



**Conference Committee on
Senate Budget Subcommittee on Transportation, Tourism, and
Economic Development Appropriations/ House Transportation Economic
Development Appropriations Subcommittee**

**House Offer # 1
SB 2160 – Highway Safety Conforming Bill**

Meeting Packet

**Thursday, April 28, 2011
8:00 PM**

212 Knott Building

**Conference Committee on Senate Budget Subcommittee on Transportation, Tourism and Economic Development and House
Transportation Economic Development Appropriations Subcommittee**

SENATE BILL 2160 - Highway Safety Conforming

| Senate Bill 2160 Section | House Bill 5501 Section | Statute | Description | House Offer #1 |
|---|--|----------------|--|--------------------------|
| 1 | | 20.23 | Amends section to clarify motor carrier weight inspectors will remain at FDOT after the transfer of the Office of Motor Carrier Compliance to DHSMV. | Senate Position |
| 2 | 1 | 20.24 | Creates the Division of Motorist Services within DHSMV and eliminates the Division of Driver Licenses and the Division of Motor Vehicles as two separate entities due to the reorganization of the department structure. Senate Bill also creates the Office of Motor Carrier Compliance within the Division of the Florida Highway Patrol. | Senate Position |
| 3 | | 110.205 | Amends section to remove the positions of captains and majors assigned to the Office of Motor Carrier Compliance from FDOT's exempt from career service positions. | Senate Position |
| | 2 | 218.337 | Amends section to add paragraph to allow tax collector to establish branch office to conduct state business upon execution of an interagency agreement | Senate Position |
| 4 | 3 | 288.816 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 5 | | 311.115 | Amends section to provide a technical change due to the transfer of Motor Carrier Compliance to the DHSMV. | Senate Position |
| 6 | 4 | 311.121 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 7 | | 316.066 | Amends section to establish the information to be listed on a crash report and eliminates the authority for a county, or counties, to establish certified traffic records centers through agreement with a state agency. | Senate Position |
| 8 | 5 | 316.1957 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 9 | | 316.302 | Amends section to provide a technical change due to the transfer of Motor Carrier Compliance to the DHSMV. Technical correction to clarify motor carrier and shipper compliance reviews are conducted by sworn officers at the DHSMV. | Modified Senate Position |
| 10 | | 316.3025 | | |
| 11 | | 316.3026 | | |
| 12 | | 316.516 | | |
| 13 | | 316.545 | | |

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| 14 | 6 | 316.613 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 15 | | 316.640 | Amends section to provide a technical change due to the transfer of Motor Carrier Compliance to the DHSMV. | Senate Position |
| 16 | 7 | 318.15 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 17 | 8 | 320.05 | | |
| 18 | | 320.18 | Amends section to provide a technical change due to the transfer of Motor Carrier Compliance to the DHSMV. | Senate Position |
| 19 | 9 | 320.275 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 20 | | 321.05 | Amends section to provide a technical change due to the transfer of Motor Carrier Compliance to the DHSMV. | Senate Position |
| 21 | | 321.23 | Amends section to allow for distribution of traffic reports online and provides for the distribution of fee to the investigating agency. | Senate Position |
| 22 | 10 | 322.02 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | Senate Position |

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| 23 | 11 | 322.135 | <p>Amends section to require certain tax collectors to assume driver's license responsibilities of DHSMV by date certain. Senate requirement by June 30, 2015. House requirement by December 31, 2013. Both versions also permit counties to provide such services across county lines.</p> <p>Modified Senate position would maintain existing Senate language with the following exception:remove lines 1091-1095 of SB 2160 and insert:</p> <p>(7) The department may adopt rules to create exceptions for tax collectors that are unable to provide full driver's license services due to the small population in the tax collector's county.</p> | Modified Senate Position |
| 24 | 12 | 322.20 | Amends section to provide a technical change due to the creation of the Division of | |
| 25 | 13 | 322.202 | Motorist Services within DHSMV. | |

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| 26 | 14 | 322.21 | <p>Senate bill amends section to specify certain fees shall be used for DHSMV motorist services activities that support the delivery of driver's license issuance and registration services by certain tax collectors. The House bill does not specify the use of these fees, maintaining existing statutory language on the matter.</p> <p>The Senate bill also specifies certain fees will be retained by tax collectors who provide driver's license issuance beginning July 1, 2015 or upon the completion of transitioning this service to tax collectors. HB 5501 provides the revenue-sharing requirement is effective July 1, 2011.</p> <p>1. Eliminates language specifying use of fees maintaining existing law. 2. Retains July 1, 2015 date for revenue sharing, or upon completion of transition. 3. Clarifies that tax collectors retain certain fees only when the service is provided by the tax collector. (see attached)</p> | Modified Senate Position |
| 27 | | 334.044 | Repeals subsection 32 of 334.044, F.S., due to transfer of the Office of Motor Carrier Compliance to DHSMV. | Senate Position |
| 28 | 15 | 413.012 | Amends section to provide a technical change due to the creation of the Division of Motorist Services within DHSMV. | |
| 29 | | 921.0022 | Amends section to conform to changes made in other sections of law relating to crash reports. | Senate Position |

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| 30 | | | <p>Creates a Law Enforcement Consolidation Task Force to evaluate the duplication of law enforcement functions throughout state government and study limiting the jurisdiction of the Florida Highway Patrol to the State Highway System or Florida Intrastate Highway System. The Task Force is required to submit recommendations and a plan for consolidation of law enforcement functions to the Legislature by February 2012.</p> <p>Clarifies that recommendations a plan for consolidation will be submitted if Task Force concludes that state law enforcement consolidation is appropriate. (see attached)</p> | Modified Senate Position |
| 31 | | | Provides for the transfer of the Office of Motor Carrier Compliance at FDOT to the Florida Highway Patrol at DHSMV and specifies that the Executive Office of the Governor may transfer funds and positions between agencies as approved by the Legislative Budget Commission. | Senate Position |
| NEW | | 320.204 | Repeals section 320.204 relating to funds transferred from the Highway Safety Operating Trust Fund and the Transportation Disadvantaged Trust Fund. | House Offers new language |
| 32 | 16 | | Effective date. | |

Replaces section 26 of SB 2160:

Paragraphs (e) and (f) of subsection (1) and subsection (2) of section 322.21, Florida Statutes, are amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(e) A replacement driver's license issued pursuant to s. 322.17 is \$25. Of this amount \$7 shall be deposited into the Highway Safety Operating Trust Fund and \$18 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of driver's license issuance services, if the replacement driver's license is issued by the tax collector, the tax collector shall retain the \$7 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is \$25. Funds collected from these fees shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051 the fee is \$25. This amount shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051 the fee is \$25. Of this amount, \$6 shall be deposited into the Highway Safety Operating Trust Fund and \$19 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051 the fee is \$25. Of this amount, \$9 shall be deposited into the Highway Safety Operating Trust Fund and \$16 shall be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of the driver's

license issuance services, if the replacement identification card is issued by the tax collector, the tax collector shall retain the \$9 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues shall be deposited into the General Revenue Fund.

(2) It is the duty of the director of the Division of Motorist Services ~~Driver Licenses~~ to set up a division in the department with the necessary personnel to perform the necessary clerical and routine work for the department in issuing and recording applications, licenses, and certificates of eligibility, including the receiving and accounting of all license funds and their payment into the State Treasury, and other incidental clerical work connected with the administration of this chapter. The department may use such electronic, mechanical, or other devices as necessary to accomplish the purposes of this chapter.

Replaces section 30 of SB 2160:

Effective July 1, 2011, a Law Enforcement Consolidation Task Force is created.

(1) Members of the task force shall consist of the executive director of the Department of Highway Safety and Motor Vehicles, the executive director of the Department of Law Enforcement, a representative from the Office of the Attorney General, a representative from the Department of Agriculture and Consumer Services, the Colonel of the Florida Highway Patrol, the Colonel of the Division of Law Enforcement of the Fish and Wildlife Conservation Commission, a representative from the Florida Sheriffs Association, and a representative from the Florida Police Chiefs Association.

(2) The Department of Highway Safety and Motor Vehicles shall provide administrative assistance to the task force.

However, this does not include travel expenses incurred by members of the task force, which shall be borne by the agency that the member represents.

(3) The task force shall evaluate any duplication of law enforcement functions throughout state government and identify any functions that are appropriate for possible consolidation. The task force shall also evaluate administrative functions, including, but not limited to, accreditation, training, legal representation, vehicle fleets, aircraft, civilian-support staffing, information technology, and geographic regions, districts, or troops currently in use. The task force shall also evaluate whether the Florida Highway Patrol should limit its jurisdiction, except while in fresh pursuit, to the State Highway System or the Florida Intrastate Highway System. If the task force concludes that any state law enforcement consolidation is appropriate, the task force shall make recommendations and submit a plan to consolidate those state law enforcement responsibilities. Any plan submitted must include recommendations on the methodology to be used to achieve any state law enforcement consolidation recommended by the task force by June 30, 2013. The task force shall submit to the President of the Senate and the Speaker of the House of Representatives a report which includes any recommendations and plan developed by the task force by December 31, 2011. The task force expires June 30, 2012.