database and available through the Florida Crime Information Center system.<sup>3</sup>

The DHSMV does not currently allow a motor vehicle owner or registrant to designate on his or her application form for the motor vehicle registration, whether or not he or she, or is the parent or legal guardian of a child or ward who has been diagnosed with, a developmental disability or psychiatric disorder.

### **Driver License and Identification Card Designations**

Driver license and identification cards contain various designations/identifiers/symbols that inform law enforcement, emergency medical personnel, retail establishments or any persons reviewing the card of certain conditions or entitlements.<sup>4</sup> Designations related to physical health are as follows:

- Developmental disability is designated as a “D”;
- Deaf or hard of hearing may have the international symbol for the deaf; and
- Insulin dependent may have the insulin dependent designation.

### **The SAFE Program**

The Santa Rosa County Sheriff’s Office created and operates the SAFE Program with the intent to protect Santa Rosa County’s special needs community and any person who may not respond as expected in an emergency situation.<sup>5</sup> The SAFE Program allows families to voluntarily fill out a form to enroll their loved ones in the program. Once the information from the form is received from a family or individual, the dispatchers enter the details into their local communication system. The information is then securely shared with other first responders in the community. After enrollment in the program, a family will be mailed complimentary decals to place at the entrance of their home and on the rear window of their vehicles if they so choose. The decal is an immediate signal to all Santa Rosa’s first responders that the family’s situation is different and that there is extra information available to keep everyone safe. The decal indicates for first responders to handle the situation with a little extra care.<sup>6</sup>

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<sup>2</sup> Section 320.02(2)(a), F.S.

<sup>3</sup> Section 320.02(14), F.S.

<sup>4</sup> DHSMV 2024 Legislative Bill Analysis: SB 288 (December 14, 2023) at p. 2.

<sup>5</sup> Certain law enforcement data has suggested that individuals with special needs are seven times more likely to have law enforcement encounters than the general population. Moreover, studies have suggested that there needs to be better preparation of law enforcement and the special needs community to understand these interactions and to improve the safety of everyone involved in emergency situations. Autism Speaks, *How better understanding can support better outcomes in police interactions with autistics*, (Dec. 23, 2020), <https://www.autismspeaks.org/science-news/how-better-understanding-can-support-better-outcomes-police-interactions-autistics> (last visited Jan. 29, 2024).

<sup>6</sup> Santa Rosa Sheriff Office, *SAFE Program*, <https://santarosasheriff.org/safe-program/> (last visited Jan. 29, 2024).

**III. Effect of Proposed Changes:**

The bill provides legislative intent and provides that the act be known as the “Safeguarding Families Everywhere (SAFE) Act.”

The bill amends s. 320.02, F.S., to provide that upon presentation of proof acceptable to the DHSMV, a motor vehicle owner or registrant may designate on his or her application form for motor vehicle registration that the owner or registrant has been diagnosed with, or is the parent or legal guardian of a child or ward who has been diagnosed with, a developmental disability or psychiatric disorder by a physician licensed under chs. 458 or 459, F.S. Such designation may be removed at any time upon request of the owner or registrant.

The bill makes conforming changes elsewhere in statute.

The bill takes effect July 1, 2024.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

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

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill will have an insignificant, negative fiscal impact on the DHSMV, as DHSMV will need to make changes to its motor vehicle registration application and enter the new information in the Driver and Vehicle Information Database and the Florida Criminal Information Center. Additionally, MyDMV Portal will need to be updated. DHSMV estimates that the bill will cost \$33,120 for such programming and implementation.<sup>7</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

DHSMV recommends that the effective date of the bill should be amended from July 1, 2024, to October 1, 2025, in order to allow adequate time for programming and implementation of the bill.

**VIII. Statutes Affected:**

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

**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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<sup>7</sup> DHSMV, 2024 Legislative Bill Analysis: SB 288 (December 14, 2023) at p. 5.