

AGENDA

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

May 15, 2018

www.flhsmv.gov/pdf/cabinetreports/2018/05152018.pdf

1. Respectfully submit the minutes for the October 17th and November 7th, 2017 Cabinet Meetings.

Attachment #1

Recommend Approval.

2. Respectfully submit approval of the Department's 2nd and 3rd Quarter Performance Reports for fiscal year 2017-2018.

Attachment #2

Recommend Approval.

3. Respectfully request approval for final adoption of amendments to the Medical Advisory Board Guidelines, Chapter 15A-5, to include the repeal of Rule 15A-5.001. The Department also requests approval to file for final adoption if no timely request for a rule hearing is received as a result of the notice, or if a hearing is requested, no changes need to be made.

Attachment #3

Recommend Approval.

Attachment #1

STATE OF FLORIDA

IN RE: MEETING OF THE GOVERNOR AND
CABINET

CABINET MEMBERS: GOVERNOR RICK SCOTT
ATTORNEY GENERAL PAM BONDI
CHIEF FINANCIAL OFFICER JIMMY
PATRONIS
COMMISSIONER OF AGRICULTURE
ADAM PUTNAM

DATE: TUESDAY, OCTOBER 17, 2017

LOCATION: CABINET MEETING ROOM
LOWER LEVEL, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY: NANCY S. METZKE, RPR, FPR
COURT REPORTER

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HIGHWAY SAFETY AND MOTOR VEHICLES

GOVERNOR SCOTT: Next I'd like to recognize Terry Rhodes with the Department of Highway Safety and Motor Vehicles.

I don't know if we've had -- I don't know if I was able -- we said something at the last, and I can't remember, the last Cabinet meeting, but the -- one thing I've heard all across the state is the fact that how well Highway Patrol did at keeping our roads open during Irma. And it was impressive during Irma, but the truth is it's going to pay off down the road because a lot of people said to me if we had not kept the roads open, that they might not have evacuated the next time. And so I just want to thank you and everybody. You guys did a great job.

(APPLAUSE).

EXECUTIVE DIRECTOR RHODES: And Governor and Cabinet members, thank y'all for being so supportive. Y'all were there -- you were out there seeing the crews, seeing the people, seeing all of our agencies. And that really means a lot as I've told you before, so thank you for your leadership.

Today we've got three agenda items for your

1 consideration. The first one is request approval
2 for the August 16th, Cabinet meeting minutes.

3 GOVERNOR SCOTT: Is there a motion on the
4 item?

5 ATTORNEY GENERAL BONDI: So moved.

6 GOVERNOR SCOTT: Is there a second?

7 COMMISSIONER PUTNAM: Second.

8 GOVERNOR SCOTT: Comments or objections?

9 (NO RESPONSE).

10 GOVERNOR SCOTT: Hearing none, the motion
11 carries.

12 EXECUTIVE DIRECTOR RHODES: The second item is
13 we would respectfully request approval to publish a
14 notice of proposed rulemaking to amend Rule
15 15(a)(5) related to the medical board guidelines.
16 We're also requesting approval to file for final
17 adoption if no request for rule hearing is received
18 and if no changes are needed to be made.

19 GOVERNOR SCOTT: All right. Is there a motion
20 on the item?

21 COMMISSIONER PUTNAM: So moved.

22 GOVERNOR SCOTT: Is there a second?

23 ATTORNEY GENERAL BONDI: Second.

24 GOVERNOR SCOTT: Comments or objections?

25 (NO RESPONSE).

1 GOVERNOR SCOTT: Hearing none, the motion
2 carries.

3 EXECUTIVE DIRECTOR RHODES: All right. The
4 second item is our Department's annual performance
5 report, and I respectfully request approval of the
6 Department's annual performance report for fiscal
7 year '16/'17. I'll be glad to answer any questions
8 or have any comments either one of y'all have.

9 GOVERNOR SCOTT: Does anybody have any
10 questions?

11 (NO RESPONSE).

12 GOVERNOR SCOTT: Okay. Is there a motion to
13 accept the report?

14 CFO PATRONIS: Second.

15 GOVERNOR SCOTT: Is there a second?

16 (NO AUDIBLE RESPONSE).

17 GOVERNOR SCOTT: Comments or objections?

18 (NO RESPONSE).

19 GOVERNOR SCOTT: Hearing none, the motion
20 carries.

21 Thank you, Terry. Good job.

22 EXECUTIVE DIRECTOR RHODES: Thank you, sir.
23 Thank you --

24 GOVERNOR SCOTT: Thank you, Terry, for
25 everything you do.

EXECUTIVE DIRECTOR RHODES: Thank you,
General.

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STATE OF FLORIDA
OFFICE OF THE GOVERNOR AND CABINET

IN RE: CABINET MEETING

CABINET: GOVERNOR RICK SCOTT
ATTORNEY GENERAL PAM BONDI
COMMISSIONER ADAM PUTNAM
CFO JIMMY PATRONIS

DATE: NOVEMBER 7, 2017

TIME: 9:00 a.m. - 11:40 a.m.

LOCATION: CABINET MEETING ROOM
LOWER LEVEL, THE CAPITOL
TALLAHASSEE, FLORIDA

REPORTED BY: YVONNE LAFLAMME, FPR
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NOTARY PUBLIC

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I N D E X P A G E

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DEPARTMENT OF HIGHWAY SAFETY and MOTOR VEHICLES

GOVERNOR SCOTT: Next, I would like to recognize Terry Rhodes with the Department of Highway Safety.

MS. RHODES: Good morning, Governor, General Bondi, CFO Patronis and Commissioner Putnam.

Today we have just one agenda item for your consideration. This is the Department's '17/'18 first quarter performance report with a proposed new measure.

Again, during this first quarter, we led safety and education campaigns, our child safety awareness and drowsy drivers intervention.

We hired 22 Veterans, and 17 Veterans have already gotten their service award. Also, attached to the quarter is our response for and after Hurricane Irma and these activities. You should have that brochure.

And again, thank you for your comments in reference to the Patrol and all they do, and your support is so appreciated.

Again, thank you.

1 GOVERNOR SCOTT: You know, Terry, they did so
2 well at UF, you sort of forget. Because it came
3 and went, and they just did a great job there, too.

4 MS. RHODES: Absolutely. And I think the
5 other universities have contacted the Colonel and
6 members of the Patrol to kind of see what Sheriff
7 Darnell; what the dos and don'ts, and they want to
8 learn from what we did here.

9 GOVERNOR SCOTT: Yeah. Everybody worked well
10 together.

11 MS. RHODES: They did. Thank you.

12 I'm pleased to report from my last annual
13 quarter to the first quarter of this year that we
14 either met or exceeded five of our nine measures,
15 and there was an improvement in two of our
16 measures, including an increase by five points of
17 our first performance measure, which is the
18 Patrol's response time.

19 I do want to mention that our Performance
20 Measure 3, which is the Level 3 inspections on
21 commercial motor vehicle, I've asked the Patrol and
22 our Office of Performance Management to establish a
23 new proactive measure that will continue to enhance
24 on the roadways.

25 This measure will utilize the Federal Motor

1 Carrier Safety Administration's national formula
2 that was established in 2016, and Florida will be
3 one of the few states that will be implementing
4 this. They're looking at the risk formula for our
5 motor vehicles, and we will be doing outreach to
6 these carriers and educating them and working with
7 them. So it's going to be a growing measure, so as
8 I come forward each time, it will be enhanced more
9 and more.

10 So I'll be happy to answer that and any
11 questions you have.

12 GOVERNOR SCOTT: Does anybody have any
13 questions?

14 All right. Is there a motion to accept the
15 report?

16 CFO PATRONIS: So moved.

17 GOVERNOR SCOTT: Is there a second?

18 COMMISSIONER PUTNAM: Second.

19 GOVERNOR SCOTT: Comments or objections?
20 Hearing none, the motion carries.

21 Thank you, Terry.

22 MS. RHODES: Thank you very much.

23 *****

24 *****
25 *****

Attachment 2



Third Quarter Performance Report

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

REVISED 5/2/18

Fiscal Year 2017–2018

News and Accomplishments

LEADERS IN SERVICE

DHSMV and Franklin County Tax Collector Expanded Driver License Services in Franklin County

DHSMV worked with the Franklin County Tax Collector, the Honorable Richard Watson, to expand driver license services in Franklin County's Apalachicola service center in March 2018. In 2017, there were more than 2,000 Franklin County residents who traveled to neighboring tax collector offices for services not available locally. These expanded services will prevent Franklin County customers from having to travel long distances to receive driver license services.

DHSMV and the Walton County Tax Collector Partnered on Rebuilt Inspections Services

In December 2017, DHSMV joined Walton County Tax Collector, the Honorable Rhonda Skipper, to offer rebuilt vehicle inspection services at the Defuniak Springs service center. This additional location helped provide dealers and private citizens with additional options and prevent them from having to travel to a regional office in Pensacola or Panama City for a rebuilt inspection.

Portion of Florida's Turnpike Renamed for FHP Trooper Ambroise

In January 2018, a portion of Florida's Turnpike in Miami-Dade County was renamed Trooper Patrick Ambroise Memorial Highway in remembrance of the fallen FHP Trooper. Trooper Ambroise was killed on May 15, 2010, when his patrol car was struck from behind while he was stopped on the shoulder of Florida's Turnpike, near Okeechobee Road. Trooper Ambroise had served the residents of Florida with FHP for four years. He was a member of the 111th Recruit Class and was assigned to Troop K (Turnpike).

FHP Trooper Cloud Received Take Stock in Children Mentor Award

Take Stock in Children (TSIC) awarded FHP Trooper Tod Cloud with the Shining Star Award for the positive influence he has had as a mentor for TSIC. Trooper Cloud has been volunteering with TSIC for six years, a non-profit organization working to break the cycle of poverty for low income students by providing opportunities for post-secondary education. In addition to the Shining Star Award, Trooper Cloud was recognized as the 2017-2018 Mentor of the Year for his dedication to students and support of the program.

DHSMV Florida Licensing On Wheels (FLOW) Team Offered Services at the First Annual Collier County Veteran and Dependents Expo

DHSMV FLOW team members participated in the First Annual Collier County Veteran and Dependents Expo at New Hope Ministries in January 2018. Members shared information related to veteran designations, emergency contact information and REAL ID compliance. More than 200 customers attended the expo and received information from various vendors, including the Florida Department of Transportation (FDOT), Florida Department of Veterans' Affairs, Goodwill, Collier County Transportation and the Food Bank of Collier County.

DHSMV FLOW Team Offered Services at the Apalachicola African-American History Festival

DHSMV FLOW teams attended the 15th Annual African-American History Festival in Apalachicola in February 2018 to offer driver license and motor vehicle services to those in attendance. Additionally, the department's FLOW mobile took part in the parade and served five customers.

FHP Assisted the Orange County Sheriff's Office During Possible Bomb Threat

FHP assisted the Orange County Sheriff's Office after an incendiary device was lit inside a bathroom at Timber Creek High School in February 2018. The Orange County Sheriff's Office arrested the suspect responsible, while FHP assisted with traffic control to secure the area.

News and Accomplishments *continued*

FHP Provided Traffic Control for the Skyway 10K

In March 2018, FHP provided security and traffic control for the Inaugural Skyway 10K on the Sunshine Skyway Bridge in Pinellas and Manatee counties. More than 7,000 runners and walkers participated in the event which closed the northbound travel lanes of the bridge for the first time since it was opened in 1987.

FHP Provided Assistance During Daytona Bike Week

The FHP Troop D (Orlando) Motor Unit provided traffic control and security at the 2018 Bike Week in Daytona Beach. Additionally, troopers reminded motorcyclists to stay safe for the duration of the event and to always drive sober to ensure they *Arrive Alive*.

FHP Members Participated in a Local Elementary School's Future Leaders Program

In March 2018, troopers from FHP Troop G (Jacksonville) participated in a future leaders program at Mosley Elementary School in Palatka. Troopers helped students unload meals donated by the Southern Baptist Convention Disaster Relief team to be sent home with children who otherwise would not have food. After unloading the meals, troopers provided insight on how to become future leaders in their communities.

AGENTS OF PROGRESS

DHSMV Attended the Safe Mobility for Life Coalition Meeting

In March 2018, DHSMV members attended FDOT's Safe Mobility for Life Coalition meeting in Tallahassee to address the needs of Florida's aging road users. Attendees discussed law enforcement's role in the medical review and re-examination processes, aging road user survey data and the CarFit program. DHSMV members also provided community outreach to senior drivers at the Timberlane Church of Christ in Tallahassee. Members from the Divisions of Motorist Services and FHP provided tips for safe driving, adjusting their vehicle to better fit their needs and how to register or update their emergency contact information.

FHP Welcomed a New Team of Victim Advocates

In March 2018, FHP welcomed new victim advocates from Troops C, D, E, F, G and L. At their orientation meeting in Tallahassee, advocates were trained in victim services, victim compensation, grant requirements and documentation, next of kin notification, domestic violence and human trafficking cases in conjunction with the Florida Crime Prevention Training Institute.

DHSMV Met with the Florida Association of DUI Programs

In January 2018, DHSMV members met with the Florida Association of DUI Programs (FADP) to discuss shared goals for 2018. FADP is a service organization committed to the support and advancement of DUI Programs in Florida and acts as a liaison between member organizations and DHSMV, by providing administrative oversight for licensed DUI programs statewide.

DHSMV Exceeded its Annual Fuel Tax Audit Requirement

In accordance with the International Fuel Tax Agreement (IFTA) and International Registration Plan (IRP), DHSMV conducted 399 fuel tax audits during the 2017 calendar year, exceeding the audit requirement by 44 audits. IFTA and IRP requires that DHSMV conduct audits of motor carriers who renew their license and or registration within a five-year period. Through partnerships with carrier services, DHSMV has established an open line of communication to strengthen the IFTA and IRP program compliance and enhance efficiencies.

News and Accomplishments *continued*

DHSMV Attended the Association of Transportation Safety Information Professionals Roundtable

DHSMV members represented Florida's Traffic Records Coordinating Committee (TRCC) at the Association of Transportation Safety Information Professionals March 2018 roundtable event. This event served as an opportunity for officials from across the country to discuss efforts to improve public safety and traffic data. DHSMV members gained valuable information and insight to apply to the department's quality improvement initiatives.

DHSMV Hosted Students from Florida State University (FSU) for a Career Shadow Day

In March 2018, DHSMV welcomed four students from FSU to shadow the DHSMV Information Systems Administration division. This event provided the students with exposure to the day-to-day technology operations related to working in the public sector and the important role the department's IT members have in strategic business operations and motorist modernization. The students met executive staff and learned about the responsibilities our IT members have in the modernization, designing, developing and maintaining custom web applications services, networks, databases and security management, which support law enforcement, motor vehicle, driver license and administrative services throughout the state of Florida.

CHAMPIONS FOR SAFETY

DHSMV Responded to the Marjory Stoneman Douglas High School Shooting

FHP responded to the shooting at Marjory Stoneman Douglas High School in Parkland that took place on February 14, 2018. Troopers provided perimeter traffic control, assisted the Broward County Sheriff's Office with mapping the crime scene inside of the high school and continues to provide security for the high school. Additionally, DHSMV deployed two FLOW mobile units to provide credentialing services to customers impacted by the shooting and offered impacted customers priority service in all DHSMV credentialing offices.

FHP Trained Calhoun County School Employees on Active Shooter Preparedness

FHP provided active shooter training to approximately 300 staff members from five Calhoun County schools at the request of the Calhoun County School District in March 2018. Administration, teachers, paraprofessionals, lunchroom staff, bus drivers, maintenance and IT staff members participated in the all-day training.

FHP Assisted Local Law Enforcement with FIU Bridge Collapse

In March 2018, FHP responded to the FIU bridge collapse in Miami-Dade County. Upon arrival, FHP mapped the scene and provided traffic control. FHP continues to work closely with the Miami-Dade Police Department and collaborate with other state agencies during this investigation.

FHP Participated in a Multi-Agency Drug Investigations

FHP participated in a multi-agency drug investigation "Operation Cash Flow." The operation, which was led by the Jacksonville Sheriff's Office and included the Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), Postal Inspection Service and the State Attorney's Office, resulted in the arrest of 11 individuals on drug-trafficking charges. Authorities seized two kilos of fentanyl-laced heroin, 8.3 kilos of cocaine, 4 lbs. of marijuana, five firearms and more than \$100,000. In January 2018, FHP also assisted the Martin County Sheriff's Office, Highlands County Sheriff's Office, FBI, Department of Homeland Security, U.S. Border Patrol, Florida National Guard Counterdrug Program and the Drug Enforcement Administration in a three-day interdiction program. Troopers were stationed on I-95 and the Florida Turnpike, making stops that resulted in 102 arrests. Additionally, law enforcement seized firearms, heroin, fentanyl, methamphetamine, cocaine, MDMA, cannabis, hash oil, Oxycodone, Alprazolam, LSD and more than \$16,000.

News and Accomplishments *continued*

DHSMV Safety Campaigns:

- **Move Over, Florida! Campaign:** In January 2018, DHSMV launched its annual *Move Over, Florida!* campaign to remind motorists to move over or slow down for emergency and service vehicles stopped along the roadway. DHSMV partnered with FDOT, Florida Police Chiefs Association, Florida Sheriffs Association, AAA-The Auto Club, Florida EMS Association, Florida Ambulance Association, utility companies and other service providers to share this important message helping to ensure that those providing critical roadway services *Arrive Alive*. The *Move Over, Florida!* campaign made more than 63 million impressions through paid, earned and social media.
- **Stay at the Scene Hit and Run Awareness Month Campaign:** DHSMV recognized February 2018 as Hit and Run Awareness Month by launching the *Stay at the Scene* campaign to remind all motorists to stay at the scene when involved in a crash. In partnership with the Florida Police Chiefs Association, Florida Sheriffs Association and Florida Association of Crime Stoppers, the initiative sought to reduce the number of hit and run crashes in Florida and encouraged individuals to anonymously report information to solve outstanding hit and run investigations. The 2018 *Stay at the Scene* campaign garnered 56 million impressions through paid and earned media, surpassing the 2017 campaign by 47 million impressions.
- **Arrive Alive, Don't Drink and Drive Spring Break Campaign:** In March 2018, DHSMV launched its *Arrive Alive, Don't Drink and Drive* campaign to remind residents and visitors to celebrate their spring break responsibly by not driving impaired. The campaign engaged with multiple high schools and major universities across the state through social media and FHP safety events to ensure that this important message was delivered directly to spring breakers. Overall campaign efforts resulted in 112.7 million impressions.

FHP Conducted Click It or Ticket Enforcement Campaign

FHP participated in the national *Click It or Ticket* enforcement campaign in March 2018. FHP joined its law enforcement partners in stressing the importance of wearing a seat belt to help ensure motorists avoid unnecessary injuries or death. During the campaign, Troopers issued over 24,000 citations, including 7,578 for speeding and 3,447 for careless driving.

DHSMV Participated in Severe Weather Awareness Week

In January 2018, DHSMV worked in partnership with the Division of Emergency Management during Severe Weather Awareness Week. Throughout the week, DHSMV took to its social media platforms to educate Floridians on developing an emergency preparedness plan, safe driving during inclement weather and registering and updating their emergency contact information. Additionally, DHSMV headquarters participated in the Great Tornado Drill, providing the opportunity to practice an emergency preparedness plan.

DHSMV Participated in National Consumer Protection Week

In March 2018, DHSMV participated in the Federal Trade Commission's (FTC) National Consumer Protection Week (NCPW). Through the department's social media accounts, DHSMV provided daily consumer messaging to inform Floridians of best practices to avoid becoming a victim of fraud and engaged its partners on relevant topics. DHSMV messaging garnered more than 20,000 total impressions, a 44 percent increase over 2017, and focused on different consumer topics each day. These topics included reporting scams, odometer fraud, Florida's Lemon law, flooded vehicles and identify theft.

News and Accomplishments *continued*

FHP Conducted Commercial Motor Vehicle (CMV) Safety Audits in Miami

FHP's Commercial Vehicle Enforcement (CVE) unit conducted safety audits in Miami in January 2018. During these safety audits, FHP reviewed motor carriers' records to verify that a carrier had basic safety management controls in place to ensure compliance with applicable state laws, Federal Motor Carrier Safety Regulations, Hazardous Materials Regulations, and related record-keeping requirements.

DHSMV Launched *Operation Big Wheels*

In February 2018, DHSMV launched the *Operation Big Wheels* initiative to ensure that all Commercial Driver License third-party administrators and third-party testers comply with Federal Motor Carrier Safety Administration (FMCSA) mandates. The FMCSA carries out safety mandates to reduce crashes, injuries, and fatalities involving large trucks and buses. DHSMV monitors administrator and tester compliance with these mandates by conducting site visits at testing locations.

DHSMV Participated in Capitol City Bike Fest

DHSMV's Florida Rider Training Program participated in the 6th Annual Capitol City Bike Fest at Red Hills Powersports in Tallahassee in February 2018. Members demonstrated the skills necessary to operate a motorcycle using the motorcycle simulator and acted out scenarios that a rider might encounter on Florida's roadways. DHSMV's Florida Rider Training Program follows the curriculum developed by the Motorcycle Safety Foundation, an internationally recognized developer of rider education and training systems and offers a variety of educational and training courses.

Florida Highway Patrol completes *Operation All In*

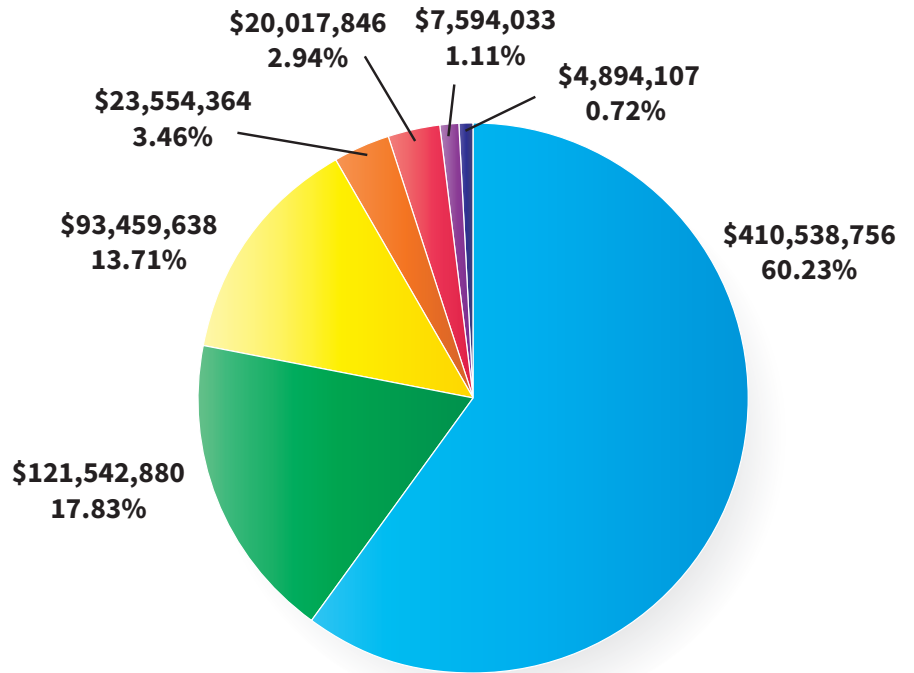
Operation All In was a collaboration between FHP, the Leon County Sheriff's Office and other partnering agencies to intensify law enforcement efforts in Florida's Big Bend. At the conclusion of the operation in February, more than \$900,000 in assets, including 15 weapons, one vehicle and 443 pieces of property, were seized along with 48 pounds of marijuana, 2.4 pounds of cocaine and other illegal drugs with a total value of over \$500,000. More than 1,800 traffic stops were initiated during the operation resulting in 34 warrant arrests and 155 persons arrested.

Revenue Information

| Third Quarter | Trust Funds | General Revenue | Total |
|---------------|---------------|-----------------|---------------|
| | \$545,667,618 | \$135,934,006 | \$681,601,624 |

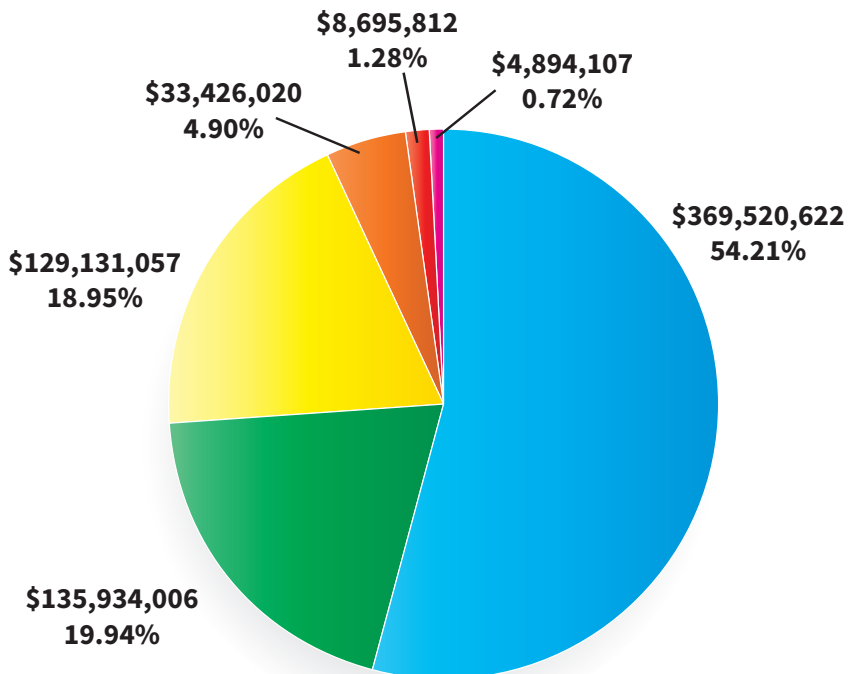
Where The Money Comes From

- License Plates and Decals
- Motor Vehicle Titles
- Driver Licenses
- Other
- Driving/Transcript Record Production
- Fines and Forfeitures
- Motor Fuel Use Tax



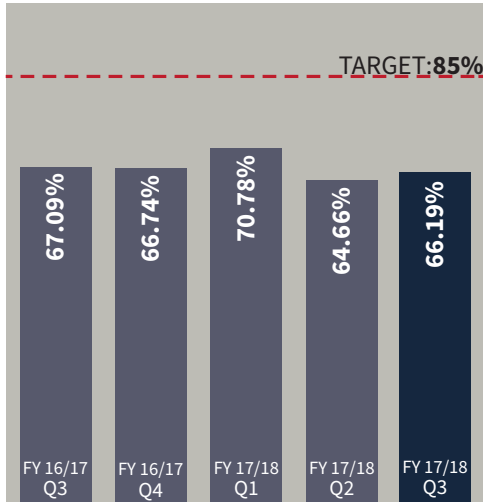
Where The Money Goes

- Department of Transportation
- General Revenue Funded Programs
- DHSMV Agency Funding
- Other
- Specialty Plate Organizations
- Motor Fuel Use Tax

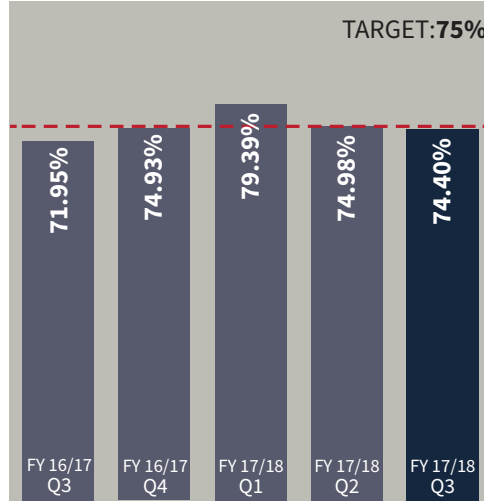


Performance Measures and Standards

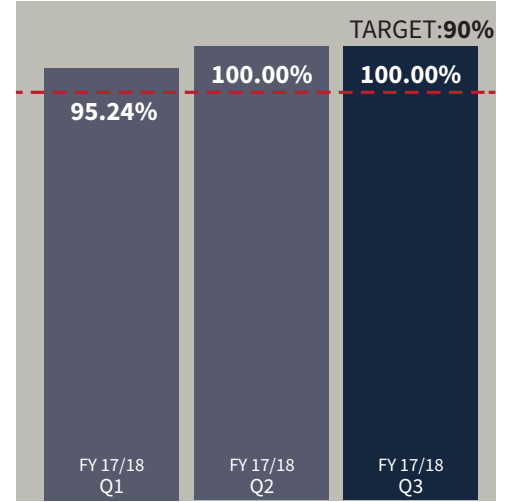
Percentage of FHP calls for service responded to within 30 minutes or less



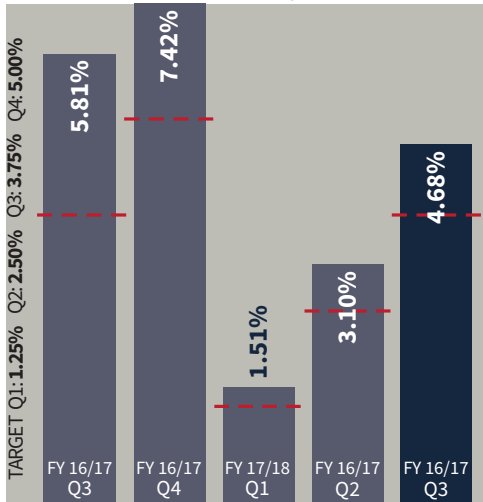
FHP percentage of time spent on active patrol or crash investigation



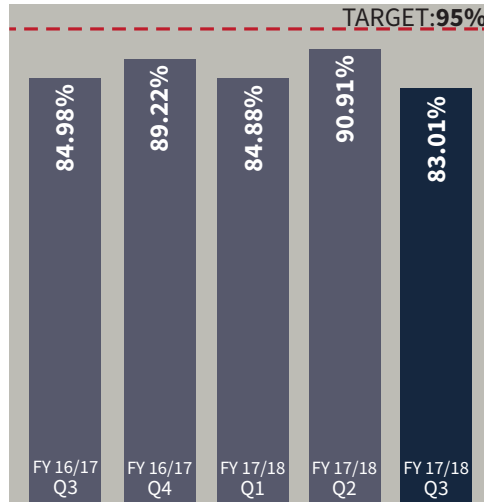
High-Risk Motor Carrier interventions completed within 90 Days



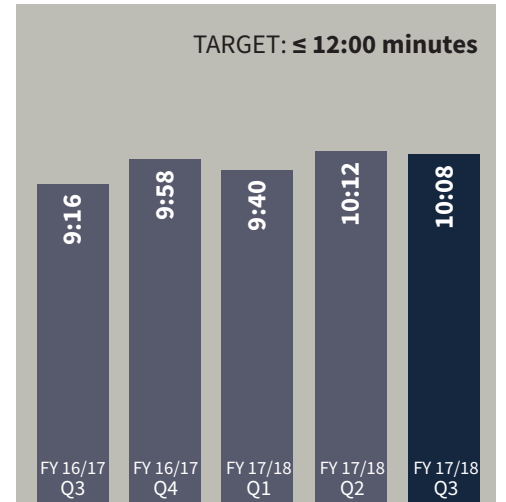
Percentage of targeted transactions reviewed for quality assurance



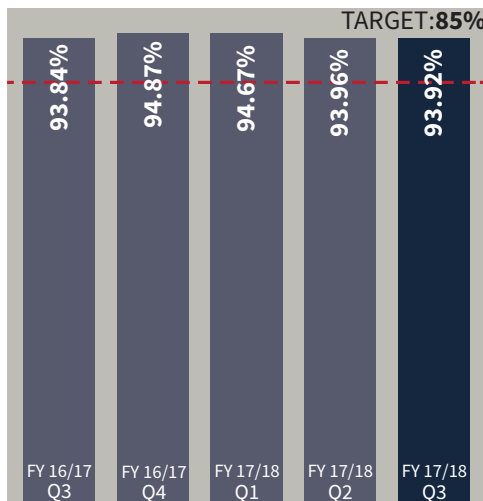
Percentage of Motorist Services Offices with a wait time of less than 30 minutes



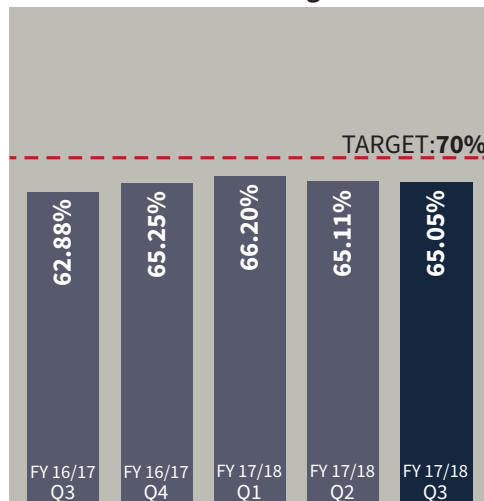
Motorist Services Call Center wait times



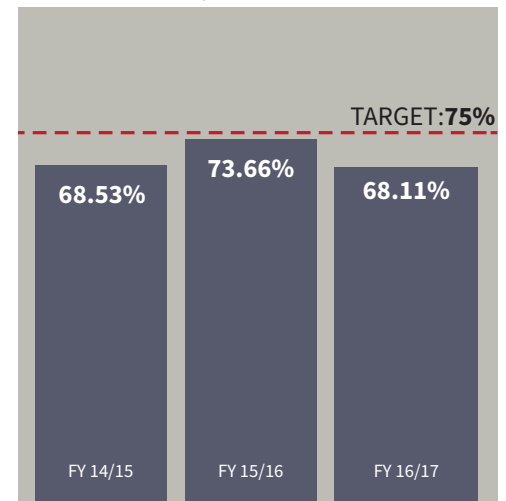
Motorist Services Customer Satisfaction



First time pass rate for Class E Driver License Knowledge Test



Employee Satisfaction



Purchases Made

Purchases Made In Excess Of \$100,000

January 2018 through March 2018

| Vendor | Commodity or Service | Procurement Method | Contract Term | Fiscal Year 2017/18 Estimated Expenditures | Total Contract |
|--------------------------------|---|-------------------------|------------------------------------|--|----------------|
| X-clusive Transportation, Inc. | Performance Turf | Invitation to Bid | 1-year (no renewal option) | \$0 | \$188,722 |
| PP+K, Inc. | Impaired Driving Education Media Campaign (IDEMC) | Invitation to Negotiate | 8 months (optional 3-year renewal) | \$4,896,000 | \$4,896,000 |
| Panasonic Corp. | Mobile Video Recording Solution | Request for Proposal | 4-years (optional 4-year renewal) | \$1,134,220 | \$14,300,000 |
| 3south, LLC | Thermo RadEye Spectroscopic Radiation Detectors (SPRDs) | Invitation to Bid | 2-year (optional 2-year renewal) | \$460,315 | \$460,315 |
| IMG College, LLC | Advertising Campaign Services Targeted to FSU and UF Fans | Single Source | 2 months (no renewal option) | \$100,000 | \$100,000 |

Rule 15-1.012, F.A.C.



Second Quarter Performance Report

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

REVISED 1/26/18

Fiscal Year 2017–2018

News and Accomplishments

LEADERS IN SERVICE

DHSMV Provided Aid to Those Affected by Hurricane Maria

From October-December 2017, DHSMV Florida Licensing on Wheels (FLOW) units were stationed at Hurricane Maria relief centers in Kissimmee, Miami and Orlando to provide credentialing services to impacted customers. FLOW personnel provided credentialing services to thousands of customers entering Florida from Puerto Rico. Additionally, 50 FHP troopers were deployed to Puerto Rico to offer aid to those affected by Hurricane Maria in November. Troopers conducted security operations and traffic control in and around the city of San Juan. Troopers also assisted Puerto Rican law enforcement in the seizure of large quantities of illegal drugs, money and guns.

DHSMV Expanded Issuance of New Florida Driver License and ID Card Statewide

In December 2017, DHSMV expanded its issuance of the new, more secure Florida driver license and ID card to all service centers throughout Florida and online. The new design includes nearly double the fraud protection measures compared to the previous design and provides the most secure over-the-counter credential on the market today. Along with critical anti-fraud features, the new design incorporates designations for lifetime sportsman's, boater, freshwater, saltwater and hunting licenses, as well as designations for veteran, organ donor, deaf/hard of hearing and developmentally disabled. Previous driver license and ID cards will still be in use alongside the new credential until they are replaced or phased out.

FHP Trooper Andy Ong Struck on I-95

In October 2017, Trooper Andy Ong from Troop L (Palm Beach) was out of his vehicle conducting speed enforcement on I-95 in Palm Beach County when he was struck by a vehicle that lost control after colliding with another vehicle. Trooper Ong was transported to the Delray Trauma Center. Trooper Ong has entered rehabilitation and is still recovering.

FHP Trooper Daniel Cruz Struck by Impaired Driver

In December 2017, FHP Trooper Daniel Cruz from Troop E (Miami) was struck by an impaired driver on Okeechobee Road while out of his patrol car investigating a crash. He was airlifted to Ryder Trauma Hospital with serious, but non-life threatening injuries. He is still recovering at this time.

DHSMV Launched MyFlorida App

In November 2017, DHSMV partnered with PayIt, LLC to launch a mobile app called MyFlorida to offer conveniences to customers by expanding customer options for motor vehicle and vessel registration renewal services. The app offers customers the option to use a credit card or checking account to remit payment and generates more specific clearance information for the customer in the instance there is a stop preventing registration of the vehicle or vessel. MyFlorida is available on all mobile devices and allows customers to securely renew a registration on an eligible vehicle or vessel and receive a digital document to use until the registration arrives in the mail. In addition to the app, customers may still choose to complete renewal transactions in an office or online via www.GoRenew.com.

DHSMV Donated 45 Tons of Food for Stuff the Charger

From October – November 2017, DHSMV collected nonperishable food items to be donated to families affected by Hurricanes Irma and Maria. DHSMV partnered with America's Second Harvest, Family Service Agency, Feeding America, Harry Chapin Food Bank, Feeding South Florida, Manna Food Bank and FarmShare to collect 45 tons of food items, equating to more than 75,000 meals, for Florida families.

News and Accomplishments *continued*

Two Roadway Designations Issued for Fallen FHP Troopers

In December 2017, a portion of I-75 (S.R. 93A) between Fowler Avenue and Fletcher Avenue in Hillsborough County and a portion of State Road (S.R.) 80 in Lee County were renamed in honor of two fallen FHP Troopers, Corporal Joseph R. Bertrand and Lieutenant Benedict J. Thomas. Corporal Bertrand was shot on SR-80 while on a traffic stop conducting a DUI investigation on December 22, 1967. Lieutenant Thomas was struck and killed while walking back to his patrol car after investigating an abandoned vehicle on I-75 in Tampa on June 9, 1989. These designations were made as a result of Senate Bill 368, sponsored by Senator Bill Montford and Representative Halsey Beshears, to provide honorary designations of various transportation facilities and roads throughout the state.

FHP Corporal Julio Torres was Named Trooper of the Year

Governor Scott and the Florida Cabinet recognized Corporal Julio Torres as Trooper of the Year for his extraordinary bravery. On February 3, 2016, Corporal Torres was traveling southbound I-75 when he witnessed a multi-vehicle crash. One vehicle had broken through the guardrail and landed overturned in a retention pond. Corporal Torres entered the alligator-infested waters to rescue the trapped victim, and used a knife and crowbar to successfully cut through the seat belt and remove the passenger. He immediately began administering CPR until emergency medical services arrived.

Corporal Schultz and Detective Barry Lewis Received the Governor's Medal of Heroism

FHP Corporal John Schultz and Detective Barry Lewis with the Florida Division of Investigative and Forensic Services (DFS) received the Governor's Medal of Heroism. On September 10, 2017, FHP Lieutenant Greg Bueno and his family took shelter from Hurricane Irma at his home. During the storm, the home's ceiling collapsed. As flood waters rose on every side, Lt. Bueno radioed for help. FHP Corporal John Schultz and DFS Detective Barry Lewis responded to the call and walked through the dark, flooded neighborhood in waist-deep water, with only flashlights to guide them, to evacuate Lt. Bueno and his family to safety.

137th Basic Recruit Class Graduated from the Florida Highway Patrol (FHP) Training Academy

In December 2017, DHSMV welcomed 53 new troopers as a part of the 137th basic recruit class. Commissioner of Agriculture Adam Putnam served as keynote speaker for the commencement. These troopers joined more than 1,900 men and women who patrol Florida's roads each day, providing safety and security to residents and visitors.

FHP Trooper George Seiler Recognized on Florida Missing Children's Day

In December 2017, FHP Trooper George Seiler was recognized as a member of the Law Enforcement Task Force Team of the Year at the Florida Capitol during Florida Missing Children's Day. The task force was comprised of several law enforcement agencies that successfully rescued an abducted child. Officers within this Task Force were able to detain the assailant, who is now facing federal charges for abduction.

News and Accomplishments *continued*

AGENTS OF PROGRESS

Troy Thompson Appointed to Deputy Director of the FHP

FHP Colonel Gene Spaulding appointed Troy Thompson to Deputy Director of the FHP in October 2017.

Lieutenant Colonel Thompson is a 24-year veteran of law enforcement and most recently served as the Chief of Commercial Vehicle Enforcement with FHP. During his career, Lieutenant Colonel Thompson has received the Department of Transportation's Engineering & Operations Leadership Award, secured a place in the Florida Trucking Association's Hall of Fame for his outreach efforts in the trucking industry and served as Region II President of the Commercial Vehicle Safety Alliance (CVSA) from 2013-2016.

Derek Barrs Appointed to FHP Chief of Commercial Vehicle Enforcement

FHP Colonel Gene Spaulding appointed Derek Barrs to FHP Chief of Commercial Vehicle Enforcement (CVE) in November 2017. Chief Barrs is a 26-year veteran of law enforcement and most recently served as the Troop Commander for Troop J (CVE). Chief Barrs began his career in law enforcement in 1991 with the Madison County Sheriff's Office and has been with FHP since 2001. Chief Barrs was named the 2006 Law Enforcement Officer of the year and is currently serving as the Committee Chairman for the Enforcement and Industry Modernization Committee within the CVSA.

DHSMV Met with National Safety Council Regarding Recalls

In October 2017, DHSMV met with representatives from the National Safety Council to discuss opportunities to educate the public about open auto recalls, encourage motorists to check to see if their vehicle has any recall notices and to bring their vehicles in to be repaired in the event of a recall. The following month, DHSMV partnered with Nissan/Infiniti to urge Floridians owning certain 2001-2006 Nissan and Infiniti vehicles to respond to an urgent recall notice regarding the repair of potentially deadly airbag inflators. This partnership is a crucial step toward improving overall highway safety and ensuring that vehicles on the road are safe.

FHP CVE Unit Hosted Post-Crash Inspection Course

In November 2017, FHP's Office of Commercial Vehicle Enforcement (CVE) hosted a two-week long post-crash inspection course in Jacksonville. The class is designed to enable an inspector to perform a post-crash inspection on a commercial motor vehicle (CMV) and use the information collected to help determine the cause of the crash. Law enforcement officers throughout Florida and other states, including Michigan, Maryland, Alabama and Texas, attended the course.

DHSMV Coordinated a Driver License Clinic in Broward County

DHSMV partnered with the 17th Judicial Circuit Court to provide a driver license clinic at the Judicial Complex West Wing in Broward County. Members offered qualified Broward County residents an opportunity to have their invalid driver licenses reinstated. Over 500 customers attended the clinic, which was nearly double the number of customers registered for the event.

DHSMV Held Inspector General Investigator Training

DHSMV held a training for investigators from the Office of the Inspector General during their quarterly training meeting in November 2017. Inspectors received information about the department's Quality Assurance (QA) process and how to interpret QA report information regarding an examiner's issuance and the elements used to determine whether an issuance is fraudulent. Providing investigators with the knowledge and skills to recognize fraud helps the department ensure proper issuance and enhances its ability to take appropriate action when fraud is discovered.

News and Accomplishments *continued*

CHAMPIONS FOR SAFETY

DHSMV Safety Campaigns:

- **We Arrive Alive Teen Driver Safety Week Campaign:** In October 2017, DHSMV launched the *We Arrive Alive* Teen Driver Safety Week campaign, reminding teens and those in vehicles with them to buckle up, every time. The *We Arrive Alive* campaign gave teens the tools to take ownership of their driving habits, reinforcing safe behaviors with affirmative statements about why buckling up is so important to ensuring all teens *Arrive Alive*. DHSMV's Office of Driver Safety and FHP promoted the campaign by participating in events at high schools throughout the state. Additionally, DHSMV posted campaign content daily to its social media platforms and other mediums, such as Snapchat. The campaign garnered more than two million impressions, targeting this life-saving message to teens.
- **Safe Holiday Travel Campaign:** In November 2017, DHSMV launched its two-month long *Safe Holiday Travel* campaign to remind motorists to stay safe on and around Florida's roads while they travel for the holidays. The campaign focused on the importance of buckling up, checking tires and driving sober during the holidays so that all road users *Arrive Alive*. DHSMV promoted the campaign through social media, earned media and paid media, including digital, radio and gas station advertisements. The total campaign garnered more than 125 million impressions, targeting all Florida motorists and visitors.

DHSMV Terminated Agreement with Key Power Driving School

In November 2017, DHSMV issued a final order terminating its agreement with Key Power Driving School, Inc., a third-party commercial driver license (CDL) testing company with locations in Miami and Labelle. During an investigation into third-party CDL testing sites, conducted in partnership with the Federal Motor Carrier Safety Administration, the department learned that Key Power violated its agreement with the state and conducted fraudulent testing activities such as omitting vital portions of the required three-part skills test and manipulating testing data on CDL skills test score sheets. With department representatives on-site, the pass rate for tests dropped significantly, from 60 to just 11 percent, which was an indicator that Key Power may have given passing scores to individuals who had not taken the test, not completed mandatory portions of the test or had not performed the required driving maneuvers. Individuals tested by Key Power on or after January 1, 2017, were notified by the department that they must retest with a compliant third party CDL testing administrator within 60 days of receiving the notification or their CDL would be cancelled.

FHP Joined Multi-Agency Enforcement Operation at University of Florida

In October 2017, FHP troopers responded to a mutual aid request for security by the University of Florida Police Department and the Gainesville Police Department. FHP troopers joined a multi-agency enforcement operation to maintain security on campus during a scheduled event that was declared an emergency by Governor Scott. FHP and their law enforcement partners maintained order during the event and helped prevent major incidents from occurring.

DHSMV Participated in Consumer Protection Fair

In October and November 2017, DHSMV members participated in two consumer protection fairs sponsored by the Florida Department of Agriculture and Consumer Services in Miami-Dade and Escambia counties. DHSMV provided information on the new driver license and ID card and participated in a panel discussion educating consumers on ways to keep themselves and their families safe from fraud and scams.

News and Accomplishments *continued*

FHP Trooper Saved Pinellas Man on the Sunshine Skyway Bridge

In October 2017, FHP Trooper Michael Corrado responded to a pedestrian who was planning to jump off the Sunshine Skyway Bridge. As the man was attempting to climb over the concrete barrier, Trooper Corrado detained and escorted him to the back seat of his patrol vehicle. The man was examined by emergency medical services and later transported to Pinellas Emergency Mental Health Services.

FHP Trooper Assisted in the Rescue of Three Boaters

In October 2017, FHP Corporal Jim Covert was patrolling at the Sunshine Skyway Bridge when he observed an overturned boat with three boaters sitting on top of the vessel. The boaters had traveled to the Sunshine Skyway Bridge, began to take on water, and were later capsized by large waves. After initiating a call for assistance and learning no rescue vessels were in the area, Corporal Covert located David Teichman near the area with his jet ski. Teichman responded immediately by traveling to the small overturned vessel and safely transported the three boaters to shore.

FHP Participated in National Night Out throughout Florida

FHP troopers in Troop A (Pensacola), Troop C (Tampa), Troop D (Orlando) and Troop F (Fort Myers) participated in local National Night Out events in October 2017. National Night Out is an annual community-building campaign that promotes police and community partnerships to make Florida neighborhoods safer. Troopers spoke with attendees about the significant role that FHP plays in keeping Florida safe and shared traffic safety information, including the importance of buckling up.

FHP Troop A (Pensacola) Participated in Annual Youth Crime Prevention Summit

In November 2017, FHP Troop A participated in BLAST, a program intended to build lasting relationships between police and the community. FHP members instructed participants on how to interact with law enforcement during specific situations, such as traffic stops.

FHP Troop C (Tampa) Participated in Temple Terrace Safety Event

FHP Troop C participated in the Temple Terrace Fire Department's Open House safety event in October 2017. Hosted in honor of Fire Prevention Week, the event sought to educate members of the community about safety issues, including fire safety, traffic safety and theft. FHP troopers encouraged all attendees to buckle up and demonstrated the dangers of failing to do so with the FHP rollover simulator.

FHP Participated in the Walk Like MADD 5K

In September 2017, FHP Troop F (Fort Myers) attended the second annual Walk Like MADD 5K at Jet Blue Park. Walk Like MADD is hosted by Mothers Against Drunk Driving (MADD) to raise awareness and funds to eliminate drunk driving. Team FHP consisted of 78 troopers, family members and friends, and was awarded the Law Enforcement Challenge Trophy for the second consecutive year.

FHP Trooper Arrested Suspect in an Unsolved Homicide

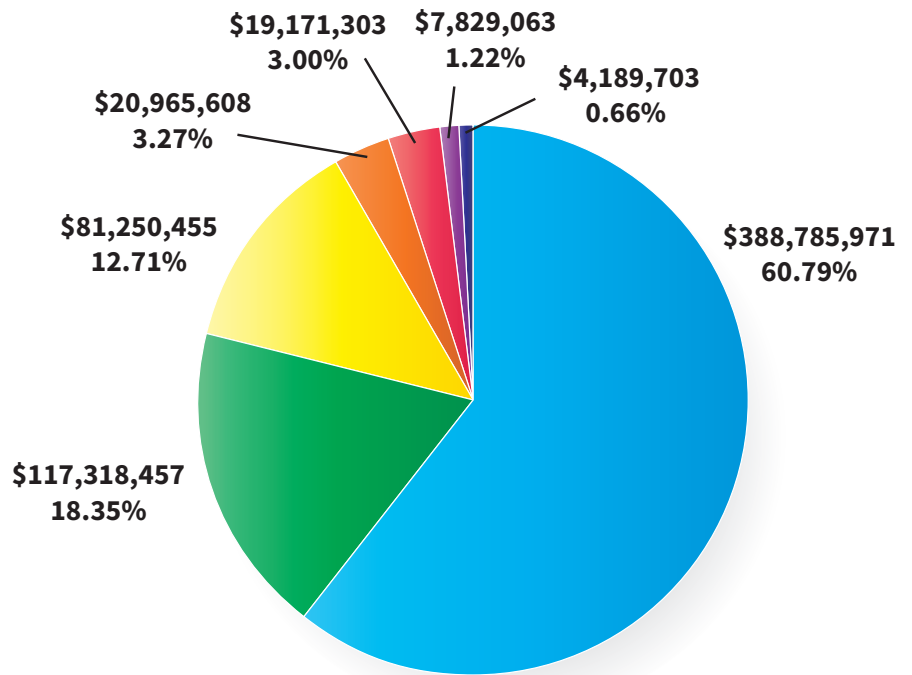
In December 2017, FHP Trooper Chris Miller arrested the suspect of an unsolved homicide in Clay County. Trooper Miller began overtaking a vehicle that was observed speeding and matched the description of a stolen vehicle relayed by the Jacksonville Sheriff's Office when he lost sight of the vehicle. Later observing the same vehicle, Trooper Miller detained two of the suspects, while the third fled into a nearby wooded area. When the suspect emerged and tried to enter another vehicle, Trooper Miller arrested him.

Revenue Information

| Second Quarter | Trust Funds | General Revenue | Total |
|----------------|---------------|-----------------|---------------|
| | \$510,279,159 | \$129,231,401 | \$639,510,560 |

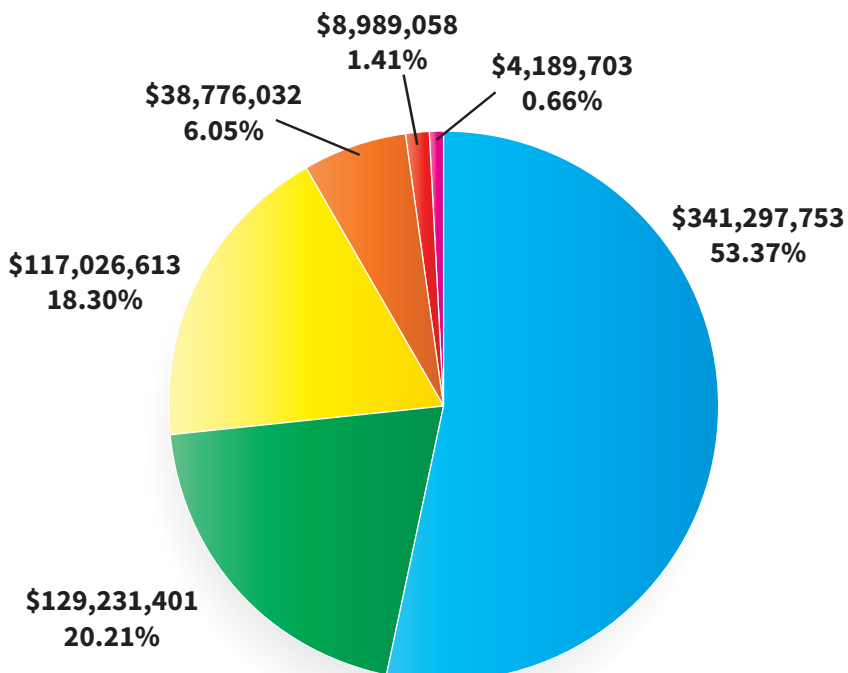
Where The Money Comes From

- License Plates and Decals
- Motor Vehicle Titles
- Driver Licenses
- Other
- Driving/Transcript Record Production
- Fines and Forfeitures
- Motor Fuel Use Tax



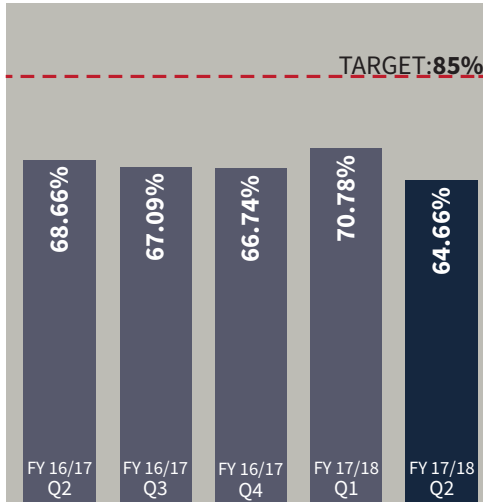
Where The Money Goes

- Department of Transportation
- General Revenue Funded Programs
- DHSMV Agency Funding
- Other
- Specialty Plate Organizations
- Motor Fuel Use Tax

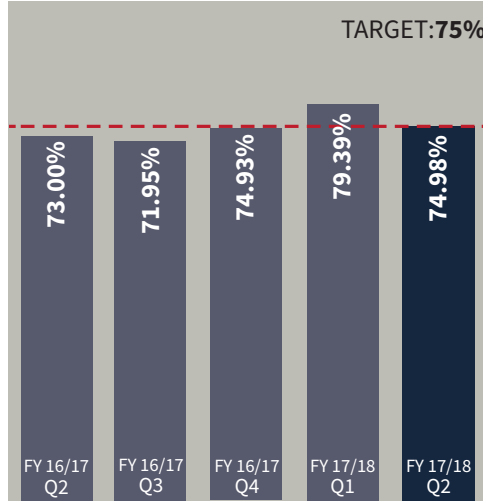


Performance Measures and Standards

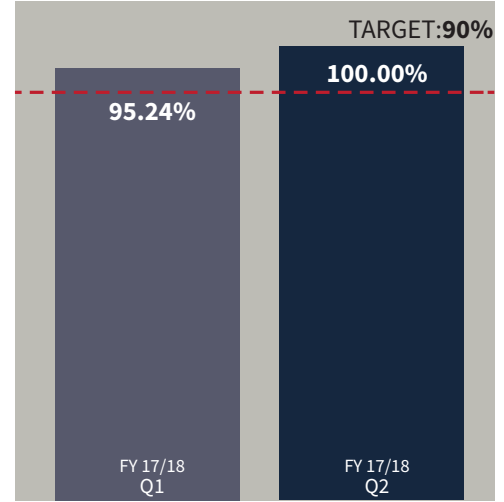
Percentage of FHP calls for service responded to within 30 minutes or less



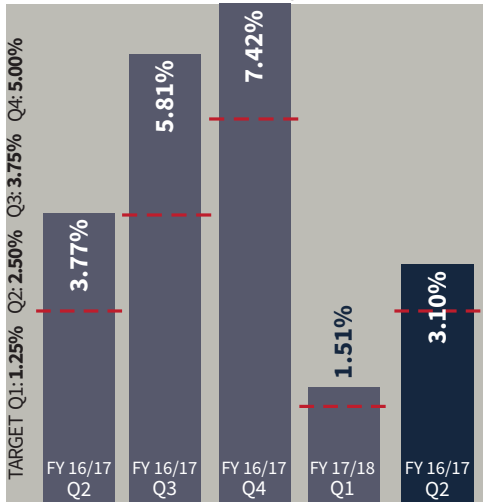
FHP percentage of time spent on active patrol or crash investigation



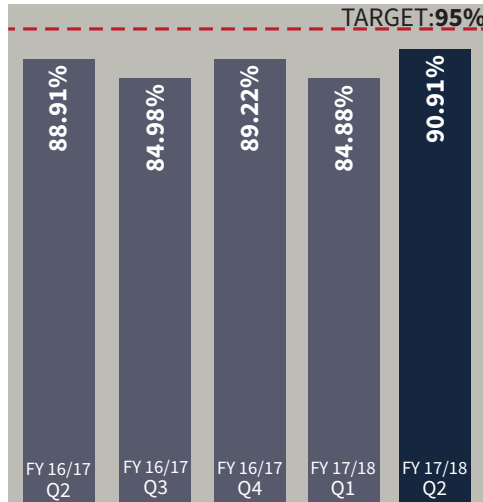
High-Risk Motor Carrier interventions completed within 90 Days



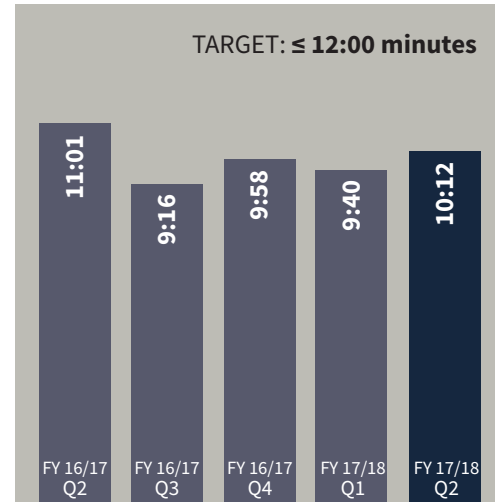
Percentage of targeted transactions reviewed for quality assurance



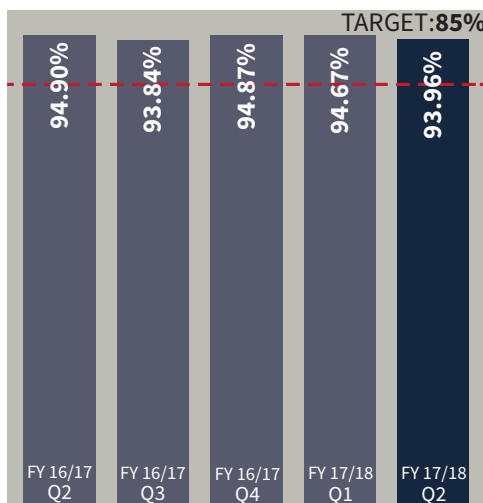
Percentage of Motorist Services Offices with a wait time of less than 30 minutes



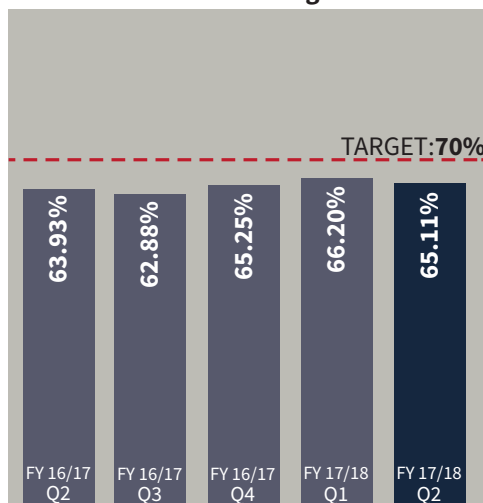
Motorist Services Call Center wait times



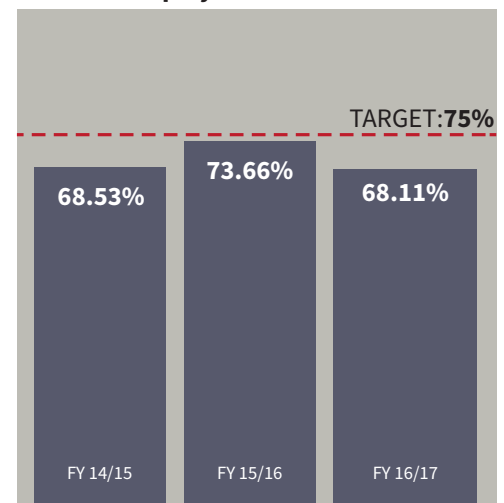
Motorist Services Customer Satisfaction



First time pass rate for Class E Driver License Knowledge Test



Employee Satisfaction



Purchases Made

Purchases Made In Excess Of \$100,000

October 2017 through December 2017

| Vendor | Commodity or Service | Procurement Method | Contract Term | Fiscal Year 2017/18 Estimated Expenditures | Total Contract |
|--|--|-----------------------|--------------------------------------|--|----------------|
| American Association of Motor Vehicle Administrators | National Motor Vehicle Title Information System | Single Source | 2-years (no renewal option) | \$323,172 | \$706,470 |
| American Association of Motor Vehicle Administrators | Credential Verification Application | Single Source | 1-year (no renewal option) | \$240,000 | \$240,000 |
| Axon Enterprise, Inc. | Taser Training Equipment | Single Source | 3-years (no renewal option) | \$200,000 | \$600,000 |
| Collision Forensic Solutions, LLC | Robotic Total Mapping System and Accessories | Invitation to Bid | 1-year (optional 2-year renewal) | \$340,004 | \$340,004 |
| Dana Safety Supply & Williams Communications, Inc. | FHP Vehicle Equipment Repair, Removal and Reinstallation | Invitation to Bid | 5-years (optional 5-year renewal) | \$267,333 | \$1,871,333 |
| EagleEye Intelligence | Traffic Incident Management System | Single Source | 1-year (no renewal option) | \$175,000 | \$175,000 |
| Accenture, LLP | Motorist Modernization Phase II | Request for Proposals | 5-years 7-months (no renewal option) | \$2,692,000 | \$26,768,000 |
| Williams Communications, Inc. | Communication Equipment Service | Single Source | 3-years (no renewal option) | \$37,618 | \$116,299 |
| MorphoTrust, USA | Biometric Analysis | Request for Proposals | 6-years (optional 6-year renewal) | \$67,500 | \$2,400,000 |
| DDG Uniform Work & Apparel | Uniform Apparel | Invitation to Bid | 3-years (optional 3-year renewal) | \$75,000 | \$225,000 |

Rule 15-1.012, F.A.C.

Attachment 3

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTER 15A-5

MEDICAL ADVISORY BOARD GUIDELINES

RULE NUMBERS:

RULE TITLE:

| | |
|-------------------|--|
| <u>15A-5.0010</u> | <u>Definitions</u> |
| <u>15A-5.002</u> | <u>Report of Deficit or Disorder to the Department Procedure</u> |
| <u>15A-5.0021</u> | <u>Medical Review</u> |
| <u>15A-5.0022</u> | <u>Administrative Hearing Procedures</u> |
| <u>15A-5.004</u> | <u>Seizures Neurological Guidelines for Applicants with Seizures</u> |
| <u>15A-5.005</u> | <u>Loss of Consciousness</u> |
| <u>15A-5.006</u> | <u>Cardiovascular Deficits Cardio Vascular Impairments</u> |
| <u>15A-5.008</u> | <u>Deficits Impairments of Memory or Judgment</u> |
| <u>15A-5.009</u> | <u>Musculoskeletal and or Neuromuscular Disorders Impairments</u> |
| <u>15A-5.010</u> | <u>Severe Emotional and Mental Disorders Conditions</u> |
| <u>15A-5.011</u> | <u>Vision Standards</u> |
| <u>15A-5.012</u> | <u>Drug Addiction and Alcoholism</u> |

Summary of Rule

This rule sets out the Medical Advisory Board guidelines for the determination and assessment of the mental or physical deficits affecting the ability of an applicant or licensed driver to safely operate a motor vehicle.

Statement of Facts and Circumstances Justifying the Rule

The Department proposes amending Chapter 15A-5, F.A.C., to update the criteria for reporting at-risk drivers, to update the criteria for reviewing commercial drivers, to amend the administrative procedures for the review of agency determinations, and to clarify and update the medical requirements for those seeking a driver license or those seeking to reinstate their driving privilege.

Federal Standards Statement

The federal standards related to the Medical Review Board are Title 21 U.S.C. s. 802(6) (2017), Title 21 C.F.R. ss. 1308.11 – 1308.15 (04/01/2017 edition), 49 C.F.R. s. 391.41 (10/01/2017 edition), and the September 2009 National Highway Traffic Safety Administration's Driver Fitness Medical Guidelines (as of 10/01/2017). The federal standards are incorporated by reference in Chapter 15A-5, F.A.C., which is not more or less restrictive than the standards.

Summary of Hearings

A Notice of Proposed Rule Development was published in the November 14, 2017, Florida Administrative Register, Volume 43, Number 220, scheduling a public workshop for November 28, 2017. No timely request for a workshop was received by the agency, and no workshop was held.

A Notice of Proposed Rule was published in the December 8, 2017, Florida Administrative Register, Volume 43, Number 236, scheduling a public hearing for January 2, 2018. The Agency received a timely request for a hearing on December 27, 2017, and a hearing was held as scheduled.

A Notice of Public Meeting was published in the March 8, 2018, Florida Administrative Register, Volume 44, Number 47, scheduling a public meeting before the Cabinet on May 15, 2018, to request approval to adopt the proposed changes to Chapter 15A-5.

A Notice of Public Meeting was published in the March 30, 2018, Florida Administrative Register, Volume 44, Number 63, scheduling a public hearing for April 6, 2018, to discuss proposed changes to Rule 15A-5.0022 related to administrative procedures and to Rule 15A-5.011 relating to eye examination forms. The hearing was held as scheduled.

15A-5.0010 Definitions.

- (1) Alcohol – Any substance containing one-half of one percent or more alcohol by volume including ethanol, methanol, propanol, isopropanol, non-alcoholic beer or wine, and over the counter products.
- (2) Administrative Hearing – A proceeding before a panel pursuant to Chapters 120 and 322, F.S.
- (3) Applicant – An individual applying for a Florida driver license.
- (4) Chairman – A licensed doctor of medicine who is employed by the Department and serves as the administrative officer of the Board.
- (5) Deficit – Any impairment of physical or mental function that could affect an applicant or licensed driver's ability to safely operate a motor vehicle.
- (6) Denial – When a driving privilege is withheld for a specific period of time or indefinitely.
- (7) Department – The Department of Highway Safety and Motor Vehicles acting directly or through its duly authorized representatives.
- (8) Disorder – Any physical or mental condition that can cause deficits.
- (9) Driver License – Has the same meaning as set forth in Section 322.01, F.S.
- (10) Drugs – Any drug classified as a controlled substance under Title 21 U.S.C. s. 802(6) (2017). [hyperlink], herein incorporated by reference effective 06/18, Title 21 C.F.R. ss. 1308.11 – 1308.15 (04/01/2017 edition), [hyperlink], herein incorporated by reference effective 06/18, or Chapter 893, F.S.
- (11) Executive Director – The Executive Director of the Department of Highway Safety and Motor Vehicles.
- (12) Extended Driving Test – Three driving tests given consecutively with the same examiner/agent.
- (13) Eye Specialist – A licensed optometrist or ophthalmologist.
- (14) Final Order – A written final decision by the Executive Director, or designee, that is the result of a proceeding pursuant to Chapters 120 and 322, F.S.
- (15) Medical Advisory Board (Board) – Has the same meaning as set forth in Section 322.125, F.S.
- (16) Motor Vehicle – Has the same meaning as set forth in Section 322.01, F.S.
- (17) Panel – A group of Department employees and members of the Board designated to conduct any proceeding authorized by this rule.
- (18) Recommended Order – The official recommendation of a panel for the final disposition of a proceeding under Chapters 120 and 322, F.S.

Rulemaking Authority 322.02, 322.125 FS. Law Implemented 120.52, 120.80, 322.01, 322.08, 322.125, 322.126 FS.

History—New .

15A-5.002 Report of Deficit or Disorder to the Department Procedure.

(1) A report necessitating the request of the Department for review of an applicant or licensed driver's individual's physical or mental ability qualifications to safely operate a motor vehicle may come to the attention of the Department Board as the a result of the medical reports submitted due to:

(a) Recommendation by supervisor of the Department's examiners based on direct observation by the Department examiners.

(1)(b) Receipt by the Department of a motor vehicle crash report accident reports indicating that a possible cause of the crash accident was a the driver's physical or mental deficit impairment.

(2)(c) Receipt by the Department of a Medical/Re-Exam Referral Form, HSMV 72419, Rev. 09/17, [hyperlink], herein incorporated by reference, Florida D/L Exam and Application DHSMV-D-34, indicating that the applicant or licensed driver has previously suffered from epilepsy or dizzy spells, been addicted to drugs or alcohol, intoxicating liquor or suffered from any other physical or mental deficit or disorder. Questions disability which might in the judgment of the Department raise a question as to the applicant or licensed driver's applicant's mental or physical ability to safely operate a motor vehicle will be based upon questions posed and/or observations made by the examiner in accordance with the September 2009 National Highway Traffic Safety Administration's Driver Fitness Medical Guidelines, [hyperlink], herein incorporated by reference effective 06/18. Copies of the form and the guidelines are available on the Department's website.

(d) Receipt of Driver's License Renewal Application, DHSMV D-036, indicating that the applicant has from the date of the original application for license or renewal to the date of the present application of renewal of license suffered from epilepsy or dizzy spells, been addicted to drugs or intoxicating liquor or suffered other physical or mental disability including vision or hearing impairment which might in the judgment of the Department raise a question as to the applicant's mental or physical ability to safely operate a motor vehicle.

(3)(e) Receipt by the Department of a report reports submitted pursuant to Section 322.126, F.S. 322.126(2), F.S. (1981). This information may be submitted on a Medical Referral Form, HSMV 72190, Rev. 09/17, [hyperlink], or Medical Referral Form (Spanish), HSMV 72190 SP, Rev. 09/17, [hyperlink], herein incorporated by

reference. Copies of the forms are available on the Department's website.

(4)(f) Receipt by the Department of a request Request for reconsideration as provided by Rule 15A-5.0022, F.A.C. subsection (6) of this rule.

~~(2) The request for review or reconsideration and the driver's medical reports regarding his physical or mental ability to safely operate a motor vehicle shall be submitted to the Chairman for initial review and determination under these guidelines; the Chairman may request the Department to conduct further investigation if he deems it necessary. If the Chairman recommends withdrawal or denial of licensure or if he determines that the case does not fall clearly within these guidelines, the medical reports shall be submitted to a member of the Board in the medical discipline covering the disability of the affected driver. This member shall have the primary responsibility for recommendation to the Department. However, all vision and neurological cases shall be submitted directly to the appropriate vision or neurology specialist without initial review by the Chairman. The Department's decision on licensure shall be rendered within 90 days following receipt of the affected driver's medical report.~~

~~(3) The Board may require the applicant or licensed driver to have his/her physician complete a medical report (DL-432, Rev. 82, copy available from Department's Bureau of Driver Improvement, Neil Kirkman Building, Tallahassee, FL 32301) and provide the Board with any other reports which the Board deems necessary to assist the Department in evaluating an applicant's mental or physical ability to safely operate a motor vehicle.~~

~~(4) In those cases where a formal Administrative Hearing has been requested and held and medical information which was not made available to the Board when the original recommendation was made is admitted into evidence, prior to entry of a Recommended Order, the Hearing Officer shall cause a copy of the official transcript and exhibits to be transmitted to the Chairman, who shall forward them to the member or members who made the original recommendation for purposes of reconsideration of the original recommendations in light of those new matters brought out at the hearing.~~

~~Such reconsideration shall be a part of the record of the proceedings and shall be considered in determining whether to grant, suspend or deny the applicant's driving privileges.~~

~~(5) The Hearing Officer shall prepare a Recommended Order and transmit it to all parties and to the Department's Reviewing Board, which shall enter the Final Order. Unless waived by all parties, the Recommended Order shall be transmitted within 30 days of the hearing or 30 days of the receipt of the transcript by the Hearing Officer. Parties may submit exceptions to the Recommended Order within 20 days of the receipt of the~~

~~Recommended Order by the Reviewing Board.~~

~~(6) If the Board so recommends, a Final Order denying a driver license may state a date after which the applicant may apply to the department for reconsideration of the denial. Such applications shall be submitted to the Chairman as provided by subsection (2) of this rule.~~

~~(7) In the event of a conflict between this rule chapter and the procedural rules adopted by Rule 15-2.001, F.A.C., this rule chapter shall prevail.~~

~~(8) Members of the Board and other persons making examinations shall not be held liable for their opinions and recommendations.~~

Rulemaking Authority ~~322.02(6)~~ ~~322.02(3)~~, ~~322.125(7)~~, ~~322.126(1)~~ FS. Law Implemented ~~322.05(7)~~, ~~(10)~~, ~~322.125(1)~~, ~~(2)~~, ~~(3)~~, ~~322.126(1)~~, ~~322.221(2)(c)~~, ~~120.62~~, ~~120.53(1)(e)~~ FS. History—New 6-5-81, Formerly 15A-5.02, Amended 6-27-82, 7-29-84, 1-28-85, _____ Formerly 15A-5.02.

15A-5.0021 Medical Review.

(1) Upon receipt of a report of an applicant or licensed driver exhibiting a mental or physical deficit, the Department may require an applicant or licensed driver to have their physician(s) complete one or more medical report form(s) and provide the Department with any other medical information it deems necessary to assist the Board in evaluating the applicant or licensed driver's mental or physical ability to safely operate a motor vehicle.

(2) A request for review of the applicant or licensed driver's medical reports regarding their physical or mental ability to safely operate a motor vehicle will be submitted to the Chairman, or a Board member designated by the Chairman, for review and recommendation. If the Chairman or designated Board member determines that the case should be reviewed by a specialist, the request for review and medical reports will be submitted to a member of the Board in the medical discipline covering the deficit of the applicant or licensed driver for assessment. The Board member will make a recommendation on Medical Advisory Board Recommendation Form, HSMV 72997, Rev. 09/17, [hyperlink], herein incorporated by reference. The Board member will then have the primary responsibility for making a recommendation to the Department on behalf of the Board. Cases involving vision and neurological deficits may be submitted directly to a Board neurologist or eye specialist for review and recommendation.

(3) The Board's recommendation may include the following:

(a) A denial or revocation of the applicant or licensed driver's driving privilege.

(b) An approval of the applicant or licensed driver's fitness to drive with no follow-up medical reports and no examination or reexamination.

(c) An approval contingent on the applicant or licensed driver passing an examination or reexamination as provided in Section 322.221, F.S., which may include an extended driving test as defined in Rule 15A-5.0010, F.A.C. Failing any part of the extended driving test constitutes a failure of the extended driving test.

(d) An approval with a requirement that the applicant or licensed driver submit a follow-up medical report. If the Department orders a follow-up review of an applicant or licensed driver's medical condition, that follow-up will be conducted at a time established by the Board, based upon its review of the medical reports.

(e) An approval contingent on the applicant or licensed driver passing an examination or reexamination as provided in Section 322.221, F.S., which may include an extended driving test as defined in Rule 15A-5.0010, F.A.C., and a requirement that they submit a follow-up medical report. Failing any part of the extended driving test constitutes a failure of the extended driving test. If the Department orders a follow-up review of an applicant or licensed driver's medical condition, that follow-up will be conducted at a time established by the Board, based upon its review of the medical reports.

(f) A request that the applicant or licensed driver provide for further review the results of a Certified Driver Evaluation conducted by a Certified Driver Rehabilitation Specialist.

(g) A request that the applicant or licensed driver provide for further review additional medical information.

(4) All recommendations by the Board to the Department will be based on the request for review and the applicant or licensed driver's medical reports, which may include Certified Driver Evaluations conducted by Certified Driver Rehabilitation Specialists.

(5) In cases involving commercial drivers, the Board will make its recommendation in accordance with Title 49 C.F.R. s. 391.41 (10/01/2017 edition), [hyperlink], herein incorporated by reference effective 06/18. In such cases the applicant or licensed driver may be required to complete the Commercial Driver License Form, HSMV 71048, Rev. 09/17, [hyperlink], herein incorporated by reference. Copies of the regulation and form are available on the Department's website.

(6) Based on the Board's recommendation, the Department may deny, revoke, suspend, cancel, approve, or contingently approve the applicant or licensed driver's driving privilege or driver license. The Department's decision on licensure must be rendered within 90 days following the receipt of all requested information from the

applicant or licensed driver.

(7) If the Department denies a driving privilege or revokes, suspends, or cancels a driver license, the affected individual may, at any time, provide additional or updated medical information or a Certified Driver Evaluation conducted by a Certified Driver Rehabilitation Specialist for reconsideration by the Board.

Rulemaking Authority 322.02(6), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History—New

15A-5.0022 Administrative Hearing Procedures.

(1) Following the Department's decision to deny a driving privilege, or to revoke, suspend, or cancel a driver license, an applicant or licensed driver may file a written request for a hearing pursuant to Section 322.222, F.S., and Rule 15A-1.0195, F.A.C., or appeal the decision to the circuit court pursuant to Section 322.31, F.S. All requests for a hearing must be filed with the Bureau of Motorist Compliance, Medical Review Section, 2900 Apalachee Parkway, Neil Kirkman Building, MS 86, Tallahassee, Florida 32399-0500. The request may be submitted by regular United States mail or by personal delivery. The request must contain the following: the name, address, e-mail address if available, daytime telephone number, and signature of the person filing the request; the name, date of birth, and driver license number of the party on whose behalf the request is filed; and a copy of the Order of License Revocation, Suspension, or Cancellation at issue. All parties or their attorneys must promptly notify the Medical Review Section or the panel in writing of any changes to their contact information.

(2)(a) A request for a hearing must be filed within 30 days after receipt of written notice of the Department's decision. Any person who receives written notice of the Department's decision and fails to timely file a request for a hearing waives the right to request a hearing on such matters.

(b) For good cause shown, the Department may grant an extension of time for filing a request for a hearing. A request for an extension of time must be filed with the Medical Review Section prior to the deadline for filing a request for hearing. For purposes of this section, good cause means extraordinary circumstances beyond the control of the applicant or licensed driver or his or her attorney that prevented the party from filing a timely request for a hearing.

(c) A timely request for extension of time will toll the running of the time period for filing a request for a hearing until such time as the request for extension of time is acted upon.

(3) In construing this rule, filing means received by the Medical Review Section or the panel during normal business hours or by the panel during a hearing. Any document received by the Medical Review Section or the panel before 5:00 p.m. will be filed as of that day. Any document received after 5:00 p.m. will be filed as of 8:00 a.m. on the next regular business day.

(4) When computing any period of time allowed by this rule, the day of the act from which the period of time begins to run will not be included. The last day of the period will be included unless it is a Saturday, Sunday, or legal holiday, in which case the period will run until the end of the next day that is not a Saturday, Sunday, or legal holiday. As used in these rules, legal holiday means those days designated in Section 110.117, F.S.

(5)(a) Any party who appears at a hearing has the right, at his or her own expense, to be represented by an attorney. Attorney means a member of The Florida Bar.

(b) Any attorney who files a request for a hearing or who files any document with the Medical Review Section or the panel will be deemed to have entered an appearance and will be counsel of record in the proceeding. Any attorney representing the State of Florida will file a notice of appearance. Attorneys should file a notice of appearance as soon as possible.

(c) Service on counsel of record constitutes service on the party represented.

(d) On written motion, the panel will grant counsel of record leave to withdraw, unless the withdrawal interferes with the efficient and proper functioning of the proceedings. A copy of a motion to withdraw must be served by the attorney on all parties. Service may be made by regular United States mail or by personal delivery.

(6) Hearings will be held before a panel consisting of three or more persons and must include at least one Board member, one attorney from the Department's Office of General Counsel, and one employee of the Department's Division of Motorist Services. The panel will be selected and approved by the Director of Motorist Services, or his or her designee, who will also designate one member of the panel as the panel chair. The panel chair will be responsible for all administrative matters related to the hearing. Any person who participated in making the recommendation to or decision of the Department pursuant to Rule 15A-5.0021, F.A.C., may not be a member of the panel.

(7) Unless otherwise allowed by law or by agreement of the parties, a hearing under this rule must be held within 45 days of receipt of a timely request for hearing by the Medical Review Section.

(8) Unless otherwise agreed by the parties, all hearings will be held in Tallahassee at the Department of

Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Neil Kirkman Building, Tallahassee, Florida 32399-0500. Parties may appear at a hearing by means of video teleconference or by telephone.

(9) The panel chair will set the time and place for all hearings and will serve written notice of any hearing on all parties at their address of record. The parties must be served notice at least 14 days prior to the hearing unless otherwise agreed by the parties or unless otherwise provided by law. Service may be made by regular United States mail or by personal delivery.

(10)(a) Upon the written request of any party, the panel chair will issue a subpoena for the attendance of a witness at the hearing. Such requests may be submitted ex parte to the panel for issuance.

(b) A request for a subpoena must include the name and signature of the party making the request, the case number of the matter for which the subpoena is requested, the name and address of the witness whose attendance is requested, the time and place at which the witness is to appear, and a statement regarding how the witness' testimony would provide relevant evidence relating to the issues in the proceeding. The request must also specify whether the witness is required to bring relevant documents to the hearing, which must be specifically described.

(c) Discovery subpoenas will not be issued by the panel.

(d) A subpoena may be served by any person specified by law to serve process or by any person who is not a party and who is 18 years of age or older. Service must be made by delivering a copy to the person named in the subpoena. The party requesting a subpoena to be issued is responsible for the service of such subpoena and the payment of any associated costs and fees. Compensation of witnesses will be in the manner provided in Sections 48.031, 92.141, 92.142, and 120.569, F.S.

(e) Service of a subpoena on a law enforcement officer or on any federal, state, or municipal employee called to testify in an official capacity may be made as provided in Section 48.031, F.S., or by delivery to a designated supervisory or administrative employee at the witness' place of employment if the Executive Director or highest ranking official at the witness' place of employment has designated such employee to accept such service. However, no such designated employee is required to accept such service:

1. For a witness who is no longer employed by the agency at that place of employment;
2. If the witness is not scheduled to work prior to the date the witness is required to appear; or
3. If the appearance date is less than seven days from the date of service.

The Executive Director or highest ranking official at the witness' place of employment may determine the days of

the week and the hours that service may be made at the witness' place of employment.

(f) Proof of service of a subpoena must include the date and time of service, the name of the person served, a certification of service by the person who served the subpoena, and proof of payment of witness compensation.

(g) The panel chair is authorized to amend or strike a request for a subpoena that does not comply with the provisions of this rule. The panel is authorized to quash or limit a subpoena prior to or at a hearing.

(h) Any person subject to a subpoena may, before compliance and on timely motion, request the panel to invalidate the subpoena on the ground that it was not lawfully issued.

(i) A party may seek enforcement of a subpoena issued under the authority of this rule by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides. A failure to comply with an order of the court enforcing a subpoena may result in a finding of contempt of court. However, no person will be in contempt while a subpoena is being challenged. The court may award to the prevailing party all or part of the costs and attorney's fees incurred in obtaining the court order whenever the court determines that such an award should be granted under the Florida Rules of Civil Procedure.

(11) The panel will not hear any matter nor issue any order related to discovery.

(12) At the hearing, each party will have the right to present evidence relevant to the issues, to cross-examine opposing witnesses, to impeach any witness, and to rebut adverse evidence. Relevant evidence is defined as evidence which tends to prove or disprove a material fact. Panel members may question any witness.

(13) All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs will be admissible whether or not such evidence would be admissible in a trial in the courts of Florida. Any part of the evidence may be received in written form.

(14) The rules of privilege apply to the same extent as in civil actions under Florida law.

(15) Oral evidence must be taken only on oath or affirmation administered by a notary public. Testimony may be taken by means of video teleconference or by telephone. If testimony is taken by telephone, a notary public must be physically present with the witness to administer the oath or affirmation. The notary public must provide a written certification to be filed with the panel confirming the identity of the witness, and confirming the oath or affirmation by the witness. It is the responsibility of the party calling the witness to secure the services of a notary public.

(16) The Department has the responsibility for recording the testimony presented at a hearing utilizing a voice

recording device. Any party to a hearing may, at its own expense, provide a certified court reporter for the recording of testimony. At hearings reported by a court reporter, any party who wants a transcript of the testimony must order the transcript at its own expense. If a court reporter records the proceedings, the recordation will become the official transcript.

(17) The panel will determine whether the Department's decision to deny a driving privilege, or to revoke, suspend, or cancel a driver license is supported by a preponderance of the evidence. The panel is the sole decisionmaker as to the weight, relevance, and credibility of any evidence presented. The panel will prepare a Recommended Order and transmit it to all parties and to the Executive Director or designee who will enter a Final Order based on the evidence and findings. The Recommended Order must include a caption, the time and place of hearing, all appearances entered at the hearing, a statement of the issues, separately stated findings of fact and conclusions of law, and a recommendation for final agency action. Unless waived by all parties, the Recommended Order must be transmitted to the parties within 20 days after the hearing or receipt of the hearing transcript, whichever is later.

(18) Within 15 days after the entry of the Recommended Order, the parties may file with the Medical Review Section exceptions to findings of fact and conclusions of law contained in a Recommended Order. Exceptions must identify the disputed portion of the Recommended Order by page number or paragraph, must identify the legal basis for the exception, and must include any appropriate and specific citations to the record. Any party may file responses to another party's exceptions within 10 days after the date the exceptions are filed with the Medical Review Section.

(19)(a) If the applicant or licensed driver fails to appear at a duly noticed hearing, the right to a review of the Department's decision on licensure will be waived. The panel will provide notice to the party of his or her failure to appear and its intention to issue a Recommended Order sustaining the findings of the Department in its decision on licensure.

(b) Within five days of the scheduled hearing, the applicant or licensed driver may submit to the panel a written statement alleging good cause for his or her failure to appear at the hearing.

(c) For the purpose of this section, good cause means extraordinary circumstances beyond the control of the applicant or licensed driver or his or her attorney that prevented the party from attending the hearing. If good cause is shown, the hearing will be continued and notice setting a new hearing date will be sent to all parties by the panel

chair.

(d) No hearing will be continued for a second failure to appear.

(e) If the applicant or licensed driver does not provide a written statement alleging good cause or if good cause is not found by the panel, the panel will issue its Recommended Order to the Department.

(f) This section does not apply to the nonappearance of an applicant or licensed driver who is represented at hearing by an attorney.

(20) The Executive Director or designee will enter a Final Order within 45 days after receipt of the Recommended Order. A Final Order may be appealed pursuant to Section 322.31, F.S. The date of rendition of a Final Order is the date an order is mailed pursuant to Section 322.251, F.S. A request for appeal of a Final Order will not stay a denial or revocation of a driver license.

Rulemaking Authority 322.02, 322.125, 322.222 FS. Law Implemented 120.569, 120.57, 120.80, 322.05, 322.125, 322.221, 322.222 FS. History—New

15A-5.004 Seizures Neurological Guidelines for Applicants with Seizures.

(1) Applicants or licensed drivers must should be seizure free for a period of two years before having their the license issued or reinstated, but if under regular medical supervision, may apply at the end of six months one year to be reconsidered reviewed by the Medical Advisory Board for issuance or reinstatement if they are under regular medical supervision and seizure free. Applicants or licensed drivers with “petit mal,” absence seizures, and partial seizures with complex symptomology will also be subject to these guidelines. An applicant or licensed driver with an isolated seizure with a normal electroencephalogram may be reconsidered by the Board at the end of three months. Applicants or licensed drivers must present a Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician. A copy of the form is available on the Department’s website.

(2) Applicants or licensed drivers who have been approved for license issuance or reinstatement after being seizure free for six months may be required one year seizure free while on medication will have to submit follow-up medical information at periodic intervals as recommended by the Board reports at the end of one year.

(3) Applicants or licensed drivers who have had a chronic recurring seizures seizure disorder (or have been treated for such for one year) and who have anti-epileptic medications have been discontinued will not be licensed

~~eligible to have their license reinstated for a two-year seizure-free period. The cause of a seizure or seizures may be the basis for special consideration by the Medical Advisory Board. In general, medications should not be discontinued before a three-year seizure-free period. If medications are discontinued, a patient will be required not to drive during the period of drug withdrawal and for a period of three months following complete cessation of treatment. If the applicant or licensed driver has seizures during this withdrawal period, licensing may be considered after a three-month seizure-free interval or upon return to adequate therapy.~~

(4) If there is a question about the seizure type or the medication the applicant or licensed driver is prescribed on, it is the prerogative of the Medical Board to question the physician further in an effort to clarify the nature of the seizures.

(5) No change.

(6) Applicants or licensed drivers with only non-epileptic seizures or chronic nocturnal seizures will be considered on an individual basis given special consideration on the recommendation of the physician filling out the medical report.

(7) “Petit mal” or absence seizures and partial seizures with complex symptomatology will also follow these guidelines.

(8) Applicants with syncopal episodes who have no clear diagnosis established should have a neurological evaluation including electroencephalography.

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c), 120.62 FS. History—New 7-5-81, Formerly 15A-5.04, Amended 6-27-82, _____ Formerly 15A-5.04.

15A-5.005 Loss of Consciousness.

(1) Recommendations by the Board as to whether an applicant or licensed driver who suffers from loss of consciousness can safely operate a motor vehicle will depend upon consideration of the Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], and Loss of Consciousness Follow-Up Form, HSMV 72117, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician medical reports indicating the cause of for the loss of consciousness. Copies of the forms are available on the Department’s website.

(2) Applicants or licensed drivers who may have experienced a loss of consciousness as a result of

hypoglycemia must provide a Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], and/or Diabetes/Hypoglycemia Follow-Up Form, HSMV 72112, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician for consideration by the Board. If the hypoglycemic episode resulted in a motor vehicle crash, the applicant or licensed driver must present a Diabetes Form, HSMV 72118, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician. Copies of the forms are available on the Department's website

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c); 120.62 FS. History—New 6-27-82, Formerly 15A-5.05, Amended

15A-5.006 Cardiovascular Deficits ~~Cardio-Vascular Impairments~~.

Applicants or licensed drivers who experience cardiovascular deficits ~~cardio-vascular impairments~~ must present a Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician indicating their evidence of his physical ability qualifications to safely operate a motor vehicle. A copy of the form is available on the Department's website.

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c); 120.62 FS. History—New 7-5-81, Formerly 15A-5.06, Amended 6-27-82, _____ Formerly 15A-5.06.

15A-5.008 Deficits ~~Impairments~~ of Memory or Judgment.

Applicants or licensed drivers who suffer from deficits ~~medically significant impairments~~ of memory or judgment must present a Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, from their treating physician indicating their medical report of his or her physical and mental ability qualifications to safely operate a motor vehicle. A copy of the form is available on the Department's website.

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c); 120.62 FS. History—New 7-5-81, Formerly 15A-5.08, Amended 6-27-82, _____ Formerly 15A-5.08.

15A-5.009 Musculoskeletal ~~and or~~ Neuromuscular ~~Disorders~~ ~~Impairments~~.

(1) Applicants or licensed drivers with static ~~Static~~ musculoskeletal ~~or and~~ static neuromuscular disorders who ~~will be exempted from the guidelines provided the individual can demonstrate that they~~ he can safely operate a motor vehicle with or without the use of aids and devices based on an examination or reexamination as outlined in Rule 15A-5.0021, F.A.C., may be required to submit a Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, for review by the Board. Applicants or licensed drivers may be exempted from further reviews since these conditions are static and not likely to progress. A copy of the form is available on the Department's website.

(2) Applicants or licensed drivers with progressive musculoskeletal and progressive neuromuscular disorders will be required to submit a Medical Report, HSMV 72423, Rev. 09/17, [hyperlink], herein incorporated by reference, statement from their treating a physician indicating they have the mental and physical ability capabilities to safely operate a motor vehicle drive. These applicants or licensed drivers must provide periodic follow-up medical information as recommended by the Board due to the progressive nature of these disorders individuals should also take the driving portion of the driver examination every four years at the date of renewal if recommended by their physician. They may also be required by the Board to take an examination or reexamination as outlined in Rule 15A-5.0021, F.A.C. A copy of the form is available on the Department's website.

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c), 120.62 FS. History—New 7-5-81, Formerly 15A-5.09, Amended 6-27-82, _____ Formerly 15A-5.09.

15A-5.010 Severe ~~Emotional and Mental Disorders~~ Conditions.

(1) Applicants or licensed drivers who have been adjudged incompetent will not be considered capable of safely operating a motor ~~vehicle vehicles~~ unless their his or her competency has been judicially restored.

(2) Applicants or licensed drivers who have suffered from severe ~~emotional or mental disorders that conditions~~ ~~which~~ have required hospitalization or treatment for six months or more must present a Mental Status Examination Form, HSMV 72481, Rev. 09/17, [hyperlink], herein incorporated by reference, from a licensed psychiatrist of their psychiatric report of his or her mental ability qualifications to safely operate a motor vehicle. A copy of the form is available on the Department's website. Mental disorders may include:

- (a) Acute and/or chronic psychotic reaction;
- (b) Personality disorders that manifest violent or aggressive behavior;
- (c) Other serious ~~emotional or~~ mental disorders that interfere with judgment ~~or~~ and reaction time.

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c); 120.62 FS. History—New 7-5-81, Formerly 15A-5.10, Amended 6-27-82, _____ Formerly 15A-5.10.

15A-5.011 Vision Standards.

~~(1) Applicants who have 20/50 vision or worse in either eye without corrective lenses are referred to a licensed practitioner for possible improvement.~~

~~(1)(2)~~ Applicants or licensed drivers who have 20/50 vision or worse in either eye, with or without corrective lenses, will be are referred to an eye specialist for possible improvement.

~~(2)(3)~~ Applicants or licensed drivers who have 20/70 vision in either eye or with both eyes, may be issued a license pass with or without corrective lenses, if vision cannot be improved; however, if one eye is blind, or 20/200 or worse, the other eye must be 20/40 or better.

~~(4) Applicants who have 20/80 vision or worse, with both eyes, are not licensed.~~

~~(3)(5)~~ 130 degrees is The the minimum acceptable field of vision; for an applicant or licensed driver is 130 degrees using a 4 mm² with 5mm white target.

~~(4)~~ Applicants or licensed drivers who cannot meet these standards will not be issued a driver license or will have their driver license revoked. When requested by the Department, applicants or licensed drivers must present a Report of Eye Examination, HSMV 72010 S, Rev. 05/14, [hyperlink], incorporated by reference in Rule 15A-1.013, F.A.C., or a Prism Form, HSMV 72111, Rev. 09/17, [hyperlink], herein incorporated by reference, by an eye specialist indicating visual standards required for licensing. Copies of the forms are available on the Department's website.

~~(5)(6)~~ The use of telescopic lenses ~~lens~~ to meet visual standards is not permitted ~~recognized~~.

Rulemaking Authority 322.02(6) 322.02(3), 322.125(7), 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c); 120.62 FS. History—New 7-5-81, Formerly 15A-5.11, Amended 8-15-16, _____.

15A-5.012 Drug Addiction and Alcoholism.

(1) An applicant or licensed driver with a drug, alcohol, or substance abuse disorder that renders him or her incapable of operating a motor vehicle safely will not be issued a driver license or will have his or her driver license revoked.

(2) An applicant or licensed driver with a drug, alcohol, or substance abuse disorder may be approved for licensure after he or she has received counseling and/or treatment from a substance abuse specialist or treatment center and has met all requirements identified in Chapters 316 and 322, F.S. In addition, the applicant or licensed driver must provide to the Department an Alcohol and Drug Usage Form, HSMV 72480, Rev. 09/17, [hyperlink], herein incorporated by reference, from a physician or treatment source indicating that they are compliant with treatment and are capable of operating a motor vehicle safely. A copy of the form is available on the Department's website.

Rulemaking Authority 322.02(6), 322.125(7) 322.126(1) FS. Law Implemented 322.05(7), (10), 322.125(1), (2), (3), 322.126(1), 322.221(2)(c) FS. History—New _____.



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Alcohol and Drug Usage Form

Please have this form completed by your physician or treatment provider.

CLIENT/PATIENT'S NAME: _____ DATE OF BIRTH: _____

DRIVER LICENSE#: _____ TELEPHONE #: _____

1. Please provide a brief history of this individual's alcohol and/or drug usage:

2. Has this individual participated in an alcohol/drug treatment program? Yes _____ No _____

If yes, please provide the following:

Where? _____

Length of time in treatment: _____

Date of admission/discharge: _____

3. Is the individual currently participating in an aftercare program? _____

How frequently? _____

4. How long have you known this individual? _____

Frequency of contact? _____

5. To the best of your knowledge, how long has this individual been alcohol and/or drug free?

6. Do you feel this individual would be capable of operating a motor vehicle safely?

Yes _____ No _____

Comments: _____

When Completed, Please Mail to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature: _____

Name (please print): _____

Position/Medical License # (if applicable): _____

Address: _____

Telephone Number: _____

Date: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Commercial Driver License Form

NAME: _____ DL#: _____

Do you wish to downgrade your commercial driver license to a non-commercial (Class E) driver license?

Yes _____ No _____

- If "No," or if you are applying for a commercial driver license, please answer the following questions:

1. Briefly describe the type of vehicle you are operating (or will be operating) and your job duties:

2. Do you operate, or intend to operate, a commercial motor vehicle in interstate operations?

Yes _____ No _____

- If "Yes," have you been issued any federal exemptions and/or waivers? Yes _____ No _____

3. Do you operate, or intend to operate, a commercial motor vehicle only within the State of Florida?

Yes _____ No _____

- If "Yes," are you an employee of an electric utility or telephone company who operates a commercial motor vehicle only in the State of Florida and within a 200-mile radius? Yes _____ No _____

4. Do you, or do you intend to, perform transportation for a federal, state, county, or city agency or an agency established under a compact agreement between states? Yes _____ No _____

- If "Yes," Please provide the name of the agency: _____

5. Do you, or do you intend to, transport hazardous materials? Yes _____ No _____

6. Are you required to possess a current medical examiner's certificate? Yes _____ No _____

- If "Yes," please attach a copy.

I certify that the above statements are true to the best of my knowledge.

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature: _____

Print Name: _____

Telephone Number: _____

Date: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Diabetes Form

RE: _____
DL#: _____
DOB: _____

Dear Physician:

This individual was reported to the Department after having an episode of hypoglycemia that resulted in a motor vehicle crash on <<enter date>>. We are in the process of assessing their ability to safely operate a motor vehicle and need your input on the following questions:

1. How long have you treated the patient? When did you last see the patient in your office?

2. Has the patient experienced any further episodes of hypoglycemia since the crash?
Yes _____ No _____

If the answer is yes, please provide the date(s) and severity of the reaction(s).

3. What is your assessment of how well the patient's diabetes is being managed?

4. What advice has the patient been given to prevent recurrence of hypoglycemia while driving?

5. To the best of your knowledge, is this patient sufficiently well instructed and conscientiously applying these instructions to the point that it is highly unlikely that they would have another episode of hypoglycemia while operating a motor vehicle? Yes _____ No _____

Comments: _____

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature of Physician: _____
Print Physician's Name: _____
Medical License #: _____
Address: _____
Telephone Number: _____
Date: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Diabetes/Hypoglycemia Follow-Up Form

RE: _____
DL#: _____
DOB: _____

Dear Physician:

This individual was previously reviewed by our Department for an episode of hypoglycemia on <<enter date>>. We are in the process of reassessing his/her ability to safely operate a motor vehicle and need your input on the following questions:

1. How long have you treated the patient? When did you last see the patient in your office?
2. Has the patient experienced any further episodes of hypoglycemia? Yes _____ No _____
If the answer is yes, please provide the date(s) and severity of the reaction(s).
3. What is your assessment of the control of the patient's diabetes?
4. What advice has the patient been given to prevent recurrence of hypoglycemia while driving?
5. To the best of your knowledge, is the patient sufficiently well instructed and conscientiously applying these instructions to the point that it is highly unlikely that they would have an episode of hypoglycemia while operating a motor vehicle? Yes _____ No _____

Comments: _____

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature of Physician: _____
Print Physician's Name: _____
Medical License #: _____
Address: _____
Telephone Number: _____
Date: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Loss of Consciousness Follow-Up Form

RE.: _____
DL#: _____
DOB: _____

Dear Physician:

This individual was previously reviewed by our Department for a loss of consciousness on <<enter date>>. We are in the process of reassessing his/her ability to safely operate a motor vehicle and need your input on the following questions:

1. How long have you treated the patient? When did you last see the patient in your office?
2. Has the patient experienced any further loss of consciousness? Yes _____ No _____
If the answer is yes, please provide the date(s) and probable cause of the episode(s).
3. What treatment, if any, is the patient currently receiving? Please include a list of any medication.
4. From a medical stand point, do you believe that it is safe for the patient to continue to operate a motor vehicle? Yes _____ No _____

Comments: _____

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature of Physician: _____
Print Physician's Name: _____
Medical License #: _____
Address: _____
Telephone Number: _____
Date: _____

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
Medical Advisory Board Recommendation Form

NAME: _____ DATE: _____

REFERRED TO DOCTOR: _____ BY SPECIALIST: _____

CASE TYPE: ☐ Initial ☐ Follow-up ☐ Re-open ☐ Reconsideration ☐ Administrative Hearing

☐

CLASS A, B, AND C REVIEW

☐ APPROVAL WITH (check all that apply):

☐ NO FOLLOW-UP

☐ FOLLOW-UP due to: _____

☐ 3 MONTHS ☐ 6 MONTHS ☐ 1 YEAR ☐ 2 YEARS ☐ OTHER: _____

☐ VISION TEST ☐ ROAD TEST ☐ WRITTEN TEST due to: _____

☐ DENIAL (please indicate below what information can be submitted for reconsideration) due to: _____

☐ DEFER (please indicate below what information is needed)

COMMENTS: _____

☐

CLASS E REVIEW

☐ APPROVAL WITH (check all that apply):

☐ NO FOLLOW-UP

☐ FOLLOW-UP due to: _____

☐ 3 MONTHS ☐ 6 MONTHS ☐ 1 YEAR ☐ 2 YEARS ☐ OTHER: _____

☐ VISION TEST ☐ EXTENDED ROAD TEST ☐ WRITTEN TEST due to: _____

☐ CERTIFIED DRIVER EVALUATION due to: _____

☐ DENIAL (please indicate below what information can be submitted for reconsideration) due to: _____

☐ DEFER (please indicate below what information is needed)

COMMENTS: _____

Member, Medical Advisory Board

Date

FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
Medical/Re-Exam Referral Form

This form is completed by examiners/agents to document observations and/or admissions by the customer concerning issues that may affect the customer's ability to safely operate a motor vehicle.

Customer Information

Name of Customer _____ DOB _____ Sex _____
Address _____ Telephone Number _____
Driver License Number _____ State _____ Type _____

Source of Information

A. Driver License Application

Examiner Name _____ Office Telephone Number _____

B. Informant / Written Complaint

Name of Informant _____ Relationship to Customer _____
Address of Informant _____ Telephone Number _____

Observations / Admissions

A. Customer's Admissions

- | | | |
|--|--|---|
| <input type="checkbox"/> Progressive Neurological Disorder | <input type="checkbox"/> Alzheimer's Disease | <input type="checkbox"/> Epilepsy |
| <input type="checkbox"/> Fainting | <input type="checkbox"/> Dizzy Spells | <input type="checkbox"/> Alcohol/drug addiction within past 2 years |

Treating Physician Name _____ Telephone Number _____

B. Examiner/Agent Observations

- | | |
|---|--|
| <input type="checkbox"/> Difficulty with Mobility | <input type="checkbox"/> Lack of Comprehension or Orientation |
| <input type="checkbox"/> Hearing or Visual | <input type="checkbox"/> Difficulty Responding to Questions Due to Memory or Confusion |
| <input type="checkbox"/> Violent or Aggressive Behavior | <input type="checkbox"/> Weakness or Coordination Problems |
| <input type="checkbox"/> Other | |

Please Explain Any Area That Was Marked: _____

Recommendation

- ☐ 5 Day Letter
- ☐ Complete the Five-Day Letter.
 - ☐ Retain documents in the issuing office for one year. They do not need to be sent to Medical Review Program.
- ☐ Forward to Medical
- ☐ Mail or fax the completed form to Division of Motorist Services, Attention: Medical Review Program, Room A227, Neil Kirkman Building, Tallahassee, Florida 32399-0570, Fax (850) 617-3944.

| | | | | | |
|-----------------------------|---------|------|---------------------------------|---------|------|
| Signature of Examiner/Agent | User ID | Date | Signature of Supervisor/Manager | User ID | Date |
|-----------------------------|---------|------|---------------------------------|---------|------|

Office Address

Office Number



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Medical Referral Form

Our agency is committed to complying with the Americans with Disabilities Act (ADA), a federal law which makes it unlawful to discriminate against a qualified person with a disability. Medical reviews are initiated based on medical conditions or symptoms that could affect the safe operation of a motor vehicle and not the age of the driver.

Sections 322.126(2) and (3), Florida Statutes, provide, in part, that "Any physician, person, or agency having knowledge of any licensed driver's or applicant's mental or physical disability to drive . . . is authorized to report such knowledge to the Department of Highway Safety and Motor Vehicles . . . The reports authorized by this section shall be confidential . . . No civil or criminal action may be brought against any physician, person or agency who provides the information herein."

When reporting an individual whose driving ability is questionable due to some physical or mental deficit or disorder, please complete as much of the information listed below as possible:

Name: _____ Date of Birth: _____

Address: _____ City: _____

☐ Male ☐ Female Zip Code: _____

Driver License Number: _____ State: _____

Physical or Mental Deficit or Disorder Noted:

- | | | |
|--|---|---|
| <input type="checkbox"/> Seizures | <input type="checkbox"/> Severe Cardiac Condition | <input type="checkbox"/> Stroke |
| <input type="checkbox"/> Loss of Consciousness | <input type="checkbox"/> Uncontrollable Diabetes | <input type="checkbox"/> Dementia/Memory Deficits |
| <input type="checkbox"/> Psychiatric Disturbance | <input type="checkbox"/> Drug/Alcohol Addiction | <input type="checkbox"/> Severe Visual Deficit |
| <input type="checkbox"/> Sleep Disorder | <input type="checkbox"/> Other | |

Please explain each area that was marked: _____

Please indicate how you know this individual (friend, family member, patient, etc.): _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Medical Referral Form

Please provide your information (Note: The name and signature of the reporting person is required to investigate the report.)

Name of Law Enforcement Agency or Health Care Provider (if applicable): _____

Law Enforcement ID/Badge # or Medical License # (if applicable): _____

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Name: _____

Signature: _____

Address: _____

Telephone: _____

Date of Report: _____



ESTADO DE LA FLORIDA
DEPARTAMENTO DE SEGURIDAD EN LAS CARRETERAS
Y VEHICULOS MOTORIZADOS

Forma De Referencia Medica

Nuestra agencia se compromete a cumplir con el Americans with Disabilities Act (ADA), una ley federal que es ilegal discriminar a una persona calificada con una discapacidad. Además, se inician los comentarios médicos basado en dolencias o síntomas que podrían afectar la operación segura de un vehículo de motor y no la edad del conductor.

Estatutos de la Florida de las secciones 322.126 (2) y (3) proporcionar, en parte, que "Cualquier médico, persona o agencia que tenga conocimiento de la discapacidad mental o física del solicitante ni de conductor con licencia para conducir . . . está autorizada para informar tal conocimiento al Departamento de Vehículos a Motor y Seguridad Vial . . . Los informes autorizados por esta sección será confidenciales . . . Ninguna acción civil o penal podrá interponerse contra cualquier médico, persona o agencia que proporciona la información aquí contenida."

Al informar acerca de un individuo cuya capacidad de conducción es cuestionable debido a algún déficit físico o mental o trastorno. Por favor complete la mayor cantidad posible de la información listada abajo:

Nombre: _____ Fecha De Nacimiento: _____

Dirección: _____ Ciudad: _____

☐ Masculino ☐ Hembra Código postal: _____

Número de licencia de conducir: _____ Estado: _____

Déficit Físico o Mental o Trastorno Observado:

- | | | |
|---|---|---|
| <input type="checkbox"/> Incautación | <input type="checkbox"/> Condición cardíaca Severa | <input type="checkbox"/> Accidente Cerebrovascular |
| <input type="checkbox"/> Pérdida de la Conciencia | <input type="checkbox"/> Diabetes Incontrolable | <input type="checkbox"/> Demencia/ Déficit de Memoria |
| <input type="checkbox"/> Perturbaciones Psiquiátricas | <input type="checkbox"/> Adicción a Drogas y Alcohó | <input type="checkbox"/> Déficit Visual Severo |
| <input type="checkbox"/> Trastorno del Sueño | <input type="checkbox"/> Orto | |

Por favor explicar cada zona que fue marcada: _____

Por favor indicar cómo lo sabe esta persona (amigo, familiar, paciente, etc): _____



ESTADO DE LA FLORIDA
DEPARTAMENTO DE SEGURIDAD EN LAS CARRETERAS
Y VEHICULOS MOTORIZADOS

Forma De Referencia Medica

Por favor proporcione su información (Nota: el nombre y la firma de la persona de información es necesaria para investigar el informe.)

Nombre de la Agencia de Policía o Médico (si aplica): _____

Ley aplicación **ID/placa #** o **Licencia Médica #** (si aplica): _____

Envíe por Correo este Formulario a:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Nombre: _____

La firma: _____

Dirección: _____

Teléfono: _____

Fecha del informe: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

MEDICAL REPORT

INSTRUCTIONS TO THE DRIVER: Please take this form to the physician most familiar with your medical history and the current status of your medical condition(s).

Name: _____ Driver License #: _____

Date of Birth: _____ Telephone #: _____

INSTRUCTIONS TO THE PHYSICIAN: Please complete this form in its entirety. If a section does not apply, indicate "not applicable" or "N/A".

HISTORY:

1. How long have you known this patient? _____ Date of last office visit? _____

2. Other physicians the patient has seen in the past 2 years: _____

3. List any medical conditions or physical impairments the patient has: _____

4. List all prescribed medications: _____

5. Does the patient receive regular medical care? _____ Is patient reliable in taking medications? _____

SECTION 1 – NEUROLOGICAL

Does the patient have a history of epilepsy or convulsive seizures? _____

Date of last seizure of any type: _____

Medication and dosage for prevention: _____

Current anticonvulsant blood level: _____ Date taken: _____

If not in therapeutic range, please explain: _____

If medication discontinued, give date: _____ EEG? (Please attach a copy): _____

Please list any progressive neurological or neuromuscular disease: _____

Please describe any physical activity limitations imposed by the condition: _____

What is the status of the condition? _____ FSS/EDSS? (Please attach a copy): _____

Please list any neurological deficits due to CVA's, closed head injury, etc.: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

MEDICAL REPORT

SECTION 2 – LOSS OF CONSCIOUSNESS/DIZZINESS

Does the patient have a history of blackouts, fainting spells, or dizziness? _____

Possible cause: _____ Frequency: _____ Date of last episode: _____

SECTION 3 – PSYCHIATRIC

Has the patient ever been admitted to a hospital or treated for mental or emotional illness? _____

Facility: _____ Date of admission: _____ Date discharged: _____

Is the patient presently under treatment for, show evidence of, or have difficulty with any emotional problems or mental illness? _____ If yes, please attach a psychiatric report.

What is the status of the condition? _____

SECTION 4 – MENTAL/COGNITIVE

Is there any evidence of memory loss? _____ Any evidence of organic brain syndrome? _____

Any history of frequent or intermittent confusion? _____

If there are any cognitive deficits noted above, please provide the results of a Mini Mental State Exam (MMSE) or a

Montreal Cognitive Assessment (MoCA): _____

Education level of patient: _____

SECTION 5 –ALCOHOL AND DRUG

Is there any evidence or personal knowledge of addiction or abuse of alcohol or other drugs? _____

When and where has patient been treated for alcoholism or drug dependency: _____

Does the patient consume alcohol or drugs at this time? _____ To what extent? _____

If not, how long has the patient been alcohol and/or drug free: _____

SECTION 6 – DIABETES

What type of diabetes does the patient have? _____

How many times has patient been in diabetic ketoacidosis? _____ Date of last episode: _____

Frequency of hypoglycemic episodes involving LOC or near LOC: _____ Date of last episode: _____

How frequently have you seen this patient for control of patient's diabetes? _____

The physician's assessment of the control of the patient's diabetes: _____

If uncontrolled, please explain: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

MEDICAL REPORT

SECTION 7 – CARDIAC

Please describe any cardiac problem the patient has that could interfere with driving: _____

Please provide date of last episode of any LOC related to cardiac abnormalities or arrhythmias: _____

Please describe any treatment the patient is receiving: _____

What is the status of the condition? _____

SECTION 8 – MUSCULOSKELETAL

Explain any limitation of motion, weakness, spasticity, or paralysis: _____

What is the status of the condition? _____

Would adaptive equipment assist the patient with driving? _____ If yes, please describe: _____

Has the patient completed a recent Certified Driver Evaluation (CDE)? _____ If yes, please attach copy.

SECTION 9 – SLEEP DISORDER

Please describe the frequency, severity, and treatment of the following sleep disorders: sleep apnea, narcolepsy, or insomnia: _____

What is the status of the condition? _____

SECTION 10 – VISUAL

Visual acuity – Name of equipment used: _____

Without glasses: RE 20/ _____ LE 20/ _____ BE 20/ _____

With glasses: RE 20/ _____ LE 20/ _____ BE 20/ _____

Field of vision: RE _____ LE _____ BE _____

Does the patient use prism lenses to compensate for visual field loss? _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

MEDICAL REPORT

PHSYCIAN'S RECOMMENDATION

Dear Doctor: The Department's Medical Advisory Board is charged with determining this individual's physical and mental ability to safely operate a motor vehicle. The information provided by you is vital in making this determination. In addition, we would like you to provide your opinion below as to whether or not this individual can operate a motor vehicle safely. This will be taken into consideration when rendering a decision in this case.

PLEASE ANSWER "YES" OR "NO" HERE: _____ PLEASE EXPLAIN YOUR ANSWER:

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature of Physician: _____

Print Physician's Name: _____

Medical License #: _____

Classification or Specialty: _____

Address: _____

Telephone Number: _____

Date: _____



**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES**

Mental Status Examination Form

Name: _____

Date of Birth: _____

Driver License #: _____

Telephone #: _____

1. How long have you treated this client?

2. List other physicians who have treated the client in the past two years:

3. Brief history of illness for which you are treating the client:

4. General appearance, manner, attitude, and behavior:

5. Consciousness and sensorium:

6. Affectivity and mood:

7. Associations and thought processes - delusions, hallucinations, etc.:

8. Memory, recent and remote:

9. Calculation:

10. Fund of information:

**STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES**

Mental Status Examination Form

Name: _____ Driver License #: _____

11. Judgment and insight:

12. Personality maturity:

13. History of compliance with treatment:

14. Diagnosis:

15. Current medication and dosage:

16. Are you the physician prescribing the medications?

17. Please comment on the patient's past and current use of alcohol/drugs:

18. In your best judgment and relative to any psychiatric considerations, do you believe this individual can operate a motor vehicle safely? YES: _____ NO: _____

Comments: _____

When Completed, Please Mail to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature of Physician: _____

Print Physician's Name: _____

Medical License #: _____

Specialty: _____

Address: _____

Telephone Number: _____

Date: _____



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY
AND MOTOR VEHICLES

Prism Form

RE: _____
DL#: _____
DOB: _____

Dear Physician:

According to our records, this individual wears prisms. We are in the process of assessing his/her ability to safely operate a motor vehicle and need your input on the following questions:

- 1) What is the patient's current diagnosis and the reason prism(s) are prescribed?
- 2) Is there a paretic muscle involved? If yes, which one?
- 3) Is the prism used for correcting a hemianopsia?
- 4) What kind of prism is the patient currently wearing? (Please provide a description of the location and power of the prism and whether it is on one lens or both.)
- 5) How long has the patient been wearing the prism(s)?
- 6) In your opinion, has the patient adapted to the prism(s) well enough to operate a motor vehicle safely while wearing them? Yes: _____ No: _____

Comments: _____

Mail this Completed Form to:
Bureau of Motorist Compliance
Medical Review Program
Neil Kirkman Building, MS 86
Tallahassee, Florida 32399-0500
Telephone No.: (850) 617-3814
Fax No.: (850) 617-3944

Signature of Physician: _____
Print Physician's Name: _____
Medical License #: _____
Address: _____
Telephone Number: _____
Date: _____

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
OFFICE OF THE GENERAL COUNSEL**

Proposed Rule: Is a SERC Required

Division (choose from drop-down list): Division of Motorist Services

Rule (number & description): Medical Advisory Board Guidelines (Chapter 15A-5, F.A.C.). These guidelines are used by the Medical Advisory Board of the Department of Highway Safety and Motor Vehicles for the purpose of guiding the Board's determination and assessment of the mental or physical deficits affecting the ability of an applicant or licensed driver to safely operate a motor vehicle.

Please remember to analyze the impact of the rule, NOT the statute, when completing this form.

I. Adverse Impact Determination

a. Economic? (Check all that apply.)

- ☐ Increased fees to be paid by licensee, applicant, registrant, etc.
- ☐ Increased costs of doing business (equipment, software, etc.)
- ☐ Increased personnel costs (additional employees, insurance, overtime, training, etc.)
- ☐ Decreased opportunity for profit (limits on fees, scope of business/practice, ability to partner with others, etc.)

b. Non-economic? (Check all that apply.)

- ☐ Increased time and effort to comply (forms, tests, etc.)
- ☐ Increased need for specialized knowledge (legal, technical, etc.)

If any of the above boxes are checked, answer "Yes," then continue to the next section. If no boxes are checked, answer "No," and skip to Section III below. ☐ Yes ☒ No

II. Small Business Determination

a. Are any of the affected entities a "small business?" (Check all that apply.)

- ☐ 200 or less **permanent full-time** employees;
- ☐ Net worth less than \$5 million (including value of affiliates);
- ☐ Independently owned and operated (NOT a subsidiary of another entity); **AND,**
- ☐ Engaged in a commercial enterprise?

If **ALL** of the preceding boxes are checked, answer "Yes," and skip to Section III below.

If you did not check **ALL** of the above boxes, check "No," then continue to the next qualification.

☐ Yes ☐ No

b. Small Business Certification

- ☐ Does any affected entity have Small Business Administration 8(a) certification?

☐ Yes (see, www.ccr.gov) ☐ No

If the answers to I and II are "Yes," the agency must prepare a SERC.

III. Regulatory Cost Increase Determination

Direct:

- a. Increased Regulatory Cost:** _____
- b. Number of Entities Impacted:** _____
- c. Multiply a. times b.:** _____
- d. Is c. greater than \$200,000?** ☐ Yes ☒ No

Indirect:

- e. Any ascertainable indirect costs?** ☐ Yes ☒ No
- f. Amount of Indirect Cost:** _____
- g. Number of Entities Impacted:** _____

- h. Multiply g. times f.: _____
i. Is h. greater than \$200,000? ☐ Yes ☒ No
j. Is h. plus c. greater than \$200,000? ☐ Yes ☒ No

If the answer to d., i., or j. is "Yes," the agency must prepare a SERC.

Prepared By (type name): William R. Henderson

Date (type date): 09-19-2017

To be certified by the agency head, if the agency is within the purview of the Governor; otherwise, certified by the agency's legal counsel or other appropriate person.

Is a SERC required? ☐ Yes ☒ No

Name: Paul A. Vazquez
(Print Name)


(Signature)

Title: Sr. Asst. Gen. Counsel

Date: 10-1-17

Phone: 850-617-3101

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTER 15A-5

MEDICAL ADVISORY BOARD GUIDELINES

RULE NUMBERS:

RULE TITLE:

15A-5.001

Purpose

Summary of Rule

The Department proposes to repeal Rule 15A-5.001, F.A.C., because it does not meet the definition of a rule as required by § 120.52(16), F.S.

Statement of Facts and Circumstances Justifying the Rule

As written, this rule serves as a preamble to Chapter 15A-5 describing the purpose of the chapter and stating a limitation on its application. In response to comments from JAPC dated February 1, 2018, the Department determined that Rule 15A-5.001 does not meet the definition of a rule as required by § 120.52(16), F.S. Accordingly, the Department proposes to repeal the rule.

Federal Standards Statement

No federal standards are implicated by the repeal of this rule.

Summary of Hearings

None at this time.

NOTICE OF PROPOSED RULE

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
Division of Driver Licenses

RULE NO.: RULE TITLE:
15A-5.001 Purpose

PURPOSE: The Department proposes to repeal Rule 15A-5.001, F.A.C., because it does not meet the definition of a rule as required by § 120.52(16), F.S.

SUMMARY: As written, this rule serves as a preamble to Chapter 15A-5 describing the purpose of the chapter and stating a limitation on its application. In response to comments from JAPC dated February 1, 2018, the Department determined that Rule 15A-5.001 does not meet the definition of a rule as required by § 120.52(16), F.S.

Accordingly, the Department proposes to repeal the rule.

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, input from the affected industry, 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(3), 322.126(1), F.S.

LAW IMPLEMENTED: 322.05(7), 322.125(1), (2), 322.126(1), 322.221(2)(c), 120.62, F.S.

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: XXXXXXXXXXXX, 2018, XX:XX X.m.

PLACE: Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Room B203, 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: Ray Graves, Bureau Chief, 2900 Apalachee Parkway, Tallahassee, FL. 32399-0500, Room A201, raygraves@flhsmv.gov, (850)617-2529. 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: Ray Graves, Bureau Chief, 2900 Apalachee Parkway, Tallahassee, FL. 32399-0500, Room A201, raygraves@flhsmv.gov, (850)617-2529.

THE FULL TEXT OF THE PROPOSED RULE IS:

15A-5.001 Purpose.

Rulemaking Authority 322.02(3), 322.126(1) FS. Law Implemented 322.05(7), 322.125(1), (2), 322.126(1), 322.221(2)(c), 120.62 FS. History—New 7-5-81, Formerly 15A-5.01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Graves, Bureau Chief, Department of Highway Safety and Motor Vehicles

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: XXXXXXXXXXXX, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: N/A

15A-5.001 Purpose.

~~These guidelines are used by the Medical Advisory Board of the Department of Highway Safety and Motor Vehicles for the purpose of guiding the Board's determination and assessment of the mental, physical or emotional disabilities affecting the ability of a person to safely operate a motor vehicle in those cases submitted to the Board for its review and recommendation. These guidelines shall not be construed as limiting the exercise of the Board's discretion in recommending its position to the Department on any particular case, which shall be based upon the professional judgment of the members.~~

Rulemaking Authority 322.02(3), 322.126(1) FS. Law Implemented 322.05(7), 322.125(1), (2), 322.126(1), 322.221(2)(c), 120.62 FS. History—New 7-5-81, Formerly 15A-5.01, Repealed.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
OFFICE OF THE GENERAL COUNSEL

Proposed Rule: Is a SERC Required

Division (choose from drop-down list): Division of Motorist Services

Rule (number & description): Medical Advisory Board Guidelines (Chapter 15A-5, F.A.C.). These guidelines are used by the Medical Advisory Board of the Department of Highway Safety and Motor Vehicles for the purpose of guiding the Board's determination and assessment of the mental or physical deficits affecting the ability of an applicant or licensed driver to safely operate a motor vehicle.

Please remember to analyze the impact of the rule, NOT the statute, when completing this form.

I. Adverse Impact Determination

a. Economic? (Check all that apply.)

- ☐ Increased fees to be paid by licensee, applicant, registrant, etc.
- ☐ Increased costs of doing business (equipment, software, etc.)
- ☐ Increased personnel costs (additional employees, insurance, overtime, training, etc.)
- ☐ Decreased opportunity for profit (limits on fees, scope of business/practice, ability to partner with others, etc.)

b. Non-economic? (Check all that apply.)

- ☐ Increased time and effort to comply (forms, tests, etc.)
- ☐ Increased need for specialized knowledge (legal, technical, etc.)

If any of the above boxes are checked, answer "Yes," then continue to the next section. If no boxes are checked, answer "No," and skip to Section III below. ☐ Yes ☒ No

II. Small Business Determination

a. Are any of the affected entities a "small business?" (Check all that apply.)

- ☐ 200 or less **permanent full-time** employees;
- ☐ Net worth less than \$5 million (including value of affiliates);
- ☐ Independently owned and operated (NOT a subsidiary of another entity); **AND,**
- ☐ Engaged in a commercial enterprise?

If **ALL** of the preceding boxes are checked, answer "Yes," and skip to Section III below.

If you did not check **ALL** of the above boxes, check "No," then continue to the next qualification.

☐ Yes ☐ No

b. Small Business Certification

- ☐ Does any affected entity have Small Business Administration 8(a) certification?

☐ Yes (see, www.ccr.gov) ☐ No

If the answers to I and II are "Yes," the agency must prepare a SERC.

III. Regulatory Cost Increase Determination

Direct:

- a. Increased Regulatory Cost: _____
- b. Number of Entities Impacted: _____
- c. Multiply a. times b.: _____
- d. Is c. greater than \$200,000? ☐ Yes ☒ No

Indirect:

- e. Any ascertainable indirect costs? ☐ Yes ☒ No
- f. Amount of Indirect Cost: _____
- g. Number of Entities Impacted: _____

- h. Multiply g. times f.: _____
i. Is h. greater than \$200,000? ☐ Yes ☒ No
j. Is h. plus c. greater than \$200,000? ☐ Yes ☒ No

If the answer to d., i., or j. is "Yes," the agency must prepare a SERC.

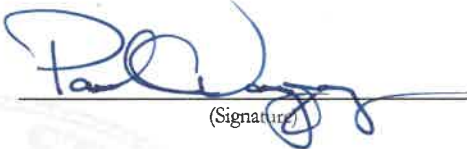
Prepared By (type name): William R. Henderson

Date (type date): 09-19-2017

To be certified by the agency head, if the agency is within the purview of the Governor; otherwise, certified by the agency's legal counsel or other appropriate person.

Is a SERC required? ☐ Yes ☒ No

Name: Paul A. Vazquez
(Print Name)


(Signature)

Title: Sr. Asst. Gen. Counsel

Date: 10-1-17

Phone: 850-617-3101