

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

November 20, 2008

AGENDA

Agency Contact: Lee Ann Korst, 850-617-3100

1. Respectfully submit the Minutes for September 30, 2008 Cabinet Meeting.

Attachment #1
Recommended.

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

Chapter No.: 15A-7, Commercial Driver License & Third Party Testing. The purpose of the rule action is to amend the current rule to create and/or clarify certain definitions, and to reflect the previous revisions to Florida Statutes 316, 320 and 322 and related Federal rules.

Attachment #2
Recommended.

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

Rule No.: 15B-2.013, Approved Speed Measuring Devices. Changes are being made in order to add devices approved since the last revision, changing the references numbers of each device, as well as modifying the corporate names of M.P.H. Industries Inc. and Laser Atlanta, LLC.

Rule No.: 15B-2.016, Tests to Determine Accuracy of Laser Speed Measuring Devices. The proposed rule action revises the current form DHSMV 61071 – Laser Speed Measuring Device Certification – to include the testing of intermittent laser pulses. Since the form and revision date are specifically referenced in Rule 15B-2.016 (2) (d), Florida Administrative Code, a revision to the form will also require a revision to this section of the Florida Administrative Code.

Attachment #3
Recommended.

4. Respectfully submit the First Quarter Performance Report.

Attachment #4
Recommended.

5. Respectfully recommend appointment of Dr. Vicki Erwin-Wilson, Tallahassee, for a four-year appointment to the Department of Highway Safety and Motor Vehicles' Medical Advisory Board provided for by Section 322.125(1), Florida Statutes.

Dr. Erwin-Wilson is in good standing with the Florida Medical Association.

Attachment #5
Recommended.

6. Respectfully recommend appointment of Dr. Andrea L. Randell, Tallahassee, for a four-year appointment to the Department of Highway Safety and Motor Vehicles' Medical Advisory Board provided for by Section 322.125(1), Florida Statutes.

Dr. Randell is in good standing with the Florida Medical Association.

Attachment #6
Recommended.

<http://www.flhsmv.gov/html/safety.html>

ATTACHMENT 1

T H E C A B I N E T
S T A T E O F F L O R I D A

Representing:

FINANCIAL SERVICES COMMISSION, OFFICE
OF FINANCIAL REGULATION

DEPARTMENT OF REVENUE

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

ADMINISTRATION COMMISSION

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, September 30, 2008,
commencing at approximately 9:15 a.m.

Reported by:

MARY ALLEN NEEL
Registered Professional Reporter
Florida Professional Reporter
Notary Public

ACCURATE STENOGRAPHY REPORTERS, INC.
2894 REMINGTON GREEN LANE
TALLAHASSEE, FLORIDA 32308
(850) 878-2221

APPEARANCES:

Representing the Florida Cabinet:

CHARLIE CRIST
Governor

BILL McCOLLUM
Attorney General

ALEX SINK
Chief Financial Officer

* * *

I N D E X

FINANCIAL SERVICES COMMISSION, FINANCIAL REGULATION

ITEM	ACTION	PAGE
VOTE	Approved	5

DEPARTMENT OF REVENUE
(Presented by LISA ECHEVERRI)

ITEM	ACTION	PAGE
1	Approved	6
2	Approved	6
3	Approved	7

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

ITEM	ACTION	PAGE
1	Approved	8
2	Withdrawn	9
3	Approved	9
4	Approved	9
5	Approved	10
6	Approved	10
7	Approved	17
8	Approved	22
9	Approved	25
10	Approved	28

ADMINISTRATION COMMISSION
(Presented by LISA SALIBA)

ITEM	ACTION	PAGE
1	Approved	29
2A	Approved	56
2B	Approved	58

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

ITEM	ACTION	PAGE
1	Approved	59
2	Discussed	59
3	Deferred	72
4	Approved	73
5	Approved	73
6	Approved	77

STATE BOARD OF ADMINISTRATION
(Presented by GENERAL BOB MILLIGAN)

ITEM	ACTION	PAGE
1	Approved	79
2	Discussed	79

CERTIFICATE OF REPORTER		87
-------------------------	--	----

1 GOVERNOR CRIST: Highway Safety and Motor
2 Vehicles. Electra, good morning. How are you?

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

4 GOVERNOR CRIST: Very well.

5 MS. BUSTLE: I have a mere ten items on the
6 agenda.

7 GOVERNOR CRIST: Ten?

8 MS. BUSTLE: Yes. And I'll be as quick as
9 possible.

10 GOVERNOR CRIST: Take your time.

11 MS. BUSTLE: Item 1, we respectfully request
12 approval of the minutes from the August 12th
13 meeting.

14 GOVERNOR CRIST: Is there a motion?

15 ATTORNEY GENERAL McCOLLUM: Second.

16 GOVERNOR CRIST: I think you did both.

17 CFO SINK: Move it.

18 GOVERNOR CRIST: Moved and seconded. Show it
19 approved without objection. Thank you.

20 MS. BUSTLE: Item Number 2 we are withdrawing,
21 but I do need a motion or approval.

22 GOVERNOR CRIST: Is there a motion to
23 withdraw?

24 CFO SINK: Move it.

25 ATTORNEY GENERAL McCOLLUM: Second.

1 GOVERNOR CRIST: Moved and seconded. Show it
2 withdrawn without objection.

3 MS. BUSTLE: Item Number 3, we respectfully
4 request approval to initiate rulemaking for Rule
5 15A-7.001, which relates to commercial driver's
6 license and third party testing and conforms the
7 rule to federal law and current department
8 practice.

9 GOVERNOR CRIST: I move Item 3.

10 CFO SINK: Second.

11 GOVERNOR CRIST: Moved and seconded. Show it
12 approved without objection.

13 MS. BUSTLE: Item 4, we respectfully request
14 approval to initiate rulemaking for Rule 15B-2.016,
15 which relates to the testing of speed measuring
16 devices.

17 CFO SINK: Move it.

18 ATTORNEY GENERAL McCOLLUM: Second.

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

21 MS. BUSTLE: Item 5, we respectfully request
22 approval to initiate rulemaking for Rule 15B-2.013,
23 which relates to newly approved speed measuring
24 devices. We need to expand and update the current
25 list of approved vendors.

1 ATTORNEY GENERAL McCOLLUM: I move Item 5.

2 CFO SINK: Second.

3 GOVERNOR CRIST: Moved and seconded. Show it
4 approved without objection.

5 MS. BUSTLE: Item 6, we respectfully request
6 approval for final adoption of Rule 15C-16, which
7 requires license plate issuers to electronically
8 report the issuance of temporary license plates to
9 the Department.

10 GOVERNOR CRIST: Is there a motion?

11 CFO SINK: Move it.

12 ATTORNEY GENERAL McCOLLUM: Second.

13 GOVERNOR CRIST: Moved and seconded. Show it
14 approved without objection.

15 MS. BUSTLE: Item Number 7, we respectfully
16 request approval for the Department's 2009-2010
17 legislative budget request. And I'll just take a
18 moment to highlight a couple of things and then ask
19 for the approval.

20 As you can see, our request is focused only on
21 our department's critical needs. We have broken
22 our request into five components: A continued
23 focus on developing our workforce areas that are
24 continuation issues, meaning they are
25 mission-critical to our operations; issues that we

1 call "Driving Our Future;" requesting some nominal
2 dollars for areas we see as critical in the next
3 several years and will keep us ahead of the curve;
4 issues that need filing that have been mandated by
5 state or federal law; and only the highest critical
6 fixed capital outlay projects.

7 I'm happy to discuss any of them, but I do
8 want to just point out two for you. One is the
9 continuation of our discussion last year on finding
10 ways to keep our law enforcement officers with the
11 State and professionalizing our sworn workforce,
12 and the second is part of Driving Our Future.

13 Our first priority, you can see, is the FHP
14 leadership plan. And as you all remember, we
15 discussed competitive pay last year, and I know we
16 are all in the same boat as it relates to
17 competitive pay. What we wanted to do this year
18 was look at a program that would incentivize our
19 troopers, not only from a dollar standpoint, but
20 also from a professionalism and career development
21 standpoint. And that's why you'll see the
22 leadership development plan as our number one
23 priority.

24 The plan focuses on investing in our officers
25 through training and education, but also demands

1 expectations and work performance and
2 self-motivation, which in turn we believe would
3 create -- will create a more professional
4 workforce, an area that I know, Governor and
5 Cabinet, you all have supported and focused on as
6 well. I believe this is a win-win for our
7 department and our state, for cultivating our
8 workforce will produce better results for our
9 state.

10 The only other item I wanted to point out is
11 our GIS, which is part of our Driving Our Future.
12 GIS stands for Geographic Information System. What
13 we would like to do is to have some funding to
14 purchase a GIS system that would allow us to
15 globally and electronically map crashes on our
16 roadways. What that does is, it would allow us to
17 see from a global perspective where things are
18 happening, why they're happening, and we can then
19 focus resources in those areas as opposed to trying
20 to anecdotally decide, well, this is where
21 resources should go. And as staffing is slim, we
22 need to be more targeted and more focused in where
23 we put our resources.

24 What's I think neat about that particular
25 program is, I think it's scratching the surface.

1 If we can get something like this stood up
2 statewide -- right now, FHP files all their crashes
3 electronically, so it's very easy. As more and
4 more local agencies start submitting their crashes
5 electronically, we'll have a statewide picture as
6 to where crashes are and why they're occurring,
7 whether that's leaving the roadway or whether
8 that's running red lights or things to that effect.
9 And, of course, we're going to work with all
10 departments, the Department of Transportation,
11 because they are heavily involved in this and are
12 interested in this as well.

13 So again, I would be happy to answer any
14 questions on that, but if there are none, I would
15 like to respectfully move that, our legislative
16 budget request.

17 GOVERNOR CRIST: CFO.

18 CFO SINK: Thank you, Governor.

19 GOVERNOR CRIST: And then General.

20 CFO SINK: We did have an opportunity,
21 Electra, to look over your proposed 4 percent
22 reduction. And I know that you, as all of us have,
23 have tried to find dollars that would minimize the
24 impact upon the services we provide to the
25 citizens. But I noticed that you had to offer up

1 some significant cuts in the driver's license
2 division, freezing 67 positions, and 40 of those
3 are examiner positions. So I'm curious to know
4 what impact that it will have on the service levels
5 that are provided, and also, maybe more
6 importantly, how will you communicate to the public
7 what their expectations should be as a result of
8 taking these actions.

9 MS. BUSTLE: CFO Sink, I appreciate that
10 question. And we reviewed this quite thoroughly
11 prior to submitting the 4 percent. Right now, our
12 folks believe that we can handle the volume without
13 significant impact to customer service, 4 percent.
14 If we go beyond that, I think we will be having an
15 impact as we -- if we have to close offices and
16 things to that effect. But right now, we have been
17 able to allocate our resources and move folks
18 around, and we feel like we can handle the incoming
19 customers.

20 The other pieces, our partnership with tax
21 collectors, for instance, as we are closing offices
22 based on last year's budget reductions, tax
23 collectors are actually opening additional offices.
24 So they've moved up to about 103 offices statewide.
25 We're down to 80, just a little over 80. So

1 effectively, it's balancing out. So right now, we
2 feel fairly confident there would not be an impact
3 on services. Beyond the 4 percent, for an ongoing,
4 you know, permanent type situation, we would be
5 seeing it, and then we would have to be
6 communicating longer lines and things to -- I don't
7 want to say longer lines, because I don't think we
8 don't have lines now, but potential lines and wait
9 times that they're not seeing today. But
10 currently, I think we -- we believe we're okay.

11 CFO SINK: Okay. Good. And when will the
12 Real ID provisions take hold? Because I know we're
13 all concerned about the impact of such dramatically
14 different requirements for issuing driver's
15 licenses.

16 MS. BUSTLE: January 2010 is when we have to
17 -- when the first grouping of folks that are coming
18 in for their renewals, they can't do it online.
19 They all have to come in, and they have to bring
20 their -- bring their documents. And we are going
21 to expend some dollars, some funding and some time
22 on community outreach and education so that folks
23 aren't frustrated when they come to a driver's
24 license office. We want to get ahead of that.

25 CFO SINK: Thank you.

1 GOVERNOR CRIST: Thank you. General.

2 ATTORNEY GENERAL McCOLLUM: Thank you,
3 Governor.

4 I've looked over your budget as well, and the
5 CFO has asked a couple of the same questions I
6 might have had. But I am interested, of course, in
7 the SAVE program that you have with regard to alien
8 verification. I think that's important. I assume
9 that's something we have to do and need to do. And
10 a number of these others are programs that I
11 strongly support. I mean, you didn't outline
12 anything I don't.

13 However, I've got to say that I'm very
14 cautious, and I think all of our agencies have to
15 be with the economic environment we're going into.
16 While you have a 4 percent holdback, and I guess
17 that's what you're referring to that you've saved
18 here, I think for the next fiscal year, when the
19 Legislature meets, there's going to be,
20 unfortunately, Governor, a significant additional
21 need for us to make reductions. And I would
22 encourage you, and I know you must be doing this,
23 but to look at some of these programs in that
24 light.

25 What I'm doing and what I hope you're doing is

1 looking at your operational budget, how can you
2 keep the manpower we need out there on the streets
3 when we need to have it there, how can we do the
4 basic services, and be prepared to hold back, if
5 that's necessary, some of the programs you want to
6 do, because I just think that that's going to
7 become the critical component, is how do we just
8 keep things going in the next year and be able to
9 keep the public safe and provide basic services.

10 So I'll move your budget, but I just want to
11 put it with the caveat that I'm really cautious
12 about what the future holds for some of the items
13 you're requesting for the near term.

14 I would move the budget, Governor.

15 CFO SINK: Second.

16 GOVERNOR CRIST: Thank you. Moved and
17 seconded. Show it approved.

18 I have to abstain. Florida law requires the
19 Governor to independently submit budget proposals.
20 Accordingly, I am therefore abstaining from the
21 vote on this item. Therefore, the record should
22 reflect that this item is approved with one
23 abstention, being mine. Thank you.

24 MS. BUSTLE: Thank you. Item 8 is our
25 substantive legislative package for the upcoming

1 session. Again, I'm happy to answers any questions
2 you have. I'm going to just talk in general terms.

3 Generally, you will see in there that the
4 proposal clarifies areas of law that are confusing
5 for implementation, creates consistency between
6 sections of law within our governing statutes, and
7 proposes law changes to use technology to save
8 state dollars. And I think, General, this goes to
9 your point in terms of looking at this globally,
10 broadly, and not just saying we want X number of
11 dollars.

12 What we are asking for is authority to send
13 notices, renewal notices and things to that effect,
14 via e-mail, start collecting e-mail addresses. We
15 spend anywhere from 600,000 on the motor vehicle
16 side and a half a million on the driver's license
17 side in U.S. postage. So if we effectively could
18 create a system that allows us to send notices via
19 e-mail -- for instance, your driver's license needs
20 to be renewed. Rather than pushing that out via
21 U.S. Mail, sending an e-mail to folks that are
22 willing to accept that, we could save significant
23 dollars. So you'll see that as a proposed change.

24 We also look to some proactive opportunities
25 in making our roadways safer and targeting drivers

1 that should not be on the road, drivers that don't
2 have a valid license and drivers that are
3 overrepresentative -- represented, goodness
4 gracious, in causing crashes.

5 First, we are proposing some additional
6 penalties for drivers who continue to drive even
7 though their licenses are suspended or revoked.
8 Last year we had over 200,000 citations for driving
9 while license suspended or revoked. And
10 effectively, that happens when you get stopped for
11 speeding and then the law enforcement officer finds
12 out that you have your license suspended or
13 removed. Nationally, one in five crashes are
14 caused by unlicensed drivers. So we are
15 recommending some language there to add some
16 additional penalties to change the driving habits,
17 so folks aren't out there driving.

18 Secondly, we're proposing to require drivers
19 who demonstrate they're a risk to other motorists
20 by having at least three at-fault crashes in a
21 three-year period to take a behind-the-wheel skills
22 assessment type test to determine whether they
23 should be driving at all or change their driving
24 habits that are causing them to crash.

25 In analyzing our statistics, the current

1 drivers who would fit this description, we found
2 about 3,600 drivers were involved in over 12,000
3 crashes in a three-year time period. And right now
4 we don't have a system to get them behind the wheel
5 for some testing and to teach them some good
6 driving habits. And remember, these are all
7 at-fault drivers.

8 Again, I'm happy to answer any questions, but
9 with that, I'll respectfully ask approval of the
10 substantive legislative request.

11 CFO SINK: I do have --

12 GOVERNOR CRIST: Is there a motion?

13 CFO SINK: Sorry to interrupt you here, but in
14 this one -- well, my notes say that if you have a
15 driver that doesn't have a license, then you can
16 impound his vehicle; is that correct?

17 MS. BUSTLE: It would be via a court order,
18 similar to what they do for DUI today. It would
19 not be on the side of the road, but it actually
20 would go through a process, allow for a hardship
21 hearing. It would be through a court order.

22 CFO SINK: But then the important thing to me
23 is then that the driver ought to make the payment
24 to the State to cover the cost of our performing
25 that action of impoundment. Is that contemplated?

1 MS. BUSTLE: What we would do -- what's
2 contemplated is they would actually -- they would
3 pay the private sector. Whether it's a towing, a
4 boot or towing, they would pay for that. We would
5 not pick up those costs. So it would be paid for
6 by the individual, the violator.

7 CFO SINK: Okay. I just continue to be
8 concerned, Governor, that there are many actions
9 that the State Government takes that are
10 enforcement actions that end up costing us money.
11 And I think -- I would encourage the Legislature to
12 go back and look at all of these actions that the
13 State takes, particularly when people have broken
14 the law, whether it's a misdemeanor or otherwise,
15 to ensure that the State's cost is covered in those
16 cases. I think would help our revenue situation
17 pretty dramatically.

18 GOVERNOR CRIST: I think we've made some moves
19 in that regard already this past year, but we've
20 got to keep looking at it. General.

21 ATTORNEY GENERAL McCOLLUM: One question,
22 Governor, for you, Electra. It regards the record
23 access item that provides customers with online
24 access to the National Vehicle Title Information
25 System to get a vehicle history. That's a great

1 thing to do, but why does that require legislation?
2 You can't do that just now on your own authority?

3 MS. BUSTLE: I think it's -- there would be a
4 fee involved once we get that established, so that
5 would be the piece that we need legislation on.

6 ATTORNEY GENERAL McCOLLUM: Okay, the fee. I
7 figured there was a catch in there somewhere. All
8 right. You've answered that.

9 MS. BUSTLE: Nominal fee.

10 ATTORNEY GENERAL McCOLLUM: I would move Item
11 8, then.

12 GOVERNOR CRIST: Great. Is there a second?

13 CFO SINK: Second.

14 GOVERNOR CRIST: Moved and seconded. Show it
15 approved without objection. Item 9.

16 MS. BUSTLE: Okay. Agenda Items 9 and 10
17 relate to new specialty plates that will soon be
18 ready for distribution. Governor, if it's okay
19 with you, I'll ask representatives from each
20 organization to stand with me while I talk about
21 their plate, request your approval, and then take
22 photos.

23 GOVERNOR CRIST: It is okay with me.

24 MS. BUSTLE: Thank you. Agenda Item Number 9
25 relates to the new Visit our Lights specialty

1 plate. Will Mr. Stan Farnham, president of the
2 Florida Lighthouse Association, join me at the
3 podium.

4 The proceeds from the sale of this plate will
5 be administered by the Florida Lighthouse
6 Association and will be used for preservation,
7 restoration, and protection of the 29 historic
8 lighthouses remaining in our state. This plate was
9 sponsored Representative Proctor and Senator
10 Fasano, and we respectfully request approval of
11 this plate.

12 GOVERNOR CRIST: Sure. Would you like to
13 speak, sir?

14 MR. FARNHAM: Excuse me for putting on the
15 hat, but this is the uniform of the United States
16 Lighthouse Service of nearly a hundred years ago.

17 I want to thank you particularly, Governor,
18 not only for the support of the license, but the
19 budget initiative a year ago, more than a year ago,
20 that resulted in the rebuilding of Cape St. George,
21 which collapsed in October of 2005, and the
22 restoration of Crooked River at Carrabelle. And
23 our next meeting will be there to celebrate those
24 two things.

25 I would also like to thank an outstanding

1 state employee, Paula Stanfield, for her help. We
2 really appreciate that. And I would like to tell
3 you just a little bit about the Florida Lighthouse
4 Association that is very important for everyone to
5 realize. We're a complete volunteer outfit. We
6 have no paid staff. We have no reimbursement of
7 personal expenses for officers. So Mary and I, my
8 wife who's sitting back here, and I came up here at
9 our own expense, as do other officers.

10 Now, the reason to highlight this is that that
11 means that donations to the Florida Lighthouse
12 Association and money from the license plate, the
13 maximum dollars will go for the purpose intended,
14 which is preserving and restoring the remaining 30
15 historic lighthouses in Florida. And when you
16 think about it, that's a chapter in American
17 history of maritime travel, maritime traffic that
18 is in the -- the strength of our nation in the
19 past.

20 Thank you.

21 GOVERNOR CRIST: Thank you very much. So you
22 say we have 30 historic lighthouses?

23 MR. FARNHAM: Yes, sir, there are 30. One is
24 a private residence, six are publicly open, and in
25 October, two more will open, which will be Cape

1 St. George and Crooked River.

2 GOVERNOR CRIST: That's great. Thank you very
3 much. It's a beautiful plate.

4 MR. FARNHAM: Thank you.

5 MS. BUSTLE: With that, I would --

6 GOVERNOR CRIST: Oh, you want us to do them
7 separately?

8 MS. BUSTLE: Uh-huh, request approval.

9 GOVERNOR CRIST: Is there a motion to approve?

10 CFO SINK: I move it.

11 ATTORNEY GENERAL McCOLLUM: Second.

12 GOVERNOR CRIST: Moved and seconded. Show it
13 approved without any objection whatsoever.

14 MS. BUSTLE: Do you want to do a photo?

15 GOVERNOR CRIST: Yes, let's do a photo, sure.
16 Let's get a picture.

17 (Pause while photographs taken.)

18 MS. BUSTLE: Item 10 relates to the Play
19 Tennis specialty plate, for which I have a soft
20 spot in my heart. If I could have the following
21 representatives for the --

22 GOVERNOR CRIST: Are you a tennis player?

23 MS. BUSTLE: I am, since very little.

24 GOVERNOR CRIST: Okay. I'm not going to
25 challenge you. Said with conviction. God bless

1 you.

2 MS. BUSTLE: If I could have the following
3 representatives for the Play Tennis plate come
4 forward: Cecelia Rehm, president of the USTA
5 Tennis Association Florida; Jean Mills, president
6 of USTA Florida Section Foundation; and Linda
7 Curtis, director of community development for USTA
8 Florida.

9 GOVERNOR CRIST: It's a great plate.

10 MS. BUSTLE: Proceeds from the sale of this
11 plate will be used for grants to operate youth
12 tennis, adaptive tennis programs, and building,
13 renovating, and maintaining public tennis courts,
14 and will be administered by the Florida Sports
15 Foundation. Representative Proctor and Senator
16 Baker sponsored the bill. And I believe Linda
17 Curtis is going to be speaking.

18 GOVERNOR CRIST: Good morning.

19 MS. CURTIS: Good morning, Governor and
20 members of the Cabinet. On behalf of the USTA
21 Florida Section Foundation and USTA Florida, we
22 just thank you so much for the opportunity to be
23 here. This is a really special day in the history
24 of Florida tennis. We're really excited about the
25 possibilities that the license plate will bring to

1 both the citizens of Florida as well as the
2 visitors to our state for many, many years to come.

3 With the foundation's mission being to improve
4 the health and quality of life of all Floridians
5 through tennis, we'll now have more opportunities
6 for children and adults of all ages and all
7 abilities to learn and play the game of tennis at
8 quality tennis facilities across the state. As you
9 know, the proceeds of the Play Tennis license plate
10 will allow the foundation to give 90 percent of the
11 proceeds to assist other nonprofit organizations so
12 that they can provide programs for our Florida
13 youth, they can provide programs for people of
14 special needs of all ages, and also to improve and
15 to build quality public tennis facilities so that
16 the tennis growth can continue.

17 Right now, in case you didn't know, tennis is
18 the fastest growing traditional support in the
19 United States, and that growth is clearly evident
20 in the state of Florida. We've got beautiful
21 weather most of the time, so you can play tennis a
22 lot. With 2 million players right now in Florida
23 and that number climbing, it's imperative that we
24 help provide the infrastructure with the courts and
25 also the programs on the courts so that we can

1 match this growth in the future. These funds will
2 help us ensure that community tennis thrives at a
3 time when Floridians, more now than ever, need
4 recreational outlets so that they can get lots of
5 exercise, feel healthier, spend time with their
6 families, and deal with the stresses of everyday
7 life that we're all feeling now anyway.

8 Being in a tennis town like Tallahassee, and I
9 know that she plays, Tallahassee has tons of tennis
10 players, and you know probably that they are very,
11 very passionate about the sport, not only just the
12 tennis players, but the spectators. And the
13 license plate will give them an opportunity
14 individually to promote the sport that they love as
15 well as to give back to their communities.

16 So again, thank you for helping us help others
17 learn to play tennis so that they can enjoy a
18 healthier, happier lifestyle on and off the court.
19 So in accordance with the bottom line on the
20 Florida tennis license plate, play tennis. Thank
21 you.

22 GOVERNOR CRIST: Great. Thank you.

23 (Applause.)

24 (Pause while photographs taken.)

25 GOVERNOR CRIST: Thank you, Electra.

ATTACHMENT 2

NOTICE OF PROPOSED NEW RULE

NAME OF AGENCY:	Department of Highway Safety and Motor Vehicles Division of Driver Licenses
RULE NUMBERS:	RULE TITLES:
15A-7.001	Definitions
15A-7.002	Purpose
15A-7.0025	Application
15A-7.003	CDL Endorsements
15A-7.004	CDL Restrictions
15A-7.005	Temporary CDL Instruction Permit
15A-7.006	Application; Operation in Interstate or Foreign Commerce; Certification Required; Medical Required; Exceptions
15A-7.007	Application; Interstate Operation; Certification; Exceptions
15A-7.008	Tow Truck Testing and Licensing
15A-7.009	Issuance of Commercial Driver's License; Department; Duties
15A-7.010	Issuance of License; Department Notify Commercial Driver's License Information System
15A-7.011	Administration of Commercial Driver's License Knowledge Tests
15A-7.012	Commercial Driver's License Skills Tests
15A-7.013	Appropriate Motor Vehicle
15A-7.014	Commercial Driver's License Document; Requirements; Class; Security Features
15A-7.015	Commercial Driver's License for Hardship Purposes Only
15A-7.016	Persons Exempt from Requirements of Commercial Driver's License Program; Noncommercial Driver's License Endorsement
15A-7.017	Hazmat Endorsement Threat Assessment Program
15A-7.018	Military Qualifications for Waiver of Commercial Driver License Skills Test
15A-7.019	Third Party Testing Program

PURPOSE AND EFFECT: Is to amend the current rule to create and/or clarify certain definitions, and to reflect the previous revisions to Florida Statutes 316, 320 and 322 and related Federal rules. Revisions include the definition of a commercial driver license skills test, truck tractor, and semitrailer. The definition of a tank vehicle has been modified in addition to adding a new endorsement for school buses. Information on how to remove the airbrake restriction has been added and the Bus Only (CMV) and CMV < 26,000 lbs GVWR have been deleted. New restrictions have been added: Restriction 6, No Class A passenger vehicles, Restriction 7, No Class B passenger vehicles, Restriction 8, Automatic transmission-CMV. The requirements for a CDL temporary permit have been revised to ensure clarity. The CDL skills test definition has been expanded to include all 3-parts. The issuance procedures for CDLs have been updated plus the number of CDL tests an applicant may attempt, per day, has been noted. Information on the appropriate class of motor vehicle, to test for a CDL, has been expanded, and all references to a Class D license have been removed. Information on the Hazardous Materials Threat Assessment

Program, Military Commercial Driver License qualifications and regulations regarding the Third Party Tester Program have been added.

SUMMARY: Amend the current rule to create and/or clarify certain definitions, and to reflect the previous revisions to Florida Statutes 316, 320 and 322 and related Federal rules. Deletes languages/policies that are no longer applicable to the CDL & Third Party Testing Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The implementation of administrative rule 15A-7 will have no appreciable effect on state, county, or local governments or private businesses, excepting programming costs to the Department of Highway Safety and Motor Vehicles to implement a new CDL restriction code. In general, the rule revisions codify changes already effected by corresponding changes in federal regulations, state statutes, or Department policy since this Chapter of the Florida Administrative Code was last revised.

SPECIFIC AUTHORITY: [322.02\(6\)](#), [322.53\(5\) FS.](#)

LAW IMPLEMENTED: [316.302\(2\)\(i\)](#), [316.003\(71\)](#), [322.01\(17\)](#), (18), (32), (24), [322.05\(4\)](#), (5), (6), (8), [322.07\(3\)](#), [322.08\(4\)](#), [322.12\(4\)](#), [322.14\(1\)\(b\)](#), [322.16](#), [322.18\(2\)\(e\)](#), [322.21\(1\)\(e\)](#), (f), [322.51-322.66](#), [322.53\(2\)](#), (4), [322.54\(2\)\(c\)](#), [322.56](#), [322.57\(2\)](#), [322.59](#), [322.65](#), [322.121\(7\)](#), (8), [322.271 FS.](#)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW RULE IS: Skip Hood, Coordinator, CDL and Third Party Testing, Division of Driver Licenses, Department of Highway Safety and Motor Vehicles, Room C410, MS 100, Neil Kirkman Building, Tallahassee, Florida 32399-0500, 850 617-2770.

THE FULL TEXT OF THE PROPOSED NEW RULE IS:

15A-7.001 Definitions.

For the purpose of this chapter, the following words, acronyms, and phrases shall have the meanings indicated:

(1) "Alternative Test" means a knowledge test that is given orally by an individual or in which a computer-assisted or taped recorded oral test is presented to the applicant.

(2) "CDL" means commercial driver's license.

(3) "Commercial Driver's License" means a license issued to an individual in accordance with the requirement of chapter 322, Florida Statutes, or by another state, pursuant to the Federal Commercial Motor Vehicle Safety Act of 1986 which authorizes that individual to drive a class of commercial motor vehicles if the holder also has any necessary endorsements to the license.

(4) "Department" means the Department of Highway Safety and Motor Vehicles, Division of Driver Licenses, Tallahassee, Florida, 32399-0560.

(5) "GCWR" means gross combination weight rating.

(6) "GVWR" means gross vehicle weight rating.

(7) "Placard" means a sign that is required on the front, rear and both sides of a vehicle that is transporting hazardous materials. The placards show the hazard class of the cargo being transported.

(8) "Skills Test" means the 3-part driving test consisting of the pretrip inspection, basic control and road test as described in the American Association of Motor Vehicle Administrators (AAMVA) 2005 CDL Testing Model, which is hereby adopted by reference. a driving test given to assess an applicant's ability to drive all motor vehicles of a specified class.

(9) "Tow Truck Configuration" means a tow truck with another vehicle in tow, where the gross combined weight rating of the combination is 26,000 pounds or more and the vehicle in tow exceeds 10,000 pounds gross vehicle weight rating.

(10) "Truck Tractor" means a motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provisions for carrying loads independently. any motor vehicle designed and used primarily for pulling other vehicles.

(11) "Semitrailer" means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

Specific Authority 322.02(63), FS. Law Implemented 322.01, 322.51–322.66 FS. History–New 4-7-91.

15A-7.002 Purpose.

The purpose of these rules is to establish uniform procedures for the orderly administration of commercial driver's license skills and knowledge tests.

Specific Authority 322.02(63) FS. Law Implemented 322.51–322.66 FS. History–New 4-7-91.

15A-7.0025 Application.

These rules are applicable to all applicants for a Florida commercial driver's license.

Specific Authority 322.02(63) FS. Law Implemented 322.08, 322.53, 322.54 322.51–322.66 FS. History–New 4-7-91.

15A-7.003 CDL Endorsements.

(1) The endorsements to a commercial driver's license shall be as follows:

(a) T - Double/Triple trailers. Any combination of a truck tractor, semitrailer, and trailer coupled together so as to operate a complete unit, except, triple trailers are not permitted in Florida;

(b) P - Passengers. Passenger vehicle means a motor vehicle designed to transport more than 15 persons, including the driver, or a school bus designed to transport more than 15 persons, including the driver. For vehicles designed to transport more than 15 persons, including the driver; or a school bus designed to transport more than 11 persons, including the driver;

(c) N – Tank Vehicle. Means a commercial motor vehicle with a permanent or temporary attached tank designed to transport liquid or gaseous materials and with a rated capacity of one thousand gallons or more. Tank vehicles, permanently or temporarily attached to the vehicle, shall not include a vehicle with a tank having a rated capacity under 1,000 gallons or tank vehicles that transport materials other than liquid or gaseous material;

(d) H - Hazardous materials. Hazardous material that is required to be placarded in accordance with Title 49 Code of Federal Regulations Part 172, Subpart F;

(e) X - Combination tank vehicles and placarded hazardous materials;

(f) S-School Bus. Means a motor vehicle that is designed to transport more than 15 persons, including the driver, and that is used to transport students to and from a public or private school

or in connection with school activities, but does not include a bus operated by a common carrier in the urban transportation of school children. The term "school" includes all preelementary, elementary, secondary, and postsecondary schools. To obtain a school bus endorsement the applicant must pass the school bus endorsement knowledge exam, in addition to other CDL knowledge exams applicable to passenger vehicles, and complete the 3-part skills test in a school bus equivalent to the classification of license that will be issued.

(2) If a driver's towing operations are restricted to emergency "first moves" from the site of a malfunction or traffic crash to the nearest appropriate repair facility, then no CDL endorsement of any kind is required.

(3) If a driver's towing operations include any "subsequent moves" from one repair or disposal facility to another, then endorsements requisite to the vehicles being towed are required. Exception: Tow truck operators need not obtain a passenger endorsement.

(4) No person shall operate upon the highways of this state any commercial motor vehicle which requires a specific endorsement unless such person possesses a valid commercial driver's license with such endorsement.

Specific Authority 322.02(63) FS. Law Implemented 234.094, 316.003(71), 316.1936(5)(a),(b), 322.01(17), 322.14(1)(b), 322.121(7)(8)(6), 322.21(1)(e), 322.54(2)(a), (b), (c), (d), (e), 322.55(4), 322.57(1)(e), (f), 322.57(2), 322.57(3)(a) FS., 49 CFR, 383.93153(a)(9) History—New 4-7-91.

15A-7.004 CDL Restrictions.

(1) Special restrictions imposed on a commercial driver's license shall be as follows:

(a) "Vehicles Without Air Brakes", means no operation of a commercial motor vehicle, which is equipped with air brakes. To remove an airbrake restriction the driver must, at a minimum, successfully complete the airbrake knowledge test, successfully complete the pretrip inspection portion of the standard CDL skills test in an airbrake equipped commercial motor vehicle and demonstrate the ability to safely and effectively operate the vehicle's air brakes by stopping the vehicle so that the front bumper is within two feet of a designated point on the skills testing area.

(b) "CDL Intrastate Only", means a commercial motor vehicle can be operated only in the State of Florida;

(c) "~~Bus Only (CMV)~~", ~~means the operation of a commercial motor vehicle bus only~~

(d) "~~CMV < 26,000 lbs GVWR~~", ~~means no operation of a commercial motor vehicle with a gross vehicle weight rating, declared weight or actual weight of 26,000 pounds or more;~~

(e) "No Tractor/Trailers", means no operation of a commercial motor vehicle which is a tractor/semitrailer combination as defined in Sections 320.01(5) and 320.01(11), Florida Statutes. To remove the "no tractor/trailers" restriction from a Class A CDL the driver must, at a minimum, pass the pretrip inspection, basic control and road test in a tractor/semitrailer combination.

(f) "No Class A passenger vehicle", means no operation of a commercial motor vehicle classified as a Class A passenger vehicle.

(g) "No Class B passenger vehicle", means no operation of a commercial motor vehicle classified as a Class A or B passenger vehicle.

(h) "Automatic transmission-CMV" means no operation of a commercial motor vehicle that is not equipped with an automatic transmission.

(2) No person possessing a restricted commercial driver's license shall operate upon the

highways of this state any commercial motor vehicle to which such restriction is applicable.
*Specific Authority 322.02(63), FS. Law Implemented 322.16(1)(a), (b), 322.54(2)(c), 322.57(2)
FS. History—New 4-7-91.*

15A – 7.005 Temporary CDL Instructional Permit.

(1) If otherwise qualified an individual 18 years of age or older who holds a valid driver's license may be issued a commercial driver's instruction permit. Instructional permits are valid for six months. One six-month extension is permitted. ~~The commercial driver's instruction permit may not be issued for a period to exceed six months and is nonrenewable.~~

(2) An individual who holds a commercial driver instruction permit may, unless otherwise disqualified, drive a commercial motor vehicle only while accompanied by a driver 21 years of age or older who is holding a CDL valid for the type of vehicle being driven and who is occupying the closest seat to the right of the driver, ~~the holder of a commercial driver's license valid for the type of vehicle driven who is actually occupying the closest seat to the right of the individual~~ for the purpose of giving instructions in driving the commercial motor vehicle.

*Specific Authority 322.02(63) FS. Law Implemented 322.01(32), 322.05(4), 322.07(3)(2), 322.17
49 CFR 383.23 FS. History—New 4-7-91.*

15A-7.006 Application; Operation in Interstate or Foreign Commerce; Certification Required; Medical Required; Exceptions.

(1) Upon making application for a CDL, any applicant who operates or expects to operate a commercial motor vehicle in interstate or foreign commerce or any applicant otherwise subject to 49 Code of Federal Regulations Part 391 of the Federal Motor Carrier Safety Regulations, pursuant to sections 322.08(4) and 322.59, F.S., shall certify that he or she meets the qualification requirements of Part 391.

(2) Upon application for a driver's license, applicants who are subject to 49 Code of Federal Regulations Part 391 of the Federal Motor Carrier Safety Regulations, will present to the department a valid medical examiner's certificate ~~required by Title 49 C.F.R. Part 391~~ issued not more than 2 years immediately preceding licensure.

*Specific Authority 322.02(63) FS. Law Implemented 322.01(24), 322.07(3)(a), 322.08(4),
322.59 FS., 49 CFR 391 History—New 4-7-91.*

15A - 7.007 Application; Intrastate Operation; Certification; Exceptions.

(1) Upon making application for a CDL, any applicant who ~~operates or expects to operate a commercial motor vehicle solely within this state~~ shall certify on a form provided by the department that he or she is not subject to Title 49 Code Federal Regulation Part 391, pursuant to Sections 322.08(4) and 322.59, F.S. shall certify such exemption to the Department. Any applicant making a certification pursuant to this section is not required to present to the department a medical examiners certificate prior to licensure.

(2) Drivers of commercial motor vehicles driving interstate or intrastate, transporting hazardous materials that are required to be placarded in accordance with Title 49 Code of Federal Regulations Part 172, Subpart F must present to the department a valid medical examiner's certificate required by Title 49 C.F.R. Part 391, issued not more than two (2) years immediately preceding licensure.

(3) Commercial driver license applicants who operate or expect to operate a commercial motor vehicle solely in intrastate commerce must meet the minimum visual standards in Rule 15A-1.013, F.A.C., and comply with the provisions of Section 316.302(2)(k), F.S., before licensing and will have an intrastate restriction applied to the license.

(4) - Driver applicants who are deaf will not be issued a commercial driver's license. *Specific Authority 322.02(63) FS. Law Implemented 316.302(2)(i)(k), 322.05(5), (6), (8), 322.08(4), 322.12(3),(4), 322.16, 322.59 FS., 49 CFR 391 History–New 4-7-91.*

15A-7.008 Combination Vehicle ~~Tow Truck~~ Testing and Licensing.

(1) For an unrestricted Class “A” license, the driver must pass applicant will take the combination vehicle knowledge exam, in addition to other applicable CDL knowledge exams, and the pretrip inspection, basic control and road test and skills tests in a truck-tractor/semitrailer combination commercial vehicle as defined by Rule 15A-7.001.

(2) For a ~~restricted~~ Class “A” license restricted to “No Tractor-Trailers” with tow truck privileges, the driver must pass applicant will take the combination knowledge exam, in addition to other applicable CDL knowledge exams, and the pretrip, basic control and road test and skills tests in a vehicle that is not a truck-tractor/semitrailer combination as defined by Rule 15A-7.001 but otherwise represents vehicles requiring a class A CDL, including tow truck configurations as defined in Rule 15A-7.001(9). ~~tow truck configuration.~~ License will be restricted to “No Tractor-Trailers”. The applicant will pretrip the tow truck and explain how the hitch is checked for safety rather than check those portions of the pretrip which pertains to tractor trailers (i.e., air hoses, fifth wheel landing gear). To remove the “No Tractor-Trailer” restriction, the driver will take a pretrip inspection and a skills test in a tractor trailer vehicle. See chart below for diverse combinations.

<u>Combination</u>		<u>Class</u>		
<u>Tow Truck</u>	<u>Vehicle in Tow</u>	<u>GCWR</u>	<u>LIC. REQ</u>	<u>Restrictions</u>
<u>GVWR</u>	<u>GVWR</u>		<u>04-01-91</u>	<u>(If needed)</u>
a. <26,000#	10,000 # or less	< 26,000#		“D”*
b. <26,000#	>10,000#	< 26,000#		“D”*
e. <26,000#	10,000 # or less	26,000# or more		“C”
d. <26,000#	>10,000#	26,000# or more		“A” No Tr. Trl’s**
e. >26,000#	<10,000#	26,000# or more		“B”
f. >26,000#	>10,000#	26,000# or more		“A” No Tr. Trl’s**
*Nonecommercial Licenses				
**No Tractor-Trailers				

Specific Authority 322.02(63) FS. Law Implemented 322.12(4), 322.57 FS. History–New 4-7-91.

15A-7.009 Issuance of Commercial Driver’s License; Department; Duties.

(1) Check the driving record of the applicant as maintained by the department; and

(2) Electronically check Contact the Commercial Driver License Information System (CDLIS) to determine whether the applicant possesses a valid commercial driver’s license issued by any other state, and whether such license or the applicant’s privilege to operate commercial motor vehicle has been disqualified.

(3) Electronically check Contact the National Driver Register (NDR) to determine if the applicant has any open driver license suspensions, revocations or cancellations.

Specific Authority 322.02(63) FS. Law Implemented 322.17, 322.65 FS. History–New 4-7-91.

15A-7.010 Issuance of License; Department Notify Commercial Driver’s License Information System.

Prior to the issuance of an original or renewal commercial driver’s license or the reissuance of a commercial driver’s license with a change of any classification, endorsement, restriction, or

name change, the department shall electronically check ~~notify~~ the Commercial Driver License Information System (CDLIS). ~~of the issuance and shall provide the applicant's name, social security number and any other required information to the operator of the system.~~
Specific Authority 322.02(63) FS., Law Implemented 322.17, 322.65 FS., 49 CFR 383.153(b)(2) History-New 4-7-91.

15A-7.011 Administration of Commercial Driver's License Knowledge Tests.

(1) The department may offer knowledge tests in written, computer-assisted, or alternative formats.

~~(2) The department may offer the commercial driver's license general knowledge bus test to applicants who operate commercial buses or school buses only. Applicants choosing to take the general knowledge bus test, as opposed to the regular general knowledge test, shall have their commercial driver's license restricted to buses only for the class of license for which the applicant is applying.~~

~~(3) Applicants must obtain a minimum score of 80 percent to pass a commercial driver's license knowledge test.~~

~~(4) A time limit may not be applied to;~~

~~(a) Alternative testing methods;~~

~~(b) Commercial driver's license general knowledge tests, except, any testing started shall be stopped at the station's regularly scheduled closing time.~~

(5) Applicants who fail to pass the commercial driver's license knowledge test will be permitted to review the questions they missed.

~~(6) Applicants are limited to two attempts per day on each type of knowledge exam. There is no limit on the number of times a knowledge test may be taken by an applicant.~~

Specific Authority 322.02(63) FS, Law Implemented 322.12(4), FS, 322.57 FS., 49 CFR 383.121, 49 CFR 391.11(b)(2) History-New 4-7-91.

15A-7.012 Commercial Driver's License Skills Tests

(1) The commercial driver's license skills test is a three-part test established by the department to certify the driving skills necessary for operation of a commercial motor vehicle. The test consists of:

(a) Pretrip inspection; and

(b) Basic vehicle control skills test; and

(c) Road test ~~Safe driving skills test~~

(2) No change.

(3) A driver applicant is required to take the pretrip inspection, before any other part of the test is taken. An applicant must pass the basic control test before the road test. The following are exempt from this requirement: pass the commercial driver's license skills test in the order specified in subsection (1), except:

~~(a) An applicant who qualifies for a waiver of skills tests as defined in Section 322.55, F.S.;~~
~~or~~

~~(b) An applicant for a class "C" commercial driver's license that will not be endorsed for school bus operation and that will be restricted to vehicles not equipped with air brakes will not be required to pass the pretrip inspection or the basic control skills test.~~

(c) An applicant for a class “C” commercial driver’s license that will not have an air brake restriction must pass, at a minimum, the tests specified in Chapter 15A-7.004(1) for removing CDL air brake restrictions in addition to the CDL road test specified in Chapter 15A7.012(1)(c).

(4) A skills test applicant shall provide an appropriate vehicle for the skills test.

(a) The vehicle used for the skills test must be unloaded, except tow trucks may have a vehicle in tow and the towed vehicle must be unloaded.

(b) The vehicle used for the skills test must have a valid registration and proof of insurance, unless exempt from providing proof under current law.

(c) The vehicle cannot be laden with placarded hazardous materials.

(d) Motor vehicles provided must have a stationary seat to the right of the driver for use by the examiner who administers the test.

(5) An appointment is required for the CDL skills test.

(6) To achieve a passing score on the skills test, the driver applicant must demonstrate that he/she can successfully perform all of the skills listed in Title 49 Code of Federal Regulations 383.113.

(7) If the driver applicant does not obey traffic laws, commits a dangerous act, or causes a traffic crash during the test, he or she shall automatically fail the test. ~~Once any part of the test is failed, scoring of the test will end immediately.~~

(8) The required tests in this rule shall be conducted in on-street conditions or under a combination of on-street and off-street conditions.

Specific Authority 322.02(63) FS., Law Implemented 322.12(4), FS 322.57 FS., 49 CFR 383.113 History–New 4-7-91.

15A-7.013 Appropriate Motor Vehicle.

(1) Each applicant for a commercial driver's license shall provide a motor vehicle of a type appropriate to test the applicant's ability to drive motor vehicles that may be driven under the type and class of license for which the applicant will be skills tested.

(2) Class A Commercial Driver's License Skills Test.

(a) For ~~the~~ a Class A commercial driver’s license ~~three-part~~ skills test, the applicant shall provide a tractor-trailer combination of vehicles with a GCWR of ~~26,001~~~~26000~~ or more pounds, provided the GVWR of the trailer being towed is in excess of 10,000 pounds GVWR.

(b) If the applicant provides a combination of vehicles other than tractor-trailer combinations the department shall restrict the applicant to combinations of vehicles other than tractor-trailers.

(c) If the motor vehicle is not a passenger transport combination vehicle (bus) designed to transport 16 or more passengers, including the driver, ~~or a school bus designed to transport 11 or more passengers, including the driver,~~ the department may not endorse the applicant’s license for a passenger transport vehicle in that class of vehicle.

(3) Class B Commercial Driver's License Skills Test.

(a) The applicant shall provide any single motor vehicle with GVWR of ~~26,001~~~~26000~~ or more pounds, or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR.

(b) If the motor vehicle is not a passenger transport single unit vehicle (bus) designed to transport 16 or more passengers, including the driver ~~or a school bus designed to transport 11 or more passengers, including the driver,~~ the department may not endorse the applicant’s license for a passenger endorsement vehicle in that class of vehicle. Note: Federal regulations require all drivers operating a school bus be licensed with a Commercial Driver License having both the passenger endorsement and school bus endorsement.

(4) Class C Commercial Driver's License Skills Test. The department may permit an appropriate noncommercial motor vehicle to be used in the skills testing of an applicant for a commercial driver's license in this class.

(5) Vehicles used for skills testing to obtain a school bus endorsement must be identified as a School Bus on the federal certification plate and be equipped, at a minimum, with a stop arm, emergency exit, front and rear red flashing loading lights, front corner mounted student mirror, right and left exterior rear view mirrors, interior student mirror, and emergency flares or triangle reflectors.

(6) If the vehicle used for testing is equipped with an automatic transmission, the applicant will have an automatic transmission restriction applied to the license.

Specific Authority 322.02(63) FS., Law Implemented 322.12(4), FS 322.57 FS. History—New 4-7-91.

15A-7.014 Commercial Driver's License Document; Requirements; Class; Security Features. A commercial driver's license issued by the department shall comply with all of the following:

(1) Requirements set forth in Sections 322.14 and 322.08, F.S.

(2) Upon request of the person to whom the license is issued, a license shall indicate the fact that the person is an anatomical donor.

(3) A commercial driver's license shall indicate the class of license issued, and the acronym "CDL" shall appear on the face of the license.

(4) The department shall use such security procedures, processes and materials in the preparation, manufacture and issuance of any commercial driver's license that prohibits as nearly as possible anyone's ability to alter, counterfeit, duplicate or modify the license without ready detection. The security features used in the production of the licenses shall provide for the rapid authentication of a genuine document.

Specific Authority 322.02(63) FS. Law Implemented 322.08, 322.14 FS. History—New 4-7-91.

15A-7.015 Commercial Driver's License for Hardship Purposes Only.

The department will not issue a hardship commercial driver's license authorizing a person to drive a commercial motor vehicle if the person's commercial driver's license is disqualified, suspended, revoked, or canceled.

Specific Authority 322.02(63) FS. Law Implemented 322.271 FS. History—New 4-7-91.

15A-7.016 Persons Exempt from Requirements of Commercial Driver's License Program; Noncommercial Driver's License Endorsement.

(1) The following persons are exempt from the requirement to obtain a commercial driver's license:

(a) Legitimate farm to market operations by farmers and to those operators of a farm vehicle which is:

1. Controlled and operated by a farmer;
2. Used to transport either agricultural, horticultural or forestry products, farm machinery, farm supplies or both to or from farm or harvest place to the first place of processing or storage or from farm or harvest place directly to market;
3. Not used in the operations of a common or contract motor carrier; and
4. Used within 150 miles of the person's farm.

(b) Military personnel driving military vehicles. This exemption applies to any active duty

military personnel, and members of the reserves and national guard on active duty including personnel on full time national guard duty, personnel on part-time training and national guard military technicians (civilians who are required to wear military uniforms and are subject to the code of military justice);

(c) Drivers of authorized emergency vehicles as defined in Section 322.01(4), F.S. This exemption applies to drivers who operate emergency or fire equipment which is necessary for the preservation of life or property or the execution of emergency governmental functions performed under emergency conditions and are not subject to normal traffic regulations. These vehicles are equipped with audible and visual signals and are operated by a person in the employ of a volunteer or paid fire organization. Emergency equipment such as a fire truck, hook and ladder truck, foam or water transporter or other vehicles used only in response to emergencies are included;

(d) Drivers of recreational vehicles, as defined in Section 320.01, Florida Statutes. This exemption applies to drivers of recreational vehicles operated solely as a family/personal conveyance for recreational purposes;

(e) Drivers of straight trucks that are exclusively transporting their own tangible personal property which is not for sale.

(2) "Operated by a farmer" in (1) above can include employees or family members of the farmer, as long as the vehicle is controlled by the farmer and conditions 2. through 4. are met, but not employees whose primary purpose of employment is the operation of motor vehicles.

~~(3) A person operating a farm commercial motor vehicle is required to have a valid class D driver's license which contains the endorsement "F = Farm Commercial Motor Vehicle." The "F" endorsement is to be issued without additional charge.~~

~~(4) A person operating an authorized emergency commercial motor vehicle is required to have a valid class D driver's license which contains the endorsement "E" = Emergency Commercial Motor Vehicle." The "E" endorsement is to be issued without additional charge. Specific Authority 322.02(63), 322.53(5), FS. Law Implemented 322.01(18), 322.53(2), (4) FS. History—New 4-7-91.~~

15A-7.017 Hazmat Endorsement Threat Assessment Program

(1) All applicants for a CDL hazardous materials (Hazmat) endorsements are required to undergo fingerprint-based background checks in accordance with the USA Patriot Act and federal regulations of the Transportation Security Administration, 49 CFR, Part 1572. Department policy and procedures for processing Hazmat applicants procedures conform to 49 CFR Part 1572 in all respects.

(2) Hazmat endorsements and the associated background check results obtained in other states are not transferable to Florida CDLs. All Hazmat applicants including applicants reciprocating an out of state Hazmat-endorsed CDL are required to pass a new Hazmat knowledge exam and a new background check. Applicants presenting Hazmat endorsed CDLs from other states in conjunction with application for a Florida CDL will receive a 90-day temporary Hazmat endorsement pending completion of this process. Florida CDLs issued to these applicants will display "Hazmat until (date of issuance + 90 days)".

(3) Hazardous materials knowledge test results older than 60 days prior to the date of application may not be used to meet the testing requirement for issuance of a Hazmat endorsement.

(4) In accordance with Chapter 322.18(2)(e), Florida Statutes, hazmat-endorsed CDLs are valid for a period of 4 years. Hazmat-endorsed CDLs may be renewed up to 12 months in advance of their expiration dates.

(5) In accordance with Chapter 322.21(1)(f), Florida Statutes, the application fee for a Hazmat endorsement is initially set at \$91. The Hazmat application fee may be adjusted within the statutory maximum of \$100 as may be needed to accommodate changes in fees charged to the Department for this process by the Florida Department of Law Enforcement, the Federal Bureau of Investigation and the Transportation Security Administration. This fee applies in addition to other applicable issuance and endorsement fees established by Chapter 322.21, Florida Statutes

Specific Authority 322.02(6) FS. Law Implemented 322.18(2)(e), 322.21(1)(f). 49 CFR Part 1572.

15A-7.018 Military Qualifications for Waiver of Commercial Driver License Skills Test

(1) In accordance with Federal Motor Carrier Safety Administration Regulation 49 CFR, Section 383.77, applicants seeking waiver of CDL skills testing due to military experience must:

(a) Pass all required written knowledge exams for the CDL class and endorsements they will be issued.

(b) Apply for the CDL qualification waiver while on active duty status or within 90 days of separation of service. The applicant must provide a military active duty identification card or DD-214 (military discharge papers). The skills test waiver process must be completed, and the CDL issued, within 120 days of separation from service.

(c) Certify that for at least 2 years immediately preceding the application, he or she operated a motor vehicle representative of the CDL class and endorsements for which he or she is applying.

(d) To waive the CDL skills test the applicant must present the Certification for Waiver of Skill Test for Military Personnel form, filled out in its entirety, and signed by his or her commanding officer or designee.

Specific Authority 322.02(6) FS. Law Implemented 322.12, 49 CFR Part 383.77

15A-7.019 Third Party Testing Program

(1) Commercial Driver License Third Party Administrators and Third Party Testers may be authorized by the Department to conduct driver license tests in accordance with Section 322.56, Florida Statutes.

(2) Commercial Driver License Third Party Administrators and Third Party Testers shall comply with all rules established in this chapter except those that by their nature cannot apply.

(3) Commercial Driver License Third Party Administrators and Third Party Testers shall comply with contractual agreements, instructional manuals, approved testing locations and routes, and similar written documents establishing policies, procedures, and recordkeeping requirements to maintain the integrity of the testing program.

(4) Electronic and written records created by Commercial Driver License Third Party Administrators and Third Party Testers are public records of the State of Florida, and are subject to applicable laws and penalties regarding falsification of such records. Acts that constitute falsification of third party testing records include, but are not limited to:

(a) entry of information on CDL test score sheets (form HSMV 7183) that falsifies the parts of a test performed, the type of vehicle used, the test applicant's (driver's) performance, the time

of a test or any of its parts, the identity of the applicant , or the identity of the person conducting the test;

(b) entry of information in the Department's electronic test records that falsifies the parts of a test performed, the type of vehicle used. the test applicant's (driver's) performance, the time of a test or any of its parts, the identity of the applicant, or the identity of the person conducting the test. Use of the tester's login name and password to create an electronic test record is deemed an electronic signature affirming that the test was personally conducted and the results were entered by that tester.

(c) withholding or destruction of information that falsifies the true record of test activity, such as not recording a test given but failed by the applicant.

Specific Authority 322.02(6) FS. Law Implemented 322.56, 49 CFR Part 383.75

NAME OF PERSON ORIGINATING PROPOSED RULE: Skip Hood, Coordinator, CDL and Third Party Testing, Division of Driver Licenses, Department of Highway Safety and Motor Vehicles

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:
Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 30, 2008

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

Department of Highway Safety and Motor Vehicles

CHAPTER 15A-7.001-15A-7.019

CDL & THIRD PARTY TESTING

Summary of Rule

This proposed rule amends the current rule to create and/or clarify certain definitions, and to reflect the previous revisions to Florida Statutes 316, 320 and 322 and related Federal rules. Additionally, it deletes languages/policies that are no longer applicable to the CDL & Third Party Testing Program.

Statement of Facts and Circumstances Justifying the Rule

Chapter 15A-7 was created and last revised at the inception of the Commercial Diver Licensing (CDL) program, implemented in 1991 by Florida and other states in accordance with federal requirements. Since then, substantial changes have been made to the applicable federal laws and regulations, state laws, and Department policy pursuant to those laws and rules. The proposed revision brings the Florida Administrative Code language on CDL testing and other matters addressed by the rule into conformance.

Federal Standards Statement

Federal rules on the same subject include 49 CFR parts 383, 384, 391, and 1572.

Summary of Hearing

The proposed rule development was noticed in the August 15, 2008, Florida Administrative Weekly, Volume 34, Number 33. The rule development was approved by the Governor and Cabinet at the Cabinet meeting of September 30, 2008. The proposed rule was noticed in the October 10, 2008, Florida Administrative Weekly, Volume 34, Number 41. No timely request for hearing was received by the agency and no hearing was held.

ATTACHMENT 3

NOTICE OF PROPOSED NEW RULE

NAME OF AGENCY: Department of Highway Safety and Motor Vehicles
Division of Florida Highway Patrol

RULE NUMBERS: 15B-2.013
15B-2.016

RULE TITLE: Approved Speed Measuring Devices
Tests to Determine Accuracy of Laser Speed Measuring Devices

PURPOSE AND EFFECT: The purpose of the proposed rule action is to amend the current rule to reflect the revision of form DHSMV 61071, "Laser Speed Measuring Device Certification," to include the testing of intermittent laser pulses. Since the form and revision date are specifically referenced in section 15B-2.016 (2) (d), Florida Administrative Code, a revision to the form will also require a revision to this section of the Florida Administrative Code. An amendment to section 15B-2.013 (5) (b) (d) is needed to add those laser devices approved since the last revision. Furthermore, since the last revision of the Chapter 15B-2, Florida Administrative Code, additional radar speed measuring devices have been approved for use in the State of Florida. Section 15B-2.013, Florida Administrative Code, "Approved Speed Measuring Devices" will be amended to add those devices approved since the last revision. In addition, section 15B-2.013, Florida Administrative Code, "Approved Speed Measuring Devices" will be amended by changing the reference number or letter to each currently listed speed measuring device for ease of reference. Also, section 15B-2.013 (1)(g), Florida Administrative Code, will be amended to reflect CMI/MPH Industries, Inc., to be included as a corporate name for M.P.H. Industries Inc., or CMI/MPH. Lastly, section 15B-2.013 (5) (d) will be amended to reflect Laser Atlanta, LLC, to be included as a corporate name for Laser Atlanta Optics, Inc.

SUMMARY: Changes are being made to the Department's rule on Approved Speed Measuring Devices so that speed measuring devices that have been approved, since the last revision, could be incorporated into section 15B-2.013. Several of the manufacturers of speed measuring devices have undergone corporate name changes and those name changes needed to be reflected in the current rule. In addition, each reference number or letter to a currently listed speed measuring device is being amended for ease of reference. Lastly, changes are being made to section 15B-2.016 in order to reflect a revision to form DHSMV 61071, "Laser Speed Measuring Device Certification," to include the testing for intermittent laser pulses. Since the form and revision date are specifically referenced in section 15B-2.016 (2) (d), Florida Administrative Code, a revision to the form will also require a revision to this section of the Florida Administrative Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The implementation of the rule changes to administrative rule 15B-2 will have no appreciable effect on state, county, or local governments. The entities potentially required to comply with this rule includes only those corporations or persons authorized to conduct the required tests to determine the accuracy of laser speed measuring devices.

SPECIFIC AUTHORITY: 316.1905, FS

LAW IMPLEMENTED: 316.1905, 316.1906, FS

PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lieutenant Ronald W. Castleberry, Equipment, Compliance and Testing – Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room A315, Tallahassee, Florida 32399, (850) 617-2939

THE FULL TEXT OF THE PROPOSED RULE IS:

15B-2.013 Approved Speed Measuring Devices.

The following speed measuring devices have been approved for use in this State by the Department pursuant to this rule Chapter.

(1) Radar units acquired for use in this State after August 1, 1982, are listed below. Additional radar units will be approved by the Department based on conformance to these rules. Evidence of approval of additional units shall be by a Certificate of Approval Form HSMV 60013 (Rev. 7/03), which is available by contacting the Florida Highway Patrol, Neil Kirkman Building, Tallahassee, Florida 32399-0500, or by disseminating the listing of additional units on the Florida Crime Information Center (FCIC) computer system, or by listing on the Division of Florida Highway Patrol website.

(a) Applied Concepts, Inc., formerly known as Applied Concepts Marketing –

1. Model STALKER;

~~2. (b) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER DUAL;~~

~~3. (c) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER DUAL SL;~~

~~4. (d) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER DUAL DSR;~~

~~5. (e) Applied Concepts, Inc., formerly known as Applied Concepts Marketing – Model STALKER BASIC – stationary and moving;~~

6. Model DSR2X

7. Model Stalker II MDR

8. Model Stalker II SDR

~~(b)(f) Broderick Enforcement Electronic – Model BEE-36;~~

~~(g) CMI/MPH Industries, Inc., – Model Python;~~

~~(c) (h) Decatur Electronics, Inc., –~~

1. Model MVF 724;

~~2. (i) Decatur Electronics, Inc., – Model KF-1;~~

~~3. (j) Decatur Electronics, Inc., – Model Genesis-I;~~

~~4. (k) Decatur Electronics, Inc., – Model Genesis - II;~~

~~5. (l) Decatur Electronics, Inc., – Genesis Handheld;~~

~~6. (m) Decatur Electronics, Inc., – Model Genesis VP;~~

~~7. (n) Decatur Electronics, Inc., – Model Genesis VP - Directional;~~

8. Genesis GHD (Handheld Directional)

9. Gensis II – Select

10. Gensis II – Directional

- (d)(~~o~~) Kustom Electronics, Inc., or Kustom Signals, Inc., –
1. Model KR-10SP-F, Model KR-10SP;
 2. (~~p~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model FALCON-F, Model FALCON;
 3. (~~l~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model TROOPER-F, Model TROOPER;
 4. (~~r~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model HAWK;
 5. (~~s~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model PRO-1000, Model PRO-1000DS;
 6. (~~t~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Eagle K-Band;
 7. (~~u~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Eagle KA-Band;
 8. (~~v~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Eagle Plus K-Band;
 9. (~~w~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Eagle Plus KA-Band;
 10. (~~x~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Silver Eagle K-Band;
 11. (~~y~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Silver Eagle KA-Band;
 12. (~~z~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Golden Eagle K-Band;
 13. (~~aa~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Golden Eagle KA-Band;
 14. (~~bb~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Golden Eagle Plus KA-Band;
 15. (~~cc~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model HR-12;
 16. (~~dd~~) ~~Kustom Electronics, Inc., or Kustom Signals, Inc.,~~ Model Talon;
 17. (~~ee~~) ~~Kustom Electronics, Inc., or Kustoms Signals, Inc.,~~ Directional Golden Eagle KA-Band;
 18. Golden Eagle Plus
 19. Eagle II Plus – DCM Antenna
 20. Eagle II – DCM Antenna
 21. Golden Eagle II – DCM Antenna
 22. Directional Golden Eagle II – DCM Antenna
 23. Talon II
 24. Eagle II Plus Ka
 25. Eagle II Ka
 26. Golden Eagle II Ka
 27. Pro – Lite Plus
 28. Falcon – HR – Stationary
 29. Falcon – HR – Moving
 30. Talon - Directional
 - (e) (~~ff~~) McCoy’s LAWLINe Speed Trak Elite K, Ka and Elite KD (directional);
 - (f) (~~gg~~) M.P.H. Industries, Inc., or CMI/MPH or CMI/MPH Industries, Inc., –
 1. Model K-15K “1986 Model,” Model K-15, Model K-15 II;
 2. (~~hh~~) ~~M.P.H. Industries, Inc., or CMI/MPH~~ Model MPH Speedgun (K-BAND);
 3. (~~ii~~) ~~M.P.H. Industries, Inc., or CMI/MPH~~ Model K-55K; Model BEE-36;
 4. (~~jj~~) ~~M.P.H. Industries, Inc., or CMI/MPH~~ Model Bee III;
 5. (~~kk~~) ~~M.P.H. Industries, Inc., or CMI/MPH~~ Model Enforcer;
 6. Model Python
 7. Model Z-15
 8. Model Z-25

9. Model Z-35

10. Model Python III – Standard

11. Model Python III – Fastest Speed, Same Direction

(g) (H) Tribar Industries, Inc., –

1. Model MDR-2;

2. (mm) Tribar Industries, Inc., – Model K-GP.

(2) Average Speed Calculators (ASC):

(a) Federal Sign and Signal Corp., – VASCAR II;

(b) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Tracker;

(c) Traffic Safety Systems, Inc., – VASCAR-Plus.

(3) Speedometers – All mechanical or electronic motor vehicle speedometers having certified calibration pursuant to these rules.

(4) Stopwatches – All stopwatches certified pursuant to subsection 15B-2.008(4) and Rule 15B-2.012, F.A.C. The following stopwatches are approved for use in this State when they have been tested according to this rule chapter. The absence on this list of other stopwatches used by other law enforcement agencies or the Florida Highway Patrol does not preclude their use when they have been properly tested.

Brand Name	Model Number
(a) Casio	HS-10W
(b) Timex Quartz Timer	None
(c) Heuer	1000
(d) Heuer	1010
(e) Seiko	S022-5009
(f) Accusplit	620-CT
(g) Minerva Manual Timer	None
(h) Seiko	87-0019G
(i) Aristo	Apollo
(j) Lorus	W903
(k) Marshall Browning International Corp.	Robic Acutrak SC-800

(5) Laser speed measuring devices (LSMD) – Evidence of approved LSMD shall be by a certificate or listing on the FCIC computer, or by a listing on the Division of Florida Highway Patrol website, as set forth in subsection (1) of this rule. In addition, the following LSMDs are approved for use in this State:

(a) Kustom Electronics, Inc., or Kustom Signals, Inc., – Model Prolaser II; Model Prolaser III;

(b) Laser Technology, Inc., – Model Marksman/LTI 20-20, Model Ultralyte LTI 20/20 Lidar, Model Ultralyte 100LR and 200LR, Model Ultralyte LR B; Model LTI 20/20 TruSpeed

(c) Applied Concepts, Inc., – Model Stalker Lidar;

(d) Laser Atlanta Optics, Inc., or Laser Atlanta, LLC – Model Speed Laser, Model Speed Laser B

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History–New 1-1-90, Amended 11-16-92, 10-18-94, 10-2-95, 5-23-04.

15B-2.016 Tests to Determine Accuracy of Laser Speed Measuring Devices.

(1) All LSMD used in this state shall be subject to periodic tests at intervals not to exceed six (6) months, to be conducted by a Florida registered professional engineer or by an electronic

Technician who has a Federal Communication Commission, General Radiotelephone Operator License, or a certification issued by one of the following:

(a) Association of Public-Safety Communications Officials-International (APCO);

(b) Personal Communications Industries Association (PCIA), formerly known as National Association of Business and Education Radio (NABER); or

(c) National Association of Radio and Telecommunications Engineers (NARTE).

(2) Only the most recent six (6) month test certificate is required in order to establish the presumption available under Section 316.1905(3)(b), F.S. Tests will include:

(a) Bench Tests – Wavelength verification, optical power output, pulse repetition rate, pulse width, and verify that the pulse train is free of any double laser pulses or intermittent laser pulses. The results of these tests shall conform with the safety report from the U.S. Department of Health and Human Services, Center for Devices and Radiological Health (CDRH), Food and Drug Administration (21 C.F.R. part 1040), which is incorporated by reference, and the manufacturer’s specifications, both of which will be supplied by the manufacturer.

(b) Distance/Velocity – A complete verification test as described in paragraphs 15B-2.015(1)(a) through (c), F.A.C., and a Velocity Verification test certifying that the Laser Speed Output was compared to Actual Speed as verified by a certified radar device. The results of these tests will not be greater than plus or minus one (1) foot for the distance tests, and plus or minus one (1) mph for the speed test.

(c) Sight Alignment/Beam Pattern Test. The sighting device will be checked for accuracy to determine that it remains within the laser beam at all distances from 500-3000 feet. This may be determined from calculation based on an initial beam pattern/sight alignment analysis. The beam will be analyzed to determine that it is within the pattern/size tolerances specified by the manufacturer.

(d) Each test shall be recorded on form HSMV 61071() (~~3/04~~) which is incorporated by reference. Blank forms are available by contacting the Department at the address described in subsection 15B-2.0082(1), F.A.C.

(e) When an Average Speed Calculator (ASC) is installed and used as a separate feature of an LSMD, the ASC feature must be certified separately and in addition to the LSMD under paragraph 15B-2.008(2)(d), F.A.C.

Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History–New 10-18-94, Amended 5-23-04.

NAME OF PERSON ORIGINATING THE PROPOSED RULE IS: Lieutenant Ronald W. Castleberry, Equipment, Compliance and Testing – Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room A315, Tallahassee, Florida 32399, (850) 617-2939

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:
Governor and Cabinet

DATE OF PROPOSED RULE APPROVED: September 30, 2008

DATE OF NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:
August 8, 2008

Department of Highway Safety and Motor Vehicles

CHAPTER 15B-2.013 and 15B-2.016

APPROVED SPEED MEASURING DEVICES AND TESTS TO DETERMINE ACCURACY
OF LASER SPEED MEASURING DEVICES

Summary of Rule

Changes are being made to the Department's rule on Approved Speed Measuring Devices so that speed measuring devices that have been approved, since the last revision, could be incorporated into section 15B-2.013. Several of the manufacturers of speed measuring devices have undergone corporate name changes and those name changes needed to be reflected in the current rule. In addition, each reference number or letter to a currently listed speed measuring device is being amended for ease of reference. Lastly, changes are being made to section 15B-2.016 in order to reflect a revision to form DHSMV 61071," Laser Speed Measuring Device Certification," to include the testing for intermittent laser pulses. Since the form and revision date are specifically referenced in section 15B-2.016 (2) (d), Florida Administrative Code, a revision to the form will also require a revision to this section of the Florida Administrative Code.

Statement of Facts and Circumstances Justifying the Rule

Section 15B-2.013, F.A.C., provides a listing of all currently approved speed measuring devices for use in the State of Florida. The devices are listed by the manufacturer's corporate name and model number. Since the last revision to section 15B-2.013, there has been several speed measuring devices approved for use in the State of Florida that needed to be included in the rule. This rule revision incorporates the newly approved speed measuring devices. Several of the manufacturers of speed measuring devices have undergone corporate name changes and those name changes are reflected in this rule revision. In addition, due to extensive listing of manufacturers and devices, each reference number or letter to a currently listed speed measuring device is being amended for ease of reference. Section 15B-2.016 denotes each test that is to be conducted on each laser speed measuring device at the appropriate time interval. Due to a recent court ruling, form DHSMV 61071," Laser Speed Measuring Device Certification," needed to be amended to include the testing of intermittent laser pulses. Since the form and revision date are specifically referenced in section 15B-2.016 (2) (d), Florida Administrative Code, a revision to the form will also require a revision to this section of the Florida Administrative Code.

Federal Standards Statement

A Federal Standard or Rule that impacts or is affected by this rule change does not exist.

Summary of Hearing

The proposed rule development was noticed in the August 8, 2008, Florida Administrative Weekly, Volume 34, Number 32. The rule development was approved by the Governor and Cabinet at the Governor and Cabinet Meeting on September 30, 2008. The proposed rule was noticed in the October 10, 2008, Florida Administrative Weekly, Volume 34, Number 41. No timely request for a hearing was received by the agency and no hearing was held.

ATTACHMENT 4



A SAFER
FLORIDA
HIGHWAY SAFETY AND MOTOR VEHICLES



1ST QUARTER PERFORMANCE REPORT FISCAL YEAR 2008 - 2009

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

ELECTRA THEODORIDES-BUSTLE, EXECUTIVE DIRECTOR

NOVEMBER 14, 2008

New Website Makes “Surfing” Easier: As part of our ongoing customer service and process improvement efforts, the Department released an enhanced website in July. This new website simplifies finding information of interest and facilitates transactions with the Department. Whether customers need to check their driver license status or vehicle registration, get live traffic information or crash reports, find a convenient office, or contact one of our divisions, it will all be readily accessible through the new portal www.flhsmv.gov.



Ride Proud, Dress Loud: The Department and Tallahassee's law enforcement community joined forces with area motorcyclists to launch a new motorcycle safety campaign. The statewide initiative focuses on promoting motorcycle visibility and safety in an effort to reduce fatalities on Florida's roadways. To enhance visibility, motorcyclists are encouraged to wear brightly colored or reflective upper-torso apparel. It is also suggested that reflective strips, high beams and vibrantly colored decals be used on the motorcycle itself. For more information about the Florida Department of Transportation funded campaign visit www.rideprouddressloud.com



DAVID Update: DHSMV is proud to announce the Driver And Vehicle Information Database (DAVID) program has added another valuable feature for law enforcement's use. An officer can now perform a vehicle search with just a few known facts about the vehicle they are attempting to locate. This valuable feature is particularly beneficial in crashes where a driver flees and no tag number is available. Corporal Miller recently used the enhanced DAVID to track down a vehicle used in a hit-and-run fatality. Cpl. Miller found broken vehicle parts at the crime scene. He conducted an internet search and found the parts came from a 2005-2007 Toyota Sequoia. Using the “Motor vehicle make model search” on DAVID, he was able to narrow down the possible vehicles in the county to 31. Cpl. Miller was able to locate the vehicle and the 19-year-old driver has been arrested and charged with various crimes resulting from the fatal crash.

Energy Report: Efforts at reducing energy usage are starting to pay off. HSMV employees in the Neil Kirkman Building used 81,000 fewer kilowatt hours in July 2008 than they did in July 2007. This 10% reduction in electricity usage helps the Department reduce costs and greenhouse gas emissions. The financial savings for the month of July was approximately \$7,200 which translates to about \$85,000 per year.



Performance Planning and Evaluation System: On August 1, the Department's new Performance Planning and Evaluation on-line system was implemented. The new system promotes an atmosphere of open two-way communication between supervisors and members. This new system allows supervisors to set and communicate measurable performance expectations and partner with their members to identify training and developmental needs and opportunities. Moving from the previous Meets or Needs Improvement system to a five point rating scale has given Supervisors the tools needed to measure and track job performance effectively.



Progress Through Partnerships: Effective August 1, county tax collector sites that did not previously offer driver license services have the availability to request a replacement driver license or identification card for customers who are changing their addresses. The fee is collected at the tax collector's office and the card is mailed to the customer from DHSMV Headquarters. In addition, the Department has developed the Motorist Services Report, a monthly newsletter specifically designed to inform tax collectors about recent Department activities and upcoming initiatives, further enhancing communications.



Fatalities Involving Commercial Vehicles Reduced: The state of Florida recently received an award from the American Association of Motor Vehicle Administrators nationally recognizing the state for its significant reduction in the number of fatalities involving commercial vehicles. The Florida Highway Patrol was part of this effort and accepted the award on behalf of the state. In 2005, there were 535 fatalities involving commercial motor vehicles in Florida, and in 2007, there were 366 fatalities. FHP continues to partner with the Florida Department of Transportation and other agencies to address commercial and non-commercial crash causation factors.



Emergency Contact Information: DHSMV is teaming up with state colleges and universities to spread the word to students about the importance of entering their Emergency Contact Information (ECI) online. Colleges and universities around the state were contacted to assist with this endeavor and asked to post fliers and send emails advertising this service to their student body. Our Florida Licensing on Wheels (FLOW) mobile units were also scheduled at colleges and universities throughout the state in both August and September. The schools participating in the program are: Florida A&M University, University of Florida, Florida State University, Tallahassee Community College, University of North Florida, Miami-Dade Community College and the University of Miami. Over 1.3 million people have put their information into the Emergency Contact Information system.



Florida Licensing on Wheels Mobile Units Participate in Disaster Relief: In the aftermath of Tropical Storm Fay, two of our Florida Licensing on Wheels mobile units were deployed to Brevard, Volusia, St. Lucie and Okeechobee Counties to assist the Federal Emergency Management Agency (FEMA) and the Disaster Relief Center, part of the Division of Emergency Management to assist residents in obtaining critical identification documents that were lost or destroyed as a result of the flooding associated with the storm.



Real ID Program Review: Members of the Department of Homeland Security (DHS) Inspector General's Office recently met with DHSMV Senior Management to discuss cost challenges associated with implementation of the Real ID Act. The DHS team is concluding a review of nineteen states where they asked each jurisdiction a series of questions on Real ID. Questions focused on Real ID compliance intentions; cost versus funding issues; implementation cost estimates; the grant process; and communication between DHS, the Federal Emergency Management Agency (FEMA), and the states. The DHS team's leader commented that Florida is the best prepared state of all the states visited for becoming Real ID compliant by the January 1, 2010 deadline.



Campaign for Car Seats: This past spring, we began accepting credit cards for in-person driver license and motor vehicle services. To celebrate, American Express has offered to donate \$0.25 toward the purchase of child car seats for needy children for each American Express credit card transaction conducted in an office. The child car seats will be purchased by American Express and donated to a non-profit organization for distribution to needy children. We are pleased to partner with American Express for this important cause.



Hispanic Heritage Month Outreach: Hispanic Heritage Month was celebrated September 15 – October 15. During the month of September, our members participated in two different television and radio events in Miami. They appeared on Buenos Dias Miami, with host Tomas Garcia Fuste, and Univision Radio WQBA-1140 AM. The focus was on changes to driver license requirements that impact all customers on October 1. After giving details of the changes, they participated in an extensive question and answer session for the viewers and listeners of the programs. Several more similar events are scheduled at different stations in Miami.

.02 Zero Tolerance Awareness: In the month of September, DHSMV developed a campaign to target underage drinking on college campuses and educate students about specific driver license related consequences involving underage drinking. The campaign educates students by providing specific information on laws pertaining to implied consent, .02 Blood Alcohol Level (BAL) law for drivers under 21, open container laws, and DUI fine increases. Our message is being spread throughout all Florida college campuses by partnering with Student Government Associations, crime prevention teams, sororities and fraternities, and campus radio and television stations to disseminate specific information through banners, billboards, internet web postings, and public service announcement broadcasts.

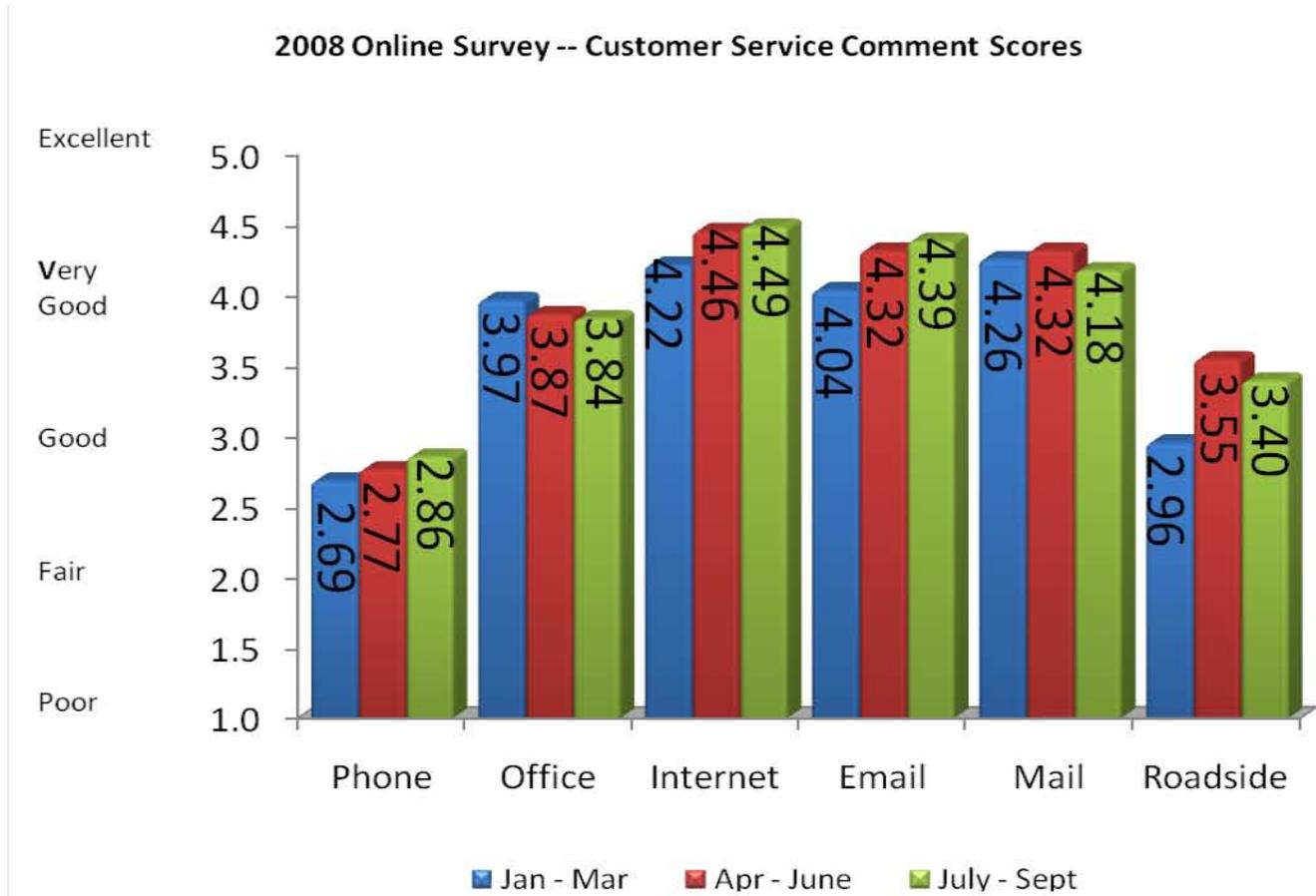


Miami-Dade Teen Driver Grant Program Continues: In September, HSMV trainers delivered a presentation called "Drive with Care" to health classes and driver education classes in five schools in the Miami-Dade area. The students interacted with the trainers through an extensive question and answer session. The presentations were part of the Miami-Dade Teen Driver Grant Program. Overall, this training reached over 1,000 students.

Automobile Lenders Industry Task Force: The Department hosted the initial task force meeting for the automobile lenders industry on September 3, 2008. Legislation created the task force to: make recommendations on proposed legislation and department rules; present issues concerning the motor vehicle lending industry; and submit a final report that includes legislative proposals to the Governor, Senate President and Speaker of House and appropriate committees by June 30, 2009. A chair and vice chair were elected during the inaugural meeting and three main issues were discussed: the priority of liens, lien holder/consumer private property issues, and lien pay-offs/timely lien releases.

Customer Service Scorecard

The graph below is based on over 21,000 customer responses from the Department's online customer service survey during the period January 1 through September 30.



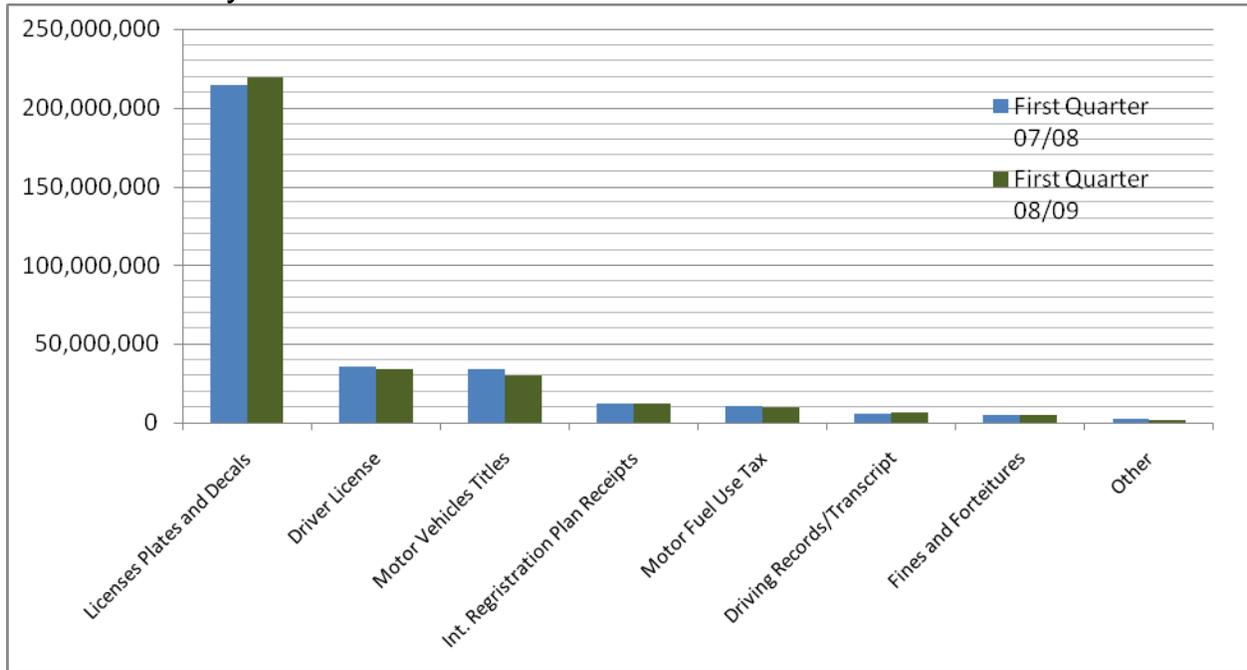
Revenue Information

Revenue Generated 2008 – 2009 Fiscal Year*

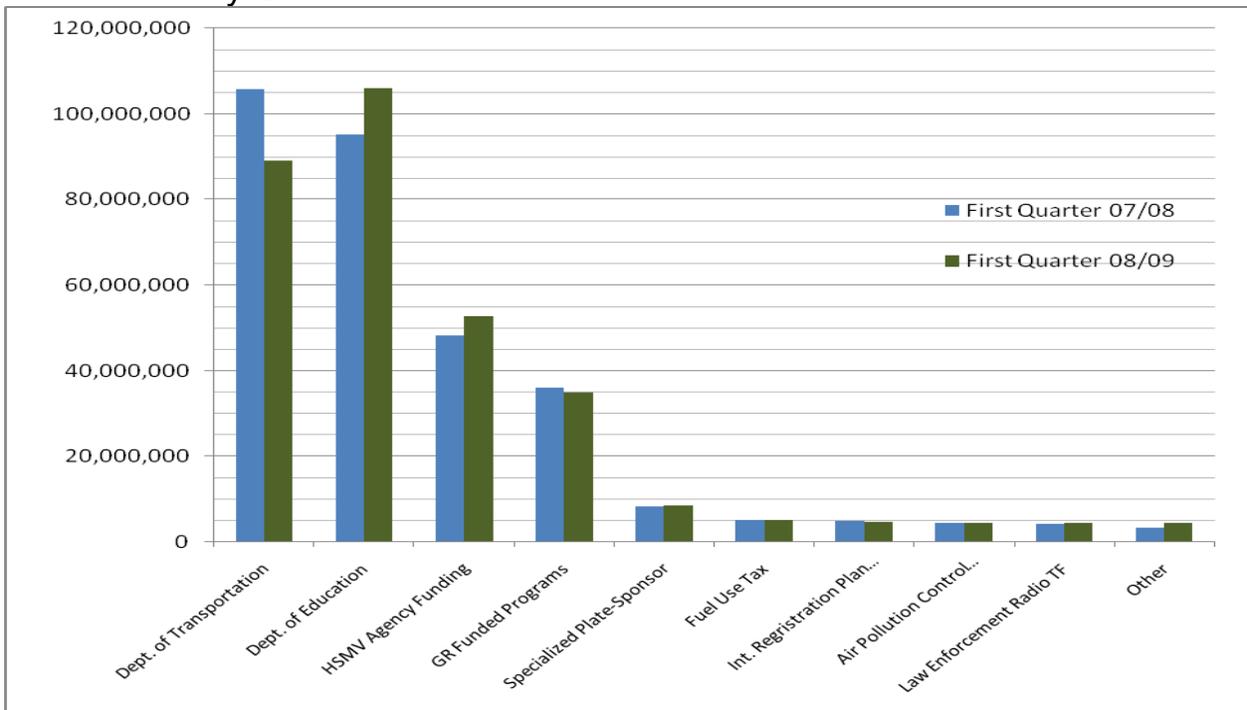
Trust Fund	General Revenue	Total
\$283,290,128	\$34,892,194	\$318,182,322

* During the period July 1 through September 30

Where the Money Comes From



Where the Money Goes



Performance Measures

Fiscal Year 2008 – 2009	1 st Qtr. 07-08	1 st Qtr. 08-09	Annual Standard
Florida Highway Patrol			
• Number of crashes investigated by FHP	57,647	49,804	200,361
• Percent change in number of crashes investigated by FHP	Annual	Annual	1%
• Number of hours spent on traffic homicide investigations	41,565	43,264	156,284
• Number of cases resolved as a result of traffic homicide investigations	446	370	1,728
• Average time (hours) spent per traffic homicide investigation (1)	97.57	105.52	90.44
• Average response time (mins) to calls for crashes or assistance	26.24	25.51	26.00
• Number/percent of duty hours spent on preventive patrol by law enforcement officers	245,698/ 40%	245,701/ 41%	1,006,389/ 41%
• Number/percent of flight hours spent on aerial traffic enforcement by law enforcement pilots	479/ 59%	258/ 52%	1,195/ 50%
• Number/percent of duty hours spent on crash investigations by law enforcement officers	91,976/ 15%	77,907/ 13%	326,447/ 14%
• Number/percent of duty hours spent on crash investigations by community service officers	4,877/ 42%	4,114/ 38%	10,707/ 29%
• Number/percent of duty hours spent on non-patrol support activities (law enforcement)	182,074/ 29%	177,996/ 30%	654,577/ 29%
• Average time (hours) to investigate crashes (long form)	2.30	2.30	2.17
• Average time (hours) to investigate crashes (short form)	1.35	1.33	1.35
• Average time (hours) to investigate crashes (non-reportable)	0.73	0.71	0.65
• Number/percent of duty hours spent on law enforcement officer assistance to motorists	28,777/ 5%	30,473/ 5%	111,635/ 5%
• Number of motorists assisted by law enforcement officers	71,027	72,080	313,277
• Number of training courses offered to FHP recruits and personnel	24	10	45
• Number of students successfully completing training (2)	331	169	1,224
• Percent of closed criminal investigations which are resolved (3)	88%	95%	80%
• Number/percent of duty hours spent on criminal investigations	11,337/ 52%	9,815/ 43%	56,199/ 60%
• Number/percent of duty hours spent on professional compliance investigations (4)	2,644/ 12%	5,259/ 23%	5,293/ 6%
• Number/percent of duty hours spent on polygraph examinations	1,204/ 5%	1,679/ 7%	5,885/ 5%
• Number/percent of duty hours spent on non-investigative support activities	6,710/ 31%	6,270/ 27%	25,250/ 29%

Fiscal Year 2008 – 2009	1st Qtr. 07-08	1st Qtr. 08-09	Annual Standard
Licenses, Titles, and Regulations (Motorist Services)			
Driver Licensure			
• Average number of corrections per 1,000 driver records maintained	5.37	6.00	4.00
• Number of driver licenses issued	1,298,449	1,266,015	5,418,344
• Number of identification cards issued	251,789	273,059	852,315
• Number of written driver license examinations conducted	404,844	426,170	1,561,590
• Number of road tests conducted	134,815	163,746	492,055
Motorist Financial Responsibility Services			
• Percent of motorists complying with financial responsibility	93%	94%	96%
• Number of insured motorists	11,623,792	11,668,228	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%
• Number of driver licenses / identification cards suspended, cancelled, and invalidated as a result of fraudulent activity (with annual percent change shown)	560	574	2,356/ -27%
• Number of problem drivers identified (5)	516,845	601,695	1,866,461
Mobile Home Compliance and Enforcement Services			
• Ratio of warranty complaints to new mobile homes titled	1:218	1:121	1 : 154
• Number of mobile homes inspected (6)	2,026	1,184	14,800
Vehicle and Vessel Title and Registration Services			
• Percent of motor vehicle / vessel titles issued without error	96%	93%	92%
• Number of fraudulent motor vehicle titles identified and submitted to law enforcement (7)	12	4	50
• Percent change in numbers of fraudulent motor vehicle titles identified and submitted to law enforcement	Annual	Annual	3%
• Average cost to issue a motor vehicle / vessel title (8)	\$2.10	\$2.50	\$2.12
• Number of motor vehicle and mobile home titles issued	1,436,922	1,267,480	6,700,000
• Number of motor vehicle and mobile home registrations issued	4,917,611	4,783,773	21,446,037
• Number of vessel titles issued	57,466	48,527	270,879
• Number of vessel registrations issued	252,284	236,083	1,046,445
• Average number days to issue a vehicle title	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	1:5	1:5	1 : 8
• Number of rebuilt salvaged motor vehicles inspected for vehicle identification numbers and odometer readings (9)	6,602	6,293	36,319
• Percent of dealer licenses issued within 7 working days upon receipt of completed application	99%	99.9%	99%
• Number of automobile dealer licenses issued (all dealer types) (10)	2,534	2,089	12,800
• Ratio of taxes collected as a result of International Registration Plan and International Fuel Tax Agreement audits to cost of audits (11)	\$1.64 : \$1.00	\$0.38: \$1.00	\$1.73 : \$1.00
• Number of International Fuel Use Tax and International Registration Plans accounts audited	62	72	350
• Number of motor carriers audited per auditor, with number of auditors shown	21: 14	24:10	22 : 14

Fiscal Year 2008 – 2009	1st Qtr. 07-08	1st Qtr. 08-09	Annual 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 	5.07% / 6.09%	4.08%/ 6.18%	5.00%/ 6.42%
<ul style="list-style-type: none"> Percent Florida Highway Patrol administration and support costs and positions compared to total Florida Highway Patrol costs and positions 	1.44% / 1.13%	1.35%/ 1.20%	1.41%/ 1.18%
<ul style="list-style-type: none"> Percent Motorist Services administration and support costs and positions compared to total Motorist Services costs and positions 	2.43% / 1.92%	2.56%/ 1.81%	2.13%/ 2.19%

Fiscal Year 2008 – 2009	2008-09 YTD Actual	Annual Standard
Annual Calculations		
<ul style="list-style-type: none"> Florida death rate on patrolled highways per 100 million vehicle miles of travel 	Annual	1.70
<ul style="list-style-type: none"> National average death rate on highways per 100 million vehicle miles of travel 	Annual	1.50
<ul style="list-style-type: none"> Alcohol-related death rate per 100 million vehicle miles of travel 	Annual	0.64
<ul style="list-style-type: none"> State seat belt compliance rate 	Annual	67.50%
<ul style="list-style-type: none"> Percent change in seat belt use 	Annual	1%
<ul style="list-style-type: none"> Annual crash rate per 100 million vehicle miles of travel on all Florida roads 	Annual	131
<ul style="list-style-type: none"> Percent of recruits retained by FHP for 3 years after the completion of training 	Annual	90%
<ul style="list-style-type: none"> Percent of customers waiting 15 minutes or less for driver license service 	Annual	50%
<ul style="list-style-type: none"> Percent of customers waiting 30 minutes or more for driver license service 	Annual	35%
<ul style="list-style-type: none"> Percent of customers who rate Kirkman Data Center services as satisfactory or better as measured by survey 	Annual	90%

PERFORMANCE EXPLANATION

(1) Average time (hours) spent per traffic homicide investigation - The FHP Traffic Homicide Manual has been revised to eliminate the abbreviated reporting format to ensure a more comprehensive, consistent, and effective investigation. The revised manual is designed to maintain a high standard and accountability for both those completing and reviewing the traffic homicide investigation. Traffic homicide investigation hours have increased as a result of the new detailed protocol.

(2) Number of students successfully completing training - Based on the training cycle, a recruit class will graduate in the second quarter of 08/09. In addition, two training classes were postponed this quarter (August) due to tropical storm weather. The two training classes have been rescheduled for later this fiscal year.

(3) Percent of closed criminal investigations which are resolved - Renewed emphasis on the Patrol's case management system identified criminal cases that could be readily closed and resolved. Patrol managers instituted a method to balance investigative time between both complex and minor cases resulting in more efficient close-out.

(4) Number/percent of duty hours spent on professional compliance investigations - The Patrol separated professional compliance from the criminal investigative function and assigned responsibility for all cases of employee misconduct to the Office of Professional compliance in March, 2008. The move established greater accountability and tracking of alleged cases of misconduct resulting in a more accurate depiction of actual numbers of complaints. These investigators are focused on conducting professional compliance investigations resulting in a greater percentage of their work time dedicated to investigating allegations of employee misconduct.

(5) Number of problem drivers identified – Problem drivers are associated with driving related and non-driving related incidents. The number of problem drivers increased overall by 14.1% during the 1st Quarter of Fiscal Year 2008-09 due to a significant increase in first-time DUI convictions and in failure to comply with traffic summonses.

(6) Number of mobile homes inspected - Production in mobile/manufactured home plants has continued to decrease significantly due to reduced public demand and industry decline causing fewer homes to inspect in plants. The Department adjusted staffing levels recognizing the decreased demand. The decline is related to economic conditions, all required mobile home inspections are being met by our members.

(7) Number of fraudulent motor vehicle titles identified and submitted to law enforcement - The number of title fraud cases submitted to law enforcement is based upon what is determined by the Quality Review Unit and also possible fraud reported by consumers, Tax Collectors and DMV Regional Offices. 263 potential fraud cases were reported with only four being determined to be fraudulent and submitted to law enforcement.

(8) Average cost to issue a motor vehicle / vessel title – Fixed title costs (staff, forms, data processing, overhead, etc.) represents approximately 90 percent of all title costs. These costs remain constant regardless of the number of titles issued. Since fewer titles are being issued, a higher average cost results.

(9) Number of rebuilt salvaged motor vehicles inspected for vehicle identification numbers and odometer readings – The decline is attributed to a reduction in consumer demand for rebuilt inspections, all required rebuilt salvaged motor vehicle inspections are being met by our members.

(10) Number of automobile dealer licenses issued (all dealer types) – The reduction is associated with fewer new dealer licenses being issued as fewer dealers are entering the market. Also, dealerships have closed due to economic challenges and consequently did not renew their license.

(11) Ratio of taxes collected as a result of International Registration Plan and International Fuel Tax Agreement audits to cost of audits - The decrease in the ratio of taxes collected for commercial carriers can be linked to an increase in compliance and those carriers not in compliance being unable to make a lump sum payment and instead making installment tax payments.

**PURCHASES MADE IN EXCESS OF \$25,000 AND NOT IN CONJUNCTION WITH
STATE CONTRACTS
JULY Through SEPTEMBER 2008**

ITEM(S) PURCHASED	VENDOR	AMOUNT
FHP: Patrol car window tint installation to provide protection for troopers and FHP equipment from ultraviolet light and excessive heat. ITB# 033-08. DO# 1024443.	Columbia Glass Tint, Inc. Lake City, FL	\$38,806.05
DDL: Media campaign to promote safe, legal riding through obtaining a motorcycle endorsement in addition to encouraging riders to become more conspicuous on the roadways. RFP# 040-08. DO# 1034152.	Kidd Group Tallahassee, FL	\$70,000.00
ISA: This software application provides for the department's electronic connection to all other vehicle title databases in the United States. Also included is the cost to cover each CDLIS transaction for the fiscal year. Single Source. Term 07/01/08 through 06/30/09. KDC# 078-344. DO# DO1079391.	American Association of Motor Vehicle Administrator Arlington, VA	\$983,353.68
ISA: Computer software maintenance to update software products for disk volumes. Single Source. Term 08/01/08 through 07/31/09. DO# 1080167.	Innovation Data Processing Little Falls, NJ	\$30,606.30
FHP: RediAlert message boards are used to alert and caution traffic during FHP'S DUI checkpoint operations. Single Source. DO# 1087615.	Waytronx, Inc. Safety Harbor, FL	\$128,619.00
ISA: Database support for two back up servers which house the driver license and motor vehicle (tag and title) data for the State of Florida. Single Source. Term 07/01/08 through 6/30/09. DO# 1087710 and DO# 1087881.	Hewlett Packard Tallahassee, FL	\$543,451.08
FHP: Intoxilyzer field sobriety testing devices are used by FHP to test the blood alcohol content of suspected drunk drivers apprehended at DUI Checkpoints. Single Source. DO# 1096965.	CMI, Inc. Owensboro, KY	\$59,750.00
FHP: Vehicle surveillance package will be used to conduct investigations and enhance security operations in the State of Florida. ITB# 001-09. DO# 1082598.	International Surveillance Technology, Inc. Deerfield Beach, FL	\$70,000.00
ISA: License Fee Software products which are currently installed on the IBM mainframe and vital to the operation of Kirkman Data Center. Single Source, KDC-078-342, Term 07/01/2008 through 06/30/09. DO# 1116329.	IBM Corporation Tallahassee, FL	\$297,756.00
FHP: The FHP rebuilt aircraft engine as required to continue operating FHP's 2002 Cessna per FAA and manufacturer's guidelines. ITB# 005-09, DO# 1149401.	Teledyne Mattituck Services Fairhope, AL	\$25,976.00
ISA: Software maintenance for the Automated Driver Licenses Testing System. Term 07/01/08 through 06/30/09. KDC-078-380, DO# 1116323.	Hewlett Packard Tallahassee, FL	\$67,500.00

ATTACHMENT 5

VICKI ERWIN-WILSON, M.D.

vwilson@wilsonfamilymedicine.com

Wilson Family Medicine
2621 Mitcham Drive Unit 103
Tallahassee, FL 32308
(850)219-CARE (2273) Fax (850)201-2410
www.wilsonfamilymedicine.com
www.interfacehealthcaresolutions.com

EXPERIENCE

Wilson Family Medicine, LLC
September 2002-present
Family Physician Owner/Practicing Physician/Managing Partner

Interface Healthcare Solutions, LLC
2005-present
Partner/Consultant

EHRNow! Consultant
Florida Academy of Family Physicians
May 2006-Present

TALLAHASSEE MEMORIAL FAMILY MEDICINE-MICCOSUKEE
September 1996-September 2002
Family Physician/Employed (Ambulatory Care Family Practice)

NORTH FLORIDA MEDICAL CENTER
June 1991-September 1996
Family Physician (Community Health Center)

PATIENTS FIRST
September 1995-September 1996
Urgent Care Physician

TALLAHASSEE MEMORIAL FAMILY PRACTICE RESIDENCY PROGRAM
June 1993-current
Resident Preceptor

JEFFERSON COUNTY PUBLIC HEALTH DEPARTMENT
August 1990-May 1991
Urgent Care Physician

FLORIDA STATE UNIVERSITY STUDENT HEALTH CENTER
August 1990-May 1991
Urgent Care Physician

EDUCATION

TALLAHASSEE MEMORIAL FAMILY PRACTICE RESIDENCY PROGRAM
1989-1991
BOARD CERTIFIED: 1991, 1997, 2004

ALACHUA GENERAL FAMILY PRACTICE RESIDENCY PROGRAM
1988-1989

UNIVERSITY OF FLORIDA COLLEGE OF MEDICINE
Doctor of Medicine-1988

UNIVERSITY OF FLORIDA
Bachelor's of Science in Nutritional Science-1984

LOUISIANA STATE UNIVERSITY
1979 Freshman Honors Program

ORGANIZATIONAL ACTIVITIES/PERSONAL

- * F.A.F.P. E.H.R. Now! Consultant, 2006-2008 (electronic health records consulting)
- Tallahassee Memorial Hospital Family Practice Residency Program Preceptor, 1994-present
- University of Florida College of Medicine Preceptor, 1993-2001
- University of Florida Physician Assistant Program Preceptor, 1998-2000
- Florida State University Nurse Practitioner Program Preceptor, 1997-1999
- Program in Medical Sciences Preceptor, 1997-1990
- Florida State University College of Medicine, Assistant Clinical Professor 2003-present
- ❖ Area Health Education Centers Board Member, 1995-current
- ❖ Medical Missionary to Haiti, 1988, 1990
- ❖ Married to Les Wilson, M.D., 1990
- ❖ Mother of eight children ages five to eighteen
- ❖ YMCA Camp Indian Springs Medical Advisor
- ❖ Early Head Start Medical Consultant
- ❖ Active Seminole Fan and Booster

ATTACHMENT 6

CURRICULUM VITAE
ANDREA RANDELL, M.D.
September 28, 2008
Page One

PERSONAL DATA

Born September 8, 1961 in Cleveland, Ohio.

Home Address: 315 Hiawassee Farms Road South
Monticello, Florida 32344

Office Address: 2626 Care Drive, Suite 200
Tallahassee, Florida 32308

Phone Contact: 850-997-4442 – home
850-508-7600 – cell
850-878-8235 – office

Children: Eric Theodore Randell, age 24
Alexander Joseph Randell, age 19
Sara Rachel Randell, age 18

Education: 1979-1982 - Undergraduate chemistry major
University of Florida, Gainesville, Florida

1982-1983 – Undergraduate Bachelor of Science
degree in chemistry from Stetson University, Deland, Florida

1983-1987 – Medical School M.D. degree
University of Florida, Gainesville, Florida

1987-1990 – Residency Internal Medicine, Chandler Medical Center,
University of Kentucky, Lexington, Kentucky

1991 & 2001 Board Certification in Internal Medicine.
Recertification due 2011.

Licensure – State of Florida.

EMPLOYMENT HISTORY:

1988-1991- Emergency Room physician, Woodford Memorial Hospital, Versailles, Kentucky

Continued.....

**CURRICULUM VITAE
ANDREA RANDELL, M.D.
September 28, 2008
Page Two**

1991-present – Capital Regional Healthcare, formerly Medical Group of North Florida, 2626 Care Drive, Suite 200, Tallahassee, Florida 32308

Hospital Privileges – Capital Regional Medical Center, Tallahassee, Florida 32308

Professional Affiliations – American Medical Association, Florida Medical Association

HOBBIES: Horseback riding, gardening, and reading.