

MEETING OF THE GOVERNOR AND CABINET
AS HEAD OF THE DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

June 10, 2008

AGENDA

Agency Contact: David F. Westberry, 850-617-3100

1. Respectfully submit the Minutes for February 26, 2008 Cabinet Meeting.

Attachment #1
Recommended.

2. Respectfully submit the 3rd Quarter Performance Report Fiscal Year 2007-2008.

Attachment #2
Recommended.

3. Respectfully submit the following rule amendment for final adoption in Chapter 15 of the Florida Administrative Code (F.A.C.).

Rule 15C-16. F.A.C., Electronic Temporary Registrations. This amendment allows all temporary license plate issuers to electronically report the issuance of temporary license plates to the Department of Highway Safety and Motor Vehicles.

Attachment #3
Recommended.

4. Respectfully submit the Annual Performance Contract, 2008-2009 Fiscal Year.

Attachment #4
Recommended.

ATTACHMENT 1

THE CABINET
STATE OF FLORIDA

Representing:

DIVISION OF BOND FINANCE
FINANCIAL SERVICES COMMISSION, INSURANCE REGULATION
DEPARTMENT OF REVENUE
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
STATE BOARD OF ADMINISTRATION

The above agencies came to be heard before
THE FLORIDA CABINET, Honorable Governor Crist presiding,
in the Cabinet Meeting Room, LL-03, The Capitol,
Tallahassee, Florida, on Tuesday, February 26, 2008,
commencing at approximately 9:05 a.m.

Reported by:

MARY ALLEN NEEL
Registered Professional Reporter
Florida Professional Reporter
Notary Public

ACCURATE STENOGRAPHY REPORTERS, INC.
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TALLAHASSEE, FLORIDA 32308
(850) 878-2221

APPEARANCES:

Representing the Florida Cabinet:

CHARLIE CRIST
Governor

CHARLES H. BRONSON
Commissioner of Agriculture

BILL McCOLLUM
Attorney General

ALEX SINK
Chief Financial Officer

* * *

I N D E X

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY
(Presented by ALEX SINK)

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DIVISION OF BOND FINANCE
(Presented by BEN WATKINS)

ITEM	ACTION	PAGE
1	Approved	14
2	Approved	14
3	Approved	15
4	Approved	15
5	Approved	16

FINANCIAL SERVICES COMMISSION, INSURANCE REGULATION
(Presented by KEVIN McCARTY)

ITEM	ACTION	PAGE
1	Approved	17
2	Approved	17
3	Approved	18
4	Approved	18

DEPARTMENT OF REVENUE
(Presented by LISA ECHEVERRI)

ITEM	ACTION	PAGE
1	Approved	19
2	Approved	19

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
(Presented by ELECTRA BUSTLE)

ITEM	ACTION	PAGE
1	Approved	20
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FLORIDA DEPARTMENT OF LAW ENFORCEMENT
(Presented by JERRY BAILEY)

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2	Approved	36

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
(Presented by MIKE SOLE)

ITEM	ACTION	PAGE
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STATE BOARD OF ADMINISTRATION
(Presented by GENERAL BOB MILLIGAN)

ITEM	ACTION	PAGE
1	Approved	65
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8	Approved	66

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1 GOVERNOR CRIST: Highway Safety, Electra
2 Bustle. Good morning, Director. How are you?

3 MS. BUSTLE: Very well. How are you?

4 GOVERNOR CRIST: Doing great. Thanks.

5 MS. BUSTLE: Item Number 1, we specifically
6 submit the minutes for the approval of the November
7 14th, 2007 Cabinet meeting.

8 GOVERNOR CRIST: Is there a motion on the
9 minutes?

10 CFO SINK: Move it.

11 COMMISSIONER BRONSON: Second.

12 GOVERNOR CRIST: Moved and seconded. Show the
13 minutes approved without objection.

14 MS. BUSTLE: Item Number 2, submission of the
15 minutes for the December 18, 2007 Cabinet meeting.

16 CFO SINK: Move it.

17 ATTORNEY GENERAL MCCOLLUM: Second.

18 COMMISSIONER BRONSON: Second.

19 GOVERNOR CRIST: Moved and seconded. Show
20 Item 2 approved without objection.

21 MS. BUSTLE: Item Number 3 is our second
22 quarter performance report, and I just want to
23 spend just a couple of minutes on that.

24 GOVERNOR CRIST: Please.

25 MS. BUSTLE: We had a busy quarter. I would

1 like to take a few minutes to talk about a couple
2 of things in more depth. Specifically, on one of
3 the first pages we talk about the initiatives.
4 You'll see something called rapid ID, and I
5 provided you a little show-and-tell today on your
6 desk. This is actually the real device that we're
7 talking about. You have a stress reliever that was
8 created, not that any of you need it.

9 GOVERNOR CRIST: Yeah, right.

10 COMMISSIONER BRONSON: I need a bigger one.

11 MS. BUSTLE: But this is an amazing device.

12 This is in partnership with the Florida Department
13 of Law Enforcement. They created this capability,
14 and our troopers are utilizing it currently out on
15 the road. We have five of these devices out on the
16 road. They're worn on the troopers' belts, and
17 they are used to identify people roadside who may
18 not have identification or who may not be truthful
19 about who they are. It remotely sends one or two
20 digit fingerprints through FDLE, through their
21 automated fingerprint system. There are 16 million
22 fingerprints in that system, and in less than a
23 minute, the results go back to the trooper on the
24 road to let them know if they have in front of them
25 someone that had been arrested in the past and

1 fingerprints taken at a booking facility or
2 otherwise.

3 We've seen some great success stories. We've
4 arrested people with outstanding warrants. We have
5 actually arrested someone that was a fugitive from
6 another state, from Texas. We've also cleared a
7 driver who had no identification at a traffic stop,
8 but when we ran his name, it came up that he had
9 been arrested. Once we used the fingerprint
10 device, we realized that the fingerprints did not
11 match the fingerprints that were on file with the
12 Florida Department of Law Enforcement, and what
13 that means is someone had used this individual's
14 name while they were being arrested, but the
15 fingerprints were able to determine it was not the
16 same person. That individual was arrested on
17 additional charges, including fraud, and we were
18 able to clear the driver's identity.

19 So we see some great uses for this rapid
20 identification device, and we've asked for domestic
21 security grant dollars for additional devices, and
22 we're waiting to see how much of those dollars come
23 down.

24 GOVERNOR CRIST: Strikes me as a real Homeland
25 Security issue.

1 MS. BUSTLE: It is. We're excited about it.
2 And this is a prototype.

3 CFO SINK: How much do they cost?

4 MS. BUSTLE: 1,200 a device. This is a
5 prototype here. The original ones were about the
6 size of a brick.

7 GOVERNOR CRIST: Safety is not cheap,
8 apparently.

9 MS. BUSTLE: On the customer service side, we
10 would -- like you, we're focused on improving our
11 service delivery. Effective January 2nd, 2008,
12 customers have the option to register their
13 vehicles for two years rather than one year, which
14 is a great customer convenience. And since it
15 became effective, we already have 58,000 people who
16 have taken advantage of this new option.

17 We've also expanded our review of our customer
18 satisfaction in our driver's licenses. Obviously,
19 we are tracking wait times, which is critical, but
20 we're also asking customers to rate their overall
21 experience, including attitudes of our members,
22 cleanliness of our facilities, ease of service, and
23 overall customer service. And in order to manage
24 this information more effectively, we've created a
25 customer service score card, which you have in your

1 packet there.

2 The score card is based on over 150,000
3 responses to our in-office and on-line surveys.
4 Customers have consistently rated our service as
5 very good and excellent in nearly all delivery
6 channels, which is great news. 80 percent of our
7 customers are reporting they are waiting 15 minutes
8 or less. 95 percent are reporting that they waited
9 less than 30 minutes. And in addition to that, our
10 inspector general went throughout the state in
11 December and January and timed actual transactions
12 in driver's license offices, and they validated the
13 survey results, finding an average of 12 minutes or
14 less wait time statewide.

15 We know we still have work to do, but we've
16 made great strides, and we're committing to
17 ensuring that our customers have the highest
18 quality experience in our offices.

19 I'm also happy to tell you that we will begin
20 accepting credit cards in our driver's license
21 offices April 1st, 2008. We're excited about this
22 new program and believe there will be not only
23 efficiencies gained for our business processes, our
24 folks not handling as much money, cash, as they do
25 every day, but our customers, obviously, it's a

1 great convenience for them.

2 CFO Sink, I want to specifically thank your
3 people who have really stepped up and helped us
4 navigate our way through to get these credit cards
5 on-line. We will have MasterCard, Discover, and
6 American Express effective April 1st, 2008, in our
7 offices.

8 In closing, let me just say that we're focused
9 on being a proactive, professional, and proud
10 department, and we want to lead the way to a safer
11 Florida. Thank you very much.

12 GOVERNOR CRIST: Thank you. Any questions?

13 CFO SINK: Yes, Governor, I have one.

14 GOVERNOR CRIST: CFO.

15 CFO SINK: I know that we went through a
16 little 60-day period there without PIP, and it was
17 reinstated January the 1st. Did you have any
18 transition issues? I know that one of the key
19 parts about the PIP law is that it enables you to
20 identify people who have lapses in insurance, and
21 that's why we have such a high insured motorist
22 rate in this state. What was your experience, if
23 any?

24 MS. BUSTLE: Actually, since January, we sent
25 62,000 letters, first notices telling people that

1 your license will be suspended if you don't produce
2 proof of insurance. 60,000 of those letters are
3 expected to be sent in February. We've had 24,000
4 suspensions since January, and we expect an equal
5 number in February. And we've collected
6 approximately 2.5 million from the folks who had
7 their license reinstated. We haven't seen any
8 hiccups in the system. We've been able to stand it
9 up and begin where we left off, no problems.

10 GOVERNOR CRIST: Electra, could you share with
11 us your hours of operation and the days that you're
12 open for driver's license, as a reminder?

13 MS. BUSTLE: Yes. For those watching, Monday
14 through Friday, 8:00 to 5:00, and Tuesday and
15 Thursday, 8:00 to 6:00.

16 GOVERNOR CRIST: What was it before then,
17 before you changed it?

18 MS. BUSTLE: It was for the most part four
19 days a week, 10 hours a day, so either Monday or
20 Friday it was closed.

21 GOVERNOR CRIST: The people appreciate your
22 change.

23 MS. BUSTLE: Thank you.

24 GOVERNOR CRIST: Thank you very much.
25

ATTACHMENT 2



A SAFER
FLORIDA
HIGHWAY SAFETY AND MOTOR VEHICLES



**3RD QUARTER PERFORMANCE REPORT
FISCAL YEAR 2007- 2008**

PROVIDING HIGHWAY SAFETY AND SECURITY
THROUGH EXCELLENCE IN SERVICE, EDUCATION, AND ENFORCEMENT

ELECTRA THEODORIDES-BUSTLE, EXECUTIVE DIRECTOR

Leading the Way to... A Safer Florida!

Queuing Systems Add Value: Ninety-four state-operated driver license offices issue almost five million driver license and identification cards annually. Implementing a customer queuing system pilot has improved the operating efficiency and overall level of customer service in those offices. Four offices recently deployed this technology and found queuing systems; improved customer flow, enhanced customer expectations, provided customer wait time standards, monitored member performance, and assisted in implementing process improvements. The system has proven an effective management tool for supervisors and managers, providing both member and office performance reports and statistics. The real-time monitoring and reporting capability allows for a quick shift in task assignments to effectively balance workload. The Legislature has recognized the benefit of the technology and has appropriated funding to place an additional 57 queuing systems in driver license offices across the state.



New Registration Option for Drivers: Effective January 1, 2008, motor vehicle owners can now choose between renewing their vehicle registration for one or two year periods. This allows customers the convenience of renewing for a longer period and benefits the Department by reducing the number of annual renewals. Owners who choose the two-year renewal option will receive decals with a 2010 expiration date. Over 129,000 two-year renewals were processed in this quarter.



Florida Ready for Real ID: There are over 40 components to the Real ID Act based on the Department of Homeland Security's final implementation rule issued January 2008. States must have 18 components complete to be deemed materially compliant, Florida currently meets 15 of those 18 components. This is a significant accomplishment for Florida. Being a legal presence state, verifying social security numbers, background checking our members, and producing a card that has layered security, puts Florida well ahead of the curve and in position to be materially compliant. The Department anticipates issuing Real ID compliant cards beginning in January 2010.



Innovative Solutions In Service Delivery: In a continuing effort to enhance service delivery, the Department has changed its internet domain to "flhsmv.gov." E-mail addresses were also changed to the simpler extension. This new domain structure supports our vision of one DHSMV and will help citizens better recognize our web address and access our services. The old web and e-mail addresses will continue to be supported for an extended transitional period. Another innovative service delivery solution, the Department's Online Appointment Service and Information System for driver license offices, now provides individuals with hearing disabilities the option to request an interpreter provided by the Department. The service is part of the larger campaign, "Making Changes that Matter to You!"



Department Assists in Large Scale Events: FHP participated in the Daytona 500 Weekend Operation, a multi-jurisdictional effort utilizing resources from local and state agencies to handle the large influx of vehicle and pedestrian traffic in Daytona Beach. In addition the Department participated in the 67th annual Bike Week in Daytona Beach in February, with thousands of motorcycling enthusiasts visiting the area. FHP has been a vital part of Bike Week operations and minimizing problems due to high traffic volume. Division of Motor Vehicle members worked with members of the Volusia County Sheriff's Office Motorcycle Task Force investigating and recovering stolen motorcycles and parts. The task force recovered 20 motorcycles (up from 16 last year).



Successful Compliance Review: Every four years the Department undergoes a review to ensure it is meeting the requirements of the multi-jurisdictional International Fuel Tax Agreement (IFTA). Forty-eight states and 10 Canadian provinces participate in the IFTA. IFTA provides convenience for the trucking community when filing tax returns and paying fuel use taxes. The agreement ensures that all participating jurisdictions receive their applicable taxes based on travel in their jurisdiction. After IFTA representatives reviewed our policy and procedures, Florida passed with no major findings and received positive comments at the closing conference held in February.

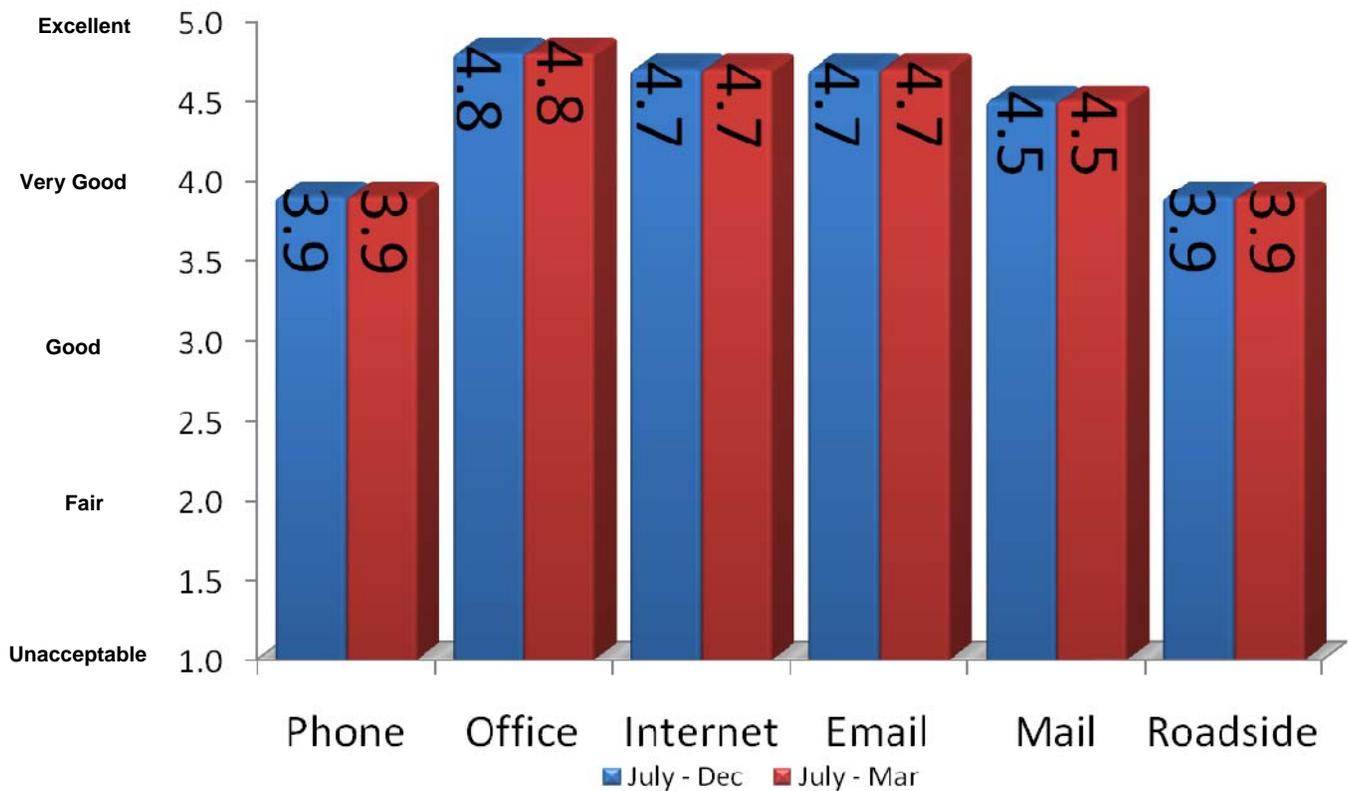


FSECC Awards: Once again DHSMV had a successful Florida State Employees' Charitable Campaign last year. At a luncheon held on March 12, DHSMV received awards for overall giving as well as leadership giving. Executive Director Bustle and Deputy Executive Director Dave Westberry were also recognized for chairing the leadership campaign.

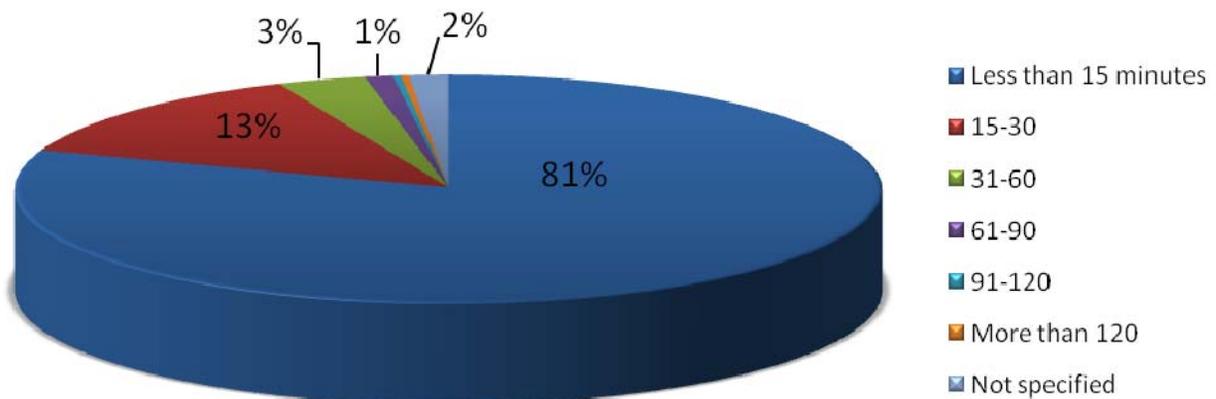
Customer Service Scorecard

The graph below is based on nearly 200,000 customer responses from the Department's online customer service survey and the ASK brochures received from driver license offices throughout the state during the period July 1 through March 31.

Overall Service Score



Customer Reported Wait Times



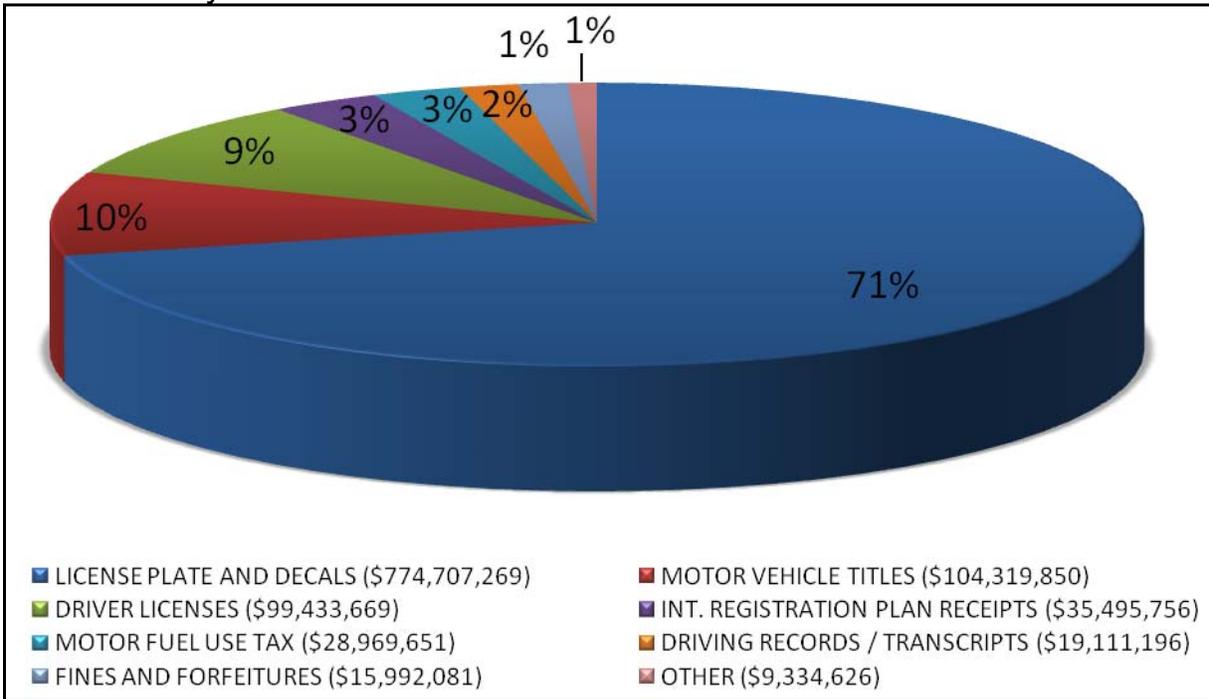
Revenue Information

Revenue Generated 2007 – 2008 Fiscal Year*

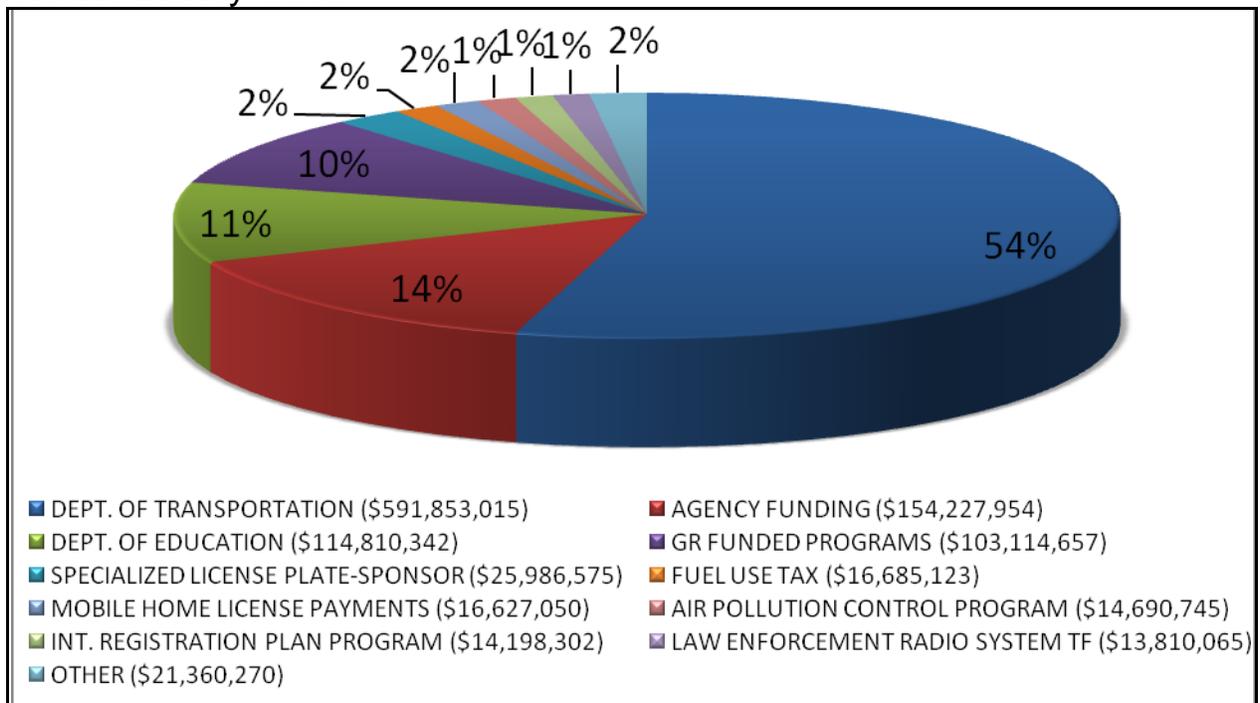
Trust Fund	General Revenue	Total
\$984,249,441	\$103,114,657	\$1,087,364,098

* During the period July 1 through March 31

Where the Money Comes From



Where the Money Goes



Fiscal Year 2007 – 2008	3rd Qtr. 06-07	3rd Qtr. 07-08	07-08 YTD Actual	Annual Standard
Florida Highway Patrol				
• Number of crashes investigated by FHP	57,710	55,180	170,410	200,361
• Percent change in number of crashes investigated by FHP	-2%	-4%	-3%	1%
• Number of hours spent on traffic homicide investigations	44,063	44,252	128,332	156,284
• Number of cases resolved as a result of traffic homicide investigations	289	447	1,328	1,728
• Average time (hours) spent per traffic homicide investigation	85.23	100.20	95.83	90.44
• Average response time (mins) to calls for crashes or assistance	27.37	26.44	26.30	26.00
• Number/percent of duty hours spent on preventive patrol by law enforcement officers	240,098/ 39%	250,080/ 40%	745,130/ 40%	1,006,389/ 41%
• Number/percent of flight hours spent on aerial traffic enforcement by law enforcement pilots	569/ 58%	382/ 57%	1,433/ 59%	1,195/ 50%
• Number/percent of duty hours spent on crash investigations by law enforcement officers	92,076/ 15%	89,094/ 14%	274,302/ 15%	326,447/ 14%
• Number/percent of duty hours spent on crash investigations by community service officers (1)	4,666/ 40%	4,822/ 42%	14,782/ 43%	10,707/ 29%
• Number/percent of duty hours spent on non-patrol support activities (law enforcement)	188,804/ 30%	181,882/ 29%	543,106/ 29%	654,577/ 29%
• Average time (hours) to investigate crashes (long form)	2.30	2.32	2.31	2.17
• Average time (hours) to investigate crashes (short form)	1.34	1.33	1.33	1.35
• Average time (hours) to investigate crashes (non-reportable)	0.73	0.74	0.74	0.65
• Number/percent of duty hours spent on law enforcement officer assistance to motorists	25,493/ 4%	28,140/ 4%	85,760/ 5%	111,635/ 5%
• Number of motorists assisted by law enforcement officers	63,920	66,512	206,952	313,277
• Number of training courses offered to FHP recruits and personnel	9	14	54	45
• Number of students successfully completing training	209	270	814	1,224
• Percent of closed criminal investigations which are resolved	83%	73%	79%	80%
• Number/percent of duty hours spent on criminal investigations (2)	13,428/ 54%	11,507/ 50%	32,743/ 49%	56,199/ 60%
• Number/percent of duty hours spent on professional compliance investigations (2)	1,806/ 7%	2,610/ 11%	8,145/ 12%	5,293/ 6%
• Number/percent of duty hours spent on polygraph examinations	1,568/ 6%	1,676/ 7%	4,404/ 7%	5,885/ 5%
• Number/percent of duty hours spent on non-investigative support activities	7,919/ 32%	7,452/ 32%	21,406/ 32%	25,250/ 29%

	3 rd Qtr. 06-07	3 rd Qtr. 07-08	07-08 YTD Actual	Annual Standard
Fiscal Year 2007 – 2008				
Licenses, Titles, and Regulations (Motorist Services)				
Driver Licensure				
• Average number of corrections per 1,000 driver records maintained (3)	5.00	5.67	5.47	4.00
• Number of driver licenses issued	1,381,455	1,364,427	3,856,569	5,418,344
• Number of identification cards issued	260,488	287,562	766,467	852,315
• Number of written driver license examinations conducted	363,984	401,259	1,157,642	1,561,590
• Number of road tests conducted	119,375	130,596	388,492	492,055
Motorist Financial Responsibility Services				
• Percent of motorists complying with financial responsibility	94%	94%	94%	96%
• Number of insured motorists	11,555,044	11,693,664	11,693,664	12,180,000
Identification and Control of Problem Drivers				
• Percent of DUI course graduates who do not recidivate within 3 years of graduation	86%	86%	86%	86%
• Number of driver licenses / identification cards suspended, cancelled, and invalidated as a result of fraudulent activity (with annual percent change shown)	739	481/ -35%	1,393/ -40%	2,356/ -27%
• Number of problem drivers identified	449,477	564,522	1,625,282	1,866,461
Mobile Home Compliance and Enforcement Services				
• Ratio of warranty complaints to new mobile homes titled	1:75	1:260	1:232	1:154
• Number of mobile homes inspected (4)	2,268	2,065	5,871	14,800
Vehicle and Vessel Title and Registration Services				
• Percent of motor vehicle / vessel titles issued without error	97%	91%	93%	92%
• Number of fraudulent motor vehicle titles identified and submitted to law enforcement	6	13	39	50
• Percent change in numbers of fraudulent motor vehicle titles identified and submitted to law enforcement	4%	117%	62%	3%
• Average cost to issue a motor vehicle / vessel title	\$2.10	\$2.10	\$2.10	\$2.12
• Number of motor vehicle and mobile home titles issued	1,745,645	1,506,688	4,345,429	6,700,000
• Number of motor vehicle and mobile home registrations issued	5,354,967	5,293,982	15,767,390	21,446,037
• Number of vessel titles issued (5)	55,767	47,573	144,698	270,879
• Number of vessel registrations issued	253,254	247,044	723,104	1,046,445
• Average number days to issue a vehicle title	3	3	3	3
• Ratio of inspections of rebuilt salvage motor vehicles failing the statutory and procedural requirement for rebuilt certificates of title to total inspections of rebuilt salvage vehicles	1:7	1:5	1:5	1:8
• Number of rebuilt salvaged motor vehicles inspected for vehicle identification numbers and odometer readings (6)	7,126	6,092	18,514	36,319
• Percent of dealer licenses issued within 7 working days upon receipt of completed application	83%	100%	100%	99%
• Number of automobile dealers licensed (7)	3,077	3,370	6,806	12,800
• Ratio of taxes collected as a result of International Registration Plan and International Fuel Tax Agreement audits to cost of audits	\$1.22 : \$1.00	\$0.63 : \$1.00	\$1.25 : \$1.00	\$1.73 : \$1.00

Fiscal Year 2007 – 2008	3rd Qtr. 06-07	3rd Qtr. 07-08	07-08 YTD Actual	Annual Standard
• Number of International Fuel Use Tax and International Registration Plans accounts audited	62	114	254	350
• Number of motor carriers audited per auditor, with number of auditors shown	11 : 8	38 : 14	28 : 14	22 : 14

Fiscal Year 2007 – 2008	3rd Qtr. 06-07	3rd Qtr. 07-08	07-08 YTD Actual	Annual Standard
Executive Direction and Support Services				
• Agency administration and support costs as a percent of total agency costs / agency administration and support positions as a percent of total agency positions	4.80% / 6.09%	4.89%/ 6.18%	4.83%/ 6.18%	5%/ 6.42%
• Percent Florida Highway Patrol administration and support costs and positions compared to total Florida Highway Patrol costs and positions	1.31% / 1.13%	1.50%/ 1.16%	1.39%/ 1.16%	1.41%/ 1.18%
• Percent Motorist Services administration and support costs and positions compared to total Motorist Services costs and positions	2.01% / 1.92%	2.05%/ 1.93%	2.06%/ 1.93%	2.13%/ 2.19%

Fiscal Year 2007 – 2008	2007-08 YTD Actual	Annual Standard
Annual Calculations		
• Florida death rate on patrolled highways per 100 million vehicle miles of travel	Annual	1.70
• National average death rate on highways per 100 million vehicle miles of travel	Annual	1.5
• Alcohol-related death rate per 100 million vehicle miles of travel	Annual	0.64
• State seat belt compliance rate	Annual	67.50%
• Percent change in seat belt use	Annual	1%
• Annual crash rate per 100 million vehicle miles of travel on all Florida roads	Annual	131
• Percent of recruits retained by FHP for 3 years after the completion of training	Annual	90%
• Percent of customers waiting 15 minutes or less for driver license service	84%	50%
• Percent of customers waiting 30 minutes or more for driver license service	5%	35%
• Percent of customers who rate Kirkman Data Center services as satisfactory or better as measured by survey	Annual	90%

PERFORMANCE EXPLANATION

¹ Number/percent of duty hours spent on crash investigations by community service officers - The Community Service Officer position description requires members spend 49% of their duty time investigating traffic crashes, which is consistent with actual performance. When the standard was established, there was no benchmark for the agency to use as a guideline. The standard will be reviewed to more accurately reflect performance.

² Number/percent of duty hours spent on criminal investigations and Number/percent of duty hours spent on professional compliance investigations - The percentage of time dedicated to conducting criminal investigations has decreased due to an increase in professional compliance investigations. During this reporting period, members assigned to the Bureau of Investigations investigated both criminal cases and professional compliance investigations.

³ Average number of corrections per 1,000 driver records maintained – Driver records requiring correction are largely due to outside agencies (courts and other state motor vehicle agencies). The Department is continuing ongoing training with the clerk of courts and driver license field examiners to help reduce the number of corrections required.

⁴ Number of mobile homes inspected - Due to the continued economic downturn in the manufactured home market nationally and in Florida, there is a corresponding decline in the number of mobile homes inspected within manufacturing plants. Members are meeting all mobile home inspection demands.

⁵ Number of vessel titles issued - The standard was overstated due to an oversight in titles issued. The Department has requested that the standard be adjusted.

⁶ Number of rebuilt salvaged motor vehicles inspected for vehicle identification numbers and odometer readings – The standard was incorrectly increased to account for an overactive 2004 hurricane season. Members are meeting all rebuilt salvaged motor vehicle inspection demands. The standard will be reviewed to more accurately reflect performance.

⁷ Number of automobile dealers licensed - Due to the economic downturn in the automotive industry nationally and other economic concerns, the number of dealerships in operation has significantly declined.

ATTACHMENT 3

NOTICE OF PROPOSED NEW RULE

NAME OF AGENCY: Department of Highway Safety and Motor Vehicles, Division of Motor Vehicles.

RULE TITLE:

RULE NUMBER:

Electronic Temporary Registrations

15C-16

PURPOSE AND EFFECT: Create a new rule to reflect the addition of 320.96, FS., The new statute requires the Department of Highway Safety and Motor Vehicles to implement a secure electronic process for the issuance of temporary license plates.

SUMMARY: Per Section 320.96, Florida Statutes, the Department of Highway Safety and Motor Vehicles shall implement a secure print-on-demand electronic temporary license plate registration, record retention, and issue system for use by every department-authorized issuer of temporary license plates. Secure print-on-demand for this purpose means validating state registration data using higher levels of commercially accepted data encryption methods from the point of department connectivity to the license plate printer. The department may adopt rules as necessary to implement this program. The department may provide such exemptions as may be feasibly required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The implementation of administrative rule 15C-16 will have no appreciable effect on state, county, or local governments. The approximately 12,300 licensed motor vehicle dealers currently issuing temporary license plates will continue to pay the state mandated \$2.00 per plate fee as they have done in the past. In addition, motor vehicle dealers who opt to use a department approved third

party vendor to implement electronic temporary registration will have the additional costs associated with that option.

SPECIFIC AUTHORITY: 320.131, 320.96 FS.

LAW IMPLEMENTED: 320.131, 320.96 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW RULE IS:

Palmer Brand, Assistant Chief, Bureau of Titles and Registration Services, Division of Motor Vehicles, Department of Highway Safety and Motor Vehicles, Room A334, MS 68, Neil Kirkman Building, Tallahassee, Florida 32399-0500, 850 617-3001.

THE FULL TEXT OF THE PROPOSED NEW RULE IS:

RULE TITLE:	RULE NUMBER:
Electronic Temporary Registrations	15C-16
Rule Titles:	Rule Numbers:
Scope and Authority	15C-16.001
Data Security	15C-16.002
Exemptions	15C-16.003
Record Retention	15C-16.004

15C-16.001 Scope and Authority

This chapter governs the administration of electronic temporary registrations (ETR) and related requirements for motor vehicles under Chapter 320, F.S. It is promulgated and will be administered by the Department of Highway Safety and Motor Vehicles (“the Department”).

The department shall implement a secure print-on-demand electronic temporary license plate registration, record retention, and issue system for use by every department-authorized

issuer of temporary license plates. The department may provide exemptions as may be feasibly required.

If a licensed dealer fails to comply with the department's requirements for issuing temporary license plates using the electronic system, the department may deny, suspend, or revoke a license under s. 320.27(9)(b)16 upon proof that the licensee has failed to comply with the department's requirements.

15C-16.002 Data Security

All information communicated via ETR providers and the department must, at a minimum, be encrypted using a secure sockets layer (SSL) protocol with 128-bit encryption.

15C-16.003 Exemptions

(1) Trailers less than 2,000 lbs. net weight do not require the seller to be licensed for commercial sale and are therefore exempt from electronic temporary registration requirements.

(2) To ensure the continuation of operations with the least negative impact to temporary plate issuers when the Department is unable to authorize, or third party providers are unable to assign print on demand temporary license plates, a backup issuance method using pre-assigned stock will be authorized by the department. The issuance of a plate using this method must be reported to the department within one business day, not including weekends or state holidays, of the issuance of the plate. Every issuer shall keep a record of any temporary tag issued in a form specified by the Department. The record will include, but is not limited to: date of issuance, tag number issued, the name and address of the motor vehicle purchase, vehicle identification number, vehicle description, and reason for off-line issuance.

15C-16.004 Record Retention

Any person or entity authorized to issue electronic temporary registrations shall maintain all records relating to their issuance for a period of 5 years, and such records shall be open to inspection by the department or its agents during reasonable business hours.

Specific Authority 320.96 FS. Law Implemented 320.131, 320.96 FS. History — New.

NAME OF PERSON ORIGINATING PROPOSED RULE Palmer Brand, Assistant Chief,
Bureau of Titles and Registration Services, Division of Motor Vehicles, Department of Highway
Safety and Motor Vehicles, Room A334, MS 68, Neil Kirkman Building, Tallahassee, Florida
32399-0500, 850 617-3001.

NAME OF SUPERVISOR OR PERSON WHO APPROVED PROPOSED RULE:

Carl Ford, Director, Division of Motor Vehicles, Department of Highway Safety and Motor
Vehicles

DATE PROPOSED RULE APPROVED: January 15, 2008.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February
15, 2008.

Department of Highway Safety and Motor Vehicles

CHAPTER 15C-16

ELECTRONIC TEMPORARY REGISTRATIONS

Summary of Rule

Electronic Temporary Registration (ETR) is a legislatively authorized program associated with issuing temporary license plates. This program allows all temporary license plate issuers to electronically report the issuance of temporary license plates to the Department of Highway Safety and Motor Vehicles. Dealerships will issue temporary license plates to customers and electronically submit customer and vehicle information to the Department in real time.

The rules implemented in Chapter 15C-16, F.A.C., define the electronic security required for transfer of ETR data, exemptions from ETR requirements, and the record keeping requirements of ETR participants.

Statement of Facts and Circumstances Justifying the Rule

Per Section 320.96 and 320.131, Florida Statutes, the Department of Highway Safety and Motor Vehicles shall implement a secure print-on-demand electronic temporary license plate registration, record retention, and issue system for use by every department-authorized issuer of temporary license plates. Secure print-on-demand for this purpose means validating state registration data using higher levels of commercially accepted data encryption methods from the point of department connectivity to the license plate printer. The department may adopt rules as necessary to implement this program. The department may provide such exemptions as may be feasibly required.

Federal Standards Statement

A federal rule on the same subject as that covered by the proposed new rule does not exist.

Department of Highway Safety and Motor Vehicles

CHAPTER 15C-16

ELECTRONIC TEMPORARY REGISTRATIONS

Summary of Hearing

The proposed rule development was noticed in the February 15, 2008, Florida Administrative Weekly, Volume 34, Number 7. The proposed rule was noticed in the May 2, 2008, Florida Administrative Weekly, Volume 34, Number 18. A Notice of Public Meeting advertising the June 10, 2008 Governor and Cabinet Meeting will be noticed in the May 30, 2008, Florida Administrative Weekly, Volume 34, Number 22.

ATTACHMENT 4



A SAFER
FLORIDA
HIGHWAY SAFETY AND MOTOR VEHICLES



**ANNUAL PERFORMANCE CONTRACT
FISCAL YEAR 2008 - 2009**

PROVIDING HIGHWAY SAFETY AND SECURITY
THROUGH EXCELLENCE IN SERVICE, EDUCATION, AND ENFORCEMENT

ELECTRA THEODORIDES-BUSTLE, EXECUTIVE DIRECTOR

Leading the Way to... A Safer Florida!

Fiscal Year 2008 – 2009	Standard
Florida Highway Patrol	
• Number of crashes investigated by FHP	200,361
• Percent change in number of crashes investigated by FHP	1%
• Number of hours spent on traffic homicide investigations	156,284
• Number of cases resolved as a result of traffic homicide investigations	1,728
• Average time (hours) spent per traffic homicide investigation	90.44
• Average response time (mins) to calls for crashes or assistance	26.00
• Number/percent of duty hours spent on preventive patrol by law enforcement officers	1,006,389/ 41%
• Number/percent of flight hours spent on aerial traffic enforcement by law enforcement pilots	1,195/ 50%
• Number/percent of duty hours spent on crash investigations by law enforcement officers	326,447/ 14%
• Number/percent of duty hours spent on crash investigations by community service officers	10,707/ 29%
• Number/percent of duty hours spent on non-patrol support activities (law enforcement)	654,577/ 29%
• Average time (hours) to investigate crashes (long form)	2.17
• Average time (hours) to investigate crashes (short form)	1.35
• Average time (hours) to investigate crashes (non-reportable)	0.65
• Number/percent of duty hours spent on law enforcement officer assistance to motorists	111,635/ 5%
• Number of motorists assisted by law enforcement officers	313,277
• Number of training courses offered to FHP recruits and personnel	45
• Number of students successfully completing training	1,224
• Percent of closed criminal investigations which are resolved	80%
• Number/percent of duty hours spent on criminal investigations	56,199/ 60%
• Number/percent of duty hours spent on professional compliance investigations	5,293/ 6%
• Number/percent of duty hours spent on polygraph examinations	5,885/ 5%
• Number/percent of duty hours spent on non-investigative support activities	25,250/ 29%

Fiscal Year 2008 – 2009	Standard
Licenses, Titles, and Regulations (Motorist Services)	
Driver Licensure	
• Average number of corrections per 1,000 driver records maintained	4.00
• Number of driver licenses issued	5,418,344
• Number of identification cards issued	852,315
• Number of written driver license examinations conducted	1,561,590
• Number of road tests conducted	492,055
Motorist Financial Responsibility Services	
• Percent of motorists complying with financial responsibility	96%
• Number of insured motorists	12,180,000
Identification and Control of Problem Drivers	
• Percent of DUI course graduates who do not recidivate within 3 years of graduation	86%
• Number of driver licenses / identification cards suspended, cancelled, and invalidated as a result of fraudulent activity (with annual percent change shown)	2,356/ -27%
• Number of problem drivers identified	1,866,461
Mobile Home Compliance and Enforcement Services	
• Ratio of warranty complaints to new mobile homes titled	1 : 154
• Number of mobile homes inspected	14,800
Vehicle and Vessel Title and Registration Services	
• Percent of motor vehicle / vessel titles issued without error	92%
• Number of fraudulent motor vehicle titles identified and submitted to law enforcement	50
• Percent change in numbers of fraudulent motor vehicle titles identified and submitted to law enforcement	3%
• Average cost to issue a motor vehicle / vessel title	\$2.12
• Number of motor vehicle and mobile home titles issued	6,700,000
• Number of motor vehicle and mobile home registrations issued	21,446,037
• Number of vessel titles issued	270,879
• Number of vessel registrations issued	1,046,445
• Average number days to issue a vehicle title	3
• Ratio of inspections of rebuilt salvage motor vehicles failing the statutory and procedural requirement for rebuilt certificates of title to total inspections of rebuilt salvage vehicles	1 : 8
• Number of rebuilt salvaged motor vehicles inspected for vehicle identification numbers and odometer readings	36,319
• Percent of dealer licenses issued within 7 working days upon receipt of completed application	99%
• Number of automobile dealers licensed	12,800
• Ratio of taxes collected as a result of International Registration Plan and International Fuel Tax Agreement audits to cost of audits	\$1.73 :\$1.00
• Number of International Fuel Use Tax and International Registration Plans accounts audited	350
• Number of motor carriers audited per auditor, with number of auditors shown	22 : 14

Fiscal Year 2008 – 2009	Standard
Executive Direction and Support Services	
<ul style="list-style-type: none"> Agency administration and support costs as a percent of total agency costs / agency administration and support positions as a percent of total agency positions 	5%/6.42%
<ul style="list-style-type: none"> Percent program administration and support costs and positions compared to total program costs and positions (Florida Highway Patrol) 	1.41%/1.18%
<ul style="list-style-type: none"> Percent program administration and support costs and positions compared to total program costs and positions (Motorist Services) 	2.13%/2.19%
Annual Calculations	
<ul style="list-style-type: none"> Florida death rate on patrolled highways per 100 million vehicle miles of travel 	1.70
<ul style="list-style-type: none"> National average death rate on highways per 100 million vehicle miles of travel 	1.5
<ul style="list-style-type: none"> Alcohol-related death rate per 100 million vehicle miles of travel 	0.64
<ul style="list-style-type: none"> State seat belt compliance rate 	67.50%
<ul style="list-style-type: none"> Percent change in seat belt use 	1%
<ul style="list-style-type: none"> Annual crash rate per 100 million vehicle miles of travel on all Florida roads 	131
<ul style="list-style-type: none"> Percent of recruits retained by FHP for 3 years after the completion of training 	90%
<ul style="list-style-type: none"> Percent of customers waiting 15 minutes or less for driver license service 	50%
<ul style="list-style-type: none"> Percent of customers waiting 30 minutes or more for driver license service 	35%
<ul style="list-style-type: none"> Percent of customers who rate Kirkman Data Center services as satisfactory or better as measured by survey 	90%