

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

January 13, 2015

AGENDA

<http://www.flhsmv.gov/agenda/2015/011315agenda.pdf>

1. Respectfully submit the Minutes for the December 9, 2014 Cabinet Meeting.

Attachment #1.
Recommend Approval.

2. Respectfully submit a briefing of the Legislative Budget Request for FY 2015 – 2016.

Attachment #2.
Recommend Approval.

3. Respectfully submit a briefing of the Department's Legislative Package for 2015 Session.

Attachment #3.
Recommend Approval.

1 **HIGHWAY SAFETY AND MOTOR VEHICLES**

2
3 GOVERNOR SCOTT: Now I'd like to invite
4 Terry Rhodes with the Department of Highway Safety
5 and Motor Vehicles to present her agenda.

6 Good morning.

7 EXECUTIVE DIRECTOR RHODES: Good morning,
8 Governor, General Bondi, CFO Atwater, and
9 Commissioner Putnam. It's great to be here, and I
10 appreciate the opportunity.

11 First let me thank you for honoring
12 Sergeant Lintzel this morning. That means an awful
13 lot to the troopers and the people in the field,
14 and the fact that you've taken the time and the
15 petroleum industry did that, we really do -- it
16 means an awful lot, so thank you.

17 I respectfully request approval of the
18 March 18th, 2014, Cabinet meeting minutes.

19 GOVERNOR SCOTT: Is there a motion to approve?

20 ATTORNEY GENERAL BONDI: So move.

21 GOVERNOR SCOTT: Is there a second?

22 COMMISSIONER PUTNAM: Second.

23 GOVERNOR SCOTT: Moved and seconded, show the
24 minutes approved without objection.

25 EXECUTIVE DIRECTOR RHODES: Thank you.

1 For the second agenda item, I'd like to give
2 you a snapshot of the Department over the last four
3 years, since December of 2010, and where we are
4 today. While this report is in comparison of the
5 2010-14, the Department will continue to report our
6 strategic performance goals for your review, and
7 we'll have it also on our website for transparency,
8 so we will continue that.

9 With your support, we were able to make
10 significant changes, and I think we did that in a
11 very successful manner. In 2010 the Department had
12 just been transitioning the drivers' license
13 offices with the drivers' license and
14 identification cards, doing vehicle registrations
15 through the county tax collectors. Today the
16 transition is nearly complete, and these services
17 are now offered in 176 tax collector offices in our
18 59 counties.

19 Another -- in addition, the patrol initiated a
20 significant restructuring that resulted in more
21 troopers physically patrolling the roads. The
22 increase in the number of hours spent on
23 preventative patrols from 2010 to 2014 is a result
24 of that change. Law enforcement officers from the
25 Department of Transportation Motor Carrier

1 Compliance were merged into the Florida Highway
2 Patrol, creating the new Commercial Vehicle
3 Enforcement Unit.

4 We have more motor vehicle registrations in
5 Florida today than four years ago, and more motor
6 vehicle and mobile home business licenses have been
7 issued as of today than four years ago. And one of
8 the things that I know the previous Executive
9 Director did with your support, along with what
10 we've done in the last six months with me, we've
11 hired over 186 military veterans; and 101 of those
12 joined the ranks of Florida's finest, the
13 Highway Patrol, so we're very happy about that.

14 With the 19 million residents and the over
15 hundred million visitors in Florida, we recognize
16 we're a dynamic landscape. We've got so many
17 different things here in our state, and we're
18 different, and we've got to be able to be agile and
19 be able to respond to that with the tourists and
20 the citizens, so we recognize that; and also, with
21 your leadership, we will continue to do so.

22 We're constantly looking for ways of improving
23 customer service, the internal improvements,
24 looking -- enhancing communication with all of our
25 stakeholders. Our tax collectors are an important

1 agent of the Department, and I am totally committed
2 to working with them and continuing to build on
3 those relationships.

4 One of the things that we've done is working
5 with a lot of your agencies, General Bondi; working
6 with Highway Patrol with the human trafficking
7 initiative; working with Commissioner Jerry Bailey
8 with FDLE on multiple domestic security issues;
9 working with Department of Transportation, with the
10 Secretary, on the wrong-way crashes throughout our
11 state, and taking different highway safety
12 initiatives that we're doing with the Department.

13 Another thing that we're doing is putting out
14 a consumer information page identifying the vehicle
15 recalls so that the consumers are -- you know,
16 we're making it easier on our site to know where
17 that information is. With the new car-seat law
18 that's going into effect January 2015, we're going
19 to start going out there and certifying more of the
20 child seat -- the occupancy, and having certified
21 specialists on our teams.

22 We're also doing a lot of work with the
23 technology with our computer-aid dispatch with the
24 Department. Since we implemented that in 2014, the
25 previous director came up here and we talked about

1 that with you. Technology, like Rapid ID System on
2 the roadside that the Patrol uses, this technology
3 has resulted in the arrest of over 2,200
4 individuals being sought by law enforcement
5 nationwide.

6 We're currently in the process of identifying
7 our IT business requirements to update our drivers'
8 license and our motor vehicle systems. And we'll
9 be also implementing safeguards in our IT
10 infrastructure that will protect our personal data
11 held by the Department.

12 The accomplishments these last four years as,
13 again, we in the Department, we recognize
14 through the Cabinet, and Governor and members, your
15 leadership, and we do appreciate that. And on
16 behalf of the Department of Highway Safety
17 employees, we want to thank you for that.

18 And I'm honored to be here today, and I would
19 also like to present you with the 75th Anniversary
20 Highway Patrol Yearbook.

21 And Captain Rasmussen, if you could --
22 everyone -- y'all all are participating in
23 celebrating throughout the year, and October was
24 our official month, so we'd like to present these
25 for you for your offices. And a lot of dedication

1 and hard work was put into that, and we just wanted
2 each of y'all to have one of those.

3 I'd be happy to answer any questions. If not,
4 I'll be back with a lot of substantive rules in
5 the future months to go over with you and some of
6 the changes. So, again, I appreciate it, and I'm
7 here.

8 GOVERNOR SCOTT: All right.

9 EXECUTIVE DIRECTOR RHODES: Thank you.

10 GOVERNOR SCOTT: Thank you very much.

11 Is there a motion to accept the report?

12 COMMISSIONER PUTNAM: So moved.

13 GOVERNOR SCOTT: Is there a second?

14 ATTORNEY GENERAL BONDI: Second.

15 GOVERNOR SCOTT: Any comments or objections?

16 (NO RESPONSE).

17 GOVERNOR SCOTT: Hearing none, the motion
18 carries.

19 Thank you very much.

20 EXECUTIVE DIRECTOR RHODES: Thank you,
21 Governor.

22 GOVERNOR SCOTT: Thanks for your hard work.

23 EXECUTIVE DIRECTOR RHODES: We appreciate it
24 again for recognizing the Highway Patrol and the
25 people of the Department.



A SAFER
FLORIDA
HIGHWAY SAFETY AND MOTOR VEHICLES

**Legislative
Budget
Request
Fiscal Year:
2015-2016**



Terry L. Rhodes, Executive Director

Fiscal Year 2015 - 16 Legislative Budget Request

Issue	General Revenue		Trust Fund		Total
	Recurring	Nonrecurring	Recurring		
1. Motorist Services Modernization Phase 1		\$8,275,885	\$114,511		\$8,390,396
2. Replacement of FHP Pursuit Vehicles	\$6,646,187				\$6,646,187
3. Cyber Security Threat Monitoring		\$656,405	\$67,450		\$723,855
4. Critical Life Safety Repairs and Maintenance of Facilities – Statewide		\$5,372,125			\$5,372,125
5. Digital In-Car Camera System Maintenance			\$521,144		\$521,144
6. Purchase of License Plates		\$3,120,000			\$3,120,000
7. Replacement of MS Non Pursuit Vehicles			\$350,000		\$350,000
8. FHP Equipment Replacement		\$3,239,802			\$3,239,802
9. Continue Court Overtime and Incidental Overtime Funding			\$2,000,000		\$2,000,000
TOTAL	\$6,646,187	\$23,717,322	\$3,053,105		\$30,363,509

Motorist Services Systems Modernization Phase 1

\$8,390,396 Total Request • \$8,275,885 Non-recurring Trust Fund • \$114,511 Recurring Trust Fund

Priority	Synopsis	Details	Cost
1.	<p>Provides funding to allow the Department to improve customer service, meet the needs of the tax collectors performing issuance activities, increase data availability and quality, increase the ability to integrate with business partners and better support public safety.</p>	<p>Motorist Modernization is a multi-year project to modernize the programs used by the State and Tax Collector offices to issue driver licenses and identification cards and register and title vehicles and vessels. This issue requests \$8.3M for Fiscal Year 2015-16 to continue work on Phase I of the Motorist Modernization project. The Department projects a total Phase 1 project cost of \$36.7M, over base budget, of which only \$234,601 is recurring.</p> <p>The goal of Motorist Modernization is to reduce costs and gain efficiencies by streamlining the motorist services technology footprint (hardware and software) and centralize motorist information for ease of access. There are currently multiple challenges to delivering efficient services, including silo systems for driver license and motor vehicle services and supporting aging platforms with limited and decreasing subject matter experts.</p>	<p>The Department is requesting \$8.3M in Fiscal Year 2015-16. This project will result in an estimated \$2.5M in savings and cost avoidance in outlying years.</p>

Replacement of Motor Vehicles – FHP Pursuit Vehicles \$6,646,187 Recurring General Revenue

Priority	Synopsis	Details	Cost
2.	<p>Provides funds to replace older, higher mileage pursuit vehicles and supply Troopers with safe, reliable, cost effective vehicles used to maintain safety and security on the roadways of Florida.</p>	<p>The Florida Highway Patrol (FHP) depends on safe, reliable pursuit vehicles to enforce traffic laws, deter and respond to criminal activities and provide security to everyone travelling on our roadways. FHP Pursuit vehicles are driven an average of 21,000 miles per year.</p> <p>Currently, the Department of Management Services' (DMS) criterion for vehicle replacement allows police pursuit vehicles to be replaced at 80,000 miles. Vehicle usage reports from the Florida Highway Patrol Fleet Office projects FHP will have 916 pursuit vehicles which will meet or exceed 100,000 miles by June 30, 2015. After utilizing Fiscal Year 2014-15 appropriations to replace 283 vehicles, FHP will have 633 pursuit vehicles, excluding motorcycles, exceeding 100,000 miles.</p> <p>During enforcement actions, Florida Highway Patrol troopers regularly drive their police vehicles at a high rate of speed on crowded interstate highways. These older, less reliable vehicles will become increasingly unsafe to operate. Additionally, as critical components in the vehicles deteriorate, the high mileage vehicles cost more to operate.</p> <p>FHP has a recurring base appropriation of \$5M for the acquisition of motor vehicles which allows for the replacement of 174 vehicles annually. An additional \$6.6M in recurring funding will allow the Patrol to reestablish the fleet maintenance program replacing 20% of the fleet annually. Replacing high mileage vehicles with newer, more reliable vehicles will enhance the Patrol's ability to respond to calls for service in a timely manner, and patrol the highways to remove impaired or hazardous drivers and deter criminal activities.</p>	<p>The level of funding needed to replace 405 vehicles in Fiscal Year 2015-16 based on an anticipated per vehicle cost of \$28,805 is \$11,666,025. The Department has a base budget of \$5,019,838. We are requesting an additional appropriation of \$6,646,187 to replace these vehicles.</p>

Cyber Security and Threat Monitoring Appliance

\$723,855 Total Request • \$656,405 Non-recurring Trust Fund • \$67,450 Recurring Trust Fund

Priority	Synopsis	Details	Cost
3.	<p>Provides funds to procure and implement new cyber-security threat monitoring and response tools.</p>	<p>The Department is responsible for protecting the confidentiality, integrity, and availability of over 16 million Florida driver license and 2 million identification card records, all of which contain personal identifiable information, as well as, multiple systems which support the issuance of driver licenses, motor vehicle titles, and motor vehicle registrations. These systems are used by the Department, law enforcement, county tax collectors, and other business partners.</p> <p>The proposed funding will help to mitigate the risk of cyber threats by deploying threat monitoring and response tools to identify a compromise at the earliest possible point and enhance the Department's capabilities to respond in a timely and effective manner.</p> <p>The proposed solution includes a new technology capable of performing deep packet inspection combined with continuous monitoring of network traffic. This tool will perform real time analysis on incoming network traffic through a variety of techniques. This, combined with the continuous monitoring of all network traffic, enables the system to assess and reduce risks in real time. Early detection minimizes the damage of a targeted attack, disruption to business processes, and the cost and financial liability of the attack.</p>	<p>The Department is requesting \$723,855 in funding to procure and implement new cyber-security threat monitoring and response tools. Of this request, \$67,450 is recurring.</p>

Critical Repairs to State Owned Facilities
\$5,372,125 Non-Recurring Trust Fund

Priority	Synopsis	Details	Cost
4. Fixed Capital Outlay	Provides Fixed Capital Outlay funds for projects necessary to continue operations and provide quality services to the residents of Florida.	The Department owns and is responsible for over 40 facilities state-wide. Items included in this request include renovations required by the fire marshal to the Neil H. Kirkman Building in Tallahassee. The building, originally constructed in 1959, is in need of roof repairs in an area of the building that has experienced continual leaking, HVAC repairs and the replacement of 60 year-old plumbing that supplies water to the building. In addition, Florida Highway Patrol and Division of Motorist Services facilities in the state are in need of roof and restroom repairs, mold and asbestos abatement and, in Middleburg, connecting the facility to the municipality's sewer system, as the septic tank is no longer usable.	This issue requests \$5,372,125 in non-recurring funding to conduct critical repairs during the 2015-16 fiscal year.

Digital In-Car Camera Maintenance
\$521,144 Recurring Trust Fund

Priority	Synopsis	Details	Cost
5.	Provides for the maintenance of the Florida Highway Patrol's in-car video system.	In June of 2011, the Florida Highway Patrol was awarded a \$6,100,000 grant from the Florida Department of Transportation to purchase and install 1,029 digital in-car cameras and 28 servers. The initial purchase included a warranty period that will expire at the end of Fiscal Year 2014-15. Continuing a maintenance agreement for this equipment is imperative. Servers are placed geographically around the state and allow troopers to quickly off-load stored video. The documentation of enforcement activities provided by the cameras has significantly improved the Department's ability to respond to complaints regarding officer professionalism and courtesy. The recordings enable investigators to quickly resolve complaints against officers saving time and efforts to conduct internal investigations.	This issue requests \$521,144 in recurring funding to provide for the maintenance of the Florida Highway Patrol's in-car video system.

**Purchase of License Plates
\$3,120,000 Non-Recurring Trust Fund**

Priority	Synopsis	Details	Cost
6.	Provides funding for the replacement of license plates that have reached the end of the ten year life cycle.	<p>In Fiscal Year 2009-10, the Department converted from a six year license plate renewal cycle to a ten year renewal cycle. The Department's budget authority to purchase license plates was also temporarily reduced as a result of this change as the Department would not be replacing expired license plates for another four years.</p> <p>Fiscal Year 2015-16 is the second full year of the ten year renewal cycle and it is anticipated that the Department will be replacing an additional 1.8 million plates that have reached the end of the cycle. This is in addition to the voluntary plate and new plate issuances. Additional funding is required in the Purchase of License Plates category in order for the Department to meet the increased levels of demand.</p>	This issue requests \$3,120,000 in non-recurring funding to replace license plates that have reached the end of the ten year life cycle.

**Replacement of Motorist Services Vehicles
\$350,000 Recurring Trust Fund**

Priority	Synopsis	Details	Cost
7.	Provides funding to replace high mileage vehicles within the Division of Motorist Services.	<p>The Division of Motorist Services maintains over 40 leased and State-owned offices statewide and currently has nearly 200 FTE's that must travel to complete their job responsibilities. The Division's fleet consists of 213 passenger vehicles. These vehicles are used to conduct mobile home and automobile dealer inspections, training, deliver supplies and make needed equipment repairs in issuance offices.</p> <p>A current report from the Florida Electronic Equipment Tracking (FLEET) system projects the Division of Motorist Services will have 78 vehicles that will meet or exceed the 120,000 miles or 12 year criterion by June 30, 2015. The Division of Motorist Services currently has no recurring base budget for the acquisition of motor vehicles. The recurring \$350,000 would allow the Division to begin replacing 20 vehicles annually at an average cost of \$17,500 per vehicle.</p>	This issue is request to establish a \$350,000 recurring budget to replace vehicles in the Division of Motorist Services.

Replacement of Florida Highway Patrol Equipment \$3,239,802 Non-Recurring Trust Fund

Priority	Synopsis	Details	Cost
8.	<p>Provides funding to replace the electronic control devices (Tasers) currently used by the Florida Highway Patrol.</p>	<p>The Florida Highway Patrol promotes a safe driving environment through proactive enforcement operations, investigation of highway traffic crashes, interdiction of dangerous contraband, and arresting wanted fugitives. These operations occur across a wide geographical region where back-up may not always be immediately available. In addition, the duties of the Patrol bring them into contact with a wide range of individuals under a variety of different circumstances. In carrying out their duties, officer and motorist safety are of primary importance.</p> <p>Conducted Electrical Weapons (CEWs), also known as Tasers, have reduced the number of law enforcement officer injuries as well as the extent of injuries to non-compliant subjects, during arrest and flight situations. The devices can be deployed at distances of up to 35 feet, giving the officer time in potential life threatening situations, to use an effective non-lethal option. Section 943.1717, Florida Statutes, governs the training and use of these devices, including required annual re-training.</p> <p>The Florida Highway Patrol was appropriated funding in Fiscal Year 2009-10 to purchase Tasers. The equipment purchase included a four year warranty period that will expire on all equipment by June 2015. The single cartridge model originally purchased is no longer in production and spare parts including batteries are no longer available. The cost of replacing 1,800 Tasers, for the ranks of Sergeant and Law Enforcement Officers of the Florida Highway Patrol, is \$3,239,802.</p>	<p>This issue requests \$3,239,802 in non-recurring funding to replace 1,800 Tasers for Florida Highway Patrol Sergeants and Law Enforcement Officers.</p>

Transfer Court Overtime Payment Program (COPP) and Incidental Overtime Funding From Nonrecurring to Recurring \$2,000,000 Recurring Trust Fund

Priority	Synopsis	Details	Cost
9.	<p>Provides funding to continue the Florida Highway Patrol's Court Overtime and Incidental Overtime programs.</p>	<p>For Fiscal Years 2013-14 and 2014-15, the Department received non-recurring appropriations of \$2,000,000 to fund court and incidental overtime for the Florida Highway Patrol. This funding resulted in 51,000 additional hours dedicated to keeping Florida residents and visitors safe on the roads through road patrol, crash investigations, and roadside assistance.</p> <p>Court overtime pay compensates officers for court appearances during non-scheduled hours. Not continuing this funding will result in fewer hours spent on patrol activities due to offsetting hours spent in court within the work cycle. Each hour offset is one hour less of patrol time, resulting in a reduced law enforcement presence and a possible increase in crime, a decrease in visibility of law enforcement officers on the road and a negative impact on public safety.</p>	<p>This issue request to continue the Florida Highway Patrol's Court Overtime and Incidental Overtime Programs by transferring \$2,000,000 from non-recurring to recurring funding.</p>

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Citation
Funeral Expense Flexibility for Law Enforcement Officers	Beneficiaries of full time, certified law enforcement, correctional or correctional probation officers that are killed in the line of duty are eligible to receive \$1,000 to assist with funeral and burial expenses. No authority exists for a state agency to pay any of the funeral or burial expenses directly to the provider of these services.	Provides flexibility for head of employing agency to pay up to \$5,000 directly to venue to cover funeral and burial expenses of those killed in the line of duty.	The size of venues needed for funeral services for those law enforcement officers killed in the line of duty are typically larger than would be needed by family and friends of the deceased as law enforcement officers from other agencies (as well as from other states or countries) often attend to show their respect to both the officer as well as the law enforcement agency itself. This change will allow the agency to pay a venue directly to relieve the bereaved family's burden of having to pay the cost of the larger venue.	Minimal	112.19
Email Addresses Public Records Exemption	The Driver Privacy Protection Act (adopted both in federal and state law) limits public access to an individual's social security number, driver license or identification card number, name, address, telephone number, medical or disability information, and emergency contact information as contained in the person's motor vehicle and driver license. The law was passed in 1994, before the widespread adoption of email, and did not include email addresses as protected personal information.	Creates a public records exemption for email addresses obtained from customers when conducting driver license/motor vehicle record transactions.	Provides consumer protection of customer's email address.	No	119.0712

continued

Issue	Current Situation	Proposed Change	Justification	Fiscal Impact	Statutory Sites
Revising Size of Hazard Flags On Projecting Loads	Current Florida law requires red flags not less than 12 inches square be attached to a load protruding past the perimeter of a vehicle to alert surrounding drivers of the hazard. Federal regulations require the flag to be 18 inches square. Commercial motor vehicle carriers that obtain dimension/size permits issued by FDOT are already required by the terms of the permit to obtain 18 inch flags.	Change would bring Florida into compliance with Federal regulations to require 18-inch square flags on all vehicles with protruding loads.	The Federal Motor Carrier Safety Administration (FMCSA) has noted the discrepancy between Florida law requiring 12 inches and federal regulations requiring 18 inches in prior Compatibility Reviews.	No	316.228
Antique Vehicles Registration - Technical Change	Antique vehicles are defined as those for private use which are 30 years or more after the date of manufacture. A recent audit by DHSMV's Inspector General noted that vehicle records do not capture the manufacture date but rather the model year. Model year is used for all other vehicle registrations.	Amends the definition of antique status from verifying the manufacture date of a vehicle's engine to utilizing model date of the vehicle.	Provides consistency in vehicle records and addresses audit finding by DHSMV Inspector General.	No	320.086
Public Records Exemption Clarification	On crash reports, insurance policy numbers are authorized to be released for policies covering vehicles involved in an accident to: Any person in the accident, the attorney of any person involved in the accident, a representative of the insurer of any person in the accident.	Specifies disclosure to governmental entities is allowed under certain circumstances if necessary to perform its duties and responsibilities. Clarifies documentation needed to obtain insurance policy information as well as authorizes DHSMV to provide policy information to insurance company's authorized representatives.	Additional consumer protection of information held confidential and exempt. Facilitates disposition of insurance claims in a more efficient manner.	No	324.242