

Committee on Infrastructure

Thursday, March 13, 2008 8:30 AM - 12:00 PM 404 HOB

Committee Action

Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

Print Date: 3/13/2008 2:39 pm

Attendance:

	Present	Absent	Excused
Richard Glorioso (Chair)	X		
Gary Aubuchon	X		
Susan Bucher	X		
Greg Evers	X		
Ed Hooper	X		
Jimmy Patronis	×		
Stephen Precourt	X		
Michael Scionti	X		
Kelly Skidmore	X		
Nicholas Thompson	X		
Totals:	10	o	. 0

Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

HB 89 : Pedestrian Safety

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Greg Evers			Х		
Ed Hooper	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Michael Scionti	X				
Kelly Skidmore	X				
Nicholas Thompson	X				
Richard Glorioso (Chair)	· X				
	Total Yeas: 9	Total Nave			***************************************

Appearances:

Laura Cantwell (Lobbyist) - Proponent AARP 200 W College Avenue Suite 304 Tallahassee Florida 32301

Print Date: 3/13/2008 2:39 pm

Bill No. 89

COUNCIL/COMMITTEE ACTION

ADOPTED	(Y/N)
ADOPTED AS AMENDED	- (Y/N) $1/2/08$
ADOPTED W/O OBJECTION	$\frac{-(\lambda/N)}{-(\lambda/N)} 3/12/08$
FAILED TO ADOPT	(Y/N)
WITHDRAWN	(Y/N)
OTHER	

Council/Committee hearing bill: Committee on Infrastructure Representative(s) Kriseman offered the following:

Amendment (with title amendment)

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Remove everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (1) of section 316.075, Florida Statutes, is amended to read:

316.075 Traffic control signal devices.--

- (1) Except for automatic warning signal lights installed or to be installed at railroad crossings, whenever traffic, including municipal traffic, is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red, and yellow shall be used, except for special pedestrian signals carrying a word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians as follows:
 - (c) Steady red indication. --
- 1. Vehicular traffic facing a steady red signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection

Amendment No. 1 (for drafter's use only)

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and shall remain standing until a green indication is shown; however:

- a. The driver of a vehicle which is stopped at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or, if none then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection in obedience to a steady red signal may make a right turn, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that municipal and county authorities may prohibit any such right turn against a steady red signal at any intersection, which prohibition shall be effective when a sign giving notice thereof is erected in a location visible to traffic approaching the intersection.
- b. The driver of a vehicle on a one-way street that intersects another one-way street on which traffic moves to the left shall stop in obedience to a steady red signal, but may then make a left turn into the one-way street, but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that municipal and county authorities may prohibit any such left turn as described, which prohibition shall be effective when a sign giving notice thereof is attached to the traffic control signal device at the intersection.
- 2.a. The driver of a vehicle facing a steady red signal shall stop before entering the crosswalk and remain stopped to allow a pedestrian, with a permitted signal, to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so

closely from the opposite half of the roadway as to be in danger.

- <u>b.</u> Unless otherwise directed by a pedestrian control signal as provided in s. 316.0755, pedestrians facing a steady red signal shall not enter the roadway.
- (4) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as either a pedestrian violation or, if the infraction resulted from the operation of a vehicle, as a moving violation.

Section 2. Section 316.130, Florida Statutes, is amended to read:

- 316.130 <u>Pedestrians;</u> Pedestrian obedience to traffic control devices and traffic regulations.--
- (1) A pedestrian shall obey the instructions of any official traffic control device specifically applicable to the pedestrian unless otherwise directed by a police officer.
- (2) Pedestrians shall be subject to traffic control signals at intersections as provided in s. 316.075, but at all other places pedestrians shall be accorded the privileges and be subject to the restrictions stated in this chapter.
- (3) Where sidewalks are provided, no pedestrian shall, unless required by other circumstances, walk along and upon the portion of a roadway paved for vehicular traffic.
- (4) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the shoulder on the left side of the roadway in relation to the pedestrian's direction of travel, facing traffic which may approach from the opposite direction.

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paved for vehicular traffic for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle. No person shall stand on or in proximity to a street

No person shall stand in the portion of a roadway

- or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.
- (7) (a) The driver of a vehicle at an intersection that has a traffic control signal in place shall stop before entering the crosswalk and remain stopped to allow a pedestrian, with a permitted signal, to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- The driver of a vehicle at any crosswalk where signage (b) so indicates shall stop and remain stopped to allow a pedestrian to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk and is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (c) When traffic control signals are not in place or in operation and there is no signage indicating otherwise, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead

pedestrian crossing has been provided shall yield the right-ofway to all vehicles upon the roadway. 115

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- No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.
- Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
- Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
- (11)Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.
- No pedestrian shall, except in a marked crosswalk, cross a roadway at any other place than by a route at right angles to the curb or by the shortest route to the opposite curb.
- Pedestrians shall move, whenever practicable, upon the right half of crosswalks.
- No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic control devices, and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic control devices pertaining to such crossing movements.
- Notwithstanding other provisions of this chapter, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian or any person propelling a human-

- (16) No pedestrian shall enter or remain upon any bridge or approach thereto beyond the bridge signal, gate, or barrier after a bridge operation signal indication has been given. No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed.
- (17) No pedestrian may jump or dive from a publicly owned bridge. Nothing in this provision requires the state or any political subdivision of the state to post signs notifying the public of this provision. The failure to post a sign may not be construed by any court to create liability on the part of the state or any of its political subdivisions for injuries sustained as a result of jumping or diving from a bridge in violation of this subsection.
- (18) No pedestrian shall walk upon a limited access facility or a ramp connecting a limited access facility to any other street or highway; however, this subsection does not apply to maintenance personnel of any governmental subdivision.
- (19) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as either a pedestrian violation or, if the infraction resulted from the operation of a vehicle, as a moving violation.

Section 3. This act shall take effect July 1, 2008.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

T./6	TITLE AMENDMENT
177	Remove the entire title and insert:
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179	A bill to be entitled
180	An act relating to pedestrian safety; amending ss. 316.075 and
181	316.130, F.S.; requiring a driver to stop at certain
182	intersections to allow a pedestrian to cross a roadway when the
183	pedestrian is in the crosswalk or steps into the crosswalk;
184	providing penalties; providing an effective date.
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Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

HB 137: Offenses Committed While Operating a Motorcycle

X				
X				
X				
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	X			
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Yea	Nay	No Vote	Absentee Yea	Absentee Nay
	X X X X X X	Yea Nay X X X X X X X X X X X X X	Yea Nay No Vote X X X X X X X X X X X X X X X X	Yea Nay No Vote Absentee Yea X X X X X X X X X X X X X X X X X X X X X

Appearances:

State Trooper Rafael W Lola (State Employee) - Proponent

1011 NW 111 Avenue Miami Florida 33172 Phone: 305-470-2500

Robert Conroy - Opponent Big Bend Bikers for Freedom Po Box 600 St Marks Florida 32355

Phone: 850-524-6899

James D. "Doc" Reichenbach II (Lobbyist) - Opponent

ABATE of Florida INC

Po Box 712

Silver Springs Florida 34489

Phone: 352-625-6353

Mike Williams, President (Lobbyist) - Opponent

Florida Building Trades

Po Box 10888

Tallahassee Florida 32302

Print Date: 3/13/2008 2:39 pm

Phone: 850-224-4440

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 1 (for drafter's use only)

	Bill No. 0137					
	COUNCIL/COMMITTEE ACTION					
	ADOPTED — (Y/N)					
	$\begin{array}{c c} & & & & & & \\ & \text{ADOPTED} & & & & & \\ & & & & & \\ & & & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & \\ & & & \\ & & & \\ & & & \\ & & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & & \\ & \\ & & \\ & $					
	ADOPTED W/O OBJECTION (Y/N)					
	FAILED TO ADOPT (Y/N)					
	WITHDRAWN (Y/N)					
	OTHER					
1	Council/Committee hearing bill: Committee on Infrastructure					
2	Representative Lopez-Cantera offered the following:					
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4	Amendment 1 (with title amendment)					
5	Remove everything after the enacting clause and insert:					
6	Section 1. Section 316.1926, Florida Statutes, is created					
7	to read:					
8	316.1926 Additional offenses					
9	(1) A person who violates the provisions of 316.2085(2) or					
10	(3) shall be cited for a moving violation, punishable as					
11	provided in ch. 318.					
12	(2) A person who exceeds the speed limit in excess of 50					
13	miles per hour or more in violation of s. 316.183(2), 316.187,					
14	or s. 316.189 shall be cited for a moving violation, punishable					
15	as provided in ch. 318.					
16	Section 2. Subsection (2) of section 316.2085, Florida					
17	Statutes, is amended, subsections (3) through (6) of that					
18	section are renumbered as subsections (4) through (7),					
19	respectively, and a new subsection (3) is added to that section,					
20	to read:					
21	316.2085 Riding on motorcycles or mopeds					

- (2) A person shall ride upon a motorcycle or moped only while sitting astride the seat, with both wheels on the ground at all times, facing forward, and with one leg on each side of the motorcycle or moped. However, it is not a violation of this subsection if the wheels of a motorcycle or moped loses contact with the ground briefly due to the condition of the road surface or other circumstances beyond the control of the operator.
- (3) The license tag of a motorcycle or moped must be permanently affixed and may not be adjusted or capable of being flipped up.
- Section 3. Subsection (13) is added to section 318.14, Florida Statutes, to read:
- 318.14 Noncriminal traffic infractions; exception; procedures. -
- (13) (a) A person cited for a violation of 316.1926 shall, in addition to any other requirements provided herein, pay a fine of \$1,000. This fine is in lieu of the fine required under 318.18(3)(b), if the person was cited for violation of 316.1926(2).
- (b) A person cited for a second violation of 316.1926 shall, in addition to any other requirements provided herein, pay a fine of \$2,500. This fine is in lieu of the fine required under 318.18(3)(b), if the person was cited for violation of 316.1926(2). In addition, the court shall revoke the person's authorization and privilege to operate a motor vehicle for a period of 1 year, and order the person to surrender his or her driver's license.
- (c) A person cited for a third violation of 316.1926 commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. Upon conviction, the court shall seize the vehicle, which shall be subject to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

forfeiture under the Florida Contraband Forfeiture Act, revoke the person's authorization and privilege to operate a motor vehicle for a period of 10 years, and order the person to surrender his or her driver's license.

Section 4. This act shall take effect October 1, 2008.

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TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding motor vehicle operation; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses; providing for seizure and forfeiture of a motor vehicle; providing for revocation of the person's privilege to operate a motor vehicle; providing an effective date.

Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

HB 697: Florida Building Code

	Yea	Nay	No Vote	Absentee. Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher	X				
Greg Evers			Х		
Ed Hooper	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Michael Scionti	X				
Kelly Skidmore	. X				
Nicholas Thompson	X				
Richard Glorioso (Chair)	Х				

Appearances:

Jim Richmond, Attorney (Lobbyist) (State Employee) - Information Only Florida Building Commission 2555 Shumard Oak Blvd.
Tallahassee Florida 32399
Phone: 850-922-1675

Lawrence J Smith (Lobbyist) - Opponent Broward County Board of Rules & Appeals 3109 Stirling Road Ft. Lauderdale Florida 33312 Phone: 954-964-6634

Kari Hebrank (Lobbyist) - Proponent Florida Building Material Association Tallahassee Florida 32317

Michael Fischer - Proponent Windows & Door Manufacturers Association 121 Richmond Circle 1156 15th Street NW Washington DC Phone: 315-420-8208

Mike Williams, President (Lobbyist) - Proponent Florida Building Trades Po Box 10888 Tallahassee Florida 32302

Phone: 850-224-4440

Print Date: 3/13/2008 2:39 pm

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Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

Jeffrey Sharkey (Lobbyist) - Proponent National Electrical Contractors Association 106 E College Avenue Tallahassee Florida 32301 Phone: 850-224-1660

Jennifer Hatfield (Lobbyist) - Proponent Florida Swimming Pools Association 2555 Porter Lake Drive Suite 106 Sarasota Florida 34240 Phone: 941-345-3263

Douglas Buck (Lobbyist) - Proponent Florida Home Builders Association 201 East Park Avenue Tallahassee Florida 32301 Phone: 850-224-4316

Arlene Z Stewart - Proponent
Florida Home Builders Association/AZS Consulting
3328 NW 110th Terrace
Gainesville Florida 32606
Phone: 352-219-7770

Print Date: 3/13/2008 2:39 pm Leagis ®

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 1S/A (for drafter's use only)

Bill No. HB 697

COUNCIL/COMMITTEE ACTION

ADOPTED	tennentition	(Y/N)	
ADOPTED AS AMENDED		(Y/N)	3/13/09
ADOPTED W/O OBJECTION		(Y)N)	31131
FAILED TO ADOPT	•	(Y/N)	
WITHDRAWN		(Y/N)	
OTHER			

Council/Committee hearing bill: Infrastructure
Representative(s) Aubuchon offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert: Section 1. Paragraph (a) of subsection (6) of section 553.73, Florida Statutes, is amended to read:

553.73 Florida Building Code. --

(6) (a) The commission, by rule adopted pursuant to ss. 120.536(1) and 120.54, shall update the Florida Building Code every 3 years. When updating the Florida Building Code, the commission shall select the most current version of the International Building Code, the International Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, the International Energy Conservation Code, and the International Residential Code, all of which are adopted by the International Code Council, and the National Electrical Code, which is adopted by the National Fire Protection Association, to form the foundation codes of the updated Florida Building Code, if the version has been adopted by the applicable model code entity and made available to the public at least 6 months prior to its selection by the commission.

Section 2. Subsection (1) of section 553.74, Florida

Statutes, is amended to read:

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553.74 Florida Building Commission. --

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- The Florida Building Commission is created and shall be located within the Department of Community Affairs for administrative purposes. Members shall be appointed by the Governor subject to confirmation by the Senate. The commission shall be composed of 23 members, consisting of the following:
- One architect registered to practice in this state and (a) actively engaged in the profession. The American Institute of Architects, Florida Section, is encouraged to recommend a list of candidates for consideration.
- One structural engineer registered to practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.
- One air-conditioning or mechanical contractor certified to do business in this state and actively engaged in the profession. The Florida Air Conditioning Contractors Association, the Florida Refrigeration and Air Conditioning Contractors Association and the Mechanical Contractors Association of Florida are encouraged to recommend a list of candidates for consideration.
- One electrical contractor certified to do business in this state and actively engaged in the profession. The Florida Electrical Contractors Association and the National Electrical Contractors Association, Florida Chapter, are encouraged to recommend a list of candidates for consideration.
- One member from fire protection engineering or technology who is actively engaged in the profession. The Florida Chapter of the Society of Fire Protection Engineers and

the Florida Fire Marshals and Inspectors Association are

consideration.

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81 82 encouraged to recommend a list of candidates for consideration. One general contractor certified to do business in this state and actively engaged in the profession. The Associated Builders and Contractors of Florida, the Florida Associated General Contractors Council and the Union Contractors Association are encouraged to recommend a list of candidates for

- One plumbing contractor licensed to do business in this state and actively engaged in the profession. The Florida Association of Plumbing, Heating, and Cooling Contractors is encouraged to recommend a list of candidates for consideration.
- (h) One roofing or sheet metal contractor certified to do business in this state and actively engaged in the profession. The Florida Roofing, Sheet Metal and Air Conditioning Contractors Association and the Sheet Metal and Air Conditioning Contractors National Association are encouraged to recommend a list of candidates for consideration.
- (i) One residential contractor licensed to do business in this state and actively engaged in the profession. The Florida Home Builders Association is encouraged to recommend a list of candidates for consideration.
- Three members who are municipal or district codes enforcement officials, one of whom is also a fire official. The Building Officials Association of Florida and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.
- (k) One member who represents the Department of Financial Services.

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One member who is a county codes enforcement official. (1)The Building Officials Association of Florida is encouraged to recommend a list of candidates for consideration.

- One member of a Florida-based organization of persons (m) with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state.
- One member of the manufactured buildings industry who (n) is licensed to do business in this state and is actively engaged in the industry. The Florida Manufactured Housing Association is encouraged to recommend a list of candidates for consideration.
- One mechanical or electrical engineer registered to (o) practice in this state and actively engaged in the profession. The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.
- (q) One member who is a representative of a municipality or a charter county. The Florida League of Cities and Florida Association of Counties are encouraged to recommend a list of candidates for consideration.
- One member of the building products manufacturing industry who is authorized to do business in this state and is actively engaged in the industry. The Florida Building Material Association, Florida Concrete and Products Association, and Fenestration Manufacturers Association are encouraged to recommend a list of candidates for consideration.
- One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management. The Building Owners and Managers Association is encouraged to recommend a list of candidates for consideration.

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- One member who is a representative of the insurance industry. The Florida Insurance Council is encouraged to recommend a list of candidates for consideration.
- One member who is a representative of public (t) education.
- One member who is a swimming pool contractor licensed (u) to do business in this state and actively engaged in the profession. The Florida Swimming Pool Association and the United Pool and Spa Association are encouraged to recommend a list of candidates for consideration who shall be the chair.

One of the 23 members shall be designated the chair of the commission. Any person serving on the commission under paragraph (c) or paragraph (h) on October 1, 2003, and who has served less than two full terms is eligible for reappointment to the commission regardless of whether he or she meets the new qualification.

Section 3. Subsection (4) is added to section 553.75, Florida Statutes, to read:

553.75 Organization of commission; rules and regulations; meetings; staff; fiscal affairs; public comment .--

- The commission shall meet on call of the secretary. The commission shall annually elect from its appointive members such officers as it may choose.
- The commission shall meet at the call of its chair, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules. The members shall be notified in writing of the time and place of a regular or special meeting at least 7 days in advance of the meeting. A majority of members of the commission shall constitute a quorum.

- (3) The department shall be responsible for the provision of administrative and staff support services relating to the functions of the commission. With respect to matters within the jurisdiction of the commission, the department shall be responsible for the implementation and faithful discharge of all decisions of the commission made pursuant to its authority under the provisions of this part.
- (4) Meetings of the Commission shall be conducted so as to encourage participation by interested persons in attendance. At a minimum, the Commission shall provide one opportunity for interested members of the public in attendance at a meeting to comment on each proposed action of the Commission before a final vote is taken on any motion.
 - Section 4. Section 553.731, Florida Statutes, is repealed.

 Section 5. This act shall take effect July 1, 2008.

TITLE AMENDMENT

Remove the entire title and insert:

A bill to be entitled

An act relating to the Florida Building Code; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; amending s. 553.75. F.S.; providing for public comments at commission meetings; repealing s. 553.731, F.S., relating to wind-bornedebris protection requirement; providing an effective date.

Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

HB 827 : Motor Vehicle Dealers

Favorable With Amendments (1) Yea Nay No Vote Absentee Absentee Yea Nay Gary Aubuchon X Susan Bucher Х Greg Evers Ed Hooper X Jimmy Patronis X Stephen Precourt X Michael Scionti X Kelly Skidmore X Nicholas Thompson Х Richard Glorioso (Chair) X **Total Yeas: 9** Total Nays: 1

Appearances:

Dave Ericks (Lobbyist) - Opponent JM Family South East Toyota Phone: 850-459-6029

David Ramba (Lobbyist) - Proponent Florida Automobile Dealers Association

Phone: 850-222-5702

Print Date: 3/13/2008 2:39 pm

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 1 (for drafter's use only)

Bill No. 827

COUNCIL/COMMITTEE	ACTION		
ADOPTED	(Y/N)		
ADOPTED AS AMENDED	(Y/N)	3/13/08	
ADOPTED W/O OBJECTION	— (Y/N)	3/10/	
FAILED TO ADOPT	(Y/N)		
WITHDRAWN	(Y/N)		
OTHER	,		
·			

Council/Committee hearing bill: Committee on Infrastructure Representative(s) N. Thompson offered the following:

Amendment

Remove line(s) 257-260 and insert:

dealership location may seek damages against any motor vehicle
dealer deemed to be a "distributor" or "licensee" by the
provisions of subsection (3) and may seek all remedies
procedures, and rights of recovery available under ss. 320.695
and 320.697.

Page 1 of 1

Committee on Infrastructure 3/13/2008 8:30:00AM

Location: 404 HOB

HB 1027 : License Plates

Gary Aubuchon	X			Yea	Nay
Susan Bucher	X			· · · · · · · · · · · · · · · · · · ·	
Greg Evers	Х				
Ed Hooper	X				•
Jimmy Patronis	X				
Stephen Precourt	х				
Michael Scionti	X				
Kelly Skidmore	X				
Nicholas Thompson	X				
Richard Glorioso (Chair)	X				
	Total Yeas: 10	Total Nays:	0		

Appearances:

Jim Brodie, Director of Legislative & Cabinet Affairs (Lobbyist) (State Employee) - Proponent Florida Dept of Veterans Affairs

Phone: 850-487-1533

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 1(for drafter's use only)

		Bill No.	1027
	COUNCIL/COMMITTEE ACTION		
	ADOPTED (Y/N)		
	ADOPTED AS AMENDED (Y/N)		
	ADOPTED AS AMENDED ADOPTED W/O OBJECTION		
	FAILED TO ADOPT (Y/N)		
	WITHDRAWN (Y/N)		
	OTHER		
1	Council/Committee hearing bill: Infrastructure	,	
2	Representative(s) Kreegel offered the following:	·	
3			
4	Amendment		
5	Remove line 41 and insert:		
5	(f) Notwithstanding s. 320.023, the application form	for motor	
7	vehicle registration		
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 2(for drafter's use only)

Bill No. HB 1027

COUNCIL/COMMITTEE	ACTION		 LUZI
ADOPTED	(Y/N)		
ADOPTED AS AMENDED	(Y/N)	12/08	
ADOPTED W/O OBJECTION	(Y)N)	3/13/08	
FAILED TO ADOPT	(Y/N)		
WITHDRAWN	(Y/N)		
OTHER			
		-	

Council/Committee hearing bill: Infrastructure Representative(s) Kreegel offered the following:

Amendment

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6 7 Remove line 51 and insert:
Section 3. This act shall take effect October 1, 2008.

Committee on Infrastructure

3/13/2008 8:30:00AM

Location: 404 HOB

HB 1111 : Department of Highway Safety and Motor Vehicles

Richard Glorioso (Chair)	X				
Nicholas Thompson	X				
Kelly Skidmore	X				
Michael Scionti	X				
Stephen Precourt			Х		
Jimmy Patronis	X				
Ed Hooper	X				
Greg Evers	X				
Susan Bucher	X				
Gary Aubuchon	X				
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay

Appearances:

Steven Fielder, Legislative Affairs Director (Lobbyist) (State Employee) - Proponent Dept of Highway Safety & Motor Vehicles 2900 Apalachee Parkway Tallahassee Florida 32399

Phone: 850-617-3195

Electra Bustle, Executive Director (Lobbyist) (State Employee) - Proponent Dept of Highway Safety & Motor Vehicles 2900 Apalachee Parkway Tallahassee Florida 32399

Phone: 850-617-3100

Print Date: 3/13/2008 2:39 pm

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 1 (for drafter's use only)

Bill No. 1111

COUNCIL/COMMITTEE	ACTION		
ADOPTED	(Y/N)	•	
ADOPTED AS AMENDED	(Y/N)	80101	
ADOPTED W/O OBJECTION	— (Y)N)	3/13/08	
FAILED TO ADOPT	_ (Y/N)		
WITHDRAWN	(Y/N)		
OTHER	Printer and a second		
•			

Council/Committee hearing bill: Committee on Infrastructure Representative(s) Evers offered the following:

Amendment (with title amendment)

Between lines 184 and 185, insert:

Section 5. Section 316.29545 is amended to read:
316.29545 Window sunscreening exclusions; medical
exemption; certain law enforcement vehicles exempt; certain
investigative vehicles exempt.--

(1) The department shall issue medical exemption certificates to persons who are afflicted with Lupus or similar medical conditions which require a limited exposure to light, which certificates shall entitle the person to whom the certificate is issued to have sunscreening material on the windshield, side windows, and windows behind the driver which is in violation of the requirements of ss. 316.2951-316.2957. The department shall provide, by rule, for the form of the medical certificate authorized by this section. At a minimum, the medical exemption certificate shall include a vehicle description with the make, model, year, vehicle identification number, medical exemption decal number issued for the vehicle,

and the name of the person or persons who are the registered owners of the vehicle. A medical exemption certificate shall be nontransferable and shall become null and void upon the sale or transfer of the vehicle identified on the certificate.

- (2) (a) The department shall exempt all law enforcement vehicles used in undercover or canine operations from the window sunscreening requirements of ss. 316.2951-316.2957.
- (b) The department shall exempt from the sunscreening requirements of ss.316.2953-316.2954 and 316.2956 all vehicles owned or leased by investigative agencies licensed pursuant to Ch. 493 and used in homeland security functions on behalf of federal, state, or local authorities, executive protection activities, undercover, covert, or surveillance operations in cases involving child abductions, convicted sex offenders, insurance fraud, missing persons or property, or in other activities in which evidence is being obtained for civil or criminal proceedings.
- (3) The department may charge a fee in an amount sufficient to defray the expenses of issuing a medical exemption certificate as described in subsection (1).

-1 J

TITLE AMENDMENT

Between line(s) 13 - 14, insert:
amending s. 316.29545, F.S., creating an additional exemption
from window sunscreening requirements for certain investigative
vehicles:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 2 (for drafter's use only)

	Bill No. 1111
	COUNCIL/COMMITTEE ACTION
	ADOPTED (Y/N)
	ADOPTED AS AMENDED (Y/N)
	ADOPTED AS AMENDED — (Y/N) ADOPTED W/O OBJECTION — (Y/N) 3 3 08
	FAILED TO ADOPT (Y/N)
	WITHDRAWN (Y/N)
	OTHER
1	Council/Committee hearing bill: Committee on Infrastructure
2	Representative(s) Evers offered the following:
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4	Amendment (with title amendment)
5	Remove line(s) 158-176.
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9	TITLE AMENDMENT
10	Remove line(s) 9-12 and insert:
11	requirement is a noncriminal moving violation;
12	

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 3 (for drafter's use only)

	BILL NO. IIII
	COUNCIL/COMMITTEE ACTION
	ADOPTED (Y/N)
	ADOPTED AS AMENDED(Y/N)
	ADOPTED AS AMENDED $-(y/n)$ $3/(3/08)$
,	FAILED TO ADOPT (Y/N)
	WITHDRAWN (Y/N)
•	OTHER
1	Council/Committee hearing bill: Committee on Infrastructure
2	Representative(s) Glorioso offered the following:
3	
4	Amendment (with title amendment)
5	Between line(s) 402-403, insert:
6	Section 14. Paragraph (a) of subsection (4) of section
7	320.0894, Florida Statutes, is amended to read:
8	320.0894 Motor vehicle license plates to Gold Star family
9	membersThe department shall develop a special license plate
10	honoring the family members of servicemembers who have been
11	killed while serving in the Armed Forces of the United States.
12	The license plate shall be officially designated as the Gold
13	Star license plate and shall be developed and issued as provided
14	in this section.
15	(4)(a)1. <u>a.</u> The Gold Star license plate shall be issued
16	only to family members of a servicemember who resided in Florida
17	at the time of the death of the servicemember.
18	b. Any family member, as defined in subparagraph 2., of a
19	servicemember killed while serving may be issued a Gold Star
20	license plate upon payment of the license tax and appropriate

fees as provided in paragraph (3)(a) without regard to the state

To qualify for issuance of a Gold Star license plate,

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the applicant must be directly related to a fallen servicemember as spouse, legal mother or father, or stepparent who is currently married to the mother or father of the fallen

of residence of the servicemember.

servicemember.

A servicemember is deemed to have been killed while in service as listed by the United States Department of Defense and may be verified from documentation directly from the Department of Defense or from its subordinate agencies, such as the Coast Guard, Reserve, or National Guard.

TITLE AMENDMENT

Between lines 38-39, insert: amending s. 320.0894, F.S.; providing for issuance of Gold Star license plates to certain family members;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 4 (for drafter's use only)

	Bill No. 1111
	COUNCIL/COMMITTEE ACTION
	ADOPTED (Y/N)
	ADOPTED AS AMENDED (Y/N) \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
	ADOPTED AS AMENDED ADOPTED W/O OBJECTION WY/N) ADOPTED W/O OBJECTION ADOPTED W/O OBJECTION ADOPTED W/O OBJECTION ADOPTED W/O OBJECTION
٠,	FAILED TO ADOPT (Y/N)
	WITHDRAWN (Y/N)
	OTHER
L	Council/Committee hearing bill: Committee on Infrastructure
2	Representative(s) Evers offered the following:
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ł	Amendment
5	Remove line 348 and insert:
5	Section 10. Effective July 1, 2008, Section 28 of chapter
,	2006-290, Laws of
3	

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

3/13/08

Amendment No. 5 (for drafter's use only)

Bill No. 1111

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)

ADOPTED W/O OBJECTION _______YN)

FAILED TO ADOPT (Y/N)

WITHDRAWN ___ (Y/N)

OTHER

Council/Committee hearing bill: Committee on Infrastructure Representative(s) Evers offered the following:

Amendment

Remove line 1482 and insert:

Section 32. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2008, this act shall take effect October 1, 2008.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 6 (for drafter's use only)

Bill No. 1111

COUNCIL/COMMITTEE	ACTION					
ADOPTED	(Y/N)					
ADOPTED AS AMENDED	(Y/N)	108				
ADOPTED W/O OBJECTION	(YN)	3/13/08				
FAILED TO ADOPT	(Y/N)					
WITHDRAWN	(Y/N)					
OTHER	Para State Control of the Control of					
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Council/Committee hearing bill: Committee on Infrastructure Representative(s) Evers offered the following:

Amendment

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6 7 Remove line 820 and insert:

8.7., the driver's license shall expire $\underline{1}$ 2 years after the date

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 7 (for drafter's use only)

		Bill No. 11	L11
	COUNCIL/COMMITTEE ACTION		
	ADOPTED (Y/N)		
	ADOPTED AS AMENDED(Y/N)	13/08	
	ADOPTED W/O OBJECTION $\underline{\hspace{1cm}}$		
	FAILED TO ADOPT (Y/N)		
	WITHDRAWN(Y/N)		
	OTHER		
			`. ••••••••••••
1	Council/Committee hearing bill: Commit	tee on Infrastructure	
2	Representative(s) Evers offered the fol	lowing:	
3		•	
4	Amendment		
5	Remove line 851 and insert:		-
6	8.7. A driver's license renewed under t	his paragraph expires 1	4
7		··· · · · · · · · · · · · · · · · · ·	
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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 8 (for drafter's use only)

Bill No. 1111

COUNCIL/COMMITTEE	ACTION	
ADOPTED	(Y/N)	
ADOPTED AS AMENDED	(Y/N)	80/01
ADOPTED W/O OBJECTION	— (Ā,N)	3/13/08
FAILED TO ADOPT	(Y/N)	
WITHDRAWN	(Y/N)	
OTHER	With the second	

Council/Committee hearing bill: Committee on Infrastructure Representative(s) Evers offered the following:

Amendment

Remove line(s) 287-298 and insert:

The chief administrative officer of every traffic enforcement agency shall require the return to him or her of the officer-agency department record copy of every traffic citation issued by an officer under the chief administrative officer's supervision to an alleged violator of any traffic law or ordinance and of all copies of every traffic citation that which has been spoiled or upon which any entry has been made and not issued to an alleged violator. In the case of a traffic enforcement agency that which has an automated citation issuance system, the chief administrative officer shall require the return of all electronic traffic citation records.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES Amendment No. 9 (for drafter's use only)

Bill No. 1111

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	COUNCIL/COMMITTEE ACTION
	ADOPTED(Y/N)
	ADOPTED AS AMENDED $-(y/n)$ $3/3/0$ ADOPTED W/O OBJECTION $-(y/n)$
	ADOPTED W/O OBJECTION(Y)N) 31
	FAILED TO ADOPT (Y/N)
	WITHDRAWN(Y/N)
	OTHER
ւ	Council/Committee hearing bill: Committee on Infrastructure
2	Representative(s) Evers offered the following:
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Į	Amendment
5	Remove line 1455 and insert:
5	(10) JUDGMENT.—Any judgment becoming which shall have
,	

Committee on Infrastructure 3/13/2008 8:30:00AM

Location: 404 HOB

HB 1255 : Motor Vehicles

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Gary Aubuchon	X				
Susan Bucher		Х		****	
Greg Evers	X				
Ed Hooper	X				
Jimmy Patronis	X				
Stephen Precourt	X				
Michael Scionti	X				
Kelly Skidmore	Х				
Nicholas Thompson	X				•
Richard Glorioso (Chair)	X				
	Total Yeas: 9	Total Nays: 1			

Committee on Infrastructure 3/13/2008 8:30:00AM

Location: 404 HOB

Workshop

Department of Highway Safety & Motor Vehicles Sunset Review

Appearances:

Tim Qualls (Lobbyist) - Information Only DHSMV Sunset Review Workshop Florida Tax Collectors Association, INC 225 S Adams Street Tallahassee Florida 32301 Phone:850-222-7206

Growth Management/Transportation Concurrency Issues

Appearances:

Edward A. Mierzejewski, Director (State Employee) (At Request Of Chair) - Information Only Growth Management Workshop

Center for Urban Transportation Research

4202 E Fowler Avenue CUT 100

Tampa Florida 33620

Phone:813-974-9797

Tom Pelham, Secretary (Lobbyist) (State Employee) (At Request Of Chair) - Information Only Growth Management Workshop-DCA Update

Dept of Community Affairs

2555 Shumard Oaks Blvd

Tallahassee Florida 32399

Phone:850-922-1732

Committee on Infrastructure 3/13/2008 8:30:00AM

Location: 404 HOB

Other Business Appearance:

Cell Phones

Robert Conroy - Information Only Big Bend Bikers for Freedom Po Box 600

St Marks Florida 32355 Phone: 850-925-9912

CUTR Report: Cell Phone Use While Driving

Edward A. Mierzejewski, Director (State Employee) (At Request Of Chair) - Information Only

Center for Urban Transportation Research

4202 E Fowler Avenue CUT 100

Tampa Florida 33620 Phone: 813-974-9797

Oversight of the Transportation Authorities

Marcos Marchena, Chairman (At Request Of Chair) - Information Only

Florida Transportation Commission

605 Suwannee Street, MS9

Tallahassee Florida 32399

Phone: 850-414-4105

Print Date: 3/13/2008 2:39 pm

Committee on Infrastructure 3/13/2008 8:30:00AM

Location: 404 HOB

Summary:

Committee on Infrastructure

Thursday March 13, 2008 08:30 am

HB 89	Favorable With Amendments (1)	Yeas:	9	Nays:	0
HB 137	Favorable With Amendments (1)	Yeas:	9	Nays:	1
HB 697	Favorable With Amendments (1)	Yeas:	9	Nays:	0
HB 827	Favorable With Amendments (1)	Yeas:	9	Nays:	1
HB 1027	Favorable With Amendments (2)	Yeas:	10) Nays	: 0
HB 1111	Favorable With Amendments (9)	Yeas:	9	Nays:	0
HB 1255	Favorable	Yeas:	9	Nays:	1