

# Transportation & Highway Safety Subcommittee

# **ACTION PACKET**

Tuesday, March 12, 2013 1:00 PM - 3:00 PM 404 HOB

### Transportation & Highway Safety Subcommittee 3/12/2013 1:00:00PM

Location: 404 HOB

**Summary:** 

**Transportation & Highway Safety Subcommittee** 

Tuesday March 12, 2013 01:00 pm

HB 479 Favorable With Committee Substitute	Yeas: 13 Nays: 0
PCB THSS 13-01 Favorable With Amendment	s (15) Yeas: 14 Nays: 0
Amendment PCB THSS 13-01 a1 Adop Objection	ted Without
Amendment PCB THSS 13-01 a10 Add Objection	pted Without
Amendment PCB THSS 13-01 a11 Ado Objection	pted Without
Amendment PCB THSS 13-01 a12 Ado	pted
Amendment PCB THSS 13-01 a13 Ado Objection	pted Without
Amendment PCB THSS 13-01 a14 With	ndrawn
Amendment PCB THSS 13-01 a15 With	ndrawn
Amendment PCB THSS 13-01 a2 Adop Objection	ted Without
Amendment PCB THSS 13-01 a3 Adop Objection	ted Without
Amendment PCB THSS 13-01 a4 Adop Objection	ted Without
Amendment PCB THSS 13-01 a5 Adop Objection	ted Without
Amendment PCB THSS 13-01 a6 Adop Objection	ted Without
Amendment PCB THSS 13-01 a7 Adop	ted
Amendment PCB THSS 13-01 a8 Adop	ted
Amendment PCB THSS 13-01 a9 Adop Objection	ted Without
Amendment PCB THSS 13-01 AA1 Add Objection	ppted Without
Amendment PCB THSS 13-01 AA2 Add Objection	ppted Without
PCB THSS 13-02 Favorable With Amendment:	s (10) Yeas: 13 Nays: 0
Amendment PCB THSS 13-02 a1 Adop	ted
Amendment PCB THSS 13-02 a10 With	ndrawn
Amendment PCB THSS 13-02 a2 Adop Objection	ted Without
	ted Without

Committee meeting was reported out: Tuesday, March 12, 2013 6:53:16PM

Leagis ®

Print Date: 3/12/2013 6:53 pm

Objection

Amendment PCB THSS 13-02 a4 Adopted Without

## Transportation & Highway Safety Subcommittee 3/12/2013 1:00:00PM

Location: 404 HOB

Summary: (continued)

#### **Transportation & Highway Safety Subcommittee**

Tuesday March 12, 2013 01:00 pm

Amendment PCB THSS 13-02 a5 Adopted Without
Objection

Amendment PCB THSS 13-02 a6 Adopted Without
Objection

Amendment PCB THSS 13-02 a7 Adopted

Amendment PCB THSS 13-02 a8 Adopted Without
Objection

Amendment PCB THSS 13-02 a9 Adopted Without
Objection

Amendment PCB THSS 13-02 AA1 Adopted as Amended

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB

Print Date: 3/12/2013 6:53 pm

#### Attendance:

	Present	Absent	Excused
Daniel Davis (Chair)	X		
Frank Artiles	X		
Heather Fitzenhagen	X		
Ed Hooper	X		
Jeanette Nuñez	X		
W. Keith Perry	X		
Bobby Powell	X		
Jake Raburn	X		
Holly Raschein	X		
Lake Ray	X		
Hazelle Rogers	X		
Irving Slosberg	X		
Linda Stewart	X		
Barbara Watson	X		
Totals:	14	0	0

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB

**HB 479 : Ignition Interlock Devices** 

X Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Artiles	X				
Heather Fitzenhagen	X				
Ed Hooper	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Bobby Powell	X				
Jake Raburn	X				
Holly Raschein			X		
Lake Ray	X				
Hazelle Rogers	X				
Irving Slosberg	X				
Linda Stewart	X				
Barbara Watson	X				
Daniel Davis (Chair)	X				
	Total Yeas: 13	Total Nays: 0	•		

#### **Appearances:**

McLeod, Laura (Lobbyist) - Information Only Florida Association of DUI Programs, Inc 1725 E Mahan Dr

Tallahassee FL 32308 Phone: (850)681-3384

Mannheimer, Doug (Lobbyist) - Information Only

Alcohol Countermeasure Systems 215 South Monroe Street, Suite 400 Tallahassee Florida 32301

Phone: 850-519-1716

Trammell, Robert (Lobbyist) - Information Only Florida Public Defender Association, Inc

PO Box 11057 Tallahassee FL 32301

Phone: (850)488-6852

Daniels, Nancy (State Employee) - Information Only

Public Defender, 2nd circuit

Leon County Courthouse 301 S Monroe Street

Tallahassee FL 32301 Phone: 850-606-1000

Chamizo, Jorge (Lobbyist) - Information Only

Florida Association of Criminal Defense Lawyers

108 S. Monroe Street Tallahassee FL 32301 Phone: (850)681-0024

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB

HB 479 : Ignition Interlock Devices (continued)

Appearances: (continued)

Allen, Kristen (General Public) - Proponent State Victim Services Manager, MADD Florida 1018 Thomasville Road, #101

Tallahassee FL 32303 Phone: 850-681-0061

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB

PCB THSS 13-01 : Highway Safety and Motor Vehicles

Favorable With Amendments (15) No Vote Absentee Yea Nay Absentee Yea Nay Frank Artiles X Heather Fitzenhagen X X Ed Hooper X Jeanette Nuñez W. Keith Perry X Bobby Powell X X Jake Raburn Holly Raschein Х Lake Ray Х X Hazelle Rogers Х Irving Slosberg X Linda Stewart Barbara Watson X Daniel Davis (Chair) X Total Yeas: 14 **Total Nays: 0** 

#### **PCB THSS 13-01 Amendments**

X Withdrawn

Amendment PCB THSS 13-01 a1  X Adopted Without Objection
Amendment PCB THSS 13-01 a10  X Adopted Without Objection
Amendment PCB THSS 13-01 a11  X Adopted Without Objection
Amendment PCB THSS 13-01 a12  X Adopted
Amendment PCB THSS 13-01 a13  X Adopted Without Objection
Amendment PCB THSS 13-01 a14

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB  PCB THSS 13-01: Highway Safety and Motor Vehicles (continued)
Amendment PCB THSS 13-01 a15
X Withdrawn
Amendment PCB THSS 13-01 a2
X Adopted Without Objection
Amendment PCB THSS 13-01 a3
X Adopted Without Objection
Amendment PCB THSS 13-01 a4
X Adopted Without Objection
Amendment PCB THSS 13-01 a5
X Adopted Without Objection
Amendment PCB THSS 13-01 a6
X Adopted Without Objection
Amendment PCB THSS 13-01 a7
X Adopted
Amendment PCB THSS 13-01 a8
X Adopted
Amendment PCB THSS 13-01 a9
X Adopted Without Objection
Amendment PCB THSS 13-01 AA1
X Adopted Without Objection
Amendment PCB THSS 13-01 AA2
X Adopted Without Objection

Print Date: 3/12/2013 6:53 pm Page 7 of 11

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB

PCB THSS 13-01 : Highway Safety and Motor Vehicles (continued)

**Appearances:** 

James Butler - Proponent FADRA 341 N. Maitland Maitland FL 32751 Phone: 407-647-8839

Jorge L. Conforme - Proponent LKQ Corporation 5975 N. Fed. Hwy

Ft. Lauderdale FL 33308 Phone: 954-492-3092

Fraser, Towson (Lobbyist) - Information Only

Copart, Inc 4665 Business Center Dr Fairfield CA 94534 Phone: (850)671-4401

Cullen, David (Lobbyist) - Information Only
Advocacy Institute for Children

1674 University Pky #296 Sarasota FL 34243 Phone: (941)323-2404

Wharton, Paul (Lobbyist) - Information Only

Self

2356 Jose Circle North Jacksonville FL 32217 Phone: 904-563-0627

Cullen, Mary-Lynn (Lobbyist) - Information Only

Advocacy Institute for Children 1674 University Pky #296 Sarasota FL 34243

Phone: (941)928-0278

Leagis ®

Print Date: 3/12/2013 6:53 pm Page 8 of 11

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

Location: 404 HOB

PCB THSS 13-02 : Department of Transportation

X Favorable With Amendments (10)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Frank Artiles	Х				
Heather Fitzenhagen			X		
Ed Hooper	X				
Jeanette Nuñez	X				
W. Keith Perry	X				
Bobby Powell	X				
Jake Raburn	X				
Holly Raschein	X				
Lake Ray	X				
Hazelle Rogers	X				
Irving Slosberg	X				
Linda Stewart	X				
Barbara Watson	X				
Daniel Davis (Chair)	X				
	Total Yeas: 13	Total Nays: 0	)		

#### **PCB THSS 13-02 Amendments**

Ame	ndment PCB	THSS	13-02	a1
X	Adopted			

Amendment	PCB	THSS	13-02	a10

X	Withdrawn

Amendment	PCB	THSS	13-02	a2

X	Adopted	Without	Objection
	•		

#### Amendment PCB THSS 13-02 a3

	X	Adopted	Without	Objection
--	---	---------	---------	-----------

#### Amendment PCB THSS 13-02 a4

	l		
X	Adopted	Without	Objection

#### Amendment PCB THSS 13-02 a5

X Adopted Without Objection

#### **Transportation & Highway Safety Subcommittee**

3/12/2013 1:00:00PM

PCB THSS 13-02 : Department of Transportation (continued)

# Amendment PCB THSS 13-02 a6 X Adopted Without Objection

#### Amendment PCB THSS 13-02 a7

X Adopted

#### Amendment PCB THSS 13-02 a8

X Adopted Without Objection

#### Amendment PCB THSS 13-02 a9

X Adopted Without Objection

#### **Amendment PCB THSS 13-02 AA1**

X Adopted as Amended

#### **Appearances:**

Snow, Chris (Lobbyist) - Information Only Director of Government Relations, Space Florida 1580 Waldo Palmer Lane Tallahassee FL 32301 Phone: 321-474-9754

Hunter, Gary (Lobbyist) - Information Only Association of Florida Community Developers, Inc 307 W Park Ave Ste 214 Tallahassee FL 32301

Phone: (850)222-7500

O'Malley, Robert (Lobbyist) - Proponent CSX Transportation

500 Water St Jacksonville FL 32202

Phone: (407)803-3969

Killinger, Lori (Lobbyist) - Information Only Mihgahon Banking Alliance of Florida 2600 Centinnial Place

Tallahassee FL 32308 Phone: (850)222-5702

Print Date: 3/12/2013 6:53 pm

Page 10 of 11

#### Transportation & Highway Safety Subcommittee

3/12/2013 1:00:00PM

Location: 404 HOB

PCB THSS 13-02 : Department of Transportation (continued)

Appearances: (continued)

Chris Moya (Lobbyist) - Information Only

Miami Parking Authority Phone: 850-321-6692

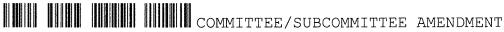
Rotundo, Louis (Lobbyist) - Information Only City of Altamonte Springs; City of Maitland

225 Newburyport Ave Altamonte Springs FL 32701 Phone: (407)699-9361

Gerard O'Rourke (Lobbyist) (State Employee) - Information Only

FDOT - Legislative Programs Director

605 Suwannee Street Tallahassee FL 32399 Phone: 850-414-4797



PCB Name: PCB THSS 13-01 (2013)

Amendment No. 10b

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	

Committee/Subcommittee hearing PCB: Transportation & Highway Safety Subcommittee

Representative Raburn offered the following:

# Amendment to Amendment (PCB THSS 13-01 a10) by Representative Raburn (with title amendment)

Remove lines 238-277 of the amendment and insert:

require the lienholder to reimburse them only for their purchase

price of the derelict vehicle and shall not include any towing

costs, storage fees, administrative fees, or other costs.

3. Any person who knowingly violates this paragraph by selling, transporting, delivering, purchasing, or receiving a derelict motor vehicle without obtaining a certificate of title, salvage certificate of title, certificate of destruction, or derelict motor vehicle certificate application; enters false or fictitious information on a derelict motor vehicle certificate application; does not complete the derelict motor vehicle certificate applicate application as required; does not obtain a legible copy of the seller's or owner's valid driver's license or

PCB THSS 13-01 AA2

Published On: 3/12/2013 11:06:42 AM



PCB Name: PCB THSS 13-01 (2013)

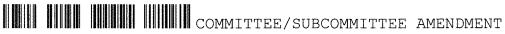
Amendment No. 10b

identification card when required; does not make the required notification to the department; or destroys or dismantles a derelict motor vehicle without waiting the required time as set forth in subparagraph 2. commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

- (3)(a)1. As used in this section, a motor vehicle or mobile home is a "total loss":
- a. When an insurance company pays the vehicle owner to replace the wrecked or damaged vehicle with one of like kind and quality or when an insurance company pays the owner upon the theft of the motor vehicle or mobile home; or
- b. When an uninsured or self-insured motor vehicle or mobile home is wrecked or damaged and the cost, at the time of loss, of repairing or rebuilding the vehicle is 80 percent or more of the cost to the owner of replacing the wrecked or damaged motor vehicle or mobile home with one of like kind and quality.
- 2. A motor vehicle or mobile home shall not be considered a "total loss" if the insurance company and owner of a motor vehicle or mobile home agree to repair, rather than to replace, the motor vehicle or mobile home. However, if the actual cost to repair the motor vehicle or mobile home to the insurance company exceeds 100 percent of the cost of replacing the wrecked or damaged motor vehicle or mobile home with one of like kind and quality, the owner shall forward to the department, within 72 hours after the agreement, a request to brand the certificate of title with the words "Total Loss Vehicle." Such a brand shall become a part of the vehicle's title history.

PCB THSS 13-01 AA2

Published On: 3/12/2013 11:06:42 AM



PCB Name: PCB THSS 13-01 (2013)

Amendment No. 10b

\_ .

-----

#### TITLE AMENDMENT

Remove line 214 of the amendment and insert:

provisions to changes made by the act; amending s. 319.30, F.S.;

permitting a licensed salvage motor vehicle dealer to seek

reimbursement for the purchase price of the derelict vehicle

from lienholder and prohibiting the recovery of any other costs;

removing a provision that requires the owner of a wrecked or

damaged motor vehicle or mobile home to forward a request to the

department to brand the certificate of title with the words

"Total Loss Vehicle" when the actual cost to repair the wrecked

or damaged motor vehicle or mobile to the insurance company

exceeds 100 percent of the cost of replacing the wrecked or

damaged motor vehicle or mobile home with one of like kind and

quality; providing an

PCB THSS 13-01 AA2

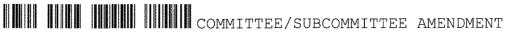
Published On: 3/12/2013 11:06:42 AM

Page 3 of 3

#### ADDITIONAL AMENDMENTS WORKSHEET

Bill Number: PCB THSS 13-01

MEMBERS	A W 0 #11		Adopted #12		A W 0 #13		Withdrawn #14	
	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
Rep. Artiles								
Rep. Fitzenhagen								
Rep. Hooper								
Rep. Nunez				-				
Rep. Perry								
Rep. Powell						<b></b>		
Rep. Raburn								
Rep. Raschein								
Rep. Ray			./	,		<u> </u>		
Rep. Rogers			V					
Rep. Slosberg								
Rep. Stewart								
Rep. Watson, B.								
Chair Davis								
TOTALC	***	-	<b>T</b> 7	BT	* 7	N.T.	*7	NT
TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
			10	3				



PCB Name: PCB THSS 13-02 (2013)

Amendment No. 7a

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	**********
	***************************************

Committee/Subcommittee hearing PCB: Transportation & Highway Safety Subcommittee

Representative Davis offered the following:

Amendment to Amendment (PCB THSS 13-02 a7) by Representative Davis

Remove lines 42-53 of the amendment and insert:

2. If a person is engaged in a lawful hunting activity and enters upon stationary rails or roadbeds that are owned or leased by a railroad or railway company where notice of posting is not provided, he or she does not commit a violation of this section for a temporary entry upon such railroad or railway company property in the course of lawful hunting activities.

14

1 2

3

4

5

6

7

8

9

10

11

12

13

PCB THSS 13-02 AA1

Published On: 3/12/2013 5:19:27 PM

Page 1 of 1



PCB Name: PCB THSS 13-02 (2013)

Amendment No. 10

COMMITTEE	SUBCOMMITTE.	F ACLION

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

OTHER

1

2

3

4

5

6 7

8

9

10

11 12

13

14

15

16

17

18

19

Committee/Subcommittee hearing PCB: Transportation & Highway Safety Subcommittee

Representative Slosberg offered the following:

#### Amendment

Between lines 1686 and 1687, insert:

- (1)(a) Sale of advertising.—The Department of

  Transportation may sell the name rights or a sponsorship of the

  Florida Turnpike to a private sector business or entity.
- (2) (a) Ten percent shall be distributed, prorated by population, to district school boards and must be used to enhance funds for the school district's driver education program. The prorated share of such funds for a district that does not provide a driver education program may not be distributed to that district and shall be deposited into the State Transportation Trust Fund. The remaining ninety percent shall be distributed to the State Transportation Trust Fund.
- (3) (a) All sponsorships and advertisements shall be family friendly and approved by the Department of Transportation. No



religious or political views or affiliations.

PCB Name: PCB THSS 13-02 (2013)

20	Amendment No. 10 advertisements shall include references to sexuality, drugs, or
-	alcohol; illegal or inappropriate products; or references to

PCB THSS 13-02 a10

22

Published On: 3/12/2013 6:35:50 PM