

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

August 10, 2010
AGENDA

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

<http://www.flhsmv.gov/agenda/2010/081010Agenda.pdf>

1. Respectfully submit the Minutes for March 09, 2010 Cabinet Meeting.

Attachment #1.
Recommend Approval.

2. Respectfully submit Notice of Proposed Rulemaking for Rule 15C-17, Electronic Temporary Plate Transfer in Chapter 15 of the Florida Administrative Code (F.A.C.).

The Purpose and Effect of this rule is to implement a secure electronic process for the temporary transfer of license plates.

Attachment #2.
Recommend Approval.

3. Respectfully submit Notice of Proposed Rulemaking for Rule 15C-18 Electronic Filing System, which is used for licensing and titling of motor vehicles in Chapter 15 of the Florida Administrative Code (F.A.C.).

This rule prescribes and defines the Department's Electronic Filing System and the standards for participation, certification of service providers, system requirements and enforcement authority.

Attachment #3.
Recommend Approval.

4. Respectfully submit Notice of Proposed Rulemaking for Rule 15-1.012, Delegation of Authority in Chapter 15 of the Florida Administrative Code (F.A.C.)

This rule amendment is to incorporate planning, budgeting, and other specified acts authorized by Chapter 120, F.S.

Attachment #4.
Recommend Approval.

5. Respectfully submit Notice of Proposed Rulemaking for Rule 15A-12, Florida Rider Training Program in Chapter 15 of the Florida Administrative Code (F.A.C.).

This rule chapter sets forth the standards for the Florida Motorcycle Safety Education Program, hereafter referred to as the Florida Rider Training Program with organizations to provide motorcycle safety training, the certification of instructors hereafter referred to as Rider Coaches (RC), and regulating the conduct of these programs and courses by the Department.

Attachment #5.
Recommend Approval.

6. Respectfully submit Rule 15A-11, Commercial Driving Schools for Final Adoption in Chapter 15 of the Florida Administrative Code (F.A.C.).

This rule provides guidance for licensure of a business (school) and their instructors, including registration of vehicles used to teach students how to drive behind-the-wheel. Similar provisions apply to truck driving schools instructors and the vehicles those schools use.

Attachment #6.
Recommend Approval.

7. Respectfully submit the 3rd Quarter Performance Report for Fiscal Year 2009-2010.

Attachment #7.
Recommend Approval.

8. Respectfully submit the Annual Performance Report for Fiscal Year 2009-2010.

Attachment #8.
Recommend Approval.

9. Respectfully submit the Performance Contract for Fiscal Year 2010-2011.

Attachment #9.
Recommend Approval.

THE CABINET
STATE OF FLORIDA

Representing:

DIVISION OF BOND FINANCE
FINANCIAL SERVICES COMMISSION, INSURANCE REGULATION
DEPARTMENT OF VETERANS' AFFAIRS
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
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, March 9, 2010,
commencing at approximately 9:10 a.m.

Reported by:

MARY ALLEN NEEL
Registered Professional Reporter
Florida Professional Reporter
Notary Public

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APPEARANCES:

Representing the Florida Cabinet:

CHARLIE CRIST
Governor

CHARLES H. BRONSON
Commissioner of Agriculture

BILL McCOLLUM
Attorney General

ALEX SINK
Chief Financial Officer

* * *

I N D E X

PAROLE QUALIFICATIONS COMMITTEE

ITEM	ACTION	PAGE
VOTE	Approved	4

DIVISION OF BOND FINANCE
(Presented by BEN WATKINS)

ITEM	ACTION	PAGE
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4	Approved	7
5	Approved	7

CONTINUED INDEXFINANCIAL SERVICES COMMISSION, INSURANCE REGULATION
(Presented by BELINDA MILLER)

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3	Approved	12

DEPARTMENT OF VETERANS' AFFAIRS
(Presented by ADMIRAL LEROY COLLINS)

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3	Discussed	16

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
(Presented by JULIE JONES)

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

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STATE BOARD OF ADMINISTRATION
(Presented by ASH WILLIAMS)

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CERTIFICATE OF REPORTER		71
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1 GOVERNOR CRIST: Highway Safety and Motor
2 Vehicles, Julie Jones.

3 COLONEL JONES: Good morning, Governor.

4 GOVERNOR CRIST: Good morning.

5 COLONEL JONES: Cabinet members. Today we
6 have four agenda items. But, Governor, if I could,
7 I need to make a comment and give you two updates
8 before we get into our agenda items.

9 GOVERNOR CRIST: Certainly.

10 COLONEL JONES: Reference the Veterans'
11 Affairs issue, General McCollum asked the agency to
12 do a legal memo relative to privacy issues for
13 driver's license information, and we have done
14 that. We have copied your respective staffs and
15 Veterans' Affairs, and we're working very closely
16 to protect personal information, just to reiterate
17 that everything was done correctly and properly and
18 we have a policy in place to use that information.

19 ATTORNEY GENERAL MCCOLLUM: Well, I want to
20 thank you, Colonel Jones, for that. It reflects on
21 the issue, of course, Governor, you recall that we
22 got into with some legal matters a couple of years
23 ago on privacy with the Department.

24 And I think it's a very good step, Colonel,
25 and thanks for the cooperation on that. It just

1 adds a little layer of security to what sounds like
2 a terrific program.

3 COLONEL JONES: Yes, sir.

4 ATTORNEY GENERAL MCCOLLUM: Thank you.

5 COLONEL JONES: Governor, my first update.
6 You asked last meeting in November about texting
7 and driving. To date, we have 19 bills of varying
8 themes, so I'll take it and make a guess here and
9 say that I think that there's a continued emphasis
10 on the part of the Legislature to bring a bill
11 forward.

12 I expect the bills to be narrowed. The House
13 has actually looked at all the bills in the House
14 to try to bring it down to one theme. I believe --
15 I looked in my crystal ball -- that it's going to
16 be narrowed down to just a texting ban for drivers.

17 So the agency, the Department continues to
18 monitor all these bills, and we'll keep you and
19 your respective staffs informed on where we think
20 this is going. I think it's really important that
21 the Department support to the best of our ability
22 the outcome of this legislation, along with
23 legislating expectations for good driving.

24 I think it's also important that we promote
25 behavior modification. So to the best of our

1 ability, the Department is going to continue our
2 efforts on our website and looking for grants to
3 try to keep messaging, messaging, messaging to
4 drive safely and don't drive distracted.

5 The second update is related to the federal --

6 GOVERNOR CRIST: If I could, before you go on,
7 you said that you think the legislation will boil
8 down to banning texting for the driver. Do you
9 have any idea who the sponsors respectively in the
10 House and Senate are with that particular type of
11 legislation?

12 COLONEL JONES: Well, because each legislative
13 body has a number of bills, the first bill that
14 came out of the House was by Representative Holder,
15 so I expect that might be the model. I'm not sure
16 of the status on the Senate bills, but I'll find
17 out and get it back to your staff.

18 GOVERNOR CRIST: Thank you. That will be a
19 great thing for safety.

20 COLONEL JONES: The second update is about
21 REAL ID. CFO Sink, this is the issue that you
22 asked me about last week. The federal government
23 passed the REAL ID Act in May of 2005. Florida
24 initiated the federal REAL ID Act in January of
25 this year.

1 As you remember, I brought forward a safety
2 campaign, and also associated with that was our
3 "Gather Go Get" campaign, which was our outreach
4 that we started in August of last year to try to
5 educate our customers on what was coming.

6 As with anything that includes change and
7 change in what you can and cannot do, our
8 transaction counts on our driver's license offices
9 slowed as we had customers come into the office and
10 they didn't have the proper documentation.

11 In February we've had an uptick. Our numbers
12 are better. Our wait times are less. That's
13 because we've educated our driver's license
14 examiners on what they can do to help facilitate
15 the process, and we've also continued to educate
16 our customers.

17 I think it's real important that I mention
18 that we've created a couple of time-saving measures
19 and we've taken some extra steps to minimize
20 inconvenience.

21 First, we started issuing temporary driver's
22 licenses. As with anything, you wait until the
23 last minute, and so if you walk in and you don't
24 have proper documentation, I can give you a 30- to
25 90-day extension, a temporary driver's license so

1 you can go and continue to work while you gather
2 your documents.

3 We also successfully appealed to Homeland
4 Security to grant exceptions for older customers.
5 So for our customers that were born before 1936,
6 it's going to be real hard to find that original
7 birth certificate. We can exempt those customers
8 from that particular provision.

9 And lastly, we have one person in the
10 Tallahassee office that can create exceptions. And
11 so if you are desperate and you absolutely cannot
12 access your original documentation, we can create
13 an exception for you.

14 And I'll give you an example. Yesterday we
15 had a customer that came in who was married 50
16 years ago, not only doesn't have her original birth
17 certificate, but she doesn't have her marriage
18 certificate. She didn't have any documentation
19 from many years ago. We were able to go into the
20 Social Security database and show that she has
21 successfully over the years updated her
22 information. We scan that information in, certify
23 it, and we can give her a REAL ID compliant
24 driver's license.

25 There are short-term inconveniences. I'm not

1 going to tell you there are not. I'm sure you've
2 seen them in the newspaper. But the REAL ID Act
3 has some real benefits for our citizens. People
4 open bank accounts, obtain mortgages, cash checks,
5 go to the doctor, and what's the first thing that
6 people ask you for? "Can I see your ID?" So your
7 Florida driver's license is more than just a permit
8 to drive.

9 And so to validate those licenses, not only
10 for law enforcement so they have a better feeling
11 for this really is the person that's on the
12 driver's license, it also protects our citizens
13 from privacy issues and also from identity theft.

14 So we've overcome a lot, but we still have
15 some slower lines. And I'm going to give an update
16 on our performance measures and give you a couple
17 of other tips on how we're going to deal with this
18 and a couple of issues that we have to overcome.

19 So with that, any questions?

20 ATTORNEY GENERAL McCOLLUM: Colonel Jones, I
21 just want to comment that what you just said a
22 minute ago is so true, that despite the
23 inconveniences and the things that are glitches in
24 the system so far, REAL ID is real. It's
25 important. It is very important to preventing

1 fraud. The driver's license is today's
2 identification document. It's what everybody uses.
3 It's pretty universal, and its security and knowing
4 it's truly the person is terribly important.

5 I know in our office, the Attorney General's
6 office, with all the efforts that we have on fraud,
7 we see that reality every day. I'm sure that it's
8 there in law enforcement in ways that I don't even
9 see with the men and women on the street in uniform
10 who are out there working it.

11 So I'm glad you made the comment you did. I
12 know you have a law enforcement background that
13 goes back a ways, so you see that. But a lot of
14 people out there in the public just see the
15 inconvenience of the moment, but that inconvenience
16 is way outweighed by the benefits, in my judgment.

17 So thank you for the efforts to make this
18 work. And it sounds like it is, even though it
19 does have some difficulties, minor ones. Thank
20 you.

21 COLONEL JONES: Thank you, General.

22 CFO SINK: Colonel Jones, I think the most
23 important thing I heard you say was that there is a
24 way to use some common sense here. You have the
25 one person here in Tallahassee who is able to take

1 those very difficult situations and apply some
2 common sense.

3 But also, I know that you mentioned to me the
4 other day that you have been able to kind of catch
5 some different fraudulent activity or you've
6 identified multiple numbers. Would you kind of
7 share with us some of the positive outcomes from a
8 law enforcement standpoint of implementing this
9 REAL ID law?

10 COLONEL JONES: Yes, CFO. Governor?

11 GOVERNOR CRIST: Yes.

12 COLONEL JONES: One of the things that I
13 didn't mention, we've carved out another exemption
14 with the Social Security Administration. We're
15 working very closely with them to make sure that
16 people are using Social Security numbers correctly
17 and accurately.

18 As you might imagine, if you need to get a
19 job, if you're not a resident alien, or if you're a
20 resident alien but you don't have a Social Security
21 number, working with the government, W-2s, we've
22 found a number of instances where people are using
23 the same Social Security number multiple times.
24 And this will pop up in the system once we search
25 and work with the Social Security Administration

1 when someone walks in to validate their Social
2 Security number.

3 In another initiative, it's sometimes hard
4 also to get that paper Social Security or your W-2,
5 and if you're new in the workplace, we've been able
6 to carve out an exemption to use a Social Security
7 administrative letter saying that they have
8 certified you and the card is in the mail. All of
9 this is to streamline this effort and give the
10 customer as quick a response as possible to get
11 that ID.

12 But it's interesting. The Social Security
13 number is being used a lot, and it's being used a
14 lot multiply, and we're able to capture that.

15 GOVERNOR CRIST: Okay.

16 COLONEL JONES: All right. Item 1. Thank
17 you. We respectfully request approval of the
18 minutes from the November 17, 2009 Cabinet meeting.

19 GOVERNOR CRIST: Is there a motion on the
20 minutes?

21 ATTORNEY GENERAL McCOLLUM: Move item 1.

22 COMMISSIONER BRONSON: Second.

23 GOVERNOR CRIST: Moved and seconded. Show the
24 minutes approved without objection.

25 COLONEL JONES: Item 2, respectfully request

1 the approval for final adoption of Rule 15B-2.013.
2 This is the rule for approved speed-measuring
3 devices. We're adding one speed-measuring device,
4 and we're also clarifying model names for some
5 radars that are already on the list.

6 COMMISSIONER BRONSON: Motion for approval of
7 Item 2.

8 CFO SINK: Second.

9 GOVERNOR CRIST: Moved and seconded. Show it
10 approved without objection.

11 COLONEL JONES: Item 3, respectfully request
12 approval for final adoption of three rule repeals
13 related to inspections the Department no longer
14 performs.

15 Rule 15C-4 relates to private recreational
16 vehicle inspections, 15C-5 relates to motor vehicle
17 safety inspections, and 15C-6 relates to motor
18 vehicle emissions inspections. This is a case
19 where the statutes were repealed a number of years
20 ago, and we have rules on the books that are no
21 longer necessary.

22 ATTORNEY GENERAL McCOLLUM: I move Item 3.

23 COMMISSIONER BRONSON: Second.

24 GOVERNOR CRIST: Moved and seconded. Show it
25 approved without objection.

1 COLONEL JONES: Item 4, we respectfully
2 request approval of the second quarter performance
3 measures.

4 And before I get into those expectations,
5 Commissioner Bronson, our staff has been working
6 with your staff on your resolution for Consumer
7 Protection Week. And we're proud to say that the
8 Department -- in an effort to seek cost-effective
9 ways to get public safety messages out, we have a
10 website now on our department site on Safety First,
11 and this segues in with your department's
12 initiatives.

13 The website contains numerous links for
14 information on how to buy and sell a car and
15 protect your interests, how to detect vehicle
16 cloning, car seat safety measures, teen driving
17 tips, motorcycle, identify theft, all of those
18 issues, and these all enhance consumer protection.
19 And we've worked very closely with your staff and
20 others in order to make sure that all of these
21 initiatives are brought together correctly.

22 COMMISSIONER BRONSON: Thank you.

23 COLONEL JONES: Now, related to performance
24 measures, I'm pleased to report that the Department
25 met the majority of its performance expectations

1 for the second quarter.

2 I do want to follow up on an item from my
3 report in November. In November I reported that we
4 needed to stabilize our new queuing system for
5 driver's license offices. It was our belief that
6 the system was not accurately tracking wait times.
7 We believe that we've addressed the issue. It was
8 a technological glitch.

9 We've upgraded all the servers through our
10 contracted vendor. But because the system upgrades
11 were made in February, these are not going to be --
12 these early successes aren't going to be reflected
13 in the second quarter because it happened in the
14 third quarter.

15 So optimum wait times, we're not there yet.
16 Enhanced technology will take us to a certain
17 place.

18 I do have problems with staffing, and I'll
19 just be very honest with you. Due to budgetary
20 constraints, I'm holding 100 positions vacant in
21 driver's license offices. And I'm hoping that as
22 we get closer to the end of the year, I can start
23 to put some -- fill some positions in key critical
24 places around the state, and then the beginning of
25 the fiscal year, do some more hiring. And this

1 will help with the REAL ID initiative and slower
2 times in our queues.

3 GOVERNOR CRIST: I have a question. Have you
4 given thought to reassignments?

5 COLONEL JONES: We have lost hundreds of
6 positions in the last couple of years, and there
7 really aren't any people to reassign. Over half
8 the agency are in the Highway Patrol, and the
9 majority of the people that are left are in the
10 Division of Driver's License.

11 So we've shifted people around. We have put
12 supervisors on the front lines doing the greeting
13 to facilitate having -- the person with subject
14 matter expertise, they're the first person that you
15 talk to. But it's just a matter of budget.

16 GOVERNOR CRIST: Thank you.

17 COLONEL JONES: Overall, I'm proud of the
18 Department's progress on this issue and the hard
19 work that goes into meeting our expectations.

20 And I would be happy to answer any questions,
21 and I respectfully request that you approve our
22 '09-'10 second quarter performance report.

23 GOVERNOR CRIST: Is there a motion?

24 CFO SINK: Move it.

25 COMMISSIONER BRONSON: Second.

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

COLONEL JONES: Thank you. I appreciate your support.

NOTICE OF PROPOSED RULE

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO: RULE TITLE

15C-17.001: Requirements.

15C-17.002: Exemptions and Restrictions.

15C-17.003: Record Retention

PURPOSE AND EFFECT: The Purpose and Effect of this rule is to implement a secure electronic process for the temporary transfer of license plates.

SUMMARY: Electronic Temporary Registration (ETR) is a legislatively authorized program associated with issuing temporary license plates. This program allows all temporary license plate issuers to electronically report the issuance of temporary license plates to the Department. Dealerships issue temporary license plates to customers and electronically submit customer and vehicle information to the Department in real time. Real time access to temporary license plate data provides law enforcement with critical information in protecting the citizens of Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 320.0609(8)(c), F.S.

LAW IMPLEMENTED: 320.0609(8)(c), F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Baker, Assistant Bureau Chief, 2900 Apalachee Parkway, MS-70, Tallahassee, Florida 32399; juliebaker@flhsmv.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

15C-17.001: Requirements.

15C-17.002: Exemptions and Restrictions.

15C-17.003: Record Retention.

15C-17.001 Requirements.

- (1) Every Electronic Temporary Registration (ETR) provider pursuant to Rule 15C-16, F.A.C. must also provide a method to issue an electronic temporary plate transfer.
- (2) Every motor vehicle dealer licensed under Chapter 320 shall report a temporary plate transfer via the ETR System, a tax collector's office, or a license plate agency prior to the license plate being placed on a newly acquired vehicle.
- (3) The dealer must provide verification to the ETR provider that background checks are performed on all principals or prospective users and meet the requirements set forth in this rule prior to the ETR provider allowing access to the system and registering authorized users. The principals or prospective users shall have no convictions of a felony involving fraudulent crimes related to motor vehicles including, but not limited to, identity fraud, embezzlement or other related economic crimes by the principals or prospective users within the last five years. If there were any felony convictions against any principal or prospective user beyond the five years, they must have had their civil rights restored and provide proof of this prior to being authorized to access the system. This does not include any felony convictions involving the actual operation of a motor vehicle.

Rulemaking Authority 320.0609(8)(c), FS. Law Implemented 320.0609(8), FS. History–New.

15C-17.002 Exemptions and Restrictions.

- (1) In order to be temporarily transferred, the registration must have more than 30 days of valid registration remaining. If the current registration does not meet this requirement, an electronic temporary registration must be issued pursuant to Rule 15C-16, F.A.C.
- (2) When a temporary plate transfer transaction cannot be performed due to connectivity issues, every issuer of temporary plate transfers must perform the following:
 - (a) Provide written documentation to the customer indicating the transfer could not take place due to a connection failure.
 - (b) Issue a pre-printed temporary license plate pursuant to Rule 15C-16.002(2), F.A.C.

Rulemaking Authority 320.0609(8)(c), FS. Law Implemented 320.0609(8), FS. History–New.

15C-17.003 Record Retention.

Any person or entity authorized to conduct temporary plate transfers shall maintain all records relating to the transfer for a period of 5 years, and such records shall be open to inspection by the department or its agents during reasonable business hours.

Rulemaking Authority 320.0609(8)(c), FS. Law Implemented 320.0609(8), FS. History–New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Boyd Walden, Chief, Bureau of Titles and Registrations, Division of Motor Vehicles, 2900 Apalachee Parkway, MS-68, Tallahassee, Florida 32399-0500.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie Jones, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2010

NOTICE OF PROPOSED RULE

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO: RULE TITLE

15C-18.001 Electronic Filing System

15C-18.002 Electronic Filing System Features

15C-18.003 Tax Collector Responsibilities

15C-18.004 EFS Agent Participation Requirements

15C-18.005 Service Providers; Certification; Requirements

15C-18.006 Electronic Filing System Requirements; Disclosure to Customer

15C-18.007 Enforcement; Service Providers; EFS Agents; Tax Collectors

PURPOSE AND EFFECT: To administer and establish operating requirements for the electronic filing system and for the users of the Department’s electronic filing system, including but not limited to: establishing participation requirements; certification of service providers; electronic filing system requirements; and enforcement authority for noncompliance.

SUMMARY: The electronic filing system allows authorized users to conduct title and registration transactions for their customers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 320.03(10), F.S.

LAW IMPLEMENTED: 320.03(10), F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Baker, Assistant Bureau Chief, 2900 Apalachee Parkway, MS-70, Tallahassee, Florida 32399; juliebaker@flhsmv.gov.

THE FULL TEXT OF THE PROPOSED RULE

15C-18.001 Electronic Filing System

(1) Purpose and Scope. This rule prescribes and defines the Department of Highway Safety and Motor Vehicles' Electronic Filing System and the participation requirements, certification of service providers, system requirements and enforcement authority for noncompliance.

(2) Definitions. The words or terms as used in this rule shall have the following meanings:

(a) "Certified Service Provider" means a Department approved provider of electronic registration and titling or other motor vehicle, vessel, mobile home, or off-highway vehicle transactions allowed under the Electronic Filing System. The Certified Service Provider hosts an approved system for interface between EFS agents and the Department.

(b) "Department" means the Department of Highway Safety and Motor Vehicles.

(c) "Electronic Filing System" means the system owned by and under the jurisdiction of and regulated by the Department which allows authorized EFS agents to process title and registration transactions.

(d) "Electronic Filing System (EFS) agent" means an entity authorized by the Department to process title and registration transactions using the Electronic Filing System as defined in s. 320.03(10), F.S.

(e) "Indicia" means any document, validation decal, paper stock or metal license plate necessary in titling and registration transactions.

(f) "Inquiry" means accessing the Department's database for information that does not result in the issuance of a title certificate or registration credential.

(g) "Motor Vehicle" includes, for the purposes of this rule only, motor vehicles, vessels, mobile homes or off-highway vehicles.

(h) "Tax Collector" means one of the 64 state constitution or 3 charter appointed tax collectors in the 67 counties of Florida who serve as agents of the Department for the delivery of title and registration services.

(3) The Department and all Tax Collectors must allow any entity who meets the requirements set forth in this rule to participate as an EFS agent. Neither the Department nor a Tax Collector may deny an eligible EFS agent from participating. The Department, Tax Collectors, EFS agents, and Certified Service Providers shall comply with the provisions of these rules and may not add additional requirements not set forth in either the statute or these rules.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History—New

15C-18.002 Electronic Filing System Features

(1) The Electronic Filing System allows an authorized EFS agent to process title and registration transactions for products they sell including, but not limited to:

- (a) New and used motor vehicles.
- (b) Direct and lease purchases.
- (c) License plates transferred from one motor vehicle to another.
- (d) Registration renewal for customers at the time of purchase.
- (e) Inquiry capabilities subject to applicable fees as set forth in s. 320.05(3)(e), F.S.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History–New.

15C-18.003 Tax Collector Responsibilities

(1) Tax Collectors are responsible for:

- (a) Appointing EFS agents in their county after the Department notifies said Tax Collector that the entity is authorized.
- (b) Referring any requests to become an authorized EFS agent to the Department.
- (c) Reviewing supporting documentation from EFS transactions processed in the county. The Tax Collector shall ensure all transactions and corrections are processed in accordance with law and Department procedure.
- (d) Receiving funds collected electronically from EFS transactions from the Certified Service Provider and remitting State funds in accordance with law and Department procedure.
- (e) Distribution of indicia to authorized EFS agents. The Tax Collector’s responsibility is limited to distribution of indicia pursuant to Department procedure.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History–New.

15C-18.004 EFS Agent Participation Requirements

(1) Entities requesting authorization to become an EFS agent must meet the following requirements:

- (a) Sell products that must be titled or registered.
- (b) Provide title and registration services on behalf of its consumers.
- (c) Enter into a contract with a Certified Service Provider.
- (d) Apply to the Department on a form prescribed by the Department.
- (e) Have no unresolved issues regarding non-sufficient funds received by either the Department or Tax Collector.
- (f) Have no convictions of a felony involving fraudulent crimes related to motor vehicles including, but not limited to, identity

fraud, embezzlement or other related economic crimes by the principals or prospective users within the last five years. If there were any felony convictions against any principal or prospective user beyond the five years, they must have had their civil rights restored and provide proof of this prior to being authorized to access the system. This does not include any felony convictions involving the actual operation of a motor vehicle. The EFS agent must provide verification to the Certified Service Provider that background checks are performed on all principals or prospective users and meet the requirements set forth in this rule prior to the Certified Service Provider allowing access to the system and registering authorized users.

(g) Must be current on all applicable tax payments.

(h) Must be current on all State and or local licenses.

(i) Prior disciplinary actions by the Department may be used as a determining factor in denial of an entity as an EFS agent.

(2) EFS agents may only stock regular series license plates and registration decals unless they receive specific authority from the Department to stock additional indicia types.

(a) The EFS agent must ensure that all indicia is secured in a locked area during non-business hours. Indicia not being used shall also be secured in a locked area.

(b) Only those users authorized by the Certified Service Provider shall have access to indicia.

(3) Upon authorization from the Department the Tax Collector shall appoint an entity as an authorized electronic filing system agent for that county.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History–New

15C-18.005 Service Providers; Certification; Requirements

(1) The Department shall certify Service Providers who meet minimum requirements as set forth in this rule.

(2) Entities requesting approval to become a Certified Service Provider must meet the following requirements prior to being approved by Department:

(a) Enter into a contract with the Department.

(b) Pass a structured test with the Department.

(c) Provide a performance bond for \$2 million with the Department.

(3) The Certified Service Provider shall:

(a) Provide support, assistance and training to any EFS agents using their system.

(b) Follow installation procedures as set forth by the Department.

(c) Maintain all records of electronic fund transfers, inventories and files of transactions for a period of three fiscal years.

- (d) Maintain all contractual agreements for a period of five fiscal years after completion or termination of the contract.
- (e) Make all records available for inspection or audit at any time during normal business hours by the Department.
- (f) Ensure all EFS agent principals or prospective users have had background checks and maintain lists of authorized users.
- (g) Transfer all funds collected in connection with the processing of all registration and title transactions and other approved services via Electronic Funds Transfer to the applicable Tax Collector office within two business days of the date the transaction is electronically submitted to the Tax Collector's office.
- (h) Provide at its own expense all equipment necessary to provide an interface between the Certified Service Provider's server and the Department's server.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History—New.

15C-18.006 Electronic Filing System Requirements; Disclosure to Customer

(1) Certified Service Providers must provide reports as set forth below. The Electronic Filing System developed by a Certified Service Provider must at a minimum include the following reporting capabilities:

- (a) Bundle reporting which includes all completed transactions from the prior business day and includes the following data: transaction ID number, owner name, number of license plate, expiration date, title number, agency fees, system control number, customer number, stock number, sales tax revenue, registration tax, title fees, total registration tax and title fees and total funds remitted.
- (b) An inventory report reflecting inventory on hand, unassigned, available, issued, transmitted, damaged, missing, returned, or reserved. Such report shall include series of inventory with beginning and ending numbers.
- (c) A pull ticket report which includes a control number, new owner of vehicle or vessel being purchased, VIN or hull number, make and body or vessel type. If the license plate is being transferred, the plate number shall be included.
- (d) Registration certificate.
- (e) Title application receipt.
- (f) Provide an approved HSMV 84003 with a list of license plates that have been voided, along with a reason for the void.
- (g) Provide a report for each county, by authorized EFS agent, listing all current users.

- (h) Provide a list to the Department of all authorized users of the Electronic Filing System.
- (2) The system must provide a report of all completed transactions for the previous date.
- (3) Certified Service Providers must ensure that access and data are secure. The EFS agent must ensure that access and data are only used by authorized persons.
- (4) An EFS agent that desires to change its Certified Service Provider shall submit the request to the Department on a form prescribed by the Department.
- (5) If an EFS agent charges a fee to the customer for use of the electronic filing system in a title or registration transaction, the EFS agent may not disclose or disguise this as a State or Government fee.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History—New

15C-18.007 Enforcement; Service Providers; EFS Agents; Tax Collectors

(1) Enforcement authority for compliance with the requirements of the electronic filing system with regard to Certified Service Providers is granted to the Department. The Department shall have the authority to terminate any contract or agreement with any Certified Service Provider for any violation of the statute, the rules, or the terms of the contract. Additionally, the following are prohibited and may result in the termination of certification as a service provider:

- (a) Providing Electronic Filing System services to a client who is not an authorized EFS agent.
- (b) Distributing indicia to a client who is not an authorized EFS agent.
- (c) Willful misrepresentation of EFS policies, procedures, contractual terms or other title and registration policies or procedures.
- (d) Using Department information for reasons other than authorized Electronic Filing System services.
- (e) Failure to correct errors as required by the Department.
- (f) Failure to execute electronic funds transfer in the specified time frame.

(2) Enforcement authority for compliance and the requirements of the electronic filing system with regard to EFS agents is granted to the Department. The Department shall have the authority to revoke an EFS agent's ability to use the electronic filing system for any violation of the statute, the rules or the terms of the contract. This rule shall not prevent the Department from imposing any additional sanctions or fines as allowed by other applicable laws or rules including, but not limited to s. 320.27, F.S. Additionally, the following are prohibited:

- (a) Failure to comply with Department procedures.
- (b) Unauthorized access of data by users.

(c) Failure to pay applicable Department records fees for information not resulting in the issuance of a title certification or registration credential.

(d) Failure to comply with minimum security requirements, including failure to safeguard equipment which provides access to the Electronic Filing System.

(e) Failure to execute electronic funds transfer.

(f) Failure to remain in good standing with the Tax Collector or State, including lapse or revocation of any state of local license.

(g) Failure to correct errors or clear pending transactions as required by the Department.

(h) Charging title and registration fees in excess of those allowed by law.

(i) Improper security and control of license plate and decal inventory or other Tax Collector provided indicia.

(3) Enforcement authority for non-compliance with rule 15C-18.003 is granted to the Department and may result in the Department or its authorized representative handling EFS services for that county.

Specific Authority 320.03(10)(a) FS. Law Implemented 320.03(10)(a) and (b) FS. History–New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Boyd Walden, Chief, Bureau of Titles and Registrations, Division of Motor Vehicles, 2900 Apalachee Parkway, MS-68, Tallahassee, Florida 32399-0500.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Lee Ann Korst, Deputy Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 18, 2010

NOTICE OF PROPOSED RULE

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Office of the Executive Director

RULE NUMBER: RULE TITLE:

15-1.012 Delegation of Authority

PURPOSE AND EFFECT: The purpose of the proposed rule action is to amend the current rule to incorporate planning, budgeting, and other specified acts authorized by Chapter 120, F.S.

SUMMARY: The proposed rule action revises the current Rule 15-1.012 by incorporating the Executive Director's authority to take action concerning planning and budgeting for the department, to enter into agreements with other governmental agencies, and to conduct rulemaking procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 322.02(6), 324.042 FS.

LAW IMPLEMENTED: 322.02(2), 324.0221, 324.051, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: September 20, 2010 at 3:00 PM

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room Number A427, Tallahassee, Florida 32399. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Douglas D. Sunshine, Assistant General Counsel, 2900 Apalachee Parkway, Room A432, MS-02, Tallahassee, Florida 32399, dougsunshine@flhsmv.gov. If you are hearing impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Douglas D. Sunshine, Assistant General Counsel, 2900 Apalachee Parkway, Room A432, MS-02, Tallahassee, Florida 32399, dougsunshine@flhsmv.gov. Telephone Number: (850) 617-3101.

THE FULL TEXT OF THE PROPOSED RULE IS:

15-1.012 Delegation of Authority.

Authority to take the following action is hereby delegated by the Governor and Cabinet acting as the head of the Department to the Executive Director of the Department of Highway Safety and Motor Vehicles or the Executive Director's designee:

- (1) To approve the transfer of appropriations pursuant to Section 216.292, F.S.
- (2) To administer personnel rules for career service employees and persons paid from OPS and to administer personnel actions for employees exempt from the career service system.
- (3) To add, delete, transfer authorized positions within each budget entity in accordance with Sections 216.262 and 216.141, F.S.
- (4) To administer travel and per diem expenses of public officers, employees and authorized persons on official business, pursuant to Section 112.061, F.S.
- (5) To negotiate, execute and enter into contracts and agreements; except as provided in subsection (8), required for operation of the Department or to carry out programs approved by the Legislature or Governor and Cabinet; except, however, this delegation shall exclude awards of commodity contracts by the Department of Management Services.
- (6) To take any action concerning planning and budgeting for the Department, as authorized pursuant to Chapter 216, F.S., or other laws, or by rules adopted by the Governor and Cabinet, or in directives issued by the Governor and Cabinet acting as the head of the Department.
- ~~(67)~~ To expend appropriated funds and make purchases including operating capital outlay to carry out the day-to-day operations of the Department. However, all purchases over \$25100,000 which are not made from a state contract established by the Department of Management Services shall be reported at least quarterly.
- ~~(78)~~ To execute contracts and orders approved by or on behalf of the Governor and Cabinet.
- ~~(89)~~ To contract for consultant and professional services up to \$100,000. However, selection of consultant and

professional services, other than sole source, shall be by procedures set forth in the Consultants Competitive Negotiations Act or other competitive selection process established by rule.

(10) To enter into agreements with other federal, state, and local governmental agencies when authorized by law.

~~(9)11) To enter into lease of real property for departmental operations.~~

~~(10)12) To designate appropriate officials or employees to act as custodian of the records of the Department, to accept service of process on behalf of the Department or Executive Director in accordance with law.~~

~~(11)13) To bring suit in the name of the Department and in consultation with the Attorney General, or to defend suit in the name of the Department.~~

~~(12)14) To compromise and settle, in the best interest of the Department, subject to Section 45.062, F.S., all claims, actions, causes of action and legal proceedings, whether sounding in tort or contract, that are brought against the Department or any of its employees acting within the scope of their employment. Such compromises and settlements shall be limited to cases where the total amount paid is less than \$100,000.00, and shall be reported to the Governor and Cabinet on at least a quarterly basis. To settle claims, actions, causes of action and legal proceedings brought against the Department or its employees acting within the scope of his/her employment. Such settlement shall be limited to \$25,000.~~

~~(13)15) To notify state attorneys, sheriffs or other law enforcement agencies of activity in violation of state law or department rules when such violation is beyond the capacity of the Department to halt or prosecute.~~

~~(14)16) To accept donations and gifts of property or grants of money on behalf of the Department in compliance with the law, provided such gifts are unencumbered and have no impact on any other agency of the state.~~

~~(15)17) To act on behalf of the agency in carrying out the provisions of Chapter 120, F.S., unless prohibited by law or by directives issued by the Governor and Cabinet acting as the head of the Department. This delegation specifically includes, but is not limited to the following:~~

~~(a) To initiate rulemaking by publishing a notice of rule development.~~

~~(b) To publish a notice of intended rulemaking, after approval of such proposed notice by the Governor and Cabinet pursuant to Section 120.54(1)(k), F.S.~~

~~(c) To certify that a proposed rule has been approved by the Governor and Cabinet pursuant to Section 120.54(3)(e)1., F.S.~~

~~(d) To file with the Department of State the approved rule pursuant to Section 120.54(3)(e)1., F.S.~~

~~(e) To explain in writing when appropriate why a rule development workshop is unnecessary.~~

~~(f) To issue declaratory statements pursuant to Section 120.565, F.S.~~

~~(g) To provide methods for making available a description of the agency's organization and general course of its operations, pursuant to Section 120.54(5)(b)7., F.S.~~

~~(h) To issue an immediate final order pursuant to Section 120.569(2)(n), F.S., that states the particular facts supporting a finding that there is an immediate danger to the public health, safety, or welfare.~~

~~(i) To issue a written statement pursuant to Section 120.57(3)(c), F.S., explaining why a bid solicitation process or contract award process must be continued without delay due to an immediate and serious danger to the public health, safety, or welfare.~~

~~(j) Pursuant to Section 120.63(1)(a), F.S., to apply on behalf of the Department and certify to the Administration Commission that a proceeding required by Chapter 120, F.S., conflicts with a provision of federal law or rule.~~

~~(k) To prepare, certify, and file the rule review report mandated by Section 120.74(2), F.S., with the presiding officers and affected standing committees of the Florida Legislature.~~

~~(a) To initiate rulemaking by publishing a notice of intended action. However, before a notice of intended action is published, the Department must submit the proposed notice, including the proposed rule text, to the Governor and each member of the Cabinet. Upon the written request of the Governor or any member of the Cabinet, the Department shall submit the proposed rules for action by the Governor and Cabinet at the next appropriate Cabinet meeting. If, after being given 10 working days to review the Department's proposed notice of intended action and rule text, neither the Governor nor any member of the Cabinet notifies the Department of his/her objection to such publication, the Department shall proceed to initiate rulemaking pursuant to Section 120.54(3)(a), F.S. The power to~~

determine whether proposed rules should be approved for final adoption is hereby reserved to the Governor and Cabinet acting as the head of the Department.

~~(b) To respond on behalf of the Department to petitions filed pursuant to Sections 120.54 and 120.57(1) and (2), F.S., and to issue declaratory statements pursuant to Section 120.565, F.S.~~

~~(c) To take final agency action in any proceedings within the scope of the Department's authority pursuant to Section 120.569, F.S.~~

~~(d) To provide methods for making available a description of the agency's organization and general course of its operations, pursuant to Section 120.54(5)(b)5., F.S.~~

~~(e) To issue a written statement pursuant to Section 120.57(3)(c), F.S., explaining why a bid solicitation process or contract award must be continued without delay due to an immediate and serious danger to the public health, safety, or welfare.~~

~~(f) Pursuant to Section 120.63(1)(a), F.S., to apply on behalf of the Department and certify to the Administration Commission that a proceeding required by Chapter 120, F.S., conflicts with a provision of the federal law or rule.~~

~~(g) To prepare, certify, and file the rule review report mandated by Section 120.74(2), F.S., with the presiding officers and affected standing committees of the Florida Legislature.~~

~~(16) To approve memberships in professional and other organizations in which state funds appropriated to the Department will be used in payments of dues pursuant to Section 216.345, F.S.~~

~~(17) To initiate rule-making.~~

~~(18) To perform other such functions as may be necessary to supervise, direct, conduct and administer the day-to-day duties of the Department as authorized by law or by rules and policies adopted by the Governor and Cabinet, or in directives issued by the Governor and Cabinet acting as the head of the Department.~~

~~(19) To convene complaint review boards, select members of such boards, serve notice and otherwise exercise authority related to duties in Section 112.532, F.S.~~

~~(20) A brief summary of the final disposition of the actions taken by the Executive Director as authorized by this rule shall be included in the quarterly report submitted by the Department. The Executive Director shall report to the Governor and Cabinet at least quarterly actions taken under sub sections (5), (8), (9), (11), (12), (13), (14) and (18).~~

~~(21) To take final agency action based on recommendations of hearings officers who conducted driver license hearings pursuant to Chapter 322, F.S.~~

~~(22) To conduct hearings and take final agency action concerning financial responsibility matters authorized by Chapter 324, F.S.~~

~~(23) To execute reciprocal agreements with appropriate authority of other states as authorized by Section 320.30, F.S.~~

~~(24) To take final agency action pursuant to Section 120.57 and Chapter 320, F.S., on manufacturer and dealer license hearings held under and pursuant to Chapters 120 and 320, F.S.~~

~~(25) To take final agency action pursuant to Section 120.57 and Chapter 325, F.S., on emissions control self inspector and reinspection facility licensure hearings held under and pursuant to Chapters 120 and 325, F.S.~~

Specific Authority 20.05(5), 120.53(1)(a), 320.011, 322.02(6), 324.042, FS. Law Implemented 20.05(1)(b), 120.53(1)(a), 322.02(2), 324.0221, 324.051, FS. History—New 6-26-80, Amended 11-6-80, Formerly 15-1.12, Amended 6-6-93, 11-17-98.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie Jones, Executive Director

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: July 7, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 27, 2010

NOTICE OF PROPOSED RULE

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO: RULE TITLE:

15A-12.001: Purpose

15A-12.002: Definitions and Course Curriculums

15A-12.003: Reciprocity

15A-12.004: Application to Become a Sponsor

15A-12.005: Additional Program Requirements

15A-12.006: Regulation of Authorized Program

15A-12.007: Personnel Certification

15A-12.008: Program Compliance

15A-12.009: Forms

PURPOSE AND EFFECT: This rule chapter sets forth the standards for the Florida Motorcycle Safety Education Program, hereafter referred to as the Florida Rider Training Program (FRTTP), with organizations to provide motorcycle safety training, the certification of instructors, hereafter referred to as RiderCoaches (RC), and regulating the conduct of these programs and courses by the Department of Highway Safety and Motor Vehicles (DHSMV)/Florida Rider Training Program (FRTTP) pursuant to Sections 322.0255, 322.12(5)(a), Florida Statutes.

SUMMARY: Compliance with these rules is required to obtain and to maintain licensure and certification by FRTTP.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency. Any person who wished to provide information regarding the estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 322.0255 FS.

LAW IMPLEMENTED: 322.0255, 322.12(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: Monday, September 20, 2010, at 9:00 a.m.

PLACE: Department of Highway Safety and Motor Vehicles, Conference Room B211, 2900 Apalachee Parkway, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Lauer, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B214, Tallahassee, FL 32399-0500, (850)617-2534

THE FULL TEXT OF THE PROPOSED RULE IS:

15A-12.001 Purpose.

The Florida Motorcycle Safety Education Program shall be known as the Florida Rider Training Program (F RTP).

Its purpose is to provide motorcycle safety training, course curriculum and the certification of instructors.

Rulemaking Authority 322.02(6), 322.025, 322.0255(1), (6) and (7), and 322.12(5)(a); FS. Law Implemented 322.0255,

322.12(5)(a) FS. History--New _____.

15A-12.002 Definitions and Course Curriculum.

(1) Basic Rider Course (BRC) – Standard beginner 15 hour motorcycle rider course as adopted by the Motorcycle Safety Foundation (MSF) and required for licensure to operate a motorcycle. The course curriculum shall be that prescribed by the Motorcycle Safety Foundation (MSF) and will included the Basic rider Course Rider Coach Guide, the Basic Rider Course Handbook and Basic Rider Course Range Cards, copies of which can be obtained by contacting the Motorcycle Safety Foundation, 2 Jennifer Street, Suite 150, Irvine, CA 92618, (949)727-3227, or from its website, www.msf-usa.org.

(2) Certified Range Aid – RiderCoach candidate or other person who successfully completed the skills portion of the Basic Rider Course (BRC) and who is employed by a Sponsor to assist in approved training.

(3) Consultants – Individuals providing contract services for regulation of the Program, including performing Quality Assurance inspections and assisting with the RCP.

(4) Department – The Department of Highway Safety and Motor Vehicles (DHSMV).

(5) Experienced Rider Course (ERC) – Advanced motorcycle rider course as adopted by the Motorcycle Safety Foundation (MSF), designed as a skill enhancement course. The student my use their own motorcycle. This course is not required for licensure. The curriculum shall consist of the Experienced Rider Course RiderCoach Guide as adopted by the Motorcycle Safety Foundation (MSF) for RiderCoaches covering advanced rider course materials and administration, facilities and equipment, instructional planning, course teaching, classroom units, range exercises, and RiderCoach training, including the Experienced Rider Course Suite (Rider Classroom Cards and RiderCoach Range and Classroom Cards), copies of which can be obtained by contacting the Motorcycle Safety

Foundation, Communications Department, 2 Jennifer Street, Suite 150, Irvine, CA 92618, (949)727-3227, or from its website, www.msf-usa.org.

(6) Intern/Mentoring Program – Program for candidates seeking Florida recognition as a RiderCoach.

(7) Letter of Authorization – Letter from the Department to the Sponsor authorizing the Program.

(8) Motorcycle Safety Foundation (MSF) – A national, non-profit organization promoting the safety of motorcyclists with program in rider education, operator licensing and public information.

(9) Online Data Exchange System – An online Reporting system used by Sponsors to submit student Rider Course scores to the Department.

(10) Program – Florida Motorcycle Safety Education Program or Florida Rider Training Program

(11) Program Manager – The individual who oversees the day-to-day operation of the state motorcycle safety program for the Department. F RTP Regional coordinators operate under the supervision of the Program Manager.

(12) Quality Assurance – On site inspections conducted by MSF or F RTP staff of contractors pursuant to a program adopted by MSF, to ensure the program and instructional quality.

(13) RiderCoach – F RTP Certified Rider Course Instructor, as set forth in these rules.

(14) RiderCoach Intern – Candidate/Individual who gains supervised professional experience through the Intern/Mentoring Program.

(15) RiderCoach Trainer – RiderCoach certified by MSF that trains RiderCoaches.

(16) Rules of Professional Conduct – Statement of conduct by which all F RTP recognized RiderCoaches are to abide by when conducting courses, as set forth in HSMV Form 72201 (10/2006), a copy of which may be obtained as described in Rule 15A-12.009.

(16) Sidecar/Trike Education Program (S/TEP) – Motorcycle course for individuals who intend to drive a motorcycle with more than two wheels or attached sidecar as adopted by the Evergreen Safety Council (ESC); Sidecar/Trike Education program Instructor Manual, copies of which can be obtained by contacting Evergreen Safety Council, 401 Pontius Avenue North, Seattle, WA 98109, (206) 382-4090 or (800) 521-0778, or at esc@esc.org, or visit www.esc.org/sidecar.html.

(17) Sponsor – The individual or entity which provides or intends to provide motorcycle safety training program services in Florida.

(18) Update – Program or course updates for RiderCoaches.

Rulemaking Authority 322.02(6), 322.025, and 322.0255(2), (6), and (7) FS. Law Implemented 322.0255, 322.12(5)(a) FS. History–New _____.

15A-12.003 Reciprocity.

(1) Motorcycle training programs recognized, approved, licensed, or certified by another state or country's driver license authority, that are recognized by FRTP as being similar to the motorcycle safety training program in this State.

(2) The motorcycle endorsement requirements are waived if an individual has a driver license that includes a motorcycle endorsement from any one of the following:

(a) Any State (except Alabama)

(b) United States Territories, Possessions (including Panama Canal Zone if issued prior to January 1, 2000)

(c) Canada

(d) France

(e) Germany

(f) Taiwan

(g) United States Military

Rulemaking Authority 322.02(6), 322.025, 322.0255(6) and (7), and 322.12(5)(a) and (b), FS. Law Implemented 322.0255, 322.12(5)(a) FS. History—New _____.

15A-12.004 Application to Become a Sponsor.

(1) Locate a suitable area for a range. An unobstructed area of 200' x 300' is recommended. Potential alternatives can be found on the MSF website, www.msf-usa.org. A request for any range approval shall be made electronically or in writing to FRTP to secure a letter of authorization with FRTP.

(2) Obtain a written statement from the property owner providing permission to use the property for motorcycle safety courses.

(3) Complete the forms listed below which are available from MSF website, www.msf-usa.org, Training Site Support, Rider Education Recognition Program (RERP) Forms:

(a) Rider Education Recognition Program (RERP) Agreement.

(b) Rider Education Recognition Program (RERP) Application.

(c) Rider Education Recognition Program (RERP) Range Application.

(d) MSF Rider Course Range Information Form.

(4) The regional coordinator will verify the range area and all forms will be sent to the FRTP Program Manager who will sign and forward them to MSF for approval.

(5) MSF will send a letter of approval to the applicant with a copy to the FRTP Program Manager.

(6) Once FRTP receives clearance from MSF, FRTP will initiate the letter of authorization process.

(7) The Letter of Authorization will be signed by the Director of the Division of Driver License or her designee and provided to the Sponsor.

(8) Only when the applicant receives both official documents, will they be able to start classes.

(9) Any change in the information provided by the applicant must be approved by FRTP. A letter of authorization shall not be transferable. The program shall notify FRTP at least 90 days prior to the effective date of a proposed change in the program's corporate structure. FRTP shall review the proposed changes and may request additional information from the program.

(10) The Sponsor shall be given Primary and Secondary signatory templates designed to designate approval authority for the motorcycle safety course classes. The Sponsor shall keep a record of Online Data Exchange System signatories, signatory ID's and clerical additions.

Rulemaking Authority 322.02(6), 322.025, 322.0255(1), (2), (4), (6) and (7), and 322.12(5)(a), FS. Law Implemented 322.0255, 322.12(5)(a) FS. History--New _____.

15A-12.005 Additional Program Requirements

(1) An organization authorized to conduct the motorcycle safety education program shall adhere to the following:

(a) All RiderCoaches must abide by the FRTP Rules of Professional Conduct, HSMV Form 72201 (a copy of which may be obtained as set forth in Rule 15A-12.009 Forms).

(b) Sponsors must attend required meetings, advise FRTP of organizational changes, location of services, schedules of classes and provide copies of incident reports.

(c) Sponsors must submit reports on student completion in the format required by the FRTP. All completions will be entered within three days of the conclusion of the class into the Online Data Exchange System.

(d) Sponsors must provide proper insurance coverage as required by MSF.

(e) Sponsors and RiderCoaches will cooperate with FRTP staff or their consultants during program regulation visits.

(f) Sponsor shall produce and maintain specific records as identified below:

(i) Student Observation/Incident Report, HSMV Form 77008 (a copy of which may be obtained as set forth in Rule 15A-12.009 Forms), where applicable. The Sponsor shall submit copies of all incident reports to the Department within 30 days of occurrence.

(ii) The student has one year from completion date of a license waiver course to secure the endorsement on their driver license. DHSMV Driver License Operations Manual, Motorcycle Licensing Procedures, MP 3 – Motorcycle Also Requirements, DHSMV Issued: 08/00/05, Revised: 04/21/10.

(g) The Sponsor, upon request, shall permit FRTP and its representatives to inspect the program, its public facilities, equipment and records that are required by these administrative rules to be maintained in the operation of the program.

(h) Sponsors must maintain training materials and equipment. All cosmetic damage to state loaned motorcycles must be repaired at least annually. Any motorcycle that has been involved in a crash will be immediately removed from service. The Sponsor must ensure that it is inspected and ridden by a RiderCoach or Certified Range Aid to ensure proper repair prior to student use.

(i) Sponsors must maintain all ranges and meet safety codes.

(j) The Sponsor is solely responsible for the performance of all aspects of these administrative rules. The Sponsor may subcontract aspects of these requirements but assumes full responsibility for the performance of that subcontractor.

(2) A Sponsor shall not use any name other than its registered name with the Secretary of State, for advertising or publicity purposes, nor shall a Sponsor advertise or imply that it is “recommended,” or “endorsed” by FRTP or the State of Florida.

(3) No Sponsor, RiderCoach or employee shall advertise or represent themselves to be an agent or employee of FRTP or allow the use of any advertisement which would reasonably have the effect of leading the public to believe that they are or were an employee or representative of FRTP.

(4) No Sponsor shall make a false or misleading claim in any of its advertisements.

(5) No Sponsor shall use any form of advertising which is obscene, lewd, or pornographic.

(6) The electronic Online Data Exchange System requires reports to be submitted within three days of course completion. If any portion of the documentation is incorrect or incomplete, it may be addressed via email to the Sponsor or the documentation will be returned to the Sponsor for correction and must be resubmitted by the Sponsor within 3 working days of receipt.

(7) By submission of the online reports, the Sponsor certifies their correctness. All such reports are subject to audit by the State or its designee.

(8) The Sponsor shall direct all required correspondence and reports to the Department which shall bear an original signature of the Sponsor’s designated representative.

(9) The Sponsor shall issue each student a current edition of the BRC Student Handbook or S/TEP Student Handbook, which shall be an original and not photocopied. For the ERC, the Sponsor shall provide a set of classroom cards to the students for use during the program.

(10) A student who fails either the Rider Course knowledge test or skills test shall be allowed one retest. The retest shall not be on the same day as the failure. The retest shall be at no cost to the student and shall occur within 60 days of the date of the failure.

Rulemaking Authority 322.02(6), 322.025, 322.0255(1), (2), (3), (6) and (7), and 322.12(5)(a), FS. Law Implemented 322.0255, 322.12(5)(a) FS. History—New _____.

15A-12.006 Regulation of Authorized Program.

(1) FRTP will regulate and periodically visit each Sponsor site to ensure compliance and quality assurance with these administrative rules, Florida Statutes, and compliance with all applicable MSF or ESC Agreements and course requirements. FRTP staff and contractors are authorized by MSF and ESC to act in their behalf to insure program compliance. The FRTP staff, consultants or representatives under these administrative rules shall:

(a) Conduct announced or unannounced site visits, or place unannounced rider(s) in a class.

(b) Check the range for size and safety compliance. If there is an immediate safety issue the range shall be shut down. A formal report shall be made on the Quality Assurance Audit Form, HSMV 92786.

(c) During a site visit, all representatives of the Sponsor shall cooperate with FRTP's representative(s), and, upon request, shall exhibit all records, instructional aids, manuals, or such other materials as necessary for the review.

(2) The FRTP representative visiting the Sponsors will produce a report on the Quality Assurance Audit Form, HSMV Form 92786 (a copy of which may be obtained as set forth in Rule 15A-12.009 Forms). A copy of the report shall be provided to the Sponsor.

(a) Sponsors shall be responsible for ensuring any deficiencies noted in the report are remedied in the time allotted. Failure to do so shall be considered administrative rule violations, which are cause for suspension or termination of authorization to provide motorcycle safety education.

(b) The Quality Assurance Audit Form, HSMV Form 92786 (a copy of which may be obtained as set forth in Rule 15A-12.009 Forms), outlines the steps that will be taken by the FRTP, when the Code of Conduct or the Department "Letter of Authorization", are not adhered to.

(c) On the first observation the FRTP representative documents in a comprehensive report what they saw and why it was viewed as a problem. This report is submitted to FRTP for review. A notice will be provided to the

RiderCoach and Sponsor. The RiderCoach and Sponsor will be allowed to provide explanations and reasoning as to their actions. If the explanation and/or reasoning is/are acceptable, then no further action will be deemed necessary. If the explanations and reasoning so warrant, advise the RiderCoach and Sponsor of the necessary corrective measure(s) to be implemented by them to correct it.

(3) In order to better facilitate site visits, the Sponsor shall provide the Department a quarterly Rider Course schedule no later than the 15th of the month preceding the new quarter, listing the dates of the classes and the names of the RiderCoaches who will be teaching on those dates. The course schedule shall be sent to FRTP-Schedules@flhsmv.gov. The Sponsor shall notify the Department of any changes in course schedules (a monthly submission is permissible).

Rulemaking Authority 322.02(6), 322.0255(2), (3) and (6), FS. Law Implemented 322.0255, 322.12(5)(a) FS. History--
New _____.

15A-12.007 RiderCoaches

(1) RiderCoaches, as personnel, must complete the RiderCoach Apprentice Program (RCAP), as established by the MSF, prior to being employed by any Sponsor.

(2) RiderCoaches are to be MSF certified and Florida recognized, maintaining certification, so that they may instruct the motorcycle safety courses. Prospective Rider Coaches must comply with the following:

(a) Find a Sponsor School in their area to sponsor them

(b) Complete a Basic Rider Course.

(c) Fill out the RiderCoach Apprentice Program Application, HSMV Form 77058, copies of which may be obtained as set forth in Rule 15A-12.009 Forms, and submit it to the address on the application.

(d) The RiderCoach will be placed in a RiderCoach Preparation Course (RCP).

(e) After successful completion of the RCP, the student will be a recognized FRTP RiderCoach and certified by the Motorcycle Safety Foundation (MSF). The RiderCoach identification card will be sent to the RiderCoach by MSF.

(3) RiderCoaches are to be Motorcycle Safety Foundation (MSF) certified and Florida recognized maintaining certification so that they may instruct the motorcycle safety courses.

(a) Maintaining Florida RiderCoach Status:

(i) For RiderCoaches initially trained at an FRTP sponsored or recognized RiderCoach Preparation Course (RCP), a probationary recognition is automatic. This is based on the individual completing the RCAP and attending an RCP.

(ii) In order to gain full recognition, the RiderCoach must be observed and receive an average grade in all areas of the Quality Assurance Audit.

(iii) Continued FRTP recognition is predicated upon successful completion of the one-year probationary period, and the RiderCoach maintaining national Rider Course RiderCoach Certification, teach or team teach a minimum of one complete Basic Rider Course annually, and attend one FRTP RiderCoach Update in a certification period. Updates will not be more than 30 months apart.

(b) RiderCoaches trained outside Florida can gain FRTP recognition by doing the following:

(i) Contact Course Sponsor in the area you want to teach in and discuss the possibility of employment.

(ii) If Sponsor School agrees to employment, complete a RiderCoach Personal Information Qualification Form (provided by Sponsor School), HSMV Form 77122, copies of which may be obtained as set forth in Rule 15A-12.009 Forms, and submit the form to the appropriate Regional Coordinator.

(iii) The Sponsor can use the RiderCoach, with a current FRTP recognized RiderCoach, for two classes before they are observed.

(iv) The RiderCoach must be observed by an FRTP or FRTP approved RiderCoach Trainer (RCT).

(v) The RiderCoach must attend the next available FRTP update. Updates must be within six months of observation.

(vi) All new FRTP recognized RiderCoaches will be placed on probationary status for one year.

(4) The Sponsors shall employ only RiderCoaches who are recognized by FRTP and certified by MSF or ESC.

(5) RiderCoaches and Sponsors must adhere to the professional standards adopted by FRTP as established by the MSF and the ESC; FRTP Rules of Professional Conduct, HSMV Form 72201, a copy of which may be obtained as set forth in Rule 15A-12.009 Forms.

(6) RiderCoaches trained in another state, must, prior to teaching in Florida, complete a BRC RiderCoach Information Sheet; submit a driver's record and criminal history background, and a copy of their MSF RiderCoach card to the area Regional Coordinator. Then they will be evaluated by FRTP staff or their designee. They must also attend a RiderCoach update within six months of evaluation.

(7) RiderCoaches must maintain their certification and a valid driver license with a motorcycle endorsement.

(8) RiderCoaches must sign and abide by the FRTP's RiderCoach Rules of Professional Conduct, teach or team teach a minimum of one complete BRC or S/TEP annually, attend one FRTP RiderCoach Update and one professional development activity in their certification period (two years).

(9) RiderCoaches must recertify with MSF on-line and must forward recertification surveys to Sponsors.

(10) RiderCoaches shall ensure that no assistance is given any student in a manner that provides unfair advantage in passing the skills and/or knowledge tests. RiderCoaches cannot conduct tests for their relatives.

(11) RiderCoaches can also gain Florida recognition by completing the FRTP Intern/Mentoring Program.

(a) For RiderCoaches who were initially trained at an FRTP sponsored RiderCoach Preparation Course (RCP) or Sidecar and Trike Education program (S/TEP), recognition is automatic upon completion of the Intern/Mentoring Program.

(b) RiderCoaches seeking Florida recognition must complete the Intern/Mentoring Program and attend an FRTP Update. Both must be completed within 9 months of applying for FRTP recognition.

(i) RiderCoach candidates will automatically be entered into the Intern/Mentoring Program when they successfully complete the RCP.

(ii) Under the Intern/Mentoring Program, new RiderCoaches and those seeking Florida recognition will be required to team-teach a minimum of 3 Basic Rider Courses (BRC) with an FRTP recognized RiderCoach.

(iii) An Internship Report - RiderCoach Mentor Form, HSMV Form 77079 (copies of which may be obtained as set forth in Rule 15A-12.009 Forms), will need to be completed for each class. The RiderCoach Intern will also need to complete a RiderCoach Intern Form, HSMV Form 77078 (copies of which may be obtained as set forth in Rule 15-A12.009 Forms), for each class. Completed forms will be sent to the e-mail or mailing address on the forms.

(iv) Once FRTP receives all of the forms listed in (10)(b)(iii), above, the candidate will gain full FRTP RiderCoach recognition.

Rulemaking Authority 112.011, 322.02(6), 322.0255(3) and (6), FS. Law Implemented 322.0255, 322.12(5)(a) FS. History--
New _____.

15A-12.008 Program Compliance

(1) Administrative non-compliance is the failure to meet requirements for reporting, notifications, record keeping and similar acts that do not compromise testing integrity or public safety. The first occurrence requires a written reprimand and further violations requires a suspension of the authorization to provide motorcycle safety education.

(2) Discrepancy in test procedure is the failure to properly administer a required portion of a test procedure, such as the omission of a required maneuver. The first occurrence will result in a suspension of the authorization to provide motorcycle safety education, and a repeated occurrence may result in program termination.

(3) A major discrepancy in testing procedures is a failure to include all required parts, use of an unsafe vehicle for testing, or other action that significantly compromises the integrity of the testing process. A violation will result in a suspension of the authorization to provide motorcycle safety education for the first occurrence and further violations may result in program termination.

(4) Fraud is defined as the abuse of authorities granted under these administrative rules to gain profit through the issuance of test waivers for students who have not passed a complete test or have not completed the course in its entirety.

(5) The authorization to conduct motorcycle safety education may be cancelled if a Sponsor refuses to allow public access to all documents subject to Chapter 119, F.S., fails to comply with any part of these administrative rules, commits an act that compromises the integrity of the program, or uses a RiderCoach who is not Florida recognized.

(6) Upon termination of the authorization, all loaned equipment and program materials must be returned to FRTP within 10 calendar days of the termination.

Rulemaking Authority 120.60, 322.02(6), 322.0255(1), (3), (4) and (6), FS. Law Implemented 322.0255, 322.12(5)(a) FS. History—New _____.

15A-12.009 Forms.

The forms listed below are incorporated by reference for administration of the FRTP program. Copies of the forms may be obtained from the FRTP website, under forms “Forms”, or by contacting the Department of Highway Safety and Motor Vehicles, Bureau of Driver Education and DUI Programs, Florida Rider Training Program, 2900 Apalachee Parkway, Neil Kirkman Building, MS 88, Room B211 B214, Tallahassee, Florida 32399-0571.

(1) Form HSMV 72201, “FRTP Rules of Professional Conduct”; October 2006; Rules 15A-12.005 and 15A-12.007.

(2)Form HSMV 77008, “Student Observation/Incident Report”; October 2009; Rule 15A-12.005.

(3) Form HSMV 77108, “BRC Skill Evaluation Score Sheet”; October 2003.

(4) Form HSMV 77110, “ERC Skill Evaluation Score Sheet”; October 2003.

(5) Form HSMV 92786, “Quality Assurance Audit Form”; February 2010; Rule 15A-12.006.

(6) Form HSMV 77076S, "Florida Rider Training Program (FRTTP), Motorcycle Riding Course for Endorsement, Approval Form for Newly Developed Course"; February 2010.

(7) Form HSMV 77077S, "Florida Rider Training Program (FRTTP), Advanced Motorcycle Riding Course, Approval Form for Newly Developed Course"; February 2010.

(8) Form HSMV 77079, "Internship Report - RiderCoach Mentor Form"; June 2010.

(9) Form HSMV 77078, "RiderCoach Intern Form"; June 2010.

(10) Form HSMV 77058, "RiderCoach Apprentice Program Application"; April 2009.

(11) Form HSMV 77122, "RiderCoach Personal Information Qualification Form"; July 2010.

Rulemaking Authority 322.02(6), 322.0255(2) and (6), and 322.12(5)(a), FS. Law Implemented 322.0255, 322.12(5)(a) FS.

History--New _____.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie Jones, Executive Director

DATE OF PROPOSED RULE APPROVED BY THE AGENCY HEAD: _____

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009; November 26, 2008

CERTIFICATION OF DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and

(2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

[] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the Small Business Regulatory Advisory Committee.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s):

- 15A-11
- 15A-11.001
- 15A-11.002
- 15A-11.003
- 15A-11.004
- 15A-11.005
- 15A-11.006
- 15A-11.007
- 15A-11.008
- 15A-11.009
- 15A-11.010
- 15A-11.011
- 15A-11.012

Under the provision of Section 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)

Signature, Person Authorized to Certify Rules

Executive Director _____
Title

Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTER 15A-11, FAC, COMMERCIAL DRIVING SCHOOLS

RULE NUMBERS:

RULE TITLE:

15A-11

Commercial Driving Schools

Summary of Rule

The rule provides guidance for licensure of a business (school) and their instructors, including registration of vehicles used to teach students how to drive behind-the-wheel. Similar provisions apply to truck driving schools, instructors and the vehicles those schools use.

Statement of Facts and Circumstances Justifying the Rule

Section 15A-11, F.A.C., guidance for licensure of a business (school) and their instructors, including registration of vehicles used to teach students how to drive behind-the-wheel. Section 15A-11 takes the place of 15A-2, which was repealed in 1997. Since then, there have been many changes in the governance of commercial driving schools and the authority the Department has to regulate them.

Federal Standards Statement

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

Summary of Hearing

The Notice of Proposed Rule Development was noticed in the November 26, 2008, Florida Administrative Weekly, Volume 34, Number 48. The proposed rule was noticed in the December 11, 2009, Florida Administrative Weekly, Volume 35, Number 49. No timely request for a hearing was received by the agency and no hearing was held.

A Notice of Public Meeting advertised December 17, 2008, was noticed in the November 26, 2008, Florida Administrative Weekly, Volume 34, Number 48, to advertise the proposed rule development. A second Notice of Public Hearing advertised January 4, 2010 was noticed in the December 11, 2009, Florida Administrative Weekly, Volume 35, Number 49, to advertise the rule as proposed.

A Proposed Rule and Notice of Public Hearing was noticed in the December 11, 2009, Florida Administrative Weekly, Volume 35, Number 49. No timely request for a hearing was received by the agency and no hearing was held.

THE FULL TEXT OF THE PROPOSED RULE IS:

RULE NUMBERS:

RULE TITLES:

15A-11

Commercial Driving Schools

15A-11 Commercial Driving Schools.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NOS.: RULE TITLES:

15A-11.001 Definitions

15A-11.002 General Regulations

15A-11.003 CDS License Application and Renewal

15A-11.004 CDS Instruction Vehicles

15A-11.005 Program of Instruction

15A-11.006 CDS Instructor Certificate Application and Renewal

15A-11.007 Agent Identification Cards

15A-11.008 Driving Instruction Contracts

15A-11.009 CTDS Instructor Certificate Application and Renewal

15A-11.010 CTDS Instruction Vehicles

15A-11.011 Denial, Revocation or Suspension of CDS License, CDS, CTDS Instructor's Certificate or Agent's Card

15A-11.012 Forms

15A-11.001 Definitions.

(1) Agent – A person who holds a valid identification card issued by the Department, pursuant to Chapter 488, Florida Statutes, indicating the individual is an agent for the CDS, or CTDS, and is authorized by the school to solicit on its behalf.

(2) Commercial Driving School (CDS) – A school licensed by the Department pursuant to Chapter 488, Florida Statutes, which is authorized to engage in driving instruction.

(3) Commercial Driving School License – A license issued to a school by the Department pursuant to Chapter 488, Florida Statutes, indicating that the school is authorized to engage in driving instruction.

(4) Commercial Motor Vehicle Driver Instructor Training Course (CMV-DITC) – A Traffic Safety Education Course for commercial truck driver instructors.

(5) Commercial Truck Driving School (CTDS) – A school licensed by the Commission for Independent Education pursuant to Chapter 1005, Florida Statutes, which is authorized to engage in commercial motor vehicle driving instruction.

(6) Commission for Independent Education (CIE) – The Commission for Independent Education established by Chapter 1005, F.S., which establishes criteria for commercial truck driving schools.

(7) Department – The Department of Highway Safety and Motor Vehicles, Bureau of Driver Education and DUI Programs. The Department licenses the CDS and both CDS and CTDS instructors and agents, but not CTDS schools.

(8) Driver Instructor Training Course (DITC) – A Traffic Safety Education Course for driving instructors.

(9) Driving Instruction – Any activity for compensation related to on the road or classroom driving education.

(10) Driving Instruction Contract – A written agreement between a CDS and each of its students to provide driving instruction.

(11) Driver License Office – A driver licensing facility operated by or under the authority of the Division of Driver Licenses or local Tax Collector.

(12) Immediate Family Member – A person’s spouse, parents, grandparents, brothers, sisters and children, or the spouse’s parents, grandparents, brothers, sisters and children.

(13) Instructor – A person who holds a valid instructor certificate and engages in driving instruction on behalf of a commercial driving school licensed by the Department or the CIE.

(14) Instructor Certificate – An instructor certificate issued to an individual instructor by the Department, pursuant to Chapter 488, Florida Statutes, indicating the individual is an instructor for a specific commercial driving school or commercial truck driving school.

(15) Owner – The person or corporation who has the controlling financial interest of the CDS.

(16) School Vehicle – A vehicle owned or leased by the CDS or CTDS that is registered with the Department to provide driving instruction.

(17) Student – A person who receives driving instruction from a CDS or CTDS.

Rulemaking Authority 488.02 FS. Law Implemented 488.01 FS. History–New _____.

15A-11.002 General Regulations.

(1) No employee of the Department or immediate family member of a Department employee shall be connected in any capacity with any CDS or CTDS in accordance with Section 112.313(7), Florida Statutes.

(2) A CDS shall not indicate that its program is in any way endorsed by the Department, except to say that it is “licensed.”

(3) A CDS shall not utilize advertising that indicates, in any way, the school can issue or guarantee the issuance of a driver license or imply that the CDS can in any way influence the Department in the issuance of a driver license, or imply preferential or advantageous treatment from the Department can be obtained.

(4) The CDS must notify the Department in writing within ten (10) days of any change in the school owner’s name, the school owner’s address, the school’s name, or the school’s principal place of business address or telephone number.

(5) A duplicate school license or vehicle registration may be issued to a school by submitting a request to the Department on a completed form HSMV 77074S (Rev. 9/10), which is available as provided in Rule 15A-11.012. An affidavit stating that the original document was physically destroyed or lost must accompany the form HSMV 77074S (Rev. 9/10). The fee for issuance of a duplicate certificate shall be two dollars (\$2).

(6) All instructors shall ascertain, before giving driving instruction, that the student possesses a valid learner’s permit issued by the Department or another jurisdiction for the purpose of learning how to drive.

(7) A CDS shall sufficiently train its students that do not have a Class “E” driver license to better enable students to safely operate a motor vehicle. The Department may require performance evaluations of a CDS, if the Department determines the school’s driving instruction does not meet this standard.

Rulemaking Authority 488.02 FS. Law Implemented 488.01 FS. History–New_____.

15A-11.003 CDS License Application and Renewal.

(1) The Department oversees and licenses all CDS, except CTDS licensed by the CIE. All private (non-public)

CTDS are required to be licensed pursuant to Chapter 1005, F.S. No person, group, organization, institution, business entity, or corporate entity may engage in the business of operating a driver's school without first obtaining a license from the Department or from CIE pursuant to Chapter 1005, F.S.

(2) All owners or all officers or partners, desiring to engage in the business of conducting a CDS shall, prior to engaging in such business, secure a License from the Department by filing an application on form HSMV77074S(Rev. 9/10), which is available as provided in Rule 15A-11.012, F.A.C.

(3) Every owner, officer, or partner of the school shall provide one set of finger prints for a fingerprint-based criminal background check, the cost of which is borne by the applicant.

(4) Every application for a license must be accompanied by a non-refundable application fee of fifty dollars (\$50) along with a license fee of two hundred dollars (\$200) and shall be paid by money order, certified check or company check, to the Department.

(5) Each original license shall be valid for a period of one year from the date of issuance.

(6) The license shall not be transferable in the event of a change of school ownership. Application for a new license shall be made by the new owner and the old license and all instructor certificates previously issued shall be surrendered to the Department before a license will be issued to the new owner. Additionally, if the school is a previously licensed CTDS, a copy of the new CIE license must be furnished to the Department.

(7) The license or a legible copy must be retained in each place of business operated by the CDS.

(8) A CDS license is only operational at the address listed in the license

(9) Application for renewal of a CDS license shall be made at least forty-five (45) days prior to the certificate's expiration date on form number HSMV 77074S (Rev. 9/10), which is available as provided in Rule 15A-11.012, F.A.C., and accompanied by a fee of one hundred dollars (\$100) payable to the Department by money order, personal check, certified check or company check. The renewal period for a CDS license is one year. Owners who permit their license to expire shall not be permitted to operate their school and shall have to apply for a new license as set forth above.

Rulemaking Authority 488.02 FS. Law Implemented 488.01, 488.06 FS. History--New _____.

15A-11.004 CDS Instruction Vehicles

(1) No vehicle shall be used for instruction unless the licensee has obtained a school vehicle identification certificate from the Department, unless the student has signed a waiver to use their personal vehicle. The registration shall be carried in the vehicle at all times while driving instructions are being given. When a vehicle is no longer being used by a school, the school shall notify the Department in writing within ten (10) days.

(2) The school must complete the vehicle section of the school application form HSMV77074S (Rev. 9/10) or the vehicle registration form HSMV77071S (Rev. 2/10), which are available as provided in Rule 15A-11.012, F.A.C. The application shall include evidence of sufficient security in accordance with Chapter 324 and Section 627.7275, F.S., as evidence of Financial Responsibility and in compliance with Florida Motor Vehicle No-Fault Law and the Florida Financial Responsibility Law.

(3) Each school shall be required to pay a non-refundable fee of fifteen dollars (\$15) payable to the Department by money order, company check or certified check for each motor vehicle being registered. The vehicle registration shall be valid for one year from the date of approval.

(4) Each school must pay the Department a non-refundable fee of ten dollars (\$10) for each motor vehicle registration being renewed. The vehicle registration shall be valid for one year from the date of approval.

Rulemaking Authority 488.02 FS. Law Implemented 488.05 FS., 49 CFR s. 396.17. History--New_____.

15A-11.005 Program of Instruction.

(1) All programs of instruction offered by a CDS shall be consistent with and subject to the Florida Uniform Traffic Control Law, Chapter 316, F.S., and the laws concerning licensing of drivers, Chapter 322, F.S.

(2) No CDS or CTDS instructor, employee or agent shall be permitted to use the driving route, on or off the premises, of any driver license examining office during the hours when driving tests are being conducted.

(3) No CDS or CTDS instructor, employee or agent shall accompany any student into a driver license examining office to assist the student during the actual taking of a driver's license examination.

(4) All instructors shall ascertain, before giving driving instruction, that the student possesses a valid learner's or instruction permit issued by the Department or another jurisdiction for the purpose of learning to drive.

Rulemaking Authority 488.02 FS. Law Implemented 488.01, 322.07, 322.2615 FS. History—New_____.

15A-11.006 CDS Instructor Certificate Application and Renewal.

(1) All CDS instructors must submit an application and possess a valid instructor's certificate issued by the Department, which shall be carried in the instructional vehicle at all times while driving instructions are being given. The application shall be on form number HSMV 77073S (Rev. 9/10), which is available as provided in Rule 15A-11.012, F.A.C.

(2) Instructor qualifications.

(a) Instructors who teach students having a learner's or instructional permits shall be at least twenty-one (21) years of age,

(b) Every instructor shall have a valid Class E driver license.

(c) Every instructor must maintain, during any consecutive three year period, a driving record which does not include more than three (3) chargeable motor vehicle crashes or violations as defined in Chapter 316, F.S. Any traffic or other violation resulting in suspension or revocation of the driving privilege will automatically cause the suspension of the instructor's certificate.

(d) An instructor shall not have any physical or mental impediments that prohibit the instructor from satisfactorily providing driving instruction.

(e) Every instructor shall provide one set of finger prints for a fingerprint-based criminal background check, the cost of which is borne by the applicant.

(3) All instructors shall have successfully completed a DITC in driver education or the equivalent approved by the Department prior to the instructor's certificate being issued. Documentation of such training shall accompany the application.

(4) CDS instructor's certificates shall be valid for a period of one year from their date of issuance and shall be renewed yearly by applying to the Department on form HSMV77073S (Rev. 9/10) at least forty-five (45) days prior to the certificate's expiration date.

(5) Each original instructor application shall be accompanied by a non-refundable fee of twenty-five dollars (\$25) payable to the Department by money order, certified check or company check. The renewal application shall be accompanied by a non-refundable fee of ten dollars (\$10) payable to the Department.

Rulemaking Authority 488.02 FS. Law Implemented 488.04, 488.06 FS. History—New_____.

15A-11.007 Agent Identification Cards.

(1) Upon application to the Department, an agent shall be issued a card identifying him as an agent of a particular driving school to be used while acting on behalf of the school, if the agent is otherwise in compliance with these rules. All applications for agent identification cards must be answered completely on form number HSMV

77073S (Rev. 9/10), which is available as provided in Rule 15A-11.012, F.A.C.

(2) Every agent shall provide one set of finger prints for a fingerprint-based criminal background check, the cost of which is borne by the applicant.

(3) Each original application shall be accompanied by a non-refundable fee of twenty-five dollars (\$25) payable to the Department by money order, certified check, company check or personal check. The renewal application shall be accompanied by a non-refundable fee of ten dollars (\$10) payable to the Department.

(4) The card shall be valid for a period of one year from its date of issuance and shall be renewed by applying to the Department upon the proper form at least forty-five (45) days prior to the expiration date of the card.

Rulemaking Authority 488.02 FS. Law Implemented 488.04, 488.06 FS. History--New _____.

15A-11.008 Driving Instruction Contracts.

(1) The CDS is authorized, but not required, to use form HSMV77072S (Rev.2/10), which is available as provided in Rule 15A-11.012, F.A.C.

Rulemaking Authority 488.02 FS. Law Implemented 488.02 FS. History--New_____.

15A-11.009 CTDS Instructor Certificate Application and Renewal.

(1) No person shall perform any instructional duties for any CTDS licensed under Chapter 1005, F.S., unless such person shall meet the qualifications for instructors as herein provided. All instructional personnel must submit an application and possess a valid instructor's certificate issued by the Department, which shall be carried in the instructional vehicle at all times while driving instructions are being given. An application shall be made on form number HSMV 77073S (Rev. 9/10), which is available as provided in Rule 15A-11.012, F.A.C.

(2) Instructor qualifications.

(a) Every Instructor in a school who teaches students having a learner's or instructional permits shall be at least twenty-one (21) years of age.

(b) Every instructor shall have a valid Class A driver license.

(c) Every instructor must maintain, during any consecutive three year period, a driving record which does not include more than three (3) chargeable motor vehicle crashes or violations as defined in Chapter 316, F.S. Any traffic or other violation resulting in suspension or revocation of the driving privilege will automatically cause the suspension of the instructor's certificate.

(d) Every instructor shall have a minimum of three years of driving experience as a Class A CDL driver prior to application for an instructor's license.

(e) An instructor shall not have any physical or mental impediments that prohibit the instructor from satisfactorily providing driving instruction.

(f) Every instructor shall provide one set of finger prints for a fingerprint-based criminal background check, the cost of which is borne by the applicant.

(3) All CTDS instructors shall have successfully completed a driver education course consisting of written examinations and road tests or the equivalent approved by the Department prior to the instructor's certificate being issued. Documentation of such training shall accompany the application.

(4) CTDS instructor's certificates shall be valid for a period of one year from their date of issuance and shall be renewed yearly by applying to the Department on form number HSMV 77073S (Rev. 9/10) at least forty-five (45) days prior to the certificate's expiration date.

(5) Each original instructor application shall be accompanied by a non-refundable fee of twenty-five (\$25) dollars payable to the Department by money order, or certified check. The renewal application shall be accompanied

by a non-refundable fee of ten dollars (\$10) payable to the Department as set forth above.
Rulemaking Authority 488.02 FS. Law Implemented 488.04, 488.06 FS. History–New_____.

15A-11.010 CTDS Instruction Vehicles.

(1) No vehicle shall be used for instruction unless it has been issued a federally approved safety inspection in accordance with Title 49 of the Code of Federal Regulations, section 396.17 (June 17, 2009) and a motor vehicle registration by the Department. The safety inspection and vehicle registration must be carried in the vehicle at all times while driving instructions are being given. When a vehicle is no longer being used by a school, the school shall give the Department written notice of this fact.

(2) CTDS must submit the vehicle registration form HSMV77071S (Rev. 2/10), which is available as provided in Rule 15A-11.012, F.A.C. The owner shall file with the Department evidence of sufficient security in accordance with Chapter 324 and Section 627.7275, F.S., as evidence of Financial Responsibility and in compliance with Florida Motor Vehicle No-Fault Law and the Florida Financial Responsibility Law.

(3) Each school shall be required to pay a non-refundable fee of fifteen dollars (\$15) payable to the Department by money order, or certified check for each motor vehicle being registered. The vehicle registration shall be valid for one year from the date of approval.

(4) Each school must pay to the Department, a non-refundable fee of ten dollars (\$10) for each motor vehicle registration being renewed. The renewed vehicle registration shall be valid for one year from the date of approval.
Rulemaking Authority 488.02 FS. Law Implemented 488.05 FS., 49 CFR s. 396.17. History–New_____.

15A-11.011 Denial, Revocation or Suspension of CDS License, CDS, CTDS Instructor's Certificate or Agent's Card.

(1) Any license, certificate or agent identification card will be denied, revoked or suspended by the Department for the following reasons:

(a) The violation of any provision of Chapter 488, F.S., or of any of these rules.

(b) The conviction of, the plea of no contest to, or the adjudication withheld for, any felony or misdemeanor offense as shown by a fingerprint-based criminal background check conducted by the Department. Applicants with any convictions must wait at least 5 years after the conviction date to be considered. Applicants with convictions that directly relates to the business of conducting a commercial driver training school, including convictions that directly relate to the personal safety of a student will not be considered. DUI convictions or personal use drug convictions outside the five year period will not automatically disqualify an applicant if the applicant has served their revocation period and has a full unrestricted driver's license.

(c) The employment of instructors, teachers or agents who have not been approved and certified or issued identification cards by the Department, or giving driving instruction without being certified by the Department.

(d) The instruction of students contrary to the restrictions imposed on the students' driver licenses.

(e) Business solicitation on any premises, including parking areas, used by the Department or a tax collector for the purpose of licensing.

(f) Committing fraud or willful misrepresentation in applying for or obtaining a license.

(2) The Department will take emergency suspension or revocation action, without preliminary hearing whenever any school or instructor has knowingly been involved in assisting anyone to obtain a driver license fraudulently.

(3) The Department shall notify CIE if negative action is taken against a truck driver training school or its instructors.

Rulemaking Authority 488.02 FS. Law Implemented 488.06, 112.011(1)(b) FS. History--New _____.

15A-11.012 Forms.

The forms identified by this rule are listed below by number, title, and effective date. Each form is incorporated by reference. Copies may be obtained by contacting the Bureau of Driver Education and DUI Programs Section, Neil Kirkman Building, Tallahassee, Florida 32399-0571. The following forms are available via our website at <http://www.flhsmv.gov/ddl/comschool.html>.

(1) Vehicle Registration Application Form, HSMV Form 77071S (Rev. 2/10),

(2) Student Contract Form, HSMV Form 77072S (Rev. 2/10).

(3) Instructor/Agent Application Form, HSMV Form 77073S (Rev. 9/10).

(4) Driver Training School Application Form, HSMV Form 77074S (Rev. 9/10).

Rulemaking Authority 488.02 FS. Law Implemented 488.01 FS. History--New _____.

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF DRIVER LICENSES
BUREAU OF DRIVER EDUCATION AND DUI PROGRAMS

LICENSE APPLICATION FOR
COMMERCIAL DRIVING SCHOOL

This form is to be used for original and renewal applications for the purpose of securing approval to engage in motor vehicle driving instruction, by the individual, association, corporation or partnership as owner of the school for a license to conduct a Commercial Driving School, in accordance with the provisions of Chapter 488, Florida Statutes and Administrative Rule 15A-11.003.

This form and all required documentation and fees are to be submitted to:

Department of Highway Safety and Motor
Vehicles
Bureau of Driver Education and DUI Programs
Neil Kirkman Building, Mail Stop 88
2900 Apalachee Parkway
Tallahassee, Florida 32399-0570

THIS APPLICATION MUST BE COMPLETE WITH ALL REQUIRED DOCUMENTS AND FEES ATTACHED PRIOR TO SUBMISSION TO THIS OFFICE.

AN APPLICATION FOR LICENSE RENEWAL RECEIVED LESS THAN 45 DAYS FROM THE EXPIRATION DATE WILL NOT BE ACCEPTED BY THE DEPARTMENT AND THE LICENSE WILL NOT BE RENEWED. IN SUCH CASE, A COMMERCIAL DRIVING SCHOOL MUST SUBMIT AN ORIGINAL APPLICATION FOR LICENSURE.

O = Original Application R = Renewal Application B = Both

All fees are due at submission and are made payable to:
Department of Highway Safety and Motor Vehicles.

Application Fee:	\$ 50.00 (O) _____
	Non-Refundable per F.S.488.03
Original License Fee:	\$200.00 (O) _____
License Renewal Fee:	\$100.00 (R) _____
Original Vehicle Registration:	\$ 15.00 (O) _____
	Non-Refundable per F.S.488.05
Renewal Vehicle Registration:	\$ 10.00 (R) _____

1. GENERAL INFORMATION.

(B) Name of School: _____
PLEASE ATTACH CERTIFICATE OF FICTITIOUS NAME OR CERTIFICATE OF INCORPORATION

(B) Business Address: _____
PLEASE ATTACH CERTIFICATE OF OCCUPANCY OR LEASE AGREEMENT

NOTE: Each branch office location requires a separate license application and fee.

(B) Phone Number(s): _____

2. OWNER/OPERATOR.

(B) If the school is owned by an individual, partnership, principal stockholder(s), association or a corporation, list the name, addresses and positions of all persons involved. (Continue on a separate sheet of paper and attach if necessary.)

3. PROGRAM OF INSTRUCTION.

(B) a. List of all instructors and agents employed by the school (if necessary continue on a separate sheet and attach to this application):

- (B) b. Enter the following information with respect to school vehicles, licensed by the Department, to be used by your organization. These vehicles must be dual controlled. (if necessary continue on a separate sheet and attach to this application). **ATTACH A CURRENT CERTIFICATE OF INSURANCE FOR EACH VEHICLE LISTED**

<u>Make of Vehicle</u>	<u>Year</u>	<u>VIN</u>	<u>Own/Lease</u>

NOTE: Whenever motor vehicles are replaced or added, notify the Department and forward a valid certificate of insurance for new vehicle registration.

4. SUPPLEMENTARY INFORMATION

- a. Every owner, officer, or partner of the school, shall provide one set of finger prints for a fingerprint-based criminal background check, the cost of which is borne by the applicant. The conviction of, the plea of no contest to, or the adjudication withheld for, any felony or misdemeanor offense as shown by a fingerprint-based criminal background check conducted by the Department can disqualify a person as a holder of a license or acting as an instructor, agent or employee of the school.
- b. Driver License number: _____ State: _____

The information supplied above is true and complete. I understand that any fraudulent or misinformation supplied or information withheld by me will result in the revocation of my commercial driving school's license.

(Signature in Full)

(Position in School)

ATTACH THE FOLLOWING TO THIS APPLICATION:

- (B)1. All additional information called for throughout the application.
- (B)2. All fees for this document.
- (B)3. Attach a Certified copy of certificate of Fictitious Name, from the Department of State, as filed under the Fictitious Name Act. The Certificate must not be more than five (5) years old. However, if your school is incorporated you must submit a copy of the Certificate of Incorporation filed with the Department of State within the last 12 months. (To request information on how to obtain a copy of your certificate please call (850) 488-9000.)
- (B)4. Attach a Certificate of Insurance including description of the motor vehicle providing coverage for commercial driver education use of such vehicle and the certificate must also state that ten (10) days notice will be given to the Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles in the event of change or cancellation of the policy.
- (B)5. Attach a current Florida Department of Law Enforcement report for each owner, director, officer, partner or principal stockholder(s), of the partnership, association or corporation. This report will be accepted up to 12 months from the date of issuance. **Please note - applicant that have not been a resident of Florida for at least a year must also include a criminal background check from their previous state of residency. To request information on how to obtain a FDLE Report please call**
- (B)6. **For Commercial Truck Driving Schools**, attach the current year U.S. Department of Transportation Annual Inspection form (NAV-90-553) on each vehicle your organization will use for instruction.

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF DRIVER LICENSES
BUREAU OF DRIVER EDUCATION AND DUI PROGRAMS

**APPLICATION FOR AN INSTRUCTOR OR AGENT CERTIFICATE FOR
COMMERCIAL DRIVING SCHOOL**

This form is to be used for original and renewal applications for the purpose of securing approval to engage in motor vehicle driving instruction, by the individual employee of a commercial driving school for instructor or agent certification in accordance with the provisions of Chapter 488, Florida Statutes, and Administrative Rules 15A-11.006, 15A-11.007 and 15A-11.009.

This form and all required documentation and fees are to be submitted to: Department of Highway Safety and Motor Vehicles
Bureau of Driver Education and DUI Programs
Neil Kirkman Building, Mail Stop 88
2900 Apalachee Parkway
Tallahassee, Florida 32399-0570

THIS APPLICATION MUST BE COMPLETE WITH ALL REQUIRED DOCUMENTS AND FEES ATTACHED PRIOR TO SUBMISSION TO THIS OFFICE.

A RENEWAL APPLICATION RECEIVED LESS THAN 45 DAYS FROM THE EXPIRATION DATE WILL NOT BE ACCEPTED BY THE DEPARTMENT AND THE CERTIFICATE WILL NOT BE RENEWED. IN SUCH CASE A COMMERCIAL DRIVING SCHOOL INSTRUCTOR OR AGENT MUST SUBMIT AN ORIGINAL APPLICATION FOR CERTIFICATION.

O = Original Application R = Renewal Application B = Both

All fees are due at submission and are made payable to:
Department of Highway Safety and Motor Vehicles.

Original Instructor/Agent Fee:	\$25.00 (O)	_____
	Non-Refundable per F.S. 488.04(1)	
Renewal Instructor/Agent Fee:	\$10.00 (R)	_____
Duplicate Instructor/Agent Card	\$ 2.00	_____

1. GENERAL INFORMATION (Note: An instructor must hold a valid Florida Driver License).

(B) Name: _____
 First Middle Last

(B) Residence Address: _____

(B) Date of Birth: _____

(B) Name of School Employed By or Authorized on Behalf of:

(B) Address of School: _____

(B) Your position with the School: _____
(Owner, Instructor, Agent, etc.)

2. Driver Information.

(B) Driver License number: _____

(B) The applicant, shall provide one set of finger prints for a fingerprint-based criminal background check, the cost of which is borne by the applicant. The conviction of, the plea of no contest to, or the adjudication withheld for, any felony or misdemeanor offense as shown by a fingerprint-based criminal background check conducted by the Department can disqualify a person as a holder of a license or acting as an instructor, agent or employee of the school.

3. EDUCATION.

(B) Have you ever completed a Department approved Driving Instructor Training Course? _____ If yes, which course? _____ In the last twelve (12) months? _____ If yes, which course?

(R) Have you completed a basic or advanced driving Instructor Training refresher course within the last five (5) years? If yes, which course?

Attach a copy of your course completion certificate. If no, sign up for the next available driver education course. If you have not attended a refresher course or it has been more than six years since you have attended driving instructor training course you will be required to attend a training course again.

4. WORK EXPERIENCE.

- (O) Have you have worked as a commercial driving school instructor before? _____ If yes, list the name of the school

_____.

Are you currently working for another commercial driving school? _____ If yes, list the name of the school

_____.

The information supplied is true and complete. I understand that any fraudulent or misinformation supplied or information withheld by me will result in the revocation of my commercial driving school instructor certificate or agent card.

(Signature in Full)

(Position in School)

ATTACH THE FOLLOWING TO THIS APPLICATION:

- (B)1. All additional information called for throughout the application.
- (B)2. All fees for this document.
- 3. Two (2) photographs (original application, one (1) for renewal) taken within thirty (30) days of the application. All pictures must be identical 1 and 1/2 inch square and must show neck, shoulders and uncovered head.
- (B)4. A notarized statement from the owner of the school that the instructor will be employed by or authorized to provide driving instructions on behalf of the school. Owners that are also instructors are not required to submit a letter of employment.
- (B)5. Application for an agents certificate must include the financial agreement between the agent and the school owner.
- (B)6. Attach a current finger-print based background check. This report will be accepted up to 12 months from the date of issuance.

STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF DRIVER LICENSES
BUREAU OF DRIVER EDUCATION AND DUI PROGRAMS

**VEHICLE REGISTRATION APPLICATION FOR
COMMERCIAL DRIVING SCHOOL**

This form is to be used for original and renewal vehicle registration applications in accordance with the provisions of Chapter 488, Florida Statutes, and Administrative Rules 15A-11.007 and 15A-11.012.

This form, all required documentation, and fees must be submitted to:
Department of Highway Safety and Motor Vehicles
Bureau of Driver Education and DUI Programs
Neil Kirkman Building, Mail Stop 88
2900 Apalachee Parkway
Tallahassee, Florida 32399-0570

THIS APPLICATION MUST BE COMPLETED AND SUBMITTED WITH ALL REQUIRED DOCUMENTS AND FEES ATTACHED.

A RENEWAL REGISTRATION APPLICATION RECEIVED LESS THAN 45 DAYS FROM THE EXPIRATION DATE IS CONSIDERED LATE. IN SUCH CASES, EACH LATE RENEWAL MUST PAY AN ORIGINAL REGISTRATION FEE OF \$15.00.

A CERTIFICATE OF INSURANCE MUST ACCOMPANY EACH VEHICLE REGISTRATION APPLICATION. THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES MUST BE LISTED AS THE CERTIFICATE HOLDER ON EACH CERTIFICATE OF INSURANCE.

Original Registration: a vehicle owned or leased by the Commercial Driving School that is properly identified and used for providing driving instruction.

Renewal Registration: a vehicle owned or leased by the Commercial Driving School, that is registered with the Department, and is properly identified and used for providing driving instruction.

O= Original registration R= Renewal registration

Vehicle Registration Original: \$15.00 (O)_____ (non. refundable per F.S. 488.05)

Vehicle Registration Renewal: \$10.00 (R)_____

1. GENERAL INFORMATION

(A) Name of School _____

(B) Business Address _____

(C) Phone number(s) _____

2. VEHICLE INFORMATION

Enter the following information for each vehicle being registered. Each vehicle must have a dual brake installed. If the vehicle is leased by the school, please attach a copy of the lease agreement (if necessary continue on a separate sheet and attach to this application). Enclose a current certificate of insurance for the vehicle listed:

MAKE of VEHICLE	YEAR	VIN	OWN/ LEASE

ATTACH THE FOLLOWING TO THIS APPLICATION:

1. All additional information required for registration.
2. All fees for registration.
3. Certificate of Insurance for each vehicle including policy effective dates, vehicle description, certificate holder, insured, agent, insurance coverage and limits. The certificate must state that ten (10) days notice will be given to the Bureau of Driver Education and DUI Programs, Department of Highway Safety and Motor Vehicles in the event of change or cancellation of the policy.
4. Commercial Truck Driving Schools, attach the current year U.S. Department of Transportation Annual Inspection form (NAV-90-553) on each vehicle registered.

SCHOOL & STUDENT CONTRACT
SAMPLE

This form is in accordance with the provisions of Chapter 488, Florida Statutes and Administrative Rule 15A-11.006.

Date _____ (Month) _____ (Day) 20--- (Year) _____
License Number _____ Expires _____
Restrictions _____

This space for advertisement name of school, address, etc., and all contracts shall be pre-numbered in duplicate. No advertisement is to be used concerning the driver training school until the Department has approved same and the school has been licensed.

Date of Birth _____ (Month) _____ (Day) 19--- (Year) _____
Age _____
Automatic _____ Standard _____
Miss _____ Mrs. _____ Mr. _____

Address _____
Res. Phone _____ Bus. Phone _____

Place of Employment _____
hereby agrees to take professional driver instruction consisting of _____ lessons. The school agrees to furnish a dual controlled car for all practical instruction without additional cost. The fee for the instructor is \$ _____ per lesson or \$ _____ for a course consisting of _____ lessons. There is no additional charge for picking up a student and returning to point of origin.

A lesson consists of _____ minutes and more than one lesson per appointment may be given. It is agreed that an owner, instructor, agent or employee of this school shall not give the impression to a student that upon completion of their instruction, this school will guarantee the securing of a driver license to operate a motor vehicle. Use of the school training car for the road test is at the option of the student. If used, an additional fee of for such service will be charged. Classroom instruction relating to traffic laws is available and is \$ _____ per lesson. This school will not refund any tuition or part of tuition if school is ready, willing and able to fulfill its part of this contract. Appointments must be cancelled 24 hours in advance to avoid forfeiture of a lesson. It is understood that upon the signing of this contract all instruction must be completed within 60 days.

_____	Deposit \$ _____
Signature of Student _____	Balance Due \$ _____
Signature of Instructor _____	Paid in Full \$ _____



A SAFER
FLORIDA

HIGHWAY SAFETY AND MOTOR VEHICLES



3RD QUARTER PERFORMANCE REPORT
FISCAL YEAR 2009 - 2010

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

JULIE JONES, EXECUTIVE DIRECTOR

Leading the Way to... A Safer Florida!

Service Delivery – ensuring customer-driven excellence.

- Over 3.2 million individuals representing nearly 19% of driver license and identification card holders have registered their Emergency Contact Information with the Department.
- From July 2009 through March 2010, the Department issued nearly 20% of its driver license and identification cards through the internet. This represents an increase of 17.5% over the same period a year ago.
- Customers have completed over 18% of their motor vehicle transactions through the internet. This represents an increase of nearly 20% over the same period a year ago.
- State driver license offices processed nearly 4.5 million transactions July 2009 through March 2010.
- 45% of all driver license customers served in state field offices had appointments.



Safety – protecting our citizens through service, education, and enforcement.

- The Florida Highway Patrol during the last nine months (July 2009 – March 2010):
 - Made over 7,300 DUI arrests through enhanced enforcement efforts and concentrated focus during highly traveled holiday periods;
 - Issued over 103,000 seatbelt citations;
 - Made over 3,000 drug arrests;
 - Effected over 5,800 felony arrests;
 - Delivered over 1,800 safety talks to nearly 200,000 attendees; and
 - Rendered assistance to nearly 220,000 motorists.



Workforce – valuing our members.

- The turnover rate for Florida Highway Patrol Troopers and Corporals dropped from 4.2% in July 2009 to 3.05% in March 2010.
- The turnover rate for members serving in the Customer Service Call Center dropped from 11.7% in July 2009 to 7.3% in March 2010.
- Sixty new state troopers joined the ranks of the Florida Highway Patrol in February 2010.



Performance Management – improving our organizational performance.

- As of March 2010, driver license services were offered in 80 state issuance offices and 123 tax collector offices in 46 counties. This represents a 24% increase from the number of tax collector offices that were delivering driver license services in March 2009.
- The Department launched an executive dashboard to provide agency leadership with measurements on the Department's performance (such as percent of driver license and motor vehicle transactions completed via the internet). The executive dashboard includes a scorecard that lists key performance measures with indicators. The report section is comprised of charts and tables that graphically display the data presented in the scorecard.
- In March, Florida TaxWatch posted the results of the Davis Productivity Awards and the Department exceeded expectations with a record 46 awards. Approximately 250 members were recognized for their accomplishments either individually or as part of a workgroup. Equally as impressive, all Department divisions were represented in this year's awards, underscoring the Department's commitment to efficiency and effectiveness. This year built on the success of the 2009 award year, when 42 nominations were submitted and recognized.

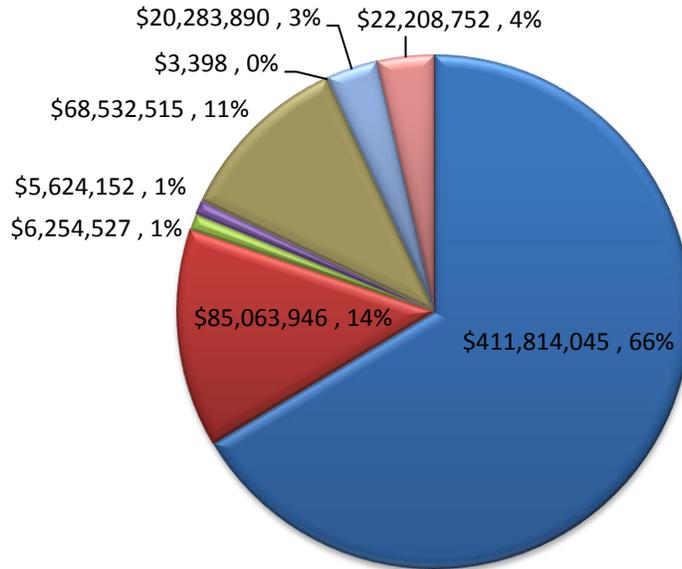


Revenue Information

Revenue Generated

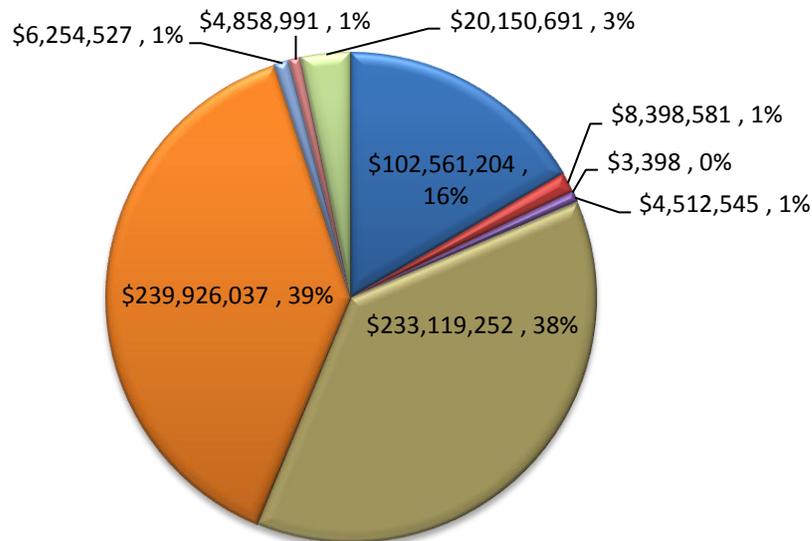
	Trust Fund	General Revenue	Total
3 rd Quarter	\$379,859,187	\$239,926,037	\$619,785,224
Year to Date	\$1,026,615,334	\$531,438,301	\$1,558,053,635

Where the Money Comes From – 3rd Quarter



- Licenses Plates and Decals
- Motor Vehicles Titles
- Motor Fuel Use Tax
- Fines and Forfeitures
- Driver Licenses
- International Registration Plan Receipts
- Driving Records/Transcript
- Other

Where the Money Goes – 3rd Quarter



- HSMV Agency Funding
- Specialized Plate-Sponsor
- International Registration Plan Program
- Law Enforcement Radio TF
- Dept of Transportation
- General Revenue Funded Programs
- Fuel Use Tax
- Air Pollutions Control program
- Other

Performance Measures

<i>Measure</i>	<i>3rd Qtr. 2008-09</i>	<i>3rd Qtr. 2009-10</i>	<i>2009-10 YTD Actual</i>	<i>Annual Standard</i>
Service Delivery - Employ strategies that ensure customer-driven excellence.				
1. Number of motorists assisted by FHP	73,697	68,298	220,092	300,000
2. Percent of driver license office customers waiting 15 minutes or less for service (1)	Annual	54.0%	54.1%	80%
3. Percent of driver license office customers waiting less than 30 minutes for service (1)	Annual	71.5%	71.9%	95%
4. Percent of customer service phone calls answered by the Customer Service Center within two minutes of being placed in the queue (2)	35.9%	29.1%	37.0%	70%
5. Number of highway crashes investigated by FHP	53,795	54,244	163,138	235,000
6. Percent of fatal highway crashes investigated by FHP to all fatal highway crashes investigated by law enforcement in Florida	57.4%	64.6%	60.6%	60%
7. Percent of traffic homicide investigations completed within 90 days of crash (3)	75.9%	68.5%	68.2%	80.0%
8. Percent of calls for service responded to within 30 minutes	69.3%	68.1%	69.4%	65.0%
9. Percent of traffic investigation hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	24.8%	25.7%	24.8%	23.0%
10. Percent of criminal investigation cases resolved within 30 days	52.0%	61.9%	61.2%	50%
11. Percent of professional compliance investigation cases completed within 45 days	61.9%	58.8%	73.4%	80%
12. Number of corrections per 1,000 driver records maintained (4)	6.6	6.3	6.5	4.0
13. Number of driver licenses and identification cards issued (5)	1,506,170	1,160,032	3,965,012	6,200,000
14. Percent of vehicle/vessel titles issued without error	94.0%	92.7%	91.1%	92%
15. Number of motor vehicle/manufactured home/vessel titles issued	1,251,417	1,364,573	3,767,081	5,750,000
16. Number of motor vehicle/manufactured home/vessel registrations issued	5,196,919	4,936,665	14,658,553	21,300,000
17. Percent of titles issued within three workdays of request	100.0%	100.0%	100.0%	98.0%
18. Percent of motor vehicle, manufactured home and recreation vehicle dealer licenses issued within five workdays of receipt of completed dealer application	99.0%	99.8%	99.6%	99.0%
19. Percent of paper titles issued for motor vehicles, manufactured homes and vessels to all titles issued	85.6%	81.6%	79.8%	80.0%
20. Percent of biennial motor vehicle, manufactured home and vessel registrations issued to all registrations issued eligible for biennial registration	6.4%	6.8%	16.5%	6.0%

<i>Measure</i>	<i>3rd Qtr. 2008-09</i>	<i>3rd Qtr. 2009-10</i>	<i>2009-10 YTD Actual</i>	<i>Annual Standard</i>
Safety –Protect our citizens’ lives and personal security through service, education, and enforcement.				
21. Florida highway fatality rate per 100 million vehicle miles traveled	Annual	Annual	Annual	1.5
22. Florida alcohol-related highway fatality rate per 100 million vehicle miles traveled	Annual	Annual	Annual	0.58
23. Florida's seat belt compliance rate	Annual	Annual	85.2%	85.0%
24. Percent of preventive patrol hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	52.2%	49.8%	51.9%	52.0%
25. Number/ percent of registered vehicles that meet Florida's minimum insurance requirements	11,463,197 94.0%	11,505,315 95.0%	11,505,315 95.2%	N/A 95.0%
26. Number/ percent of driving related sanctions issued to all sanctions issued	31,179 6.2%	33,698 7.4%	96,953 6.6%	130,000 5.0%
27. Percent of "Driving Under the Influence" course graduates who do not have another DUI conviction within four years of graduation	Annual	Annual	Annual	90%
28. Percent of new manufactured home warranty complaints to new manufactured homes titled	0.82%	0.67%	0.72%	0.60%
29. Number of manufactured homes inspected in plants (6)	801	758	2,152	6,000
30. Number of rebuilt salvage motor vehicles inspected	7,217	10,278	28,578	25,000
31. Number of dealer licenses issued (includes motor vehicle and manufactured home dealers, and manufacturers licenses)	Annual	Annual	Annual	12,800

Workforce –Build an environment that regards our members as our most valuable resource.				
32. Percent of FHP recruit graduates who passed certification exam on initial testing	N/A	N/A	100%	95%
33. Percent turnover for all FHP troopers and corporals	N/A	3.13%	3.05%	7.5%
34. Percent of administrative/training hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	23.0%	24.5%	23.3%	25.0%

Performance Management –Take an integrated approach to measure, manage, and improve our organizational performance to further the agency’s mission.				
35. Agency administration and support costs as a percent to total agency costs	5.28%	4.68%	5.10%	5.00%
36. Number/percent of non-driving related sanctions issued to all sanctions issued	469,939 93.8%	424,773 92.6%	1,363,452 93.4%	2,470,000 95%
37. Cost per motor vehicle/manufactured home/vessel title issued	\$2.50	\$2.82	\$2.82	\$2.75
38. Percent of International Fuel Tax Agreement audits completed to all International Fuel Tax agreements (7)	0.59%	0.66%	1.70%	3.00%
39. Percent of International Registration Plan Agreement audits completed to all International Registration Plan agreements	0.48%	1.09%	2.71%	3.00%

PERFORMANCE EXPLANATION

(1) Percent of driver license office customers waiting 15 minutes or less for service and Percent of driver license customers waiting 30 minutes or less for service: Two major factors contributing to the wait time exceeding the standard were the 99 (quarterly average) Examiner and Manager positions in state field offices being strategically held vacant due to fiscal constraints and the over 11% turnover rate for Driver License Examiner positions. Federal Real ID requirements have also negatively impacted wait times as additional time is needed to scan required documents and in many instances, educate customers on the specific documents required to obtain a Real ID compliant driver license. The Department is reviewing the existing standard.

(2) Percent of customer service phone calls answered by the Customer Service Center within two minutes of being placed in the queue: The Department continues to experience a large volume of calls that exceeds current capacity. Several steps have been taken to reduce the volume by maximizing staff, resources, technology, and processes. An automated appointment system is in development which will allow some callers to make appointments without human assistance. This will free some analysts to assist other callers. The Department is also enhancing response time to customer emails to prevent the need for a phone call. To bring the Customer Service Center to the industry standard of 80% of calls answered in 2 minutes or less would require an additional 27 positions (based on the current average number of calls, 80 calls per person per day).

(3) Percent of traffic homicide investigations completed within 90 days of crash: The standard for successful prosecution of Traffic Homicide cases continues to increase, which results in additional hours required to complete the investigation. The Patrol has taken several steps to enhance public safety and further support victim families which have impacted the time to complete the case. The abbreviated reporting format has been eliminated to ensure a more comprehensive investigation. In addition, investigators are required to maintain constant contact with victim's family and the State Attorney's Office to provide them with a periodic update on case status, which may further extend the time to complete the investigation.

(4) Number of corrections per 1,000 driver records maintained: Many of the errors made on the driver's record, which subsequently require a correction, are completed or reported by outside agencies (courts and other state motor vehicle agencies). In 2009, the Department worked closely with five clerks of courts, through a DOT grant, to identify causes of errors in the transmission of citation data, propose solutions to decrease error rates, and to create a helpful tool to better guide the clerks in how to resolve errors. Transmission errors by these clerks were reduced by over 8% and the error count for the state was reduced by 7%. At least three large counties implemented new database systems (Palm Beach, Lee, and Orange County) in 2009 that produced a large number of reporting errors that could not be corrected through electronic re-submission from the clerk. Six liaisons work closely with the clerks of courts, e-citation vendors, and law enforcement agencies to provide technical assistance and training to resolve data transmission errors.

(5) Number of driver licenses and identification cards issued: In November 2009, statutory changes were made to discontinue the issuance of a driver license and identification card to the same person. The Department anticipates a continued reduction in the number of identification cards issued. Another significant factor contributing to issuance reduction was the Department's January 1st compliance with the Real ID Act, which strengthened documentation requirements for obtaining an identification card or driver license. Replacement driver license and identification cards are down approximately 43% and 53% respectively, when comparing the first nine months of fiscal year 2009-2010 with the same period last year. When comparing calendar year 2009 with 2008, original driver licenses issuance declined approximately 11%. These declines may be further attributed to economic conditions, the driver license fee increase, and Florida's stagnant population growth.

(6) Number of manufactured homes inspected in plants: Production in manufactured home plants has continued to decrease due to reduced public demand and industry decline causing fewer homes to be inspected in plants. 100% of required manufactured home inspections are being completed. A change in the measure to reflect a percentage of homes inspected, as opposed to the number of homes inspected will be considered.

(7) Percent of International Fuel Tax Agreement audits completed to all International Fuel Tax agreements: The variance is caused by economic conditions that resulted in vacant auditor positions not being filled. All vacant auditor positions are now being filled which should allow us to meet future fiscal year standards. While we do not expect to meet this fiscal year standard, we expect to meet the calendar year federal requirement of 3%.

**PURCHASES MADE IN EXCESS OF \$25,000 AND NOT IN CONJUNCTION WITH
STATE CONTRACTS
JANUARY through MARCH 2010**

ITEM(S) PURCHASED	VENDOR	AMOUNT
FHP: Children's activity books designed to promote the agency's child passenger safety and occupant protection programs focused on promotion of child seat and booster seat usage statewide. Order No. A17AD8.	Child Safety Solutions, Inc. Tallahassee, FL	\$50,000.00
FHP: Promotional items (i.e. flashlights, tire gauges, first aid kits, etc.) will be used in conjunction with educational outreach events to publicize FHP's Occupant Safety Programs. Order No. A16296.	Red Enterprises, LLC Tallahassee, FL	\$149,957.37
DDL: Booklet printing to educate teens and parents on the driving laws and necessary driving skills and behaviors to be a safe driver. Order No. A1B956.	General Printing & Design, Inc. Southborough, MA	\$62,290.00
OWP: A training system that will provide members with an online class registration site that is able to keep electronic training records. The system will notify all supervisors which of their staff members will be receiving training and will include an electronic approval via chain of command. Order No. DO1454673.	Geo Learning West Des Moines, IA	\$345,000.00
DMV: Decal paper is needed to print vehicle registration stickers. Order No. DO1771326.	Moore Wallace North America Jacksonville, FL	\$9,549,832.50
FHP: This ammunition is for transition to the new pistol, Glock 37. Ammunition is used by recruits for firearms training and initial issue, also used for firearms qualification training at the FHP Academy. Order No. A1E701.	Florida Bullet Inc. Clearwater, FL	\$1,545,164.76

Annual Performance Report

Fiscal Year 2009-2010



A SAFER
FLORIDA
HIGHWAY SAFETY AND MOTOR VEHICLES

Julie L. Jones Executive Director

Message from the Executive Director

August 2010

I am pleased to present the Florida Department of Highway Safety and Motor Vehicles' 2009-10 Annual Report. This report details progress in achieving our strategic goals; meeting performance standards; and highlights key strategies and initiatives for fulfilling our vision of a safer Florida.

Providing highway safety and security through excellence in service, education, and enforcement for the millions of residents and visitors to our great state each year is the Department's core mission. This broad impact underscores the importance of our mission from Pensacola to Key West.

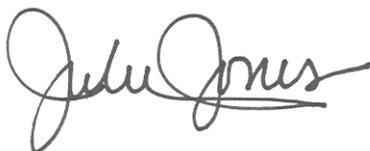
Our commitment to efficient delivery of services is evidenced in our finding innovative ways to do business, improving customer service, increasing strategic relationships with stakeholders, and measuring critical performance indicators.

During the 2009-10 fiscal year, while the Department faced many challenges, it also celebrated many successes and played a significant role in enhancing highway safety and security:

- Florida's fatality rate dropped to 1.3 fatalities per 100 million miles traveled, the lowest rate ever reported in the Sunshine State. The number of crash fatalities fell to 2,563, a 17-year low for the state.
- Statewide safety belt use topped the national safety belt use rate (84 percent) when it reached a record 85.2 percent.
- The Department began applying new procedures and enhanced security measures to confirm the identities of applicants and comply with federal regulations that will provide the residents of Florida a more secure and reliable form of personal identification.
- Over 20 percent of Florida driver license and identification card holders have registered their emergency contact information with the Department, up from 13 percent last fiscal year. This emergency contact system allows drivers in the state to securely input their information so families can be contacted more quickly should a loved one be seriously injured.

The pages that follow highlight many other accomplishments and successes over the past fiscal year. Our values of service, integrity, courtesy, professionalism, innovation and excellence continue to shape how we do business; influencing our core operations, and all our members and their actions.

As a Department, with the assistance of the Governor, Cabinet, Legislature, and stakeholders we will continue this tradition of service before self – while focusing on sound policies and decisions that are necessary to fulfill the Department's mission of public safety.



Julie L. Jones
Executive Director

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What We Believe...

Our Mission

**Providing Highway Safety and Security through
Excellence in Service, Education, and Enforcement**

Our Vision

A Safer Florida!

Our Values

WE BELIEVE IN:

**Service by exceeding expectations;
Integrity by upholding the highest ethical standards;
Courtesy by treating everyone with dignity and respect;
Professionalism by inspiring confidence and trust;
Innovation by fostering creativity; and
Excellence in all we do!**

Facts and Figures

FLORIDA HIGHWAY PATROL ACTIVITY

1,047,416 citations issued by FHP
140,443 seat belt citations issued by FHP
321,777 unlawful speed citations
9,605 Driving Under the Influence arrests
7,867 felony arrests
217,033 crash investigations
371,482 written warnings issued
476 stolen vehicles recovered
36,181,772 miles patrolled
288,369 motorists with disabled vehicles received assistance
2,438 public safety presentations

MOTORIST SERVICES

5,192,397 driver license and identification cards issued
3,471,815 emergency contacts registered as of 6/30/2010;
20.2% of driver license and identification card holders
5,460,990 organ donors registered as of 6/30/2010
1,944,018 suspension, revocations, cancellations and dis-
qualifications of driving privileges
477,889 insurance suspensions issued
19,496,005 motor vehicle, manufactured home, and vessel
registrations issued
5,104,919 motor vehicle, manufactured home, and vessel
titles issued
12,844 dealer and manufacturer licenses issued
5,551 motor vehicle and mobile home consumer complaints
investigated
20.5% of driver license and identification card transactions
completed by internet
18% of motor vehicle transactions services completed by
internet
129 Tax Collector offices in 46 counties offering driver
license services as of 6/30/2010

News of the Year

Crash Fatality Rate Hits Record Low

Florida's crash fatality rate hit a new low in 2009. Based on an analysis of vehicle miles traveled, Florida's fatality rate dropped to 1.3 fatalities per 100 million miles traveled. That is the lowest rate ever reported in the Sunshine State.

Some positive trends the report highlights include:

- Crash-related fatalities on Florida roadways decreased 14 percent between 2008 and 2009, from 2,983 to 2,563.
- Alcohol-related traffic fatalities fell by 14 percent between 2008 and 2009 from 1,169 to 1,004.
- Motorcycle fatalities (drivers and passengers) dove 24 percent between 2008 and 2009 from 532 to 402.
- Bicyclist and passenger fatalities decreased 15 percent between 2008 and 2009 from 118 to 100.
- Pedestrian fatalities decreased four percent between 2008 and 2009 from 502 to 482.
- Fatalities of teen drivers and passengers, ages 15 – 19, fell significantly by more than 20 percent between 2008 and 2009 from 193 to 153. Teen drivers continue to over represent in terms of crash frequency, posting the highest rate of crash involvement of any age cohort at 381 per 10,000 licensed drivers.

The Department attributes some of Florida's positive gains to the 2009 passage of the primary safety belt law, numerous education and awareness campaigns, strategic enforcement efforts of law enforcement throughout the state, and improvements in vehicle safety. This marks the fourth consecutive year in which both the number of traffic fatalities and the fatality rate have declined. The number of crash fatalities fell to 2,563, a 17-year low for the state.

A complete copy of the Traffic Crash Statistics Report 2009 is available at www.flhsmv.gov/html/safety.html under Traffic Crash Facts.

Year	Fatalities	Fatality Rate*
2005	3,533	1.77
2006	3,365	1.65
2007	3,221	1.57
2008	2,983	1.50
2009	2,563	1.30

*Per 100 million miles of travel

Teen Drivers

Gov. Charlie Crist proclaimed Oct. 18-24, 2009, *National Teen Driver Safety Week* in Florida, and the Department hosted a Teen Driver Safety Summit to focus on the state's most at-risk drivers. During the summit, teen drivers and representatives from law enforcement organizations, state agencies, the trucking and automobile industries, as well as road safety advocates, reviewed Florida's current efforts and exchanged ideas on ways to create the safest possible driving environment for teens. The Department held a news conference

with the summit attendees and promoted the Department's new *Drive with CARE* website for teen drivers and their parents - www.flhsmv.gov/teens. The Department continues to expand its *Drive with CARE* program and now gives presentations to parents and teens and offers the Drive with CARE booklets in driver license offices and in participating tax collectors' offices.



Motorcycle Safety

Governor Crist proclaimed May 2010 *Motorcycle Safety Awareness Month* in Florida. To highlight the importance of the public safety issue, the Department brought together Floridians whose lives have been impacted by motorcycle crashes, riders, law enforcement officers, safety experts and advocates at news conferences held simultaneously throughout the state. While the Governors Highway Safety Association released preliminary statistics indicating that motorcycle fatalities throughout the United States decreased by approximately 10 percent in 2009, Florida's numbers show an even greater drop in motorcycle fatalities at 24 percent. This is a significant step in the right direction, and the Department remains vigilant in its efforts to reduce injuries and fatalities on Florida's roadways and promote a safe driving environment for motorcycle enthusiasts. Florida has more than a million endorsed motorcycle riders, and more than 350,000 of them have successfully completed a rider training course.



Sgt. Kim Montes, Turnpike Troop Commander Maj. Joseph Saucedo (Troop K) and Rosemary Smith, who lost a loved one to a motorcycle crash, speak at an event for Motorcycle Safety Awareness Month.

continued

Click It Or Ticket

The *Dori Slosberg and Katie Marchetti Safety Belt Law* took effect June 30, 2009. Just a few months later, the Florida Department of Transportation announced that statewide safety belt use topped the national safety belt use rate (84 percent) for the first time when it reached a record 85.2 percent. The law allows law enforcement officers to stop and cite drivers when they observe violations of Florida's safety belt law. All front seat passengers must buckle-up, and all passengers younger than 18 must fasten their safety belts no matter where they are sitting in the vehicle. DHSMV partnered with the Slosberg Foundation at an event in Boca Raton to announce the kick-off of the law. Additionally, FHP conducted a statewide awareness campaign to educate motorists of the new provisions of Florida's safety belt law. The National Highway Traffic Safety Administration estimates with the approval of its primary safety belt law, Florida will save 124 lives, prevent 1,733 serious injuries, and save \$408 million in associated costs each year. Law enforcement officers issued 140,443 citations for failure to buckle up between July 1, 2009 – June 30, 2010.



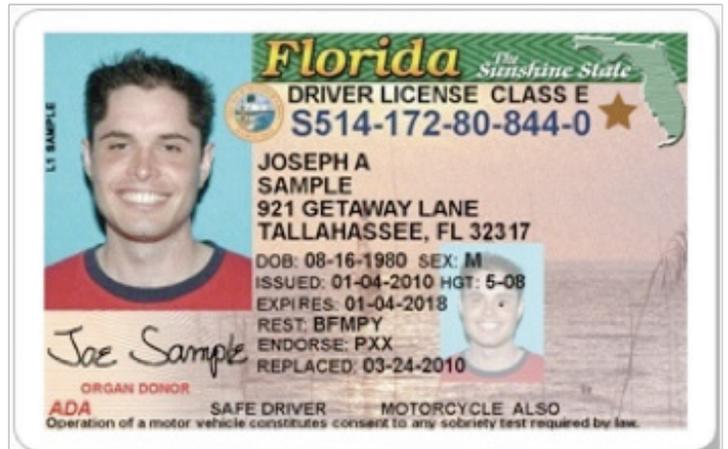
To prepare for the changes, in August 2009, the Florida Department of Highway Safety and Motor Vehicles launched a statewide public awareness campaign to educate Florida residents about the changes. Gather. Go. Get. explains to customers what documents to gather before they go to a driver license office to get their REAL ID compliant license. An interactive website, www.GatherGoGet.com, is a key component of the campaign as it helps residents prepare for their next visit to a driver license office. The website is provided in Spanish at www.reunavengaobtenga.com and in Creole at www.rasanblealepran.com. The campaign also includes direct mail in renewal notices, paid advertising, earned media and a presence on social networking sites, such as [Facebook](https://www.facebook.com), [Twitter](https://www.twitter.com) and [YouTube](https://www.youtube.com).

Since inception of the new requirements, DHSMV and tax collector partners, have issued more than 1.3 million new cards with the gold star indicating Real ID. It is important to note that other than the gold star insignia, there are no other changes to the card. The successful implementation of the new requirements enhances the safety and security of Florida's driver license and ID card processes and systems, benefiting customers, the business community and law enforcement.



Florida Leads Nation as One of First States to Issue REAL ID Compliant Licenses

On Jan. 1, 2010, Florida became a trailblazer as one of the first states in the nation to issue driver licenses and identification cards that comply with new federal requirements. The federal REAL ID Act of 2005, passed as a result of the 9/11 Commission, establishes the new standards for state-issued driver licenses and identification cards. Customers who wish to obtain a new license, legally change their name prior to their renewal date, or immediately replace a lost or stolen license or ID card are required to visit a driver license office and show proof of identity, Social Security number and residential address (two items). Those whose names differ on their documents also must show documentation of name change.



continued

In Memory Of

Trooper Patrick Ambroise

On May 23, 2010 funeral services were held in Miami for FHP Trooper Patrick Ambroise, who was killed when his patrol car was struck from behind while he was stopped on the shoulder of the Florida Turnpike. Governor Charlie Crist joined Department members, numerous dignitaries, and law enforcement representatives from across the country to pay respects to Trooper Ambroise and his service to Floridians. Trooper Ambroise became the 43rd trooper killed in the line of duty since 1936.

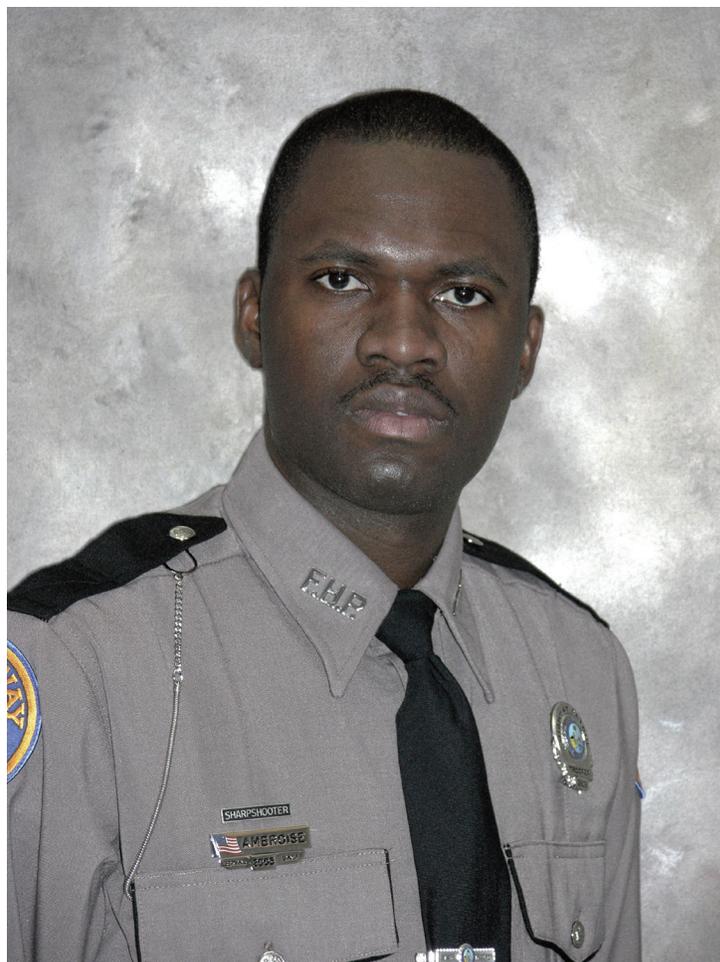
Trooper Ambroise had served with the Florida Highway Patrol for four years. His career with the FHP began June 20, 2005. He was a member of the 111th Recruit Class in Tallahassee, from June 20, 2005 to January 12, 2006. He was assigned to Troop K (Miami-Turnpike). At the time of his death, he was 35. He is survived by his wife, Roberta and two young daughters, mother and five siblings.

Governor Crist Condolences

"My heart goes out to Trooper Ambroise's wife and two young daughters, as well as to the Florida Troopers who worked alongside him. Trooper Ambroise stood for service to his community, dedication to his fellow officers, and commitment to his family.

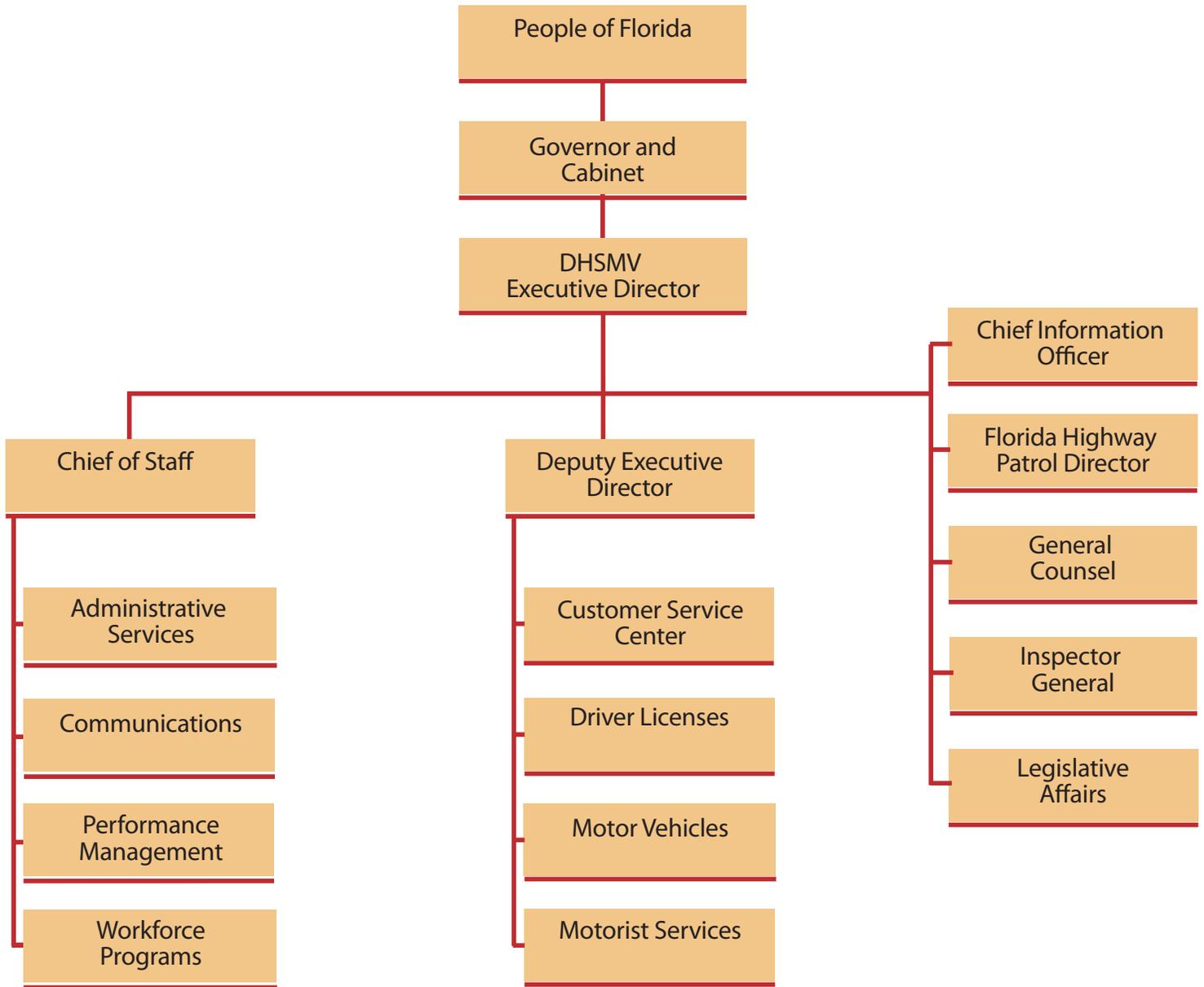
"The family and friends of Trooper Ambroise, a Haitian-American concerned about loved ones still recovering from the recent earthquake, will remain in the thoughts and prayers of all who knew him.

"Every day Florida's law enforcement officers put themselves in harm's way as they serve on the frontlines protecting our neighborhoods and communities. We join together to mourn this loss and celebrate a brave man's life as a brother, a son, a father and a husband."



FHP Honors Fallen Troopers: On May 3, 2010 law enforcement officers across the state met in the Capitol Courtyard in Tallahassee to honor Florida's law enforcement officers who lost their lives in the line of duty in 2009. FHP also held a ceremony at the Neil Kirkman Building, where FHP Director, Col. John Czernis, presented the family of slain FHP Sgt. Nick Sottile with a purple heart, awarded posthumously, along with the sergeant's service weapon. Sergeant Sottile was shot and killed during a traffic stop in Highlands County in January 2007. During the stop one of the two occupants of the vehicle produced a handgun and shot Sergeant Sottile. He had served the citizens of Florida for 24 years.

Organizational Chart



Core Services



Service

- Ensure eligibility of drivers to be licensed.
- Validate identity of drivers and driver skills.
- Protect and maintain records of driver data.
- Evaluate “at-risk” drivers.
- Remove unsafe vehicles from roadways.
- Assist motorists roadside.
- Title and register vehicles, vessels and mobile homes.
- License motor vehicle businesses.
- Inspect salvage vehicles and manufactured homes.
- Resolve consumer complaints regarding motor vehicle businesses.
- Regulate commercial motor carriers.

Education

- Develop and distribute highway safety educational material.
- Support motorist safety media campaigns.
- Provide consumer protection information.
- Develop targeted campaigns to address crash causation factors.
- Create and enhance partnerships with agencies and stakeholders.

Enforcement

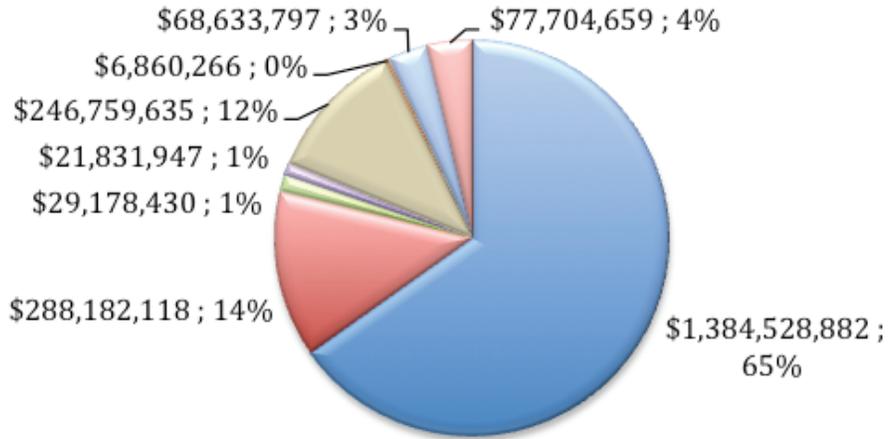
- Protect drivers by enforcing laws on the roadways.
- Remove unsafe drivers from the roadways.
- Disaster response (FHP provides 49% of statewide response).
- Investigate driver license, title and odometer fraud.
- Investigate crashes and fatalities.
- Contraband interdiction.
- Coordinate seven state law enforcement communication centers.
- Investigate non-traffic related felonies.

Our Fiscal Impact

REVENUE GENERATED

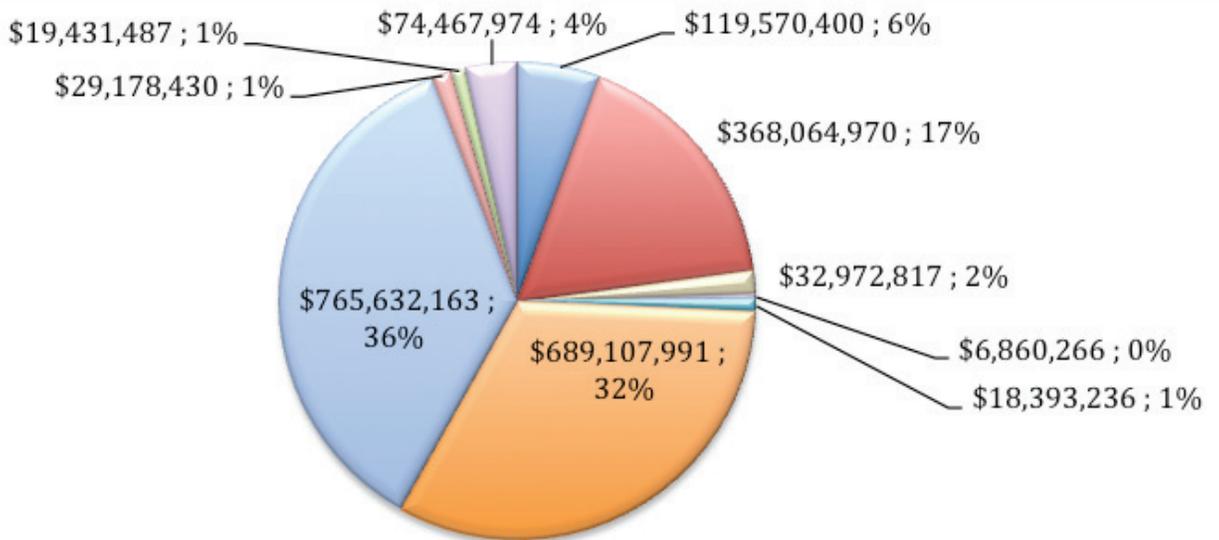
	Trust Fund	General Revenue	Total
FY 2008-09	\$1,263,760,465	\$152,329,524	\$1,416,089,989
FY2009-10	\$1,358,047,571	\$765,632,163	\$2,123,679,733

WHERE THE MONEY COMES FROM:



- Licenses Plates and Decals
- Motor Vehicles Titles
- Motor Fuel Use Tax
- Fines and Forfeitures
- Driver Licenses
- International Registration Plan Receipts
- Driving Records/Transcript
- Other

WHERE THE MONEY GOES:

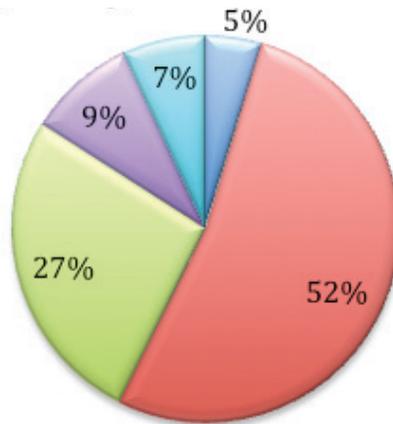


- Department of Education
- HSMV Agency Funding
- Specialized Plate-Sponsor
- International Registration Plan Program
- Law Enforcement Radio Trust Fund
- Department of Transportation
- General Revenue Funded Programs
- Fuel Use Tax
- Air Pollutions Control Program
- Other

Budget by Division

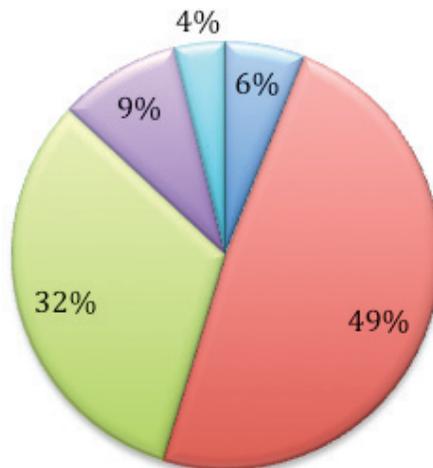
DIVISION	FTE 09/10	AMOUNT 09/10
Office of Executive Director and Administrative Services	276	\$18,447,675
Florida Highway Patrol	2,232	\$207,081,418
Driver Licenses	1,476	\$104,918,706
Motor Vehicles	425	\$35,690,040
Information Systems Administration	175	\$27,195,602
Total	4,584	\$393,333,441

BUDGET BY DIVISION 09/10:



- Office of Executive Director and Administrative Services
- Florida Highway Patrol
- Driver Licenses
- Motor Vehicles
- Information Systems Administration

FTE BY DIVISION 09/10:



- Office of Executive Director and Administrative Services
- Florida Highway Patrol
- Driver Licenses
- Motor Vehicles
- Information Systems Administration

Strategic Goals

Service Delivery

It is critical that we employ strategies that ensure customer-driven excellence.

We will improve customer satisfaction by focusing resources where opportunities for improvement are greatest.

- Answer customer service calls timely and provide complete and accurate information at the first point of contact.
- Educate customers, partners and public on Real ID compliant credential requirements.
- Expand the availability and functionality of online highway safety services.
- Decrease wait, processing, and response times for highway safety services.

We will increase efficiency in our processes to enhance internal and external service delivery.

- Enhance financial management infrastructure and reporting capabilities.
- Provide timely information to customers through cost efficient mechanisms.
- Automate manual processes to create processing efficiencies.
- Strengthen operations by eliminating redundancy in functions.
- Align staffing to ensure unity of command and personal accountability.
- Develop and implement a project management strategy within Information Systems Administration to align information technology activities with Department and stakeholder goals.

We will expand public and private partnerships to increase availability of services and achieve strategic objectives

- Expand partnerships and joint operations with local law enforcement agencies.
- Increase driver and motor vehicle service delivery options through greater tax collector and private partnership participation.
- Partner with additional media outlets and expand opportunities to promote important public safety services.
- Increase grant funding to enhance existing highway safety initiatives and develop new programs.
- Brand the agency as the primary advocate for public safety on Florida's roadways through integrated marketing communications.
- Adopt a regional delivery model for highway safety services capitalizing on existing infrastructure and tax collector partners.

Safety

It is critical that we protect our citizens' lives and personal security through service, education, and enforcement.

We will work to decrease the number of traffic fatalities and injuries annually on Florida's roadways.

- Advocate the use of seatbelts and other highway safety equipment.
- Focus enforcement resources to reduce fatalities and serious injury associated with motorcyclists, bicyclists, and pedestrians.
- Deploy troopers strategically based on crash related incidents and traffic volume.
- Concentrate oversight and enforcement efforts on high-risk drivers.

We will improve the safety of Florida's residents and visitors through proactive enforcement.

- Analyze crash data and develop regional targeted enforcement strategies to reduce crashes.
- Increase contraband interdiction efforts and removing felons from Florida's roadways.
- Combat aggressive driving through targeted enforcement.

We will promote our safety education efforts and consumer protection initiatives to increase public awareness.

- Promote teen and elder safe driving behaviors.
- Develop safety campaigns to reduce fatalities and serious injury among motorcyclists, bicyclists, and pedestrians.
- Reduce the number of vehicle and manufactured home consumer complaints by ensuring dealer regulatory compliance.
- Educate the public about new highway safety laws.
- Increase the frequency and enhance the content of safety demonstrations and inspections.
- Partner with Florida Department of Transportation and other public safety stakeholders to maximize the efficient use of grant funds in connection with information efforts.

continued

We will safeguard private information to ensure public trust.

- Ensure data is securely managed and protected through all databases, transactions, and data sharing.
- Assist state and federal agencies in the prevention of identity theft.

Workforce

It is critical that we build an environment that recognizes our members as our most valuable resource.

We will attract and retain a diverse and highly qualified workforce.

- Research and target appropriate venues for the recruitment of qualified applicants.
- Create career development paths that identify skills needed to advance professionally.
- Increase retention in key service positions.

We will recognize members who are responsive, innovative and effective.

- Recognize and promote members who exceed agency goals through an effective performance evaluation system and awards program.
- Encourage and reward members who offer innovative approaches to conducting the business of the Department.

We will provide educational resources that expand and increase professional knowledge and personal development.

- Develop a strategic approach to leadership development through professional certifications and advanced training offerings.
- Enhance members' technical skills and opportunities for innovation through comprehensive learning and development plans.
- We will provide personalized professional human resource services and programs to support our members.
- Educate membership about available human resource services and evaluate the effectiveness of service delivery methods.
- Offer an expanding array of personnel services which recognize a constantly-changing employment environment.

Performance Management

To further the agency's mission, it is critical that we take an integrated approach to measure, manage, and improve our organizational performance.

We will cultivate a strategic thinking agency by ensuring effective governance and implementing proactive solutions to anticipated trends and strategic challenges.

- Develop a robust, comprehensive strategic plan that is integrated in to the agency's culture.
- Implement a methodology to govern, strategically align, and manage Department projects, goals, and initiatives.
- Design a comprehensive risk management plan, including periodic evaluation, mitigation strategies, scenario planning, and impact analysis.

We will "measure what matters" to ensure accountability and improvement of overall agency effectiveness and capabilities.

- Fully implement a comprehensive performance accountability management system that facilitates decision making and resource allocation.
- Use key performance indicators and data from environmental assessments to direct Department strategic planning efforts.

Accomplishments

SERVICE

Emergency Contact Information Registration Reaches Three Million: This year brought a new milestone for the Department's award-winning Emergency Contact Information program when the total number of registrants passed the 3 million mark; or 20% of driver license and ID card holders. Floridians are encouraged to take advantage of the service that allows licensed drivers and identification card holders to submit two contacts to notify in the event of an emergency, such as a vehicle crash. Registration is quick and convenient. It can be completed in a state or tax collector operated driver license office or online at www.flhsmv.gov/eci. Governor Charlie Crist also recognized the importance of this system and proclaimed Oct. 4-10 as Register Your Emergency Contact Information Week in Florida. During that week alone, over 23,000 people entered their emergency contact information.

FLOW mobile Helps the Homeless Obtain IDs: Florida Licensing On Wheels mobile offices (FLOW mobiles) attended approximately 25 events throughout the state to provide credentials to homeless individuals. The Department's Driver License Examiners partnered with organizations, such as IDignity, the U.S. Department of Veterans Affairs, and homeless coalitions to bring motorist services to events where government and community organizations provide homeless individuals with food, clothing, legal counsel, and access to healthcare and government benefits. As an added incentive for participation, many sponsors paid for an ID card or driver license for the participants.

DHSMV Partners with Corrections to Prepare Inmates for Release: The Division of Driver License's Field Service and Office Managers, and the Bureau of Administrative Reviews worked with the Federal Bureau of Prisons and the Florida Department of Corrections throughout the year to help ensure inmates and parolees are prepared to reinstate their driving privilege and obtain a Florida driver license or identification card. More than 800 inmates and parolees received assistance at 13 institutions and one parole office.

Florida Launches the Joshua Abbott Organ and Tissue Registry: Department leaders participated in a launch event with Florida's Agency for Health Care Administration and Donate Life Florida on July 28 for the Joshua Abbott Organ and Tissue Donor Registry. The new online registry at www.DonateLifeFlorida.org allows Florida's residents to designate themselves as organ, tissue and eye donors. The online registry makes the exact wishes of registered donors more accessible and current for organ, tissue and eye recovery organizations. The Department played a large role in developing the website and streamlining the registration process for those who register in driver license offices.

Annual Sight Saver Campaign Raises Thousands: Florida's driver license offices partnered with Prevent Blindness

Florida for the annual Prevent Blindness Florida charitable donation campaign. This year approximately \$95,000 was raised through this campaign!

Department Website Helps Military Families: A new component on the Department website with information specifically for military members and their families was recently unveiled. The [webpage](#) offers convenient access to information for service members on how to obtain a Florida driver license or motor vehicle registration. The Department also recently added a video introduction to the [website](#) that provides customers with a brief overview of services and information they can find when they visit the website.

New Web Feature for Drivers: This year the Department deployed a new feature on its website that allows motorists who have received traffic citations in Florida determine if they are eligible to attend driver improvement school in lieu of points on their driving record. Drivers may elect to attend driver improvement school up to once per year and five times in a ten year period. To access the information, visit www.flhsmv.gov/dlcheck, enter the driver license number and click Enter. The results indicate whether a driver can opt for driver improvement school, the last time the driver chose the school option, and the number of times the driver took a course during the previous ten years. Drivers also will find a link to the list of approved driving courses on the Department's website.

Department Helps Florida Vets Connect with Benefits: In March, DHSMV Executive Director Julie Jones joined Chief Financial Officer Alex Sink and Florida Department of Veterans' Affairs Executive Director LeRoy Collins Jr. to announce *Florida Vets Connect*. At no cost to taxpayers, Florida Vets Connect is using driver license offices as an intake point to voluntarily gather information on veterans not currently in the state system. The DHSMV collects, stores, and makes this information available to the Department of Veteran Affairs.

DHSMV Helps Parents Give the Gift of Safety: Motor vehicle crashes are the number one killer of children in the United States. To the surprise of many, most children are not properly buckled up. To protect more children traveling Florida's roadways, the Department inspected child safety seats and hosted a news conference in November. Nationally Certified Child Passenger Safety Technicians from Florida's Departments of Transportation and Health; Leon County Emergency Medical Services; and Safe Kids joined DHSMV's certified technicians at the Department's headquarters in Tallahassee to inspect child safety seats for the public. The technician team inspected child seats for misuse, assisted with the installation of child seats, and distributed child seats with education and instruction. During the event, the Department recognized American Express for its recent donation of \$10,000 to purchase child safety seats for families

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in need and to educate the public about the Department's Child Safety statewide program and the \$2 Make a Difference program. The Department's 102 nationally certified child passenger safety technicians, during calendar year 2009, conducted over 9,000 child passenger safety events such as presentations, inspections/installations, and classes held across Florida.

Guaranteed Energy Performance Savings Contract: The Department recently entered into a guaranteed energy performance savings contract with Siemens Building Technologies, Inc., to retrofit owned facilities across the state with energy efficient lighting and heating and air conditioning (HVAC) systems. The contract also allows facilities staff in Tallahassee to monitor and control the HVAC systems across the state to reduce energy consumption. The project moves towards the goal of reducing greenhouse gas emissions while saving money, more than \$170,000 in electricity is saved annually.

Enhancements to Website Help Fight Motor Vehicle Fraud: The Department's website now includes a direct link to the National Motor Vehicle Title Information System. With the click of a mouse, consumers, law enforcement officers, and insurance companies can now obtain or verify a motor vehicle's title history. Such information is critical to protect consumers from fraud and unsafe vehicles, and it assists law enforcement in the investigation of stolen vehicles in interstate commerce. Users now have access to a national network of state motor vehicle records for a vehicle's brand history, odometer data and basic vehicle information, or they can be redirected to the current state of record to access the full title record, if available.

New Design for Vehicle Registration Decals: Approximately 24 million registration decals are issued annually to the public via vehicle dealers, DMV regional offices and tax collector offices. This number includes decals for vessels, parking permits, mobile homes and off-highway vehicles, which make up about two million of the issued decals. Based on survey input from the Florida Highway Patrol, the Florida Sheriffs Association and the Florida Police Chiefs Association, the font type and size printed on the decal was enlarged and enhanced. The new font was put into use statewide in November and is expected to aid law enforcement in increased visibility of the decal information.

New Florida Traffic Crash Report Form: A team of subject matter experts, in consultation with law enforcement partners, recently completed a review of Florida's Traffic Crash Report Form. The newly revised form was adopted to increase compliance with the National Highway Traffic Safety Administration Model Minimum Uniform Crash Criteria and to be more user friendly. As a result of this process, the new Florida Traffic Crash Report Form includes 33 new fields. The

new fields will provide additional information on occupants, safety equipment, and crash conditions, enhancing analysis of data for identifying crash causation factors.

EDUCATION

Breaking the Language Barrier: Twenty three percent of Florida's population and 18 percent of the nation's population speak a language other than English at home. To help bridge the communication gap, the Department works aggressively to provide critical highway safety information in Spanish. The Department participated in over 60 Spanish language television and radio programs, attended community events throughout the year to spread key messages to Spanish-speaking audiences, and produces bilingual monthly newsletters for community based organizations. Messages included information about changes to: Florida's safety belt law; new driver license requirements, and the Spanish website www.reunavengaobtenga.com. Over 500 public service announcements have been run in Spanish to further promote highway safety initiatives. In addition, the Department participated in Univision Radio's Familia and Hogar Expo, a two-day event informational event attended by more than 40,000 people.

Department Participates in All Pro Dad Events Held Across the State: Department members participated in an event in conjunction with the Family First Foundation that focuses on promoting a strong family unit. During All Pro Dad events, fathers bring their children and learn fatherhood tips while rotating through football themed learning stations. DHSMV staff members brought laptops to enter Emergency Contact Information to driver records, and brochures to promote graduated licensing and the website www.flhsmv.gov/teens to All Pro Dad events held in Tampa, Tallahassee, and Jacksonville. During one event, over 200 participants visited the Department's booth to learn more about the services and programs offered.

Assisting GM and Chrysler Dealers: During an unprecedented year for the motor vehicle industry, the Motor Vehicle Bureau of Field Operations took proactive steps to assist GM and Chrysler dealers adversely affected by the bankruptcy of the two manufacturers and who sought federally mandated arbitration. Letters were sent to all impacted dealers providing a checklist of dealer licensing requirements with tips on actions dealers can take to make the licensing process go smoothly and expeditiously.

New Website Provides Parents Information on Teen Driving: Vehicle crashes remain the leading cause of death among teenagers in Florida and the nation, and statistics show that teens (ages 15-19) have the highest crash rate of any age group. The Department recently launched a parents section on its teen driving website at www.flhsmv.gov/teens to help address the critical issue. The website now provides parents with useful information to help them teach their teens to become safe drivers and to explain Florida's graduated driver licensing program and related restrictions.

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Department Teams Up with Ford to Reach Out to Teen Drivers:

The Department teamed up with Ford Motor Company's Driving Skills for Life, to provide teens with skills and experience to become better drivers. The event was held in November at the Homestead Speedway as part of the activities leading to the Ford 400 NASCAR race. Students received hands-on, advance driver training by some of the nation's top professional driving instructors. The Florida Highway Patrol was an integral part of the driving program and driver license examiners answered questions from teens and parents and distributed information on safe driving.

Florida Highlights Older Driver Safety Awareness Week:

Transportation and the ability to successfully get around is key to independence and quality of life for senior drivers. Recognizing the importance of mobility and safety, the Department announced in December its observance of *Older Driver Safety Awareness Week*. The Department used the opportunity as a springboard to educate older drivers and their loved ones about the mandatory vision test requirement for drivers who are age 80 and older and about reporting drivers believed to be a safety risk. More than 1.9 million (12 percent) of the state's licensed drivers are age 70 and older. This fiscal year the Department also participated in a national program *Car Fit* sponsored by AARP and AAA designed to help mature drivers find the most appropriate fit in their vehicles.

Outreach to Habitual Traffic Offenders: Florida statute states that following their suspension, habitual traffic offenders may petition the Department for the restoration of his/her driving privilege. During the month of December 2009, the Department's Bureau of Administrative Reviews reached out to nearly 1,800 individuals who have an expired habitual traffic offender revocation on their record and notified them that they may be eligible for reinstatement and provided them with information on locations and telephone numbers of all Bureau of Administrative Review offices in the state. Most individuals are unaware that they need to have a hearing with the Department before reinstating their full driving privilege. The Department took this proactive approach of notification to prevent individuals from accumulating further violations and promote licensed driving for those eligible.

New Law Sends Bad Drivers Back to School: This year the Department implemented legislation to help identify drivers involved in at-fault accidents and promote safer driving habits among that traffic offender population. This key legislation is a significant step towards enhancing highway safety for all drivers on Florida's roadways. The new law states that drivers who are found to be at-fault in three crashes within a 36-month period are now required to successfully complete a Department-approved driver improvement course. The mandatory education will include a minimum of 16 hours, to include four hours of behind-the-wheel training, and an assessment of their driving ability. Driver License staff, with

the assistance of the Florida Sheriffs Association and several driving schools, established the curriculum requirements to re-train some of Florida's worst drivers.

ENFORCEMENT

Department Partners with the Office of Drug Control to Prevent DUIs:

Alcohol and drugs contributed to 44 percent of Florida's crash fatalities last year. That equates to nearly four fatalities per day at the hands of impaired drivers. To combat the problem during the month of December, the Department teamed up with the Governor's Office of Drug Control, law enforcement organizations across the state, and safety advocates during *National Drunk and Drugged Driving (3D) Prevention Month* to eliminate impaired drivers from Florida's roadways. During the December enforcement period the Florida Highway Patrol issued nearly 47,000 citations and over 500 arrests were made for impaired driving. Governor Crist also issued a proclamation declaring the month-long observation. The Florida Highway Patrol continues its participation in the nationwide DUI crackdown - *Drunk Driving. Over the Limit. Under Arrest.*

Department Helps Recover Stolen Motorcycles during Bike Week:

The Department's Regional Motor Vehicle Office in DeLand worked with the Volusia County Sheriff's Office and the Florida Highway Patrol to assist with locating, identifying and recovering stolen motorcycles and parts displayed during the 2010 Daytona Bike Week. The Department participates in the endeavor every year and has been a long-time partner. This year, DHSMV helped recover 23 stolen motorcycles, four stolen trailers and a stolen pickup truck.

Open House Party Arrest: On July 10, State Attorney R.J. Larizza held a joint news conference with the Florida Highway Patrol and St. Johns County Sheriff's Office to announce the arrest of a woman whose actions contributed to the death of two teenagers. Investigators reported that the woman hosted open house parties for teens to consume alcohol. In doing so, she fostered an environment for minors to drink alcohol to excess, mixed with the use of marijuana and nitrous oxide. Not only was the adult woman present, but also she participated in the illegal activities according to witness statements. Larizza stated that this was the first case in the state of Florida where someone was charged with manslaughter after holding an open house party where an attendee left, crashed and died. He called it a "historic case" in the state of Florida.

Florida Highway Patrol Teams Up with Other States to Take Back Our Highways:

The Florida Highway Patrol's Northern Region teamed up with the Alabama Department of Public Safety and the Georgia State Patrol to reduce traffic fatalities and increase safety. In July, FHP increased patrols on the roads from Pensacola to Jacksonville and as far south as Ocala, as part of a multi-state safety campaign called *Take Back Our Highways*. In addition to making over 5,400 traffic stops in North Florida during this campaign, troopers hand-

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ed out thousands of informational flyers to educate motorists on the hazards of distracted driving as part of a statewide awareness campaign.

Hands Across the Border: Troopers across the Florida panhandle participated in the Hands Across the Border events during the week leading up to the Labor Day holiday weekend. This was the 18th consecutive year that the FHP has worked with law enforcement agencies of bordering states to promote a unified enforcement effort before the holiday. The Hands Across the Border events were held in conjunction with the nationwide *Drunk Driving, Over the Limit Under Arrest* crackdown on impaired driving. Press conferences were held in Florida cities bordering Georgia and Alabama where the different agencies met and delivered a centralized message to promote traffic safety. From August 30 through September 7, over 20,500 arrests were made and over 2,600 seatbelt citations were issued.

Southern Region Kicks Off Labor Day Holiday with Enhanced Enforcement Effort: The Florida Highway Patrol's Southern Region kicked off the Labor Day holiday weekend with an enhanced enforcement effort to focus on Alligator Alley. The enforcement effort included Contraband Interdiction Program teams, aircraft and troopers from the Southern Region, along with the Broward County and Collier County Sheriff's Offices. The enforcement effort led to over 1,800 citations, of which 804 were for speeding violations and 633 were for Move Over violations.

DL-CORE Operations Underway: FHP Troopers conducted numerous driver license checkpoints statewide this year. This enforcement wave is the result of the new FHP Operation, DL-CORE (Chronic Offender Recognition and Enforcement) initiative. FHP has developed a strategy for dealing with the large numbers of drivers operating vehicles without a valid driver license or with a suspended/revoked license, and/or no proof of insurance. The strategy consists of four components: Operation Roundup, court watch, warrants, and statewide driver license and insurance checkpoint. This new proactive initiative will help remove some of Florida's worst drivers and repeat offenders from the road.

Be Smart, Drive Smart Florida! In August, Florida Highway Patrol Director, Col. John Czernis announced the Patrol's efforts to target drivers who violate the Move Over Law. The Patrol hosted press conferences at troop stations throughout the state to raise public awareness of what the law means to drivers in Florida. The press conferences effectively garnered statewide media coverage about the law that Florida adopted in 2002 after several emergency response personnel were killed or injured while working on the side of the road. In the past decade, more than 150 law enforcement officers nationwide have been killed by passing motorists. This initiative is called *Be Smart, Drive Smart Florida!* The Patrol is partnering with local law enforcement agencies across the state to

raise awareness and enforcement of the Move Over Law. The Department has developed video and radio public service announcements and brochures using federal grant dollars to educate Floridians on the Move Over Law.

Trooper Ambroise's death on May 15, 2010 is a tragic reminder of the importance of this law. The Move Over Law requires all motorists approaching an emergency vehicle with lights flashing to change lanes away from the emergency vehicle if traveling on a multi-lane roadway and if able to do so safely. Compliance with the law helps ensure the safety of the emergency worker and a safer driving experience for everyone traveling Florida's roads.

Partnership Helps Identify Motor Vehicle Fraud: Throughout the year the Department's Motorist Services Field Offices participated in joint motor vehicle enforcement actions with various law enforcement agencies, including Homeland Security and the National Insurance Crime Bureau. These combined efforts were related to motor vehicle theft, title fraud, and odometer fraud cases in which Department members provided valuable research and assistance. This past fiscal year, Motorist Services Field Offices assisted with over 200 cases of odometer fraud, title fraud and stolen vehicle or stolen vehicle parts.

State Agencies Partner to Reduce Crashes Involving Commercial Motor Vehicles: The Florida Highway Patrol and the Department of Transportation's Office of Motor Carrier Compliance teamed up on a statewide traffic education and enforcement campaign in November. The joint initiative was aimed at saving lives by minimizing unsafe driving acts that contribute to crashes involving large commercial trucks and school buses. The enforcement blitz resulted in 573 safety inspections on commercial motor vehicles, 81 vehicles placed out of service for safety violations and over 450 citations to commercial motor vehicle operators.

AWARDS

AAMVA Recognizes the Department with Three Awards: The American Association of Motor Vehicles Association held its 76th International Conference in August where the Department and two of its members received prestigious awards.

- The Public Affairs and Consumer Education award, which highlights public relations, public affairs and consumer education excellence was awarded for TaketheWheel.net an interactive website for teen drivers.

- The Customer Service Excellence Award was presented to Dee Dee Holley, Bureau of Titles and Registrations, for spearheading a cost savings project converting paper forms to an electronic process, further enhancing customer service.

- The International Driver Examiner Certification (IDEC) Examiner of the Year Award was bestowed on DL Examiner Specialist Wayne Archer. Mr. Archer was selected by AAMVA for his exceptional knowledge and skills, in addi-

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tion to exceeding customer expectations on a daily basis.

Trooper Receives National Award: Lieutenant Bill Leeper of the Florida Highway Patrol's Troop G in Jacksonville recently received the prestigious International Association of Chiefs of Police's (IACP) *J. Stannard Baker Award* recognizing his lifetime achievement in the field of traffic safety. This award is the highest and most coveted individual award that the IACP bestows for traffic safety. The Association recognized Lt. Leeper for his 32 years of work as an innovator and a leader in highway safety at the local, state and national levels during an October ceremony.

Federal Government Recognizes Florida's Reporting System: The United States Department of Transportation, the National Highway Traffic Safety Administration and the National Center for Statistics and Analysis recognized the Florida Fatality Analysis Reporting System with the State and Winning Team awards during a training seminar in October. Florida's data entry team received a plaque and certificate for outstanding contributions to NHTSA's vision of saving lives, preventing injuries, and reducing vehicle-related crashes.

Motorcycle Safety Foundation Recognizes Department's Florida Rider Training Program: The Motorcycle Safety Foundation (MSF) selected the Florida Rider Training Program as the winner of the 2008 MSF Award for *Outstanding State Program Category IV*. MSF selected Florida from 10 states with similar programs for the national award. An Outstanding State Program maintains a low-risk training environment that is conducive to learning, effectively meets the needs of prospective and current riders, makes efficient use of public resources, maintains a high quality program with strong student satisfaction, develops its Rider-Coaches, and maintains the quality of its fleet and training equipment. Florida Department of Transportation grant funding helps support the objectives of this program.

Motorcycle Safety Campaign Garner's Statewide Recognition: The Florida Public Relations Association presented its top award for statewide campaigns, the *Golden Image Award*, for the "*Ride Proud. Dress Loud.*" campaign. The campaign was launched last summer with the goal of making Florida's roads safer for motorcycle riders. The campaign encouraged riders to make themselves more visible to other motorists and to ride with the appropriate training and endorsements.

FHP's Battle of the Belts Wins State Award: Announced August 2009, The Florida Public Relations Association awarded Florida Highway Patrol, and Lt. Bill Leeper, Troop G Public Affairs Officer, its coveted "Judges Award of Distinction" for the Battle of the Belts program. The objectives of Battle of the Belts is to increase safety belt use among high school students; educate students on the importance of driving safely; and teach good habits to reduce the crashes, injuries and fatalities that occur among young drivers and passengers.

North Florida Troops Earn Top Honors at Statewide Challenge: During a ceremony in Orlando on July 31, the Florida Department of Transportation recognized the Florida Highway Patrol's Troops A and G at its Law Enforcement Challenge. FDOT recognized Troop A, headquartered in Panama City, as the Top Troop in the Troop Challenge and as Best in the State for child occupancy protection. FDOT recognized Troop G, headquartered in Jacksonville, as the Best in the State in the Championship Class and the troop's motor squad as the Best in the State for the second year in a row in a Florida Motor Unit Challenge. Each year the Florida Department of Transportation recognizes the best overall traffic safety programs in Florida. An independent panel of national safety experts judge on five criteria: policy, training, public information, enforcement, and effectiveness.

DUI Arrests: The Florida Highway Patrol recently awarded Trooper Michael A. Hollis, Jr. the Hurd-Smith award for 2009. The award recognizes the trooper who leads FHP in Driving Under the Influence apprehensions for the year. Hollis, stationed in Land O'Lakes, made 203 DUI arrests last year. FHP also recognized 15 other troopers from across the state for their efforts to remove impaired drivers from the roadways by making more than 100 DUI arrests for 2009. The troopers were also honored by *Mothers Against Drunk Driving* for their efforts in detecting and apprehending impaired drivers.

Performance Measures

Measure	2008-09 Actual	2009-10 Actual	2009-10 Standard
SERVICE DELIVERY – Employ strategies that ensure customer-driven excellence.			
1. Number of motorists assisted by FHP	307,969	288,369	300,000
2. Percent of driver license office customers waiting 15 minutes or less for service (1)	89%	53.7%	80%
3. Percent of driver license office customers waiting less than 30 minutes for service (1)	97%	71.4%	95%
4. Percent of customer service phone calls answered by the Customer Service Center within two minutes of being placed in the queue (2)	40.0%	35.4%	70%
5. Number of highway crashes investigated by FHP	218,622	217,033	235,000
6. Percent of fatal highway crashes investigated by FHP to all fatal highway crashes investigated by law enforcement in Florida	54.6%	61.8%	60%
7. Percent of traffic homicide investigations completed within 90 days of crash(3)	75.1%	69.1%	80.0%
8. Percent of calls for service responded to within 30 minutes	70.0%	69.1%	65.0%
9. Percent of traffic investigation hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	24.7%	24.8%	23.0%
10. Percent of criminal investigation cases resolved within 30 days	38.6%	62.2%	50%
11. Percent of professional compliance investigation cases completed within 45 days	68.2%	76.5%	80%
12. Number of corrections per 1,000 driver records maintained (4)	6.4	6.4	4.0
13. Number of driver licenses and identification cards issued (5)	5,896,039	5,192,397	6,200,000
14. Percent of vehicle/vessel titles issued without error	93%	92%	92%
15. Number of motor vehicle/manufactured home/vessel titles issued	4,901,295	5,104,919	5,750,000
16. Number of motor vehicle/manufactured home/vessel registrations issued	20,918,645	19,496,005	21,300,000
17. Percent of titles issued within three workdays of request	99.9%	100%	98.0%
18. Percent of motor vehicle, manufactured home and recreation vehicle dealer licenses issued within five workdays of receipt of completed dealer application	99.1%	99.3%	99.0%
19. Percent of paper titles issued for motor vehicles, manufactured homes and vessels to all titles issued	81.8%	79.2%	80.0%
20. Percent of biennial motor vehicle, manufactured home and vessel registrations issued to all registrations issued eligible for biennial registration	6.8%	14.1%	6.0%

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Performance Measures continued

SAFETY – Protect our citizens’ lives and personal security through service, education, and enforcement.

21. Florida highway fatality rate per 100 million vehicle miles traveled	1.5	1.3	1.5
22. Florida alcohol-related highway fatality rate per 100 million vehicle miles traveled	0.59	0.51	0.58
23. Florida’s seat belt compliance rate	81.7%	85.2%	85.0%
24. Percent of preventive patrol hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	54.5%	51.4%	52.0%
25. Number/ percent of registered vehicles that meet Florida’s minimum insurance requirements	11,988,707 94.5%	11,793,676 95.8%	N/A 95.0%
26. Number/percent of driving related sanctions issued to all sanctions issued	129,552 6.0%	127,881 6.6%	130,000 5.0%
27. Percent of “Driving Under the Influence” course graduates who do not have another DUI conviction within four years of graduation	87.5%	91.6%	90%
28. Percent of new manufactured home warranty complaints to new manufactured homes titled	0.80%	0.61%	0.60%
29. Number of manufactured homes inspected in plants (6)	3,531	3,033	6,000
30. Number of rebuilt salvage motor vehicles inspected	28,795	41,137	25,000
31. Number of dealer licenses issued (includes motor vehicle and manufactured home dealers, and manufacturers licenses)	13,223	12,844	12,800

WORKFORCE – Build an environment that regards our members as our most valuable resource.

32. Percent of FHP recruit graduates who passed certification exam on initial testing	98.5%	100%	95%
33. Percent turnover for all FHP troopers and corporals	4.2%	4.0%	7.5%
34. Percent of administrative/training hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	20.8%	23.8%	25.0%

PERFORMANCE MANAGEMENT – Take an integrated approach to measure, manage, and improve our organizational performance to further the agency’s mission.

35. Agency administration and support costs as a percent to total agency costs	4.83%	5.01%	5.00%
36. Number/percent of non-driving related sanctions issued to all sanctions issued	2,043,821 94.0%	1,816,137 93.4%	2,470,000 95%
37. Cost per motor vehicle/manufactured home/vessel title issued	\$2.50	\$2.46	\$2.75
38. Percent of International Fuel Tax Agreement audits completed to all International Fuel Tax agreements	2.34%	2.69%	3.00%
39. Percent of International Registration Plan Agreement audits completed to all International Registration Plan agreements	1.80%	4.24%	3.00%

Performance Explanation

(1) Percent of driver license office customers waiting 15 minutes or less for service and Percent of driver license customers waiting 30 minutes or less for service: Two major factors contributed to wait times exceeding the standard. Examiner and manager positions in state field offices were strategically held vacant due to fiscal constraints. Analysis determined that 755 positions are needed to meet the established goal; however, the Department had a quarterly average of 72 vacant examiner and office manager positions. Federal Real ID requirements negatively impacted wait times as additional time is required to review and scan multiple types of identity and residency documentation. In many instances, the customers are educated about the Real ID required documents at their initial visit to the office. Because many are unprepared, they must gather the documentation and then return to the office which requires a second visit and in some cases a third visit. This scenario significantly increases the number of customers visiting state offices.

(2) Percent of customer service phone calls answered by the Customer Service Center within two minutes of being placed in the queue: The Department continues to experience a large volume of calls that exceeds current capacity. Implementation of the Real ID act on January 1, 2010 has caused a significant increase in calls from customers who have no problem with their driver license—but need clarification on the documents they must bring to obtain their driver license or ID card. Several steps are in process or planning stages to improve the response time to phone calls. An automated appointment system is in development which will allow some callers to make appointments without human assistance. This will free some analysts to assist other callers. Also, a change is underway where the majority of immigrant and non-immigrant customers will receive their temporary permits by mail much sooner. It is anticipated that this change will significantly reduce the number of calls from this customer population. Another factor is that due to budget constraints, vacant positions have been held open longer than ordinary. Vacant positions are now in the process of being filled.

(3) Percent of traffic homicide investigations completed within 90 days of crash: The standard for successful prosecution of Traffic Homicide cases continues to increase, which results in additional hours required to complete the investigation. The Patrol has taken several steps to enhance public safety and further support victim families which have impacted the time to complete the case. The abbreviated reporting format has been eliminated to ensure a more comprehensive investigation. In addition, investigators are required to maintain constant contact with victim's family and the State Attorney's Office to provide them with a periodic update on case status, which may further extend the time to complete the investigation.

(4) Number of corrections per 1,000 driver records maintained: Many of the errors made on the driver's record, which subsequently require a correction, are completed or reported by outside agencies (courts and other state motor vehicle agencies). In 2009 the Department, through a DOT grant, worked closely with five clerks of courts to: identify causes of errors in the transmission of citation data and propose solutions to decrease error rates. Transmission errors by these clerks were reduced by 8.34 percent and the error count for the state was reduced by 7.19 percent. However, at least three large counties implemented new database systems (Palm Beach, Lee, and Orange County) in 2009 that produced a large number of reporting errors that could not be corrected through electronic re-submission from the clerk. Six liaisons are continuing to work closely with the clerks of courts, e-citation vendors, and law enforcement agencies to provide technical assistance and training to resolve data transmission errors. Further, the Department continues working hand-in-hand with the Florida Association of Clerk of Courts, e-citation vendors, and internal information technology staff to improve systems, which will improve data integrity and accuracy.

(5) Number of driver licenses and identification cards issued: In November 2009, statutory changes to comply with Real ID were made to discontinue the issuance of a driver license and identification card to the same person. The Department anticipates a continued reduction in the number of identification cards issued. Another significant factor contributing to issuance reduction was the Department's January 1st compliance with the Real ID Act, which strengthened documentation requirements for obtaining an identification card or driver license. Replacement driver license and identification cards are down approximately 43 percent and 53 percent respectively, when comparing the first nine months of fiscal year 2009-2010 with the same period last year. When comparing calendar year 2009 with 2008, original driver licenses issuance declined approximately 11 percent. These declines may be further attributed to economic conditions and Florida's stagnant population growth.

(6) Number of manufactured homes inspected in plants: Production in manufactured home plants has continued to decrease due to reduced public demand and industry decline causing fewer homes to be inspected. One hundred percent of required manufactured home inspections are being completed.

PURCHASES MADE IN EXCESS OF \$25,000.00 AND NOT IN CONJUNCTION WITH STATE CONTRACTS

APRIL through JUNE 2010

ITEM(S) PURCHASED	VENDOR	AMOUNT
FHP: HP DeskJet Ink Cartridges used in the MDT Mobile Printers in FHP Patrol Cars. Order No. A1DDE3.	U.S. Ink and Toner, Inc. Charlotte, NC	\$561,341.70
ISA: Toner needed for Tax Collector Network. Order No. A21C5C.	Dataco Derex, Inc. Overland Park, KS	\$238,413.00
DDL: Canopy Software Incorporation is the designer of the "Expert Program Software System" and is the only vendor that can support and maintain the proprietary software. Order No. A224D4.	Canopy Software, Inc. Tallahassee, FL	\$40,000.00
DDL: Media campaign in which the Department intends to educate the public on the dangers of distracted driving and to encourage safe attentive driving behaviors. Order No. A225CB.VS Brooks, Inc.	Coral Gables, FL	\$80,067.00
ISA: Application performance monitoring tool is required for capturing baseline application response time metrics for use in the Neil Kirkman Building and SLA requirements for Data Center Consolidation. Order No. A2554F.	Opnet Technologies, Inc. Bethesda, MD	\$80,613.00
FHP: Consulting services for the completion of a sworn personnel staffing and deployment study for Florida Highway Patrol. Order No A211F9.	Berkshire Advisors, Inc. Bay Village, OH	\$134,550.00
FHP: FHP uses K-9 dual purpose police dogs to fulfill the mission critical tasks assigned on a daily basis to protect the motoring public of Florida. They are certified on both patrol tracking and drug detecting. Order No. A28212.	Shallow Creek Kennels, Inc. Sharpsville, PA	\$34,000.00



A SAFER
FLORIDA
HIGHWAY SAFETY AND MOTOR VEHICLES



**ANNUAL PERFORMANCE CONTRACT
FISCAL YEAR 2010 - 2011**

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

JULIE JONES, EXECUTIVE DIRECTOR

Performance Measures

<i>Measure</i>	<i>Annual Standard</i>
Service Delivery - Employ strategies that ensure customer-driven excellence.	
1. Number of motorists assisted by FHP	300,000
2. Percent of driver license office customers waiting 15 minutes or less for service	80%
3. Percent of driver license office customers waiting less than 30 minutes for service	95%
4. Percent of customer service phone calls answered by the Customer Service Center within two minutes of being placed in the queue	70%
5. Number of highway crashes investigated by FHP	235,000
6. Percent of fatal highway crashes investigated by FHP to all fatal highway crashes investigated by law enforcement in Florida	60%
7. Percent of traffic homicide investigations completed within 90 days of crash	80.0%
8. Percent of calls for service responded to within 30 minutes	65.0%
9. Percent of traffic investigation hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	23.0%
10. Percent of criminal investigation cases resolved within 30 days	50%
11. Percent of professional compliance investigation cases completed within 45 days	80%
12. Number of corrections per 1,000 driver records maintained	4.0
13. Number of driver licenses and identification cards issued	6,200,000
14. Percent of vehicle/vessel titles issued without error	92%
15. Number of motor vehicle/manufactured home/vessel titles issued	5,750,000
16. Number of motor vehicle/manufactured home/vessel registrations issued	21,300,000
17. Percent of titles issued within three workdays of request	98.0%
18. Percent of motor vehicle, manufactured home and recreation vehicle dealer licenses issued within five workdays of receipt of completed dealer application	99.0%
19. Percent of paper titles issued for motor vehicles, manufactured homes and vessels to all titles issued	80.0%
20. Percent of biennial motor vehicle, manufactured home and vessel registrations issued to all registrations issued eligible for biennial registration	6.0%

<i>Measure</i>	<i>Annual Standard</i>
Safety –Protect our citizens’ lives and personal security through service, education, and enforcement.	
21. Florida highway fatality rate per 100 million vehicle miles traveled	1.5
22. Florida alcohol-related highway fatality rate per 100 million vehicle miles traveled	0.58
23. Florida's seat belt compliance rate	85.0%
24. Percent of preventive patrol hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	52.0%
25. Number/ percent of registered vehicles that meet Florida's minimum insurance requirements	N/A 95.0%
26. Number/ percent of driving related sanctions issued to all sanctions issued	130,000 5.0%
27. Percent of "Driving Under the Influence" course graduates who do not have another DUI conviction within four years of graduation	90%
28. Percent of new manufactured home warranty complaints to new manufactured homes titled	0.60%
29. Number of manufactured homes inspected in plants	6,000
30. Number of rebuilt salvage motor vehicles inspected	25,000
31. Number of dealer licenses issued (includes motor vehicle and manufactured home dealers, and manufacturers licenses)	12,800

Workforce –Build an environment that regards our members as our most valuable resource.	
32. Percent of FHP recruit graduates who passed certification exam on initial testing	95%
33. Percent turnover for all FHP troopers and corporals	7.5%
34. Percent of administrative/training hours for FHP troopers and corporals to total duty hours for FHP troopers and corporals	25.0%

Performance Management –Take an integrated approach to measure, manage, and improve our organizational performance to further the agency’s mission.	
35. Agency administration and support costs as a percent to total agency costs	5.00%
36. Number/percent of non-driving related sanctions issued to all sanctions issued	2,470,000 95%
37. Cost per motor vehicle/manufactured home/vessel title issued	\$2.75
38. Percent of International Fuel Tax Agreement audits completed to all International Fuel Tax agreements	3.00%
39. Percent of International Registration Plan Agreement audits completed to all International Registration Plan agreements	3.00%