

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

February 7, 2013  
AGENDA

Agency Contact: Jennifer Langston, 850-617-3195

<http://www.flhsmv.gov/agenda/2013/0207Agenda.pdf>

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1. Respectfully request approval of the October 23<sup>rd</sup> Cabinet Meeting minutes.

Attachment #1.  
Recommend Approval.

2. Respectfully submit approval of the Department's 2nd Quarter Performance Report for fiscal year 2012-2013.

Attachment #2.  
Recommend Approval.

3. Respectfully request approval to publish a Notice of Proposed Rulemaking to Amend Rule 15A-6.009, Venue, relating to BAR hearings, and including a renaming of the rule to become Location of Hearings. Further, the Department requests approval to file for final adoption if no requests for rule hearings are received as a result of the notice.

Attachment #3.  
Recommend Approval.

THE CABINET  
STATE OF FLORIDA

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Representing:

DIVISION OF BOND FINANCE  
STATE BOARD OF ADMINISTRATION  
LAND MANAGEMENT PRESENTATION  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
FLORIDA DEPARTMENT OF LAW ENFORCEMENT

The above agencies came to be heard before  
THE FLORIDA CABINET, the Honorable Governor Scott  
presiding, in the Cabinet Meeting Room, LL-03, The  
Capitol, Tallahassee, Florida, on Tuesday, October 23,  
2012, commencing at approximately 9:08 a.m.

Reported by:

MARY ALLEN NEEL  
Registered Professional Reporter  
Florida Professional Reporter  
Notary Public

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## APPEARANCES:

Representing the Florida Cabinet:

RICK SCOTT  
Governor

PAM BONDI  
Attorney General

JEFF ATWATER  
Chief Financial Officer

ADAM PUTNAM  
Commissioner of Agriculture

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I N D E XDIVISION OF BOND FINANCE  
(Presented by BEN WATKINS)

ITEM	ACTION	PAGE
1	No Action	11
2	Approved	12

STATE BOARD OF ADMINISTRATION  
(Presented by ASH WILLIAMS)

ITEM	ACTION	PAGE
1	Approved	13
2	Approved	14
3	Approved	15
4	Approved	16

LAND MANAGEMENT PRESENTATION  
(Presented by AL DOUGHERTY)

ITEM	ACTION	PAGE
1	No Action	17

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

ITEM	ACTION	PAGE
1	Accepted	70
2	Withdrawn	71
3	Accepted	76

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
(Presented by JERRY BAILEY)

ITEM	ACTION	PAGE
1	Approved	77
2	Approved	83
3	Approved	83

CERTIFICATE OF REPORTER		85
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1 GOVERNOR SCOTT: All right. Julie Jones,  
2 you're back.

3 MS. JONES: Thank you. We have been working  
4 with the National Guard folks for about six months  
5 now, not only on the trooper positions, but they  
6 have quite a number of communications folks that  
7 are coming back that would make good dispatchers,  
8 so there's some nonsworn positions.

9 And prior to Tropical Storm Isaac, Colonel  
10 Sutphin and I were meeting on how to smooth out the  
11 transition for commercial truck drivers that are  
12 coming. They get these truck driving, heavy  
13 equipment criteria when they're in the military.  
14 How do you transition those folks back and get them  
15 a commercial driver license? The Florida Trucking  
16 Association is looking for new members to do those  
17 kind of scales.

18 So there's any number of things that we're  
19 trying to push out, initiatives to get that  
20 unemployment number lower for our returning troops.

21 GOVERNOR SCOTT: Thanks for what you're doing.

22 MS. JONES: So, good morning, Governor and  
23 Cabinet members. I have three agenda items for you  
24 this morning.

25 We respectfully request approval for the

1 Department's first quarter performance report for  
2 fiscal year 2012-2013.

3 We had several campaigns this quarter that  
4 addressed consumer protection and public safety.  
5 In September you passed a resolution designating  
6 October 1 through 7 as Register Your Emergency  
7 Contact Information Week. This resulted in 32,654  
8 new registrants. That's -- we now have more than  
9 6 1/2 million people that have their emergency  
10 contact information with us. So just to refresh  
11 your memory, if there's an accident and we have  
12 someone that's unconscious, we can look that person  
13 up in our system and get immediate information,  
14 contact family members, get someone to the hospital  
15 to help them. And if there's anyone who's  
16 listening that you've not registered, please go to  
17 our website, *www.flhsmv.gov*, and please sign up.

18 This quarter we put an emphasis on staged  
19 automobile crashes. We trained all of our troopers  
20 on how to identify a staged crash and then shared  
21 the training curriculum with the sheriffs  
22 association and the police chiefs association.

23 CFO, we've also partnered with your Division  
24 of Insurance Fraud on some very high incident areas  
25 around the state. We have targeted two counties in

1 particular to put our heads together to get not  
2 only the staged crash information, but the  
3 subsequent insurance fraud on the back side. So  
4 we're working very closely with your folks on a  
5 little bit of a task force, and that will be in the  
6 Metro Dade area and the Tampa area.

7 We've highlighted our Drowsy Driving  
8 Prevention Week, and we also held an awareness  
9 campaign in Miami about the dangers of distracted  
10 driving.

11 We continue our aggressive recruitment and  
12 training of troopers. We've placed extra emphasis,  
13 obviously, on the military and guard. Last month  
14 we graduated 56 new state troopers. Six of those  
15 men and women were veterans. We have a recruitment  
16 class coming up in December. We have another one  
17 in April and two more in August. So I'll be  
18 working with the colonel to see how many more  
19 people we can get from their ranks back into that,  
20 in as Highway Patrol troopers. We're being very  
21 aggressive with some of these positions because the  
22 Legislature continues to fund them, and we need to  
23 get as many troopers as we can out on the road.

24 I'm happy to report that we successfully  
25 completed the migration of our data center to the

1 Northwood Shared Resource Center. That was a  
2 little scary for us. That was a huge effort with  
3 many, many, many hours of preparation and planning,  
4 and it affected all of our major systems. Most  
5 importantly, it was done efficiently and  
6 effectively with little or no disruption to our  
7 services to our customers and our stakeholders.

8 GOVERNOR SCOTT: Good job.

9 MS. JONES: Under our revenue heading in our  
10 report, we had a solid first quarter, collecting  
11 and distributing more than \$585 million. The  
12 majority of these moneys come from vehicle title  
13 and registration fees.

14 Looking at our performance dashboard, overall  
15 we had a very good first quarter. When you  
16 approved my performance contract this summer, it  
17 included updates to many of our measures. Our  
18 dashboard focuses on performance indicators that  
19 are linked to our strategic plan. All our primary  
20 measures remain in the green.

21 We only have one specific performance measure  
22 that's in red. Number 8 reflects the numbers of  
23 hours that we spend on safety education, and we  
24 missed our standard for this quarter due to  
25 vacancies in key positions in the Patrol. But

1           also, this is an annual measure that typically lags  
2           for the first quarter, because our primary  
3           constituents for this are students, and we target  
4           our education efforts on schools, and they're on  
5           summer vacation. So I expect this will be green  
6           next quarter as we get our troopers into schools  
7           and start our safety messaging.

8           I would also like to direct your attention to  
9           performance measurement number 20. I have often  
10          talked about customer service wait times in our  
11          driver's license offices. Now, this measure is  
12          still in yellow, but for our driver's license  
13          offices in Miami-Dade, Broward, and Volusia, which  
14          we operate, more than 83 percent of our customers  
15          now we serve in less than 30 minutes. As a  
16          reminder, this goal is 95 percent. So we've made  
17          recent procedural and organizational changes, and  
18          we're committed to getting to that 95. We actually  
19          had a couple of days last month where we exceeded  
20          95. So we're continuing to march forward on that  
21          particular measure.

22          Our goal for measure 22 is to reduce wait  
23          times for customers calling by 5 percent from the  
24          previous year's performance. And this is one we  
25          changed. Instead of putting a number out there, we

1 changed it to push for constant improvement and  
2 then improvement on top of improvement. Last year  
3 we lowered these wait times 32 percent, so now  
4 we're going for 5 percent more on top of that  
5 32 percent. It's ambitious, and it's improving on  
6 significant gains last year, but we're going to  
7 continue to strive for continuous improvements.

8 Unfortunately, we had durations for calls  
9 increase so that the amount of time call-takers  
10 were spending on calls was longer, so we had a  
11 15-second increase in wait times this quarter.  
12 This is an annual measure, and so we had a slight  
13 decrease. I still think we're going to get to that  
14 5 percent overall throughout the entire year, so  
15 we're going to continue to monitor closely the  
16 performance, and I'm sure that we can get this in  
17 the green.

18 Measure 26 reflects the percentage of  
19 electronic titles we issue. We raised the standard  
20 to 35 percent based on legislation that was passed  
21 this year requiring commercial lienholders to  
22 register their titles electronically. They're  
23 required to do this effective January 1. We went  
24 ahead and changed the measure early. We're at  
25 33 percent, so we didn't meet the 35 percent

1 target, but we're confident that will happen this  
2 year after all of our business partners have  
3 implemented their electronic processes.

4 Staff reviews our performance every month to  
5 look for trends and troubleshoot any negative  
6 movements in a measure. I hate coming to you  
7 saying everything is rosy and everything is green,  
8 but I feel it's important to mention that we do  
9 have a couple of areas that are slipping, and we're  
10 monitoring very closely trends in traffic crashes  
11 and fatalities. Both nationally and in Florida,  
12 they're up quite a bit. Florida is up 4 percent.  
13 That is about half the increase nationwide. Our  
14 data shows that we've seen significant increases in  
15 crashes and fatalities in Duval, Broward, Palm  
16 Beach, Hillsborough, Pasco, Orange, and Volusia.

17 So our troop commanders in those areas have  
18 the data to assist them. We're adjusting staffing,  
19 and we're also doing some strategic enforcement  
20 efforts. We're also working very diligently with  
21 all of our other public safety partners, the  
22 sheriffs and the police chiefs, to make sure that  
23 we address this trend.

24 So it's still -- our measure is still green,  
25 but I'm afraid that the next time I see you, I may

1           be talking about what we actually did and that it  
2           slipped into yellow. But again --

3           CFO ATWATER: Is there a type of behavior that  
4           is contributing to the increase in the accidents?

5           MS. JONES: I think we've had a change in how  
6           people travel because of the economy. There's a  
7           lot more cars on the road. Statistically, across  
8           the country, there are states that are doing a  
9           little bit better than us that have addressed the  
10          distracted driving issues, but I think overall, we  
11          just have more vehicles on the road right now.

12          GOVERNOR SCOTT: And do we have a statistic  
13          that says that, that there's more vehicles on the  
14          road?

15          MS. JONES: Yes. I can get the specific  
16          numbers to you, but the Patrol is looking at a lot  
17          of trends. People are driving more. People are  
18          driving more short distances. And the intermediate  
19          distances, say 100 miles to 500 miles, they're  
20          driving where they may have flown or they may have  
21          grouped.

22          We're also seeing an increase in the numbers  
23          of multiple fatalities, and I can't tell you why  
24          that is. We've had multicar pileups, but we've  
25          also had vans and larger vehicles that have created

1 multiple fatalities. That's also contributing to  
2 the large numbers.

3 ATTORNEY GENERAL BONDI: Are many of those  
4 charged criminally? Excuse me. Are many of those  
5 charged criminally, or are they just accidents?

6 MS. JONES: The majority of those are  
7 accidents, but, yes, we do charge some criminally,  
8 yes.

9 ATTORNEY GENERAL BONDI: I'm curious how many  
10 were related to drinking and driving.

11 MS. JONES: I don't have that number. I'll  
12 get it to you, though.

13 GOVERNOR SCOTT: Do we have statistics that  
14 say a lot more or the majority is distracted  
15 drivers? Do we have data?

16 MS. JONES: No, we don't have -- we don't have  
17 good enough data. We require on an accident report  
18 that you speak to the cause of the accident. But  
19 because we don't have -- we track what is --  
20 there's a definition for distracted driving, but  
21 there's no charge for distracted driving, so you  
22 don't see that indicated as a violation, because  
23 it's only defined in law. There's no specific  
24 violation that you can charge for it.

25 ATTORNEY GENERAL BONDI: So if somebody was

1           texting --

2           GOVERNOR SCOTT: Who's going to do it? I  
3           mean, who's going say they were distracted if they  
4           were texting?

5           MS. JONES: The only way that we're going to  
6           get that is, typically, if there is a fatality,  
7           they will go -- the responding traffic homicide  
8           investigator will ask for phone records. They'll  
9           interview folks that were involved, and they'll try  
10          to develop a database, and through questioning and  
11          investigation try to determine the result of the  
12          accident.

13          GOVERNOR SCOTT: So you could do it on all  
14          accidents, but it would just cost money; right?

15          MS. JONES: That's correct.

16          So with that, that's my first quarter  
17          performance.

18          GOVERNOR SCOTT: Is there a motion to accept  
19          the quarterly report?

20          COMMISSIONER PUTNAM: So moved.

21          CFO ATWATER: Second.

22          GOVERNOR SCOTT: Any objections or comments?  
23          Hearing none, the motion is approved.

24          MS. JONES: At this time I would like to  
25          withdraw Item Number 2.

1 GOVERNOR SCOTT: Is there a motion to withdraw  
2 the legislative proposal?

3 ATTORNEY GENERAL BONDI: So moved.

4 GOVERNOR SCOTT: Is there a second?

5 COMMISSIONER PUTNAM: Second.

6 GOVERNOR SCOTT: Any objection. Hearing none,  
7 the motion is approved.

8 MS. JONES: Item Number 3, I respectfully  
9 request approval for the Department's 2013-14  
10 legislative budget request. We are requesting  
11 funding for nine budget items, all from the Highway  
12 Safety Operating Trust Fund or our Law Enforcement  
13 Trust Fund.

14 Our focus is on law enforcement and ensuring  
15 that our IT infrastructure is able to support the  
16 mission-critical functions that impact service  
17 delivery to the public. Our first four issues are  
18 related to IT.

19 Our first priority seeks \$15 million for the  
20 Florida Highway Patrol's contract for  
21 computer-aided dispatch and records management  
22 systems. This current system supports nine state  
23 law enforcement agencies. General, CFO,  
24 Commissioner, all of your agencies are involved in  
25 this contract. These nine agencies rely on the

1 system daily for officer safety during dispatched  
2 calls, and the record management system allows  
3 officers to efficiently submit reports generated  
4 for crashes to utilize in investigations. The  
5 Patrol supports this service for all state law  
6 enforcement in an enterprise approach and in an  
7 effort to reduce costs and so we don't have  
8 redundant systems.

9 Our second priority is for 4.9 million for our  
10 motor services modernization initiative. Several  
11 years ago I brought forward a budget request and  
12 said I needed about \$80 million to redo all our IT  
13 systems. And we realized that was probably not a  
14 good approach, so we've broken up our modernization  
15 of our IT systems into a five-phased project. This  
16 is Phase 1, and the idea is to modernize pieces  
17 that have a specific business focus and create a  
18 savings, document that savings, and then move on to  
19 another phase instead of having it all in play at  
20 one time.

21 So this issue consolidates driver license and  
22 motor vehicle IT functions into an integrated  
23 structure that supports all of the motor services.  
24 Efficiencies are created by making manual processes  
25 electronic and business friendly. We're projecting

1 at the end of Phase 1 that this will create  
2 \$3 million in savings by merging databases and  
3 changing the business process.

4 Our third item seeks to fund disaster recovery  
5 for our IT systems. The Legislature gave me  
6 nonrecurring money as of this year to just keep  
7 this afloat and ask for the real dollar figure from  
8 this coming session, so this is a placeholder.  
9 We're conducting a gap analysis of disaster  
10 recovery needs for critical systems, and the final  
11 cost will not be available until January, so I will  
12 be submitting a supplemental budget request for  
13 this.

14 The project enables the timely availability of  
15 the core computer systems, communications, and to  
16 ensure core systems function effectively in case  
17 there's a severe disruption in normal operations.  
18 This is all of the law enforcement data that we  
19 have, all of the data that the tax collectors use  
20 to do issuance. So it's important that we have a  
21 robust disaster recovery process.

22 Item 4, we're requesting \$221,500 to rewrite  
23 our accounting applications from a very antiquated  
24 FoxPro to .NET. This particular rewrite includes  
25 all of the Department's revenue distribution

1 systems. We took in last year \$2.4 billion, and we  
2 disburse to state and local governments annually.  
3 And we do this -- it's done three times a week to  
4 about to about 500 different entities. So getting  
5 this system modernized is critical to keeping the  
6 money moving and getting accurate disbursement of  
7 the dollars that we collect.

8 Item 6 is a request for 11.3 million to  
9 replace Florida Highway Patrol pursuit vehicles  
10 over 100,000 miles. Governor, this is the third  
11 year of the project that I laid out with you, and  
12 end result of this is a request for a recurring  
13 replacement base so I'm not come back to you again  
14 asking for extra dollars. After utilizing the  
15 current year funding, we're projecting the Patrol  
16 will still have 520 vehicles over 100,000 miles by  
17 the end of '13-14, so this will help replace all of  
18 those vehicles next year.

19 Item 7 seeks permission to implement a pilot.  
20 And what I'm trying to do is to increase  
21 productivity and again lower those call times in  
22 our customer service center. Our customer service  
23 center folks train for two or three months and have  
24 about a 20 percent turnover. And in order to  
25 incentivize them staying in the call center, I'm

1 proposing a performance-based incentive plan to our  
2 front line customer service specialists. It would  
3 affect about 50 people. And because it's a pilot,  
4 I'm proposing it would cost about \$42,000, and I'm  
5 taking that out of the existing budget. I'm just  
6 asking for the permission to try to again  
7 incentivize performance in the call center.

8 Item 8 requests \$787,000 to replace phone  
9 systems in four of the Florida Highway Patrol  
10 regional communications centers. Last year we did  
11 three of the seven communications centers. This  
12 finishes out the replacement.

13 These centers are staffed 24/7, 24 hours a  
14 day, 365 days a year. This is where the  
15 dispatching occurs. This is where they run the  
16 statewide law enforcement radio system. And again,  
17 we're dispatching for those nine agencies. The  
18 remaining systems are analogue, and we're going to  
19 replace them with digital Voice-over-Internet  
20 protocol.

21 Item 9, our last item, seeks 7.5 million for  
22 fixed capital outlay projects as noted in the DMS  
23 deficiency report. This is also asbestos  
24 abatement, mold abatement, HVAC upgrades, plumbing,  
25 interior repairs, and projects to meet ADA

1 requirements for our facilities.

2 Finally, I know there's been a lot of  
3 discussion about license plate redesign. Based on  
4 recent input, the Department is postponing a  
5 discussion of this topic. Sometime in the future,  
6 I will be coming back to you with a specific  
7 proposal and request any needed approvals.

8 GOVERNOR SCOTT: All right. Is there a motion  
9 to accept the legislative budget request?

10 ATTORNEY GENERAL BONDI: Move to accept.

11 GOVERNOR SCOTT: Is there a second?

12 CFO ATWATER: Second.

13 GOVERNOR SCOTT: Florida law requires the  
14 Governor to independently submit a budget proposal.  
15 Accordingly, I am abstaining from a vote of this  
16 item, and the record should reflect my abstention.

17 Any objection to accepting the legislative  
18 budget request?

19 Hearing none, the motion is approved with one  
20 abstention.

21 Thank you, Julie.

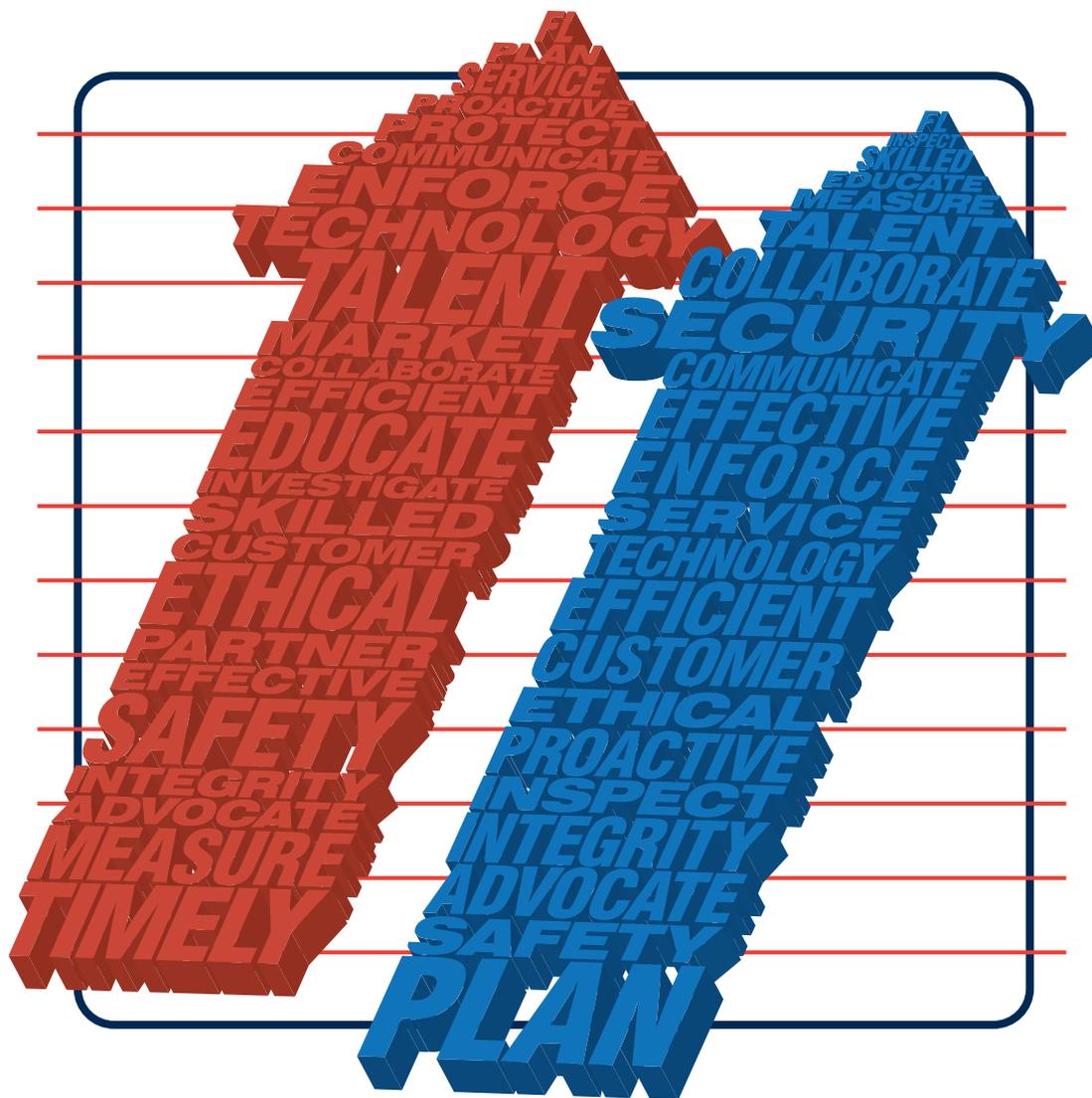
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# Second Quarter Performance Report: Fiscal Year 2012 — 2013



Providing Highway Safety and Security  
Through Excellence In Service, Education, and Enforcement

Julie Jones, Executive Director

## News

### Public Safety

**DHSMV Urges Everyone to Help “White Out” Teen Crashes:** Events in four cities on Oct. 16 urged teens to make good choices behind the wheel to eliminate or “white out” teen crashes. DHSMV sponsored events at high schools in Tallahassee, Miami, Apopka and Tampa featuring the hard-hitting “Street Smart” presentations from the non-profit organization, Stay Alive From Education. In the presentation, paramedics dramatized a traffic crash. The Florida Highway Patrol helped bring home the message to young drivers about the importance of buckling up, driving sober, removing distractions and limiting the number of peers in a car. The Department invited media outlets to cover the events, and DHSMV’s Communications Office published a statewide news release.



**FHP Promotes Safe Holiday Travels:** FHP launched an aggressive crackdown on impaired drivers Oct. 25 - Nov. 4, joining thousands of other law enforcement and highway safety agencies across the nation. FHP sent out a press release on the Drive Sober or Get Pulled Over campaign.

The Patrol published another press release to provide advice for drivers on avoiding trick-or-treating children and for parents on road safety for their children.

To enhance safety on Florida’s roadways during the Thanksgiving travel period, FHP increased the number of troopers on patrol Nov. 22 – 25. Troopers focused on safety belt usage, impaired driving, speeding and aggressive driving. A statewide news release provided travel safety tips.

**FHP Tickets Aggressive Cars and Trucks:** Ten media outlets covered FHP’s Tallahassee press conference Nov. 1 to kick off the Ticketing Aggressive Cars and Trucks public awareness and enforcement campaign. The campaign consists of four enforcement and education phases, the first of which FHP held in north Florida between Pensacola and Ocala Nov. 12 - 16. Troopers sought violations attributed to aggressive driving, such as following too closely, unsafe lane change and speeding.

In addition to enforcement, the campaign includes billboards and social media messaging, as well as outreach events coordinated through the Florida Trucking Association. Three additional phases will take place in other areas of the state through July 2013.

**FHP Launches Smoke and Fog Campaign:** The Patrol wants to make sure drivers know what to do when they encounter smoky and foggy conditions on the highway. “When Visibility is Low, Drive Slow” is the message from FHP, in collaboration with the Florida Forest Service and the Florida Department of Transportation. Eight billboards with the message went up on display in areas throughout Florida in 2012, and 16 more will go up in 2013.



**DHSMV, Governor and Cabinet Promote Sober Driving:** The Governor and Cabinet members signed a resolution to designate December Drunk and Drugged Driving (3D) Prevention Month in Florida.

One strategy to fight impaired driving is through the national Drive Sober or Get Pulled Over campaign. FHP participated in the impaired driving crackdown Dec. 12, 2012 – Jan. 1, 2013, and made 548 arrests for Driving Under the Influence of drugs or alcohol.

*continued*

## Reliable Service Delivery

**Promotion Efforts Drive Up Emergency Contact Information Registrations:** The Governor and Cabinet members signed a resolution to designate Oct. 1 – 7 as Register Your Emergency Contact Information Week in Florida. DHSMV's Communications Office promoted the program through no-cost methods, which helped boost new registrations by 17 percent (32,654 actual new registrations) Oct. 1 – 7.

**DHSMV Warns Consumers about Flood Cars from Hurricane Sandy:** The agency published a Nov. 30 news release about what consumers should do to avoid buying an automobile damaged by flooding. Information from New York and New Jersey indicates as many as 200,000 cars and vessels sustained flood damage from the devastating storm. Though flood cars are only good for parts, unsuspecting consumers could fall into a trap and purchase previously flooded vehicles.

## Leverage Technology

**Public Voting Ends on License Plate:** The public online vote on the look of a new basic license plate wrapped up Dec. 14. The design with green bars at the top and bottom with an orange used as the "O" in Florida was the most popular choice. More than 50,000 Floridians took the time to register their choice.

## Talent Creation and Development

**DHSMV Employs and Honors Veterans:** For Veterans Day, the agency published a statewide news release detailing efforts to recruit veterans and listing services DHSMV provides to veterans. The release mentioned how to get a "V" for veteran on a driver license or identification card, how to register for special military license plates, how to obtain deployment assistance and outreach done at military installations.



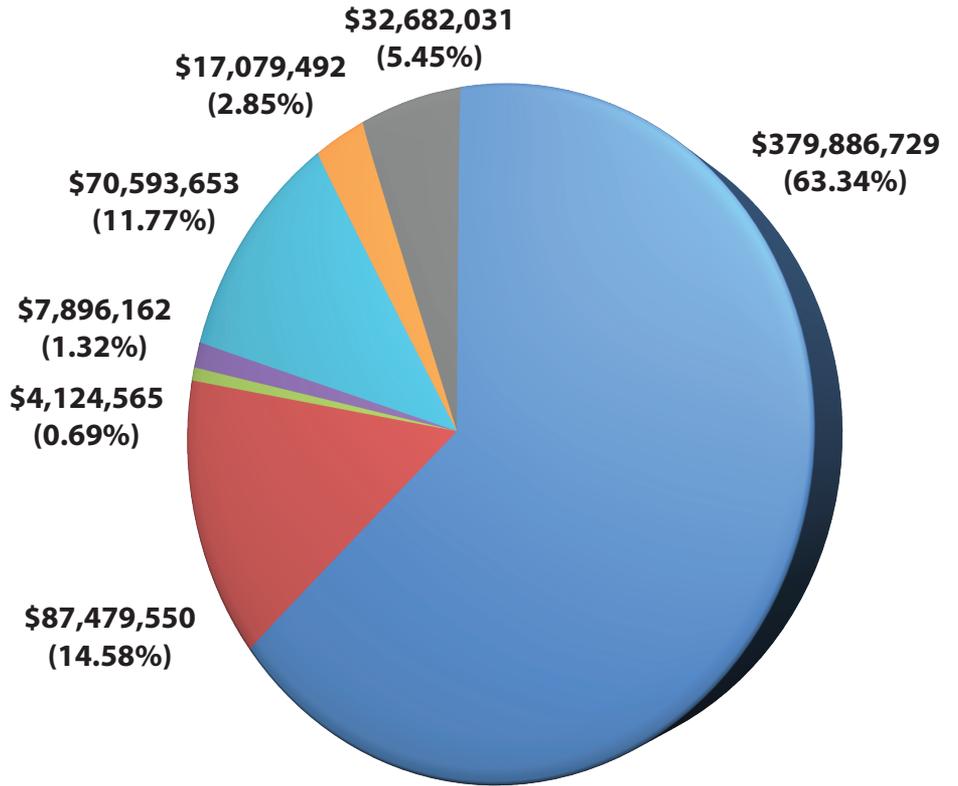
**Godino Garners Trooper of the Year Award:** The Florida Governor and Cabinet honored Sgt. Mary Godino at the Dec. 11 Cabinet meeting when they named her FHP's 2012 Trooper of the Year. Godino put her own safety at risk to help a man involved in a crash, and her actions helped save his life.

## Revenue Information

<b>2nd Quarter</b>	<b>Trust Fund</b> \$395,543,507	<b>General Revenue</b> \$204,198,675	<b>Total</b> \$599,742,182
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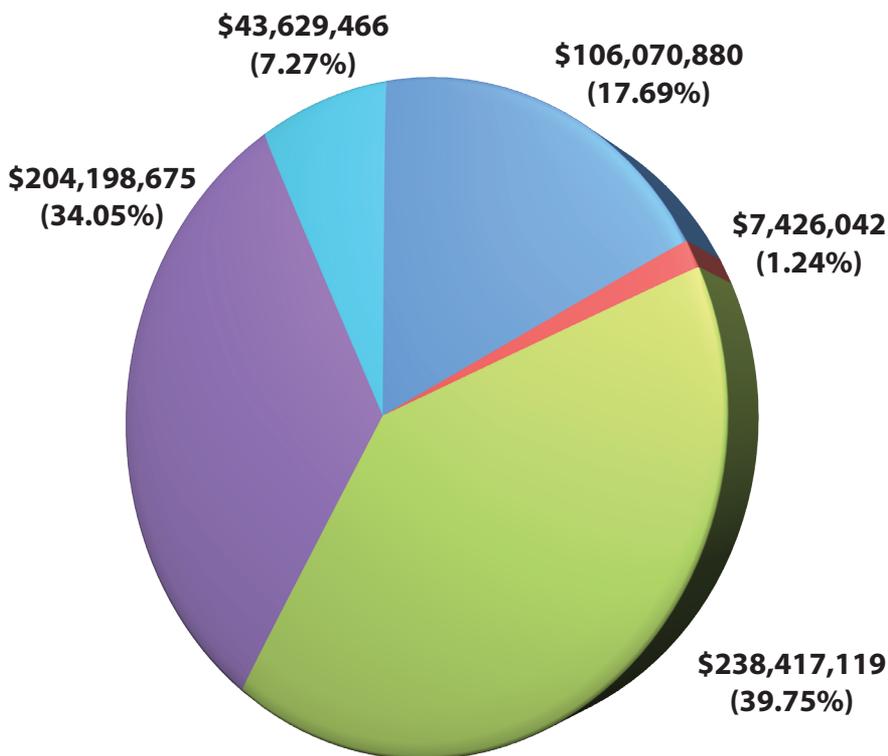
### Where The Money Comes From

- License Plates and Decals
- Motor Vehicle Titles
- Motor Fuel Use Tax
- Fines and Forfeitures
- Driver Licenses
- Driving Records/Transcripts
- Other



### Where The Money Goes

- HSMV Agency Funding
- Specialty Plate Organizations
- Dept of Transportation
- General Revenue Funded Programs
- Other



## Performance Measures and Standards

**PUBLIC SAFETY – Protect the lives and personal security of our residents and visitors through enforcement, service and education.**

**98.2% ● FOR FY 2012/13 (Through December 31, 2012)**

### A. Highway crashes

1. % change in highway fatalities to previous year
2. % change in highway crashes to previous year
3. % change in highway injuries to previous year
4. % change in teen drivers involved in fatal crashes to previous year
5. % change in alcohol-related fatalities to previous year
6. % change in commercial vehicle crashes to previous year

### B. Highway safety education and enforcement

7. % of duty hours spent on patrol and investigation activities
8. Number of highway safety education hours provided **(1)**
9. Number of safety education and enforcement-related marketing activities
10. Number of commercial vehicle inspections performed
11. % of insured motorists

### C. Criminal Investigations

12. % of criminal investigation cases resolved within 90 days
13. % of field intelligence reports reviewed, analyzed and adjudicated within 30 days
14. % of vetted intelligence information that is shared with the intelligence community within 7 days

Through 2nd Quarter Actual	Through 2nd Quarter Standard	
<b>98.6%</b>		●
0.4%	0% or reduction	●
5.0%	0% or reduction	●
2.9%	0% or reduction	●
-14.5%	0% or reduction	●
-10.7%	0% or reduction	●
-6.8%	1.3% or greater reduction	●
<b>96.6%</b>		●
73.5%	72%	●
3,148	3,750	●
11	6	●
50,907	39,690	●
94.0%	95%	●
<b>100%</b>		●
92.9%	72%	●
100%	90%	●
100%	80%	●

**RELIABLE SERVICE DELIVERY – Provide efficient and effective services that exceed the expectations of our customers and stakeholders.**

**97.0% ● FOR FY 2012/13 (Through December 31, 2012)**

### A. Motorist transactions successfully completed

15. % of registration transactions successfully completed
16. % of title transactions successfully completed
17. % of driver license and identification card transactions successfully completed
18. % of disabled parking permit transactions successfully completed

### B. Customer services completed timely

19. % of calls for service responded to by FHP within 30 minutes

Through 2nd Quarter Actual	Through 2nd Quarter Standard	
<b>99.9%</b>		●
97.6%	95%	●
95.2%	90%	●
98.4%	98%	●
97.7%	98%	●
<b>94.2%</b>		●
63.6%	65%	●

- Indicates actual ≥95% of standard.
- Indicates actual <95% and ≥80% of standard.
- Indicates actual <80% of standard.

## Performance Measures and Standards

20. % of driver license office customers waiting 30 minutes or less for service	87.3%	95%	
21. % of titles issued within 3 workdays of request	99.1%	98%	
22. % change in average wait time for Customer Service Center calls to previous year (2)	14.4%	5% or greater reduction	
23. % of business licenses issued timely	99.9%	98%	
<b>C. Customer Satisfaction</b>	<b>100%</b>		
24. % of customers that rate services as satisfactory or better	85.5%	85%	

### LEVERAGE TECHNOLOGY – Build upon the department’s successful integration of technology into the way we do business.

99.4% FOR FY 2012/13 (Through December 31, 2012)

	Through 2nd Quarter Actual	Through 2nd Quarter Standard	
<b>A. Customer Technology Use</b>	<b>97.9%</b>		
25. % of customers being served via internet	21.8%	20%	
26. % of motor vehicle and vessel titles issued electronically	32.8%	35%	
27. % of IFTA tax returns and IRP transactions processed electronically	14.8%	10%	
<b>B. New Technology Projects</b>	<b>100%</b>		
28. % of new projects developed and implemented timely	100%	95%	
29. % of time dedicated to research and development	12.6%	10%	
<b>C. Computer support uptime available to our partners</b>	<b>100%</b>		
30. % of Mainframe system uptime	100%	99.9%	
31. % of Oracle uptime	100%	99.9%	
32. % of SQL server uptime	99.99%	99.9%	
33. % of Customer Information Control System (CICS) uptime	99.99%	99.9%	
34. Effectiveness of data and systems security preventative measures	100%	100%	

### TALENT CREATION AND DEVELOPMENT – Build a business environment that regards our members as our most valuable resource.

100% FOR FY 2012/13 (Through December 31, 2012)

	Through 2nd Quarter Actual	Through 2nd Quarter Standard	
35. % of members who rate job satisfaction as satisfactory or better	78.0%	75%	
36. Increase participation in leadership training programs	53.2%	5% or greater	
37. Increase % of positions filled by internal promotion	40.0%	1% or greater	

- Indicates actual ≥95% of standard.
- Indicates actual <95% and ≥80% of standard.
- Indicates actual <80% of standard.

## Performance Measures

The Department of Highway Safety and Motor Vehicles' *Performance Dashboard* can be viewed at [www.flhsmv.gov](http://www.flhsmv.gov).

### Performance Explanation

**(1) Number of highway safety education hours provided** – Actual performance was below standard due to staffing and the timing and nature of our work in schools statewide.

**(2) Percent change in average wait time for Customer Service Center call to previous years** – Experiencing more vacancies this year than last and current staff are testing a new phone system. The Department is taking actions that will fill vacancies more expediently, and our new phone system is expected to come online this month.

## Purchases

### Purchases Made In Excess Of \$100,000 And Not In Conjunction With State Contracts October Through December 2012

Description	Vendor	Total Contract Price
Application offered from the American Association of Motor Vehicle Administrators links the Department of Highway Safety and Motor Vehicles to all of the vehicle title databases in the United States and is essential to carry out the Department's mission. Single Source, Order No. PO183506	American Association of Motor Vehicle Administrators Arlington, VA	\$140,118
Purchase toner cartridges needed for Tax Collectors. ITB# 010-13, Order No. A70467	Ace Office Supplies Orlando, FL	\$241,500
To provide computer hardware, software, services and data circuits to each of the offices maintained by Florida Tax Collectors for issuance of motor vehicle titles and registrations. ITN# 019-12 REBID	Dell Marketing LP Round Rock, TX	\$21,500,358

Notice of Proposed Rulemaking

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Driver Licenses**

RULE NO.: RULE TITLE:

15A-6.009: Venue

PURPOSE AND EFFECT: The Department seeks a proposed change to this rule in order to clarify jurisdiction for hearings at Bureau of Administrative Review (BAR) offices. This proposed language could provide cost-savings by providing greater flexibility for Hearing Officers and witnesses to appear telephonically in lieu of personal appearances at BAR offices.

SUMMARY: The rule identifies the proper location for administrative hearings regarding driver license suspensions, and authorizes the use of communication technology in such hearings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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), 322.2615(12), 322.2616(13), 322.64(12) FS.

LAW IMPLEMENTED: 322.2615, 322.2616, 322.64 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:

DATE AND TIME: March 11, 2013, 2:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room Number B130, 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: Kathy Jimenez-Morales, Chief of Bureau of Administrative Reviews, 2900 Apalachee Parkway, Room #A-432, Tallahassee, Florida 32399, (850)617-2607. If you are hearing or speech 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: Kathy Jimenez-Morales, Chief of Bureau of Administrative Reviews, 2900 Apalachee Parkway, Room #A-432, Tallahassee, Florida 32399, (850)617-2607

THE FULL TEXT OF THE PROPOSED RULE IS:

**15A-6.009 ~~Venue.~~ Location of Hearings**

Hearings shall be held at the nearest Department Hearing Office assigned to the county where the arrest occurred or the notice of suspension or disqualification was issued. ~~in the judicial circuit where the notice of suspension was issued, unless otherwise ordered by the hearing officer with the consent of the driver. The Hearing Officer is authorized to conduct all hearings using communications technology approved by the department.~~

*Specific Authority 322.2615(12), 322.2616(13), 322.02(6)(4), 322.64(12) FS. Law Implemented 322.2615, 322.2616, 322.64 FS. History—New 10-1-90, Amended 10-7-91, 1-2-96, 7-3-97, \_\_\_\_\_.*

NAME OF THE PERSON ORIGINATING PROPOSED RULE: Kathy Jimenez-Morales, Chief of Bureau of Administrative Reviews

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2013

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTER 15A-6, F.A.C., ADMINISTRATIVE SUSPENSION REVIEW HEARINGS

RULE NUMBERS:      RULE TITLE:

15A-6.009:              Location of Hearings

Summary of Rule

The rule identifies the proper location for administrative hearings regarding driver license suspensions, and authorizes the use of communication technology in such hearings.

Statement of Facts and Circumstances Justifying the Rule

The Department proposes amending rule 15A-6.009, F.A.C., in order to clarify jurisdiction for hearings at Bureau of Administrative Review (BAR) offices. This proposed language could provide cost-savings by providing greater flexibility for Hearing Officers and witnesses to appear telephonically in lieu of personal appearances at BAR offices.

Federal Standards Statement

There are no known federal standards or rules that impact or are affected by this rule.

Summary of Hearing

The Notice of Rule Development was noticed in the August 3, 2012, Florida Administrative Weekly, Volume 38, Number 31, setting out a public workshop for August 20, 2012. There were no attendees to the workshop.

The Notice of Proposed Rule will be noticed in the February 12, 2013, Florida Administrative Register, Volume 39, Number 29, setting out a Public Hearing for March 11, 2013. If a request for a hearing is received by the agency, a hearing will be held.

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and
- (2) There is no administrative determination under subsection 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 paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and
  - (a) Are filed not more than 90 days after the notice; or
  - (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; 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 days 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 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 ombudsman.

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 Number:

15A-6.009

Under the provisions of subparagraph 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: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

Executive Director  
Title

Department of Highway Safety and Motor Vehicles  
Agency

1  
Number of Pages Certified

**15A-6.009 Venue. Location of Hearings**

Hearings shall be held at the nearest Department Hearing Office assigned to the county where the arrest occurred or the notice of suspension or disqualification was issued, in the judicial circuit where the notice of suspension was issued, unless otherwise ordered by the hearing officer with the consent of the driver. The Hearing Officer is authorized to conduct all hearings using communications technology approved by the department.

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