



**Substantive Legislative  
Proposals**  
Fiscal Year: 2013-2014



Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
<b>Impaired Driving</b>	Florida law relating to Interlock Devices allows one of the highest tolerance levels (.05) in the country. There are also other tweaks to IID, BAR hearings and license reinstatement which must be addressed.	The following changes will improve impaired driving enforcement and highway safety <ul style="list-style-type: none"> <li>• Lower the IID threshold from .05 to .025, making Florida's policy consistent with national standards.</li> <li>• Strengthen IID law for drivers who claim medical waivers</li> <li>• Clarify DUI convictions</li> <li>• Allow hearing officers to conduct hearings telephonically.</li> </ul>	The combination of these proposals will address some of the most glaring weaknesses in our impaired driving laws and aid the agency and law enforcement in keeping habitual offenders off Florida Highways.	Yes	Sections 322.2615; 322.2616; 322.64; 322.25(7); 322.2715; 322.28; 316.1937, F.S.
<b>Auto-Insurance</b>	Aiming to lower the uninsured motorists rate in Florida, the agency has continuously brought forth our best suggestions to increase compliance and accountability.	The following concepts will serve us well in this crucial mission; <ul style="list-style-type: none"> <li>• Requiring Electronic and Timely communications from Insurance Companies on all policies</li> </ul>	PIP compliance is paramount to keeping insurance rates & health-care costs low.		324.0221; 324.091; 324.161, F.S.
<b>License and Registration - Modernizing and Streamlining Operations</b>	Statutory revisions are needed related to credentialing and issuance processes to more efficiently license millions of drivers and register millions more vehicles.	These proposals seek to; <ul style="list-style-type: none"> <li>• Clarify acceptable Identification documents.</li> <li>• Eliminate unnecessary hearings for license reinstatements.</li> <li>• Hold consumers responsible for providing insufficient-fund checks to the department.</li> <li>• Allow for e-titles in casual vehicle sales.</li> </ul>	The agency must continue to modernize and streamline motor vehicle registration and driver license issuance processes.	Yes	319.225; 319.23; 320.02; 320.07; 320.18; 322.22; 322.331, F.S.

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<b>Automobile Dealers</b>	DHSMV regulates and licenses automobile dealerships.	<ul style="list-style-type: none"> <li>• Eliminate unnecessary certificates of repossession and utilize title process</li> <li>• Give automobile dealers the choice of a 1 year or 2 year license.</li> </ul>	Streamlining regulatory environment for automobile dealers.	Yes	319.28; 319.323; 317.0016; 320.27, 320.62, 320.77, 320.771, 320.781, 320.822, F.S.
<b>Driver Improvement Schools- Traffic Law &amp; Substance Abuse Education Courses</b>	The Department has authority under Chapter 15A-8, Florida Administrative Code to develop curriculum for ADI & TLSAE courses provided and required for high-risk drivers. However, JAPC has questioned the rule developed by the department to administer said curriculum.	Clarify, in Chapters 318 and 322, the Department’s rule making authority to carry out the implementation of driver improvement education curriculum and courses.	The Department proposes this law change in response to JAPC’s questions regarding the Department’s authority in Rule 15A-8.	No	318.1451; 322.095,F.S.
<b>Specialty License Plates</b>	Recent implementation of new specialty license plates has shown a need to clarify and set expectations with regard to the start-up costs.	DHSMV is proposing the following remedies; <ul style="list-style-type: none"> <li>• Define the types of expenditures that are allowable as start-up costs.</li> <li>• Limit the time in which start-up costs may be incurred.</li> <li>• Clear directives for the Department on administrative oversight of organizations which have failed to use revenues in accordance with the law.</li> </ul>	To help prevent abuse of annual use fees distributed to Specialty License Plate organizations.	No	320.08053; 320.08062, F.S.

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<b>Commercial Drivers and Commercial Learners</b>	Florida laws must be updated to implement recent changes to federal law regulating commercial drivers.	The following changes are being proposed for 2013; Set statutory fine amounts for texting while driving <ul style="list-style-type: none"> <li>• Make uniform the penalties for CDL and CLP holders</li> <li>• Clean-up IRP definitions in statute</li> <li>• Change Commercial Learner's Permits from paper to plastic cards</li> <li>• Make regulations for inter- and intrastate trucking uniform and in compliance with cargo tank regulations as well as liquid petroleum standards.</li> </ul>	Now required by federal rule, 49 CFR.	Potential loss in Federal Funds if not implemented.	320.0715; 322.21; 318.14; 322.61; 322.212; 320.071; 316.545; 316.025 F.S.
<b>Medical Advisory Board and Examinations for Driver Licenses</b>	Medical Examination is an important part of the licensing process. Medical Advisory Board Members must be a member of the FMA, FOA, or FOMA. Drivers requiring vision tests must be tested by Florida licensed physicians. Lastly, statute which requires Tax Collector's to perform all medical examinations by 2015 is confused by an old statute which must be deleted.	<ul style="list-style-type: none"> <li>• Eliminates the requirements that a medical board member be a member of other associations, simply require appointees be Florida Physicians.</li> <li>• Eliminates the requirement that vision tests can only be submitted by Doctors licensed to practice in the State of Florida.</li> <li>• Clarifies that medical re-examinations be performed by tax collectors in accordance with DL Transition plan.</li> </ul>	These changes are needed to help Floridians have access to quality medical examinations and timely services as they seek new or renewed driver licenses.	No	322.125; 322.135; 322.18, F.S.

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# Department of Highway Safety and Motor Vehicles 2013 Legislative Proposals



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<b>Departmental Records and Modernization</b>	With millions of driver records, crash reports, and communication between of those records between agencies - the Department continues to focus on making our data and our data-exchanges electronic.	The following items will help to modernize and make uniform our records and data exchanges; <ul style="list-style-type: none"> <li>• Electronic Crash Reports.</li> <li>• Electronic notifications to the Department by the Clerks of Court.</li> <li>• Clean-up of public records fees - starting the process of pulling MV and DL fees under one easy-to-read section and clarifying fees with multiple codes or costs.</li> </ul>	These policy tweaks will help DHSMV to move forward with the concept of the 21st century Dept. of Highway Safety.	Yes	316.066; 316.068; 322.245; 320.05; 322.20, F.S.
<b>Excessive funds retained for Vessel Registration Program Costs</b>	Section 328.76(1) provides for the Dept. to retain \$1.4m to fund administrative costs from revenues collected related to vessel registration. Due to reorganization & efficiencies the Department's administrative costs for the Vessel Registration program have been significantly reduced. The amount being retained is in excess of actual administrative costs.	328.76(1): Except as otherwise specified in this subsection and less the amount equal to administrative costs which shall be deposited into the Highway Safety Operating Trust Fund.	Agency will be authorized to retain an amount equal to the cost of administering the Vessel Registration program.	Yes -675K to DHSMV, but positive to FWC = no statewide impact	328.76(1) F.S.