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# **Transportation & Highway Safety Subcommittee**

**Monday, March 28, 2011  
5:00 PM - 5:30 PM  
306 HOB**

**Dean Cannon  
Speaker**

**Brad Drake  
Chair**

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Transportation & Highway Safety Subcommittee

**Start Date and Time:** Monday, March 28, 2011 05:00 pm

**End Date and Time:** Monday, March 28, 2011 05:30 pm

**Location:** 306 HOB

**Duration:** 0.50 hrs

**Consideration of the following bill(s):**

HB 437 Motor Vehicle Franchise Agreements by Holder

**Consideration of the following proposed committee bill(s):**

PCB THSS 11-01 -- Relating to Road and Bridge Designations

Pursuant to rule 7.12, the filing deadline for amendments to bills on the agenda by a member who is not a member of the committee or subcommittee considering the bill is 6:00 p.m., Friday, March 25, 2011.

By request of the Chair, all Subcommittee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Friday, March 25, 2011.

**NOTICE FINALIZED on 03/24/2011 16:12 by Manning.Karen**



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 437 Motor Vehicle Franchise Agreements

**SPONSOR(S):** Holder

**TIED BILLS:**           **IDEN./SIM. BILLS:** SB 740

<b>REFERENCE</b>	<b>ACTION</b>	<b>ANALYST</b>	<b>STAFF DIRECTOR or BUDGET/POLICY CHIEF</b>
1) Transportation & Highway Safety Subcommittee		Brown	Brown
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

**SUMMARY ANALYSIS**

Sections 320.60 through 320.70, F.S., provide for the licensing of motor vehicle dealers and motor vehicle manufacturers, distributors, and importers, and provide regulations regarding numerous components of the franchise contracts they enter into to do business in the state of Florida.

The bill amends s. 320.6992, F.S., to provide that the application of ss. 320.60-320.70, F.S., "including any amendments to ss. 320.60-320.70, F.S.," apply to all existing or subsequently-established motor vehicle distribution systems in Florida, unless such application would impair valid contractual agreements in violation of the State or Federal Constitution.

HB 437 also provides that ss. 320.60-320.70, F.S., "including any amendments to ss. 320.60-320.70, F.S., which have been or may be from time to time adopted unless the amendment specifically provides otherwise," shall govern all agreements renewed, amended, or entered into subsequent to October 1, 1988.

The bill does not appear to have a fiscal impact on state or local government.

The bill has an effective date of July 1, 2011.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### *Background*

Florida has substantially regulated the relationship between motor vehicle manufacturers and motor vehicle dealers since 1970.<sup>1</sup> Manufacturers, distributors, and importers (collectively referred to as licensees) enter into contractual agreements with franchised motor vehicle dealers to sell particular vehicles (or line-makes) that they manufacture, distribute, or import. Chapter 320, F.S., provides for the regulation of the franchise relationship.

Current law defines "agreement" or "franchise agreement" to mean a contract, franchise, new motor vehicle franchise, sales and service agreement, or dealer agreement or any other terminology used to describe the contractual relationship between a manufacturer, factory branch, distributor, or importer, and a motor vehicle dealer, pursuant to which the motor vehicle dealer is authorized to transact business pertaining to motor vehicles of a particular line-make.<sup>2</sup>

A "franchised motor vehicle dealer" is defined as "any person engaged in the business of buying, selling, or dealing in motor vehicles or offering or displaying motor vehicles for sale at wholesale or retail, or who may service and repair motor vehicles pursuant to an agreement as defined in s. 320.60(1)."<sup>3</sup>

The requirements regulating the business relationship between franchised motor vehicle dealers and licensees by DHSMV are primarily in ss. 320.60-320.70, F.S. These sections specify:

- The conditions and situations under which DHSMV may deny, suspend, or revoke a license;
- The process, timing, and notice requirements for licensees wanting to discontinue, cancel, modify, or otherwise replace a franchise agreement with a dealer, and the conditions under which DHSMV may deny such a change;
- The procedures a licensee must follow if it wants to add a dealership in an area already served by a franchised dealer, the protest process, and DHSMV's role in these circumstances;
- Amounts of damages that can be assessed against a licensee in violation of Florida statutes; and
- DHSMV's authority to adopt rules to implement these sections of law.

Section 320.6992, F.S., provides that ss. 320.60-320.70, F.S., apply:

...to all presently existing or hereafter established systems of distribution of motor vehicles in this state, except to the extent that such application would impair valid contractual agreements in violation of the State Constitution or Federal Constitution. The provisions of this act shall not apply to any judicial or administrative proceeding pending as of October 1, 1988. All agreements renewed or entered into subsequent to October 1, 1988, shall be governed hereby.

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<sup>1</sup> Forehand, Walter E. and John W. Forehand, *Motor Vehicle Dealer and Motor Vehicle Manufacturers: Florida Reacts to Pressures in the Marketplace*, 29 Fla. St. Law Rev. 1057 (2002).

<sup>2</sup> Section 320.60(1), F.S.

<sup>3</sup> Section 320.27(1)(c)1., F.S.

*Recent Litigation*

Ch. 2006-183, Laws of Florida, amended s. 320.64, F.S., to require that, upon termination of a franchise agreement, a manufacturer must buy back from a dealer its unsold vehicles, parts, signs, special tools, and other items.<sup>4</sup>

A dealer, Motorsports of Delray, LLC, entered into an agreement with Yamaha Motor Corp., USA, in 2004, and the agreement was subsequently terminated in 2008.<sup>5</sup> The parties had a dispute regarding the “buy back” language (described above) that was enacted in Ch. 2006-183, Laws of Florida. In an administrative proceeding in 2009, an administrative law judge of the Division of Administrative Hearings (DOAH) held that legislative changes to ss. 320.60-320.70, F.S., do not apply to a dealer whose franchise agreement with a manufacturer was signed prior to the effective date of the legislation.<sup>6</sup> The DOAH order was adopted as the final order of the Department,<sup>7</sup> and may be considered controlling precedent for future disputes between motor vehicle dealers and licensees.

Proposed Changes

The bill amends s. 320.6992, F.S., to provide that the application of ss. 320.60-320.70, F.S., “including any amendments to ss. 320.60-320.70, F.S.,” apply to all existing or subsequently-established motor vehicle distribution systems in Florida, unless such application would impair valid contractual agreements in violation of the State or Federal Constitution.

HB 437 also amends s. 320.6992, F.S., to provide that ss. 320.60-320.70, F.S., “including any amendments to ss. 320.60-320.70, F.S., which have been or may be from time to time adopted unless the amendment specifically provides otherwise,” shall govern all agreements renewed, amended, or entered into subsequent to October 1, 1988.

**B. SECTION DIRECTORY:**

Section 1      Amends s. 320.6992, F.S., to revise application of provisions relating to franchise agreements.

Section 2      Provides an effective date of July 1, 2011.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

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<sup>4</sup> S. 3, Ch. 2006-183, Laws of Florida.

<sup>5</sup> *Motorsports of Delray, LLC v. Yamaha Motor Corp., U.S.A.*, Case No. 09-002129 (Fla. DOAH 2009).

<sup>6</sup> *Id.*

<sup>7</sup> Final Order No. HSMV-09-1765-FOI-DMV.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

N/A

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

The United States Constitution and the Florida Constitution prohibit the state from passing any law impairing the obligation of contracts.<sup>8</sup> “[T]he first inquiry must be whether the state law has, in fact, operated as a substantial impairment of a contractual relationship. The severity of the impairment measures the height of the hurdle the state legislation must clear.”<sup>9</sup> If a law does impair contracts, the courts will assess whether the law is deemed reasonable and necessary to serve an important public purpose.<sup>10</sup> The factors that a court will consider when balancing the impairment of contracts with the public purpose include:

- Whether the law was enacted to deal with a broad, generalized economic or social problem;
- Whether the law operates in an area that was already subject to state regulation at the time the parties undertook their contractual obligations, or whether it invades an area never before subject to regulation; and
- Whether the law effects a temporary alteration of the contractual relationships of those within its scope, or whether it works a severe, permanent, and immediate change in those relationships, irrevocably and retroactively.<sup>11</sup>

A law that is deemed to be an impairment of contract will be deemed to be invalid as it applies to any contracts entered into prior to the effective date of the act.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

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<sup>8</sup> U.S. Const. art. I, § 10; art. I, s. 10, Fla. Const.

<sup>9</sup> *Pomponio v. Claridge of Pompano Condominium, Inc.*, 378 So. 2d 774 (Fla. 1979). See also *General Motors Corp. v. Romein*, 503 U.S. 181 (1992).

<sup>10</sup> *Park Benziger & Co. v. Southern Wine & Spirits, Inc.*, 391 So. 2d 681 (Fla. 1980); *Yellow Cab C. v. Dade County*, 412 So. 2d 395 (Fla. 3rd DCA 1982). See also *Exxon Corp. v. Eagerton*, 462 U.S. 176 (1983). (construing the federal constitutional provision). An important public purpose would be a purpose protecting the public’s health, safety, or welfare. See *Khoury v. Carvel Homes South, Inc.*, 403 So. 2d 1043 (Fla. 1st DCA 1981).

<sup>11</sup> *Pomponio v. Claridge of Pompano Condominium, Inc.*, 378 So. 2d 774 (Fla. 1979).

HB 437

2011

1                                   A bill to be entitled  
 2           An act relating to motor vehicle franchise agreements;  
 3           amending s. 320.6992, F.S.; revising application of  
 4           provisions relating to franchise agreements; providing an  
 5           effective date.

6  
 7   Be It Enacted by the Legislature of the State of Florida:

8  
 9           Section 1.   Section 320.6992, Florida Statutes, is amended  
 10          to read:

11           320.6992 Application.—Sections 320.60-320.70, including  
 12          amendments to ss. 320.60-320.70, This act shall apply to all  
 13          presently existing or hereafter established systems of  
 14          distribution of motor vehicles in this state, except to the  
 15          extent that such application would impair valid contractual  
 16          agreements in violation of the State Constitution or Federal  
 17          Constitution. Sections 320.60-320.70 do ~~The provisions of this~~  
 18          ~~act shall~~ not apply to any judicial or administrative proceeding  
 19          pending as of October 1, 1988. All agreements renewed, amended,  
 20          or entered into subsequent to October 1, 1988, shall be governed  
 21          by ss. 320.60-320.70, including any amendments to ss. 320.60-  
 22          320.70 which have been or may be from time to time adopted  
 23          unless the amendment specifically provides otherwise hereby.

24           Section 2.   This act shall take effect July 1, 2011.



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 437 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Transportation & Highway  
2 Safety Subcommittee

3 Representative(s) Holder offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7  
8 Section 1. Subsection (14) of section 320.60, Florida  
9 Statutes, is amended to read:

10 320.60 Definitions for ss. 320.61-320.70.—Whenever used in  
11 ss. 320.61-320.70, unless the context otherwise requires, the  
12 following words and terms have the following meanings:

13 (14) "Line-make vehicles" are those motor vehicles which  
14 are offered for sale, lease, or distribution under a common  
15 name, trademark, service mark, or brand name of the manufacturer  
16 of same. However, motor vehicles sold or leased under multiple  
17 brand names or marks shall constitute a single line-make when  
18 they are included in a single franchise agreement, and every  
19 motor vehicle dealer in this state authorized to sell or lease

Amendment No. 1

20 any such vehicles has been offered the right to sell or lease  
21 all of the multiple brand names or marks covered by the single  
22 franchise agreement. Except, such multiple brand names or marks  
23 shall be considered individual franchises for purposes of s.  
24 320.64(36).

25 Section 2. Section 320.6992, Florida Statutes, is amended  
26 to read:

27 320.6992 Application.—Sections 320.60-320.70, including  
28 amendments to ss. 320.60-320.70, This act shall apply to all  
29 presently existing or hereafter established systems of  
30 distribution of motor vehicles in this state, except to the  
31 extent that such application would impair valid contractual  
32 agreements in violation of the State Constitution or Federal  
33 Constitution. Sections 320.60-320.70 do ~~The provisions of this~~  
34 ~~act shall~~ not apply to any judicial or administrative proceeding  
35 pending as of October 1, 1988. All agreements renewed, amended,  
36 or entered into subsequent to October 1, 1988, shall be governed  
37 by ss. 320.60-320.70, including any amendments to ss. 320.60-  
38 320.70 which have been or may be from time to time adopted,  
39 unless the amendment specifically provides otherwise, and except  
40 to the extent that such application would impair valid  
41 contractual agreements in violation of the State Constitution or  
42 Federal Constitution hereby.

43 Section 3. This act shall take effect July 1, 2011.  
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Amendment No. 1

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**T I T L E   A M E N D M E N T**

Remove the entire title and insert:

An act relating to motor vehicle licenses; amending s. 320.60, F.S.; redefining the term "line-make vehicles" to clarify circumstances under which vehicles sold or leased under multiple brand names or marks constitute a single line-make; amending s. 320.6992, F.S.; revising the application of provisions relating to franchise agreements; providing an effective date.



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** PCB THSS 11-01 Road and Bridge Designations

**SPONSOR(S):** Transportation & Highway Safety Subcommittee

**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Highway Safety Subcommittee		Johnson	Brown

### SUMMARY ANALYSIS

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not "officially" change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings. The bill makes the following designations and directs the Department of Transportation to erect suitable markers for each of these designations:

- Edna S. Hargrett-Thrower Avenue in Orange County.
- SP4 Thomas Berry Corbin Memorial Highway in Dixie County.
- U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway in Dixie County.
- Marine Lance Corporal Brian R. Buesing Memorial Highway in Levy County.
- United States Army Sergeant Karl A. Campbell Memorial Highway in Levy County.
- U.S. Army SPC James A. Page Memorial Highway in Levy County.
- Veterans Memorial Highway in Putnam County.
- Ben G. Watts Highway in Washington County.
- Mardi Gras Way in Broward County.
- West Park Boulevard in Broward County.
- Stark Memorial Drive in Duval County.
- Pembroke Park Boulevard in Broward County.
- Duval County Law Enforcement Overpass in Duval County.
- Verna Bell Way in Nassau County.
- Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway in Union County.
- Dr. Oscar Elias Biscet Boulevard in Miami-Dade County.
- Alma Lee Loy Bridge in Indian River County.

The bill also corrects errors in the Miss Lillie Williams Boulevard and the Father Jean-Juste Street designations that passed in 2010.

The bill has an estimated negative fiscal impact of \$13,600, which is the cost to the Department of Transportation to erect the markers.

The bill has an effective date of July 1, 2011

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

Section 334.071, F.S., provides for legislative designations of transportation facilities for honorary or memorial purposes, or to distinguish a particular facility. The legislative designations do not “officially” change the current names of the facilities, nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The statute requires the Department of Transportation (DOT) to place a marker at each termini or intersection of an identified road or bridge, and to erect other markers it deems appropriate for the transportation facility. The statute also provides that a city or county must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

#### Effect of Proposed Change

The bill makes the following honorary designations:

- That portion of Orange Blossom Trail between W. Gore Street and W. Church Street in Orange County as “Edna S. Hargrett-Thrower Avenue.”
- That portion of U.S. Highway 19/27A/98/State Road 55 between the Suwannee River Bridge and N.E. 592<sup>nd</sup> Street/Chavous Road/Kate Green Road in Dixie County as “SP4 Thomas Berry Corbin Memorial Highway.”
- That portion of U.S. Highway 19/98/State Road 55 between N.E. 592<sup>nd</sup> Street/Chavous Road/Kate Green Road and N.E. 170<sup>th</sup> Street in Dixie County as “U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway.”
- That portion of State Road 24 between County Road 374 and Bridge Number 340053 in Levy County as “Marine Lance Corporal Brian R. Buesing Memorial Highway.”
- That portion of U.S. Highway 19/98/State Road 55/S. Main Street between N.W. 1<sup>st</sup> Avenue and S.E. 2<sup>nd</sup> Avenues in Levy County as United States Army Sergeant Karl A. Campbell Memorial Highway.’
- That portion of U.S. Highway 27A/State Road 500/Hathaway Avenue between State Road 24/Thrasher Drive and Town Court in Levy County as “U.S. Army SPC James A. Page Memorial Highway.”
- That portion of State Road 19 in Putnam County between U.S. Highway 17 (State Road 15) and Carriage Drive in Palatka as “Veterans Memorial Highway.”
- That portion of U.S. 90 in Washington County between the Jackson County line and the Holmes County Line at the Holmes Creek Bridge as the “Ben G. Watts Highway.”
- That portion of State Road 824 between I-95 and U.S. Highway 1 in Broward County as “Mardi Gras Way.”
- That portion of State Road 7 between Pembroke Road and County Line Road in Broward County as “West Park Boulevard.”
- That portion of State Road 101/Mayport Road between State Road A1A and Wonderwood Connector in Duval County as “Stark Memorial Drive.”
- That portion of State Road 858/Hallandale Beach Boulevard between I-95 and U.S. 441/State Road 7 in Broward County as “Pembroke Park Boulevard.”
- The Interstate 295/State Road 9A overpass (Bridge Nos. 720256 and 720347) over Interstate 10/State Road 8 in Duval County as “Duval County Law Enforcement Memorial Overpass.”
- That portion of State Road 200 between Lime Street and Beech Street in the City of Fernandina Beach in Nassau County as “Verna Bell Way.”

- That portion of State Road 100 East between the Bradford County Line and the Columbia County Line in Union County as “Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway.”
- That portion of Coral Way between S.W. 32<sup>nd</sup> Avenue and S.W. 37<sup>th</sup> Avenue in Miami-Dade County as “Dr. Oscar Elias Biscet Boulevard.”
- The bridge on State Road 656 in Indian River County between State Road A1A and Indian River Boulevard in Vero beach as “Alma Lee Loy Bridge.”

The bill directs DOT to erect suitable markers designating each of the above designations.

The bill also amends the “Miss Lillie Williams Boulevard” and “Father Gerard Jean-Juste Street” designations which were created in 2010 in order to correct errors in the previous designations.<sup>1</sup>

The bill has an effective date of July 1, 2011.

#### B. SECTION DIRECTORY:

- |            |   |
|------------|---|
| Section 1  | Designates “Edna S. Hargrett-Thrower Avenue; directs DOT to erect suitable markers.                               |
| Section 2  | Designates the SP4 Thomas Berry Corbin Memorial Highway; directs DOT to erect suitable markers.                   |
| Section 3  | Designates the U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial Highway; directs DOT to erect suitable markers. |
| Section 4  | Designates the Marine Lance Corporal Brian R. Buesing Memorial Highway; directs DOT to erect suitable markers.    |
| Section 5  | Designates the Army Sergeant Karl A. Campbell Memorial Highway; directs DOT to erect suitable markers.            |
| Section 6  | Designates the U.S. Army SPC James A. Page Memorial Highway; directs DOT to erect suitable markers.               |
| Section 7  | Designates the Veterans Memorial Highway; directs DOT to erect suitable markers.                                  |
| Section 8  | Designates the Ben G. Watts Highway; directs DOT to erect suitable markers.                                       |
| Section 9  | Designates Mardi Gras Way; directs DOT to erect suitable markers.   |
| Section 10 | Designates West Park Boulevard; directs DOT to erect suitable markers.  |
| Section 11 | Designates Starke Memorial Drive; directs DOT to erect suitable markers.  |
| Section 12 | Designates Pembroke Park Boulevard; directs DOT to erect suitable markers.  |
| Section 13 | Designates Duval County Law Enforcement Memorial Overpass, directs DOT to erect suitable markers.                 |
| Section 14 | Designates Verna Bell Way, directs DOT to erect suitable markers.   |
| Section 15 | Designates Deputy Hal P. Croft and Deputy Ronald Jackson Memorial Highway; directs DOT to erect suitable markers. |

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<sup>1</sup> Ch. 2010-230, L.O.F.  
 STORAGE NAME: pcb01.THSS  
 DATE: 3/24/2011

- Section 16 Designates Dr. Oscar Elias Biscet Boulevard; directs DOT to erect suitable markers.
- Section 17 Designates Alma Lee Loy Bridge; directs DOT to erect suitable markers.
- Section 18 Amends section 24 of ch. 2010-230, L.O.F., amending the "Miss Lillie Williams Boulevard" designation.
- Section 19 Amends section 45 of ch. 2010-230, L.O.F., amending the "Father Jean-Juste Street." designation.
- Section 20 Provides an effective date.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None

2. Expenditures:

DOT will incur costs of approximately \$13,600 (from the State Transportation Trust Fund) for erecting markers for the designations. This is based on the assumption that two markers for each designation will be erected at a cost of \$400 per marker. DOT will also incur the recurring costs of maintaining these signs over time, and for future replacement of the signs as necessary.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None

2. Expenditures:

None

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

None

### **D. FISCAL COMMENTS:**

None

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.



2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

Drafting Issues

None

Comments

Officer David S. Crawford was a St. Petersburg police officer killed in the line of duty on February 21, 2011.

Edna Sampson Hargrett-Thrower was the head the Choral Music department at Jones High School in Orlando. She passed away on April 19, 2010

Army Sp4 Thomas Berry Corbin was killed in combat in South Vietnam in 1968. He received the Army Silver Star.

Navy BMC Samuel Calhoun Chavous Jr. was killed in combat in South Vietnam in 1968.

Marine Lance Cpl. Brian Rory Busing was killed in combat in Iraq in 2003.

Army Sgt. Karl Andrew Campbell was killed in Afghanistan in 2010.

Army SPC. James Anthony Page was killed in Afghanistan in 2010.

Ben G. Watts served as Secretary of DOT from 1989 to 1997. Currently, Mr. Watts is retired from Carter & Burgess, Inc., where he served as President and CEO.

Based in Mayport, FL, the USS Stark was attacked by an Iraqi jet fighter in 1987, killing 37 American sailors.

Deputies Hal P. Croft and Ronald Jackson were Union County sheriff's deputies killed in the line of duty.

Verna Bell was a community activist in Fernandina Beach and Duval County.

Dr. Óscar Elías Biscet a Cuban medical professional and a noted advocate for human rights who is currently in prison in Cuba for alleged crimes against the sovereignty and the integrity of Cuba.

Alma Lee Loy was the first woman elected to the Indian River County Commission.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB THSS 11-01 (2011)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing PCB: Transportation & Highway  
2 Safety Subcommittee  
3 Representative(s) Baxley offered the following:

**Amendment (with title amendment)**

6 Between lines 176 and 177, insert:

7 Section 18. Samuel B. Love Memorial Highway designated;  
8 Department of Transportation to erect suitable markers.-

9 (1) That portion of Sunset Harbor Road between S.E. 105th  
10 Avenue and S.E. 115th Avenue in Marion County is designated as  
11 "Samuel B. Love Memorial Highway."

12 (2) The Department of Transportation is directed to erect  
13 suitable markers designating Samuel B. Love Memorial Highway as  
14 described in subsection (1).

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18 **T I T L E A M E N D M E N T**

19 Remove line 20 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB THSS 11-01 (2011)

Amendment No. 1

20 County; designating; Samuel B. Love Memorial Highway in Marion  
21 County, amending ss. 24 and 45, ch. 2010-230, Laws of

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB THSS 11-01 (2011)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
 ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
 ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
 FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
 WITHDRAWN \_\_\_\_\_ (Y/N)  
 OTHER

1 Committee/Subcommittee hearing PCB: Transportation & Highway  
 2 Safety Subcommittee

3 Representative Steinberg offered the following:

4  
 5 **Amendment (with title amendment)**

6 Between lines 168 and 169, insert:

7 Section 17. Hugh Anderson Boulevard designated; Department  
 8 of Transportation to erect suitable markers.-

9 (1) That portion of Biscayne Boulevard between N.E. 88th  
 10 Street and N.E. 105th Street in Miami Shores Village in Miami-  
 11 Dade County is designated as "Hugh Anderson Boulevard."

12 (2) The Department of Transportation is directed to erect  
 13 suitable markers designating Hugh Anderson Boulevard as  
 14 described in subsection (1).

15  
 16  
 17 -----

18 **T I T L E A M E N D M E N T**

19 Remove line 18 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

PCB Name: PCB THSS 11-01 (2011)

Amendment No. 2

20 designating Dr. Oscar Elias Biscet Boulevard and Hugh Anderson  
21 Boulevard in Miami-Dade