

AGENDA

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

February 4, 2020

www.flhsmv.gov/pdf/cabinetreports/2020/02042020.pdf

1. Respectfully submit the minutes for the September 24, 2019 Cabinet Meeting.

Attachment #1

Recommend Approval.

2. Respectfully submit Department's Purchases over \$100,000 which are not made from state contract for Fiscal Year 2019-20 for 1st and 2nd Quarters.

Attachment #2

Recommend Approval.

3. Respectfully request approval to file Rule Chapter 15B-16, Wireless Communications Device Driving Safety Program for final adoption.

Attachment #3

Recommend Approval.

STATE OF FLORIDA

IN RE: MEETING OF THE GOVERNOR AND
CABINET

CABINET MEMBERS: GOVERNOR RON DESANTIS
ATTORNEY GENERAL ASHLEY MOODY
CHIEF FINANCIAL OFFICER JIMMY
PATRONIS
COMMISSIONER OF AGRICULTURE
NIKKI FRIED

DATE: TUESDAY, SEPTEMBER 24, 2019

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 DESANTIS: Okay. Highway Safety Motor Vehicles, Director Rhodes.

Good morning.

EXECUTIVE DIRECTOR RHODES: Good morning, Governor DeSantis, General Moody, CFO Patronis, Commissioner Fried. Thank you being here -- having me here today.

My first agenda item seeks approval for the Cabinet minutes.

GOVERNOR DESANTIS: I move to approve.

Is there a second?

ATTORNEY GENERAL MOODY: Second.

CFO PATRONIS: Second.

GOVERNOR DESANTIS: Hearing any -- no objections, the motion carries.

Item 2.

EXECUTIVE DIRECTOR RHODES: The next agenda item seeks approval of the Department's purchases over a hundred thousand dollars not on state term contract for fourth quarter '17/'18 and for '18/'19.

GOVERNOR DESANTIS: I move to approve.

Is there a second?

1 ATTORNEY GENERAL MOODY: Second.

2 GOVERNOR DESANTIS: Any objections?

3 (NO RESPONSE).

4 GOVERNOR DESANTIS: Okay. Hearing none, the
5 motion carries.

6 Item 3.

7 EXECUTIVE DIRECTOR RHODES: All right. The
8 third item, request approval to publish a notice of
9 proposed rule for final adoption if there are no
10 substantive changes to the rule required for
11 15C-21.001. It's for the application for the
12 certificate of title.

13 These are just a regular form change, and this
14 will be incorporated legislative changes to allow
15 deaf -- a person who is deaf or hard of hearing to
16 request the information be noticed on their motor
17 vehicle registration form.

18 GOVERNOR DESANTIS: All right. Move to
19 approve.

20 Is there a second?

21 ATTORNEY GENERAL MOODY: Second.

22 CFO PATRONIS: Second?

23 GOVERNOR DESANTIS: Any objections?

24 (NO RESPONSE).

25 GOVERNOR DESANTIS: Hearing none, the motion

1 carries.

2 Item 4.

3 EXECUTIVE DIRECTOR RHODES: All right. The
4 Department's last agenda item seeks approval of
5 creating a new rule relating to the recent
6 implementation of House Bill 107, the wireless
7 communication while driving. It's known as the
8 "texting bill."

9 The Department requests approval to publish
10 a notice of proposed rule and file for final
11 adoption if no substantive changes to the rule are
12 required for Rule Chapter 15B-16. And this will
13 create the framework to carry out the safety
14 programs for the first-time violators who receive
15 a citation for using a hand -- a handless --
16 handheld wireless communication device in a
17 designated school crossing zone or work zone, and
18 they can elect to take a driving course to use
19 that off their record.

20 GOVERNOR DESANTIS: All right. Move to
21 approve the item.

22 Is there a second?

23 ATTORNEY GENERAL MOODY: Second.

24 GOVERNOR DESANTIS: All right. Hearing no
25 objection, the motion carries.

1 Thank you so much.

2 EXECUTIVE DIRECTOR RHODES: Thank you,
3 Governor.

4 And I appreciate every one of y'all coming out
5 and visiting with the Florida Highway Patrol out
6 there at the EOC. It meant a lot to our troopers
7 to have y'all each there visit with them, so thank
8 you very much.

9 GOVERNOR DESANTIS: We appreciate what they
10 were doing. We had to have them escort all of that
11 gasoline into south Florida when everyone was
12 running from that. It helped because they couldn't
13 get the trucks in there, so thank them for doing
14 that.

15 EXECUTIVE DIRECTOR RHODES: Thank you.

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PURCHASES MADE IN EXCESS OF \$100,000

July 2019 through December 2019

Purchases Made in Excess of \$100,000

FY 19/20 First Quarter Report

JULY - SEPTEMBER 2019

JULY - SEPTEMBER 2019 (First Quarter)

Vendor	Commodity or Service	Procurement Method	Contract Term	Fiscal Year 2019/20 Estimated Expenditures	Total Contract
Pride Enterprises, Inc.	Motor Vehicle Forms	Invitation to Bid	Three years (with up to two renewal years)	\$302,588	\$1,588,840
TruView BSI	Quality Assurance Operations	Invitation to Negotiate	Three years (with up to three renewal years)	\$77,250	\$250,000
Georgia-Florida Burglar Alarm, Co., Inc.	Security and Control Equipment	Single Source	Three years (with no renewal option)	\$27,800	\$100,000
Uniface B.V.	Development Software	Single Source	Three years (with no renewal option)	\$160,048	\$473,751
American Association of Motor Vehicle Administrators (AAMVA)	Online Data Information Retrieval Service	Single Source	Three years (with no renewal option)	\$930,658	\$3,600,000
Lightning Wireless Solutions, Inc.	Vehicle Utility Boxes	Invitation to Bid	Three years with a three-year renewal option	\$245,120	\$735,360

Purchases Made in Excess of \$100,000

FY 19/20 Second Quarter Report

OCTOBER - DECEMBER 2019

OCTOBER - DECEMBER 2019 (Second Quarter)					
Vendor	Commodity or Service	Procurement Method	Contract Term	Fiscal Year 2019/20 Estimated Expenditures	Total Contract
Fairfax Imaging, Inc.	High Speed Scanner Hardware, Software, and Maintenance	Single Source	Three years (no renewal options)	\$300,000 (estimated, including previous single sources) \$268,302 actual spend (all PO's)	\$850,000
Learfield IMG College	Public Service Announcements	Single Source	Seven Months	\$190,000	\$190,000
Capital Asphalt, Inc.	Road Base and Asphalt Materials	Invitation to Bid	Two Years (one year renewal option)	\$897,185	\$897,185
Streicher's, Inc.	Uniforms and Uniform Accessories	Request for Proposal	Five Years (five year renewal option)	\$0	\$3,000,000
Galls, LLC	Uniforms and Uniform Accessories	Request for Proposal	Five Years (five year renewal option)		

Notice of Change

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE NO.: RULE TITLE:

15B-16.001 Definitions

15B-16.002 Program Approval

15B-16.005 Program Completion – Wireless Communications Device Driving Safety Program

15B-16.006 Denial, Suspension or Revocation of Program Approval

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45, No. 195, October 7, 2019 issue of the Florida Administrative Register.

15B-16.001 Definitions

For the purpose of this chapter, which sets forth the standards for approval of the Wireless Communications Device Driving Safety Program by the Department of Highway Safety and Motor Vehicles, the following words and phrases shall have the meaning indicated.

(1) No change.

(2) Program Provider – The owner of the copyright or proprietary interests in a Wireless Communications Device Driving Safety Program. ~~Only one program provider shall be designated for~~ Each Wireless Communications Device Driving Safety Program ~~in the State of Florida shall have one designated program provider.~~

(3) through (6) No change.

(7) Suspension – The ~~temporary or conditional~~ withdrawal of Department approval of a Wireless Communications Device Driving Safety Program for use in the State of Florida until program provider demonstrates to the Department that it has remedied ~~remedies~~ all issues identified by the Department as constituting the reason(s) for such withdrawal relating to the suspension.

(8) through (9) No change.

15B-16.002 Program Approval

(1) through (3) No change.

The following changes are made to page 5 of the Application for Wireless Communications Device Driving Safety Program:

e. Defensive Driving Concepts

For each of the distractions listed above, what defensive driving concepts can drivers use to reduce or avoid having their attention drawn away from the driving task by that distraction?

15B-16.005 Program Completion – Wireless Communications Device Driving Safety Program

(1) The program provider shall electronically submit notice of Elective Student completion through ~~to~~ the Department's Driver Improvement Certificate Issuance System within 24 hours of an Elective Student's completion of the program.

(2) No change.

15B-16.006 Denial, Suspension or Revocation of Program Approval

(1) through (2) No change.

(3) The Department shall revoke approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

~~(a) Violates any applicable state or federal law.~~

~~(b) Violates any provision of Chapter 15B-16, F.A.C.~~

~~(a)(e)~~ Receives a second or subsequent suspension of program approval.

~~(b)(d)~~ Obtains program approval by fraud or misrepresentation.

~~(c)~~(e) Obtains or assists a person in obtaining any driver license by fraud or misrepresentation.

~~(d)~~(f) Conducts a Wireless Communications Device Driving Safety Program in the State of Florida while approval of such program is under suspension.

~~(4) The Department shall suspend approval of any Wireless Communications Device Driving Safety Program without preliminary hearing for the purpose of protecting the public safety and enforcing any provision of the Florida Statutes governing Wireless Communications Device Driving Safety Programs, or any provision of Chapter 15B-16, F.A.C.~~

~~(4)~~(5) Except as otherwise provided by law in this rule, prior to final Department action denying, suspending or revoking approval of a Wireless Communications Device Driving Safety Program, the program provider shall have the opportunity to request either a formal or informal administrative hearing to show cause why the action should not be taken pursuant to sections 120.569 and 120.57, F.S.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTER 15B-16

WIRELESS COMMUNICATIONS DEVICE DRIVING SAFETY PROGRAM

RULE NUMBER:

RULE TITLE:

15B-16.001	Definitions
15B-16.002	Program Approval
15B-16.003	Program Completion Certificates – Wireless Communications Device Driving Safety Program
15B-16.004	Elective Student Records – Wireless Communications Device Driving Safety Program
15B-16.005	Program Completion – Wireless Communications Device Driving Safety Program
15B-16.006	Denial, Suspension or Revocation of Program Approval

Summary: Pursuant to an amendment to section 316.306, Florida Statutes (effective October 1, 2019), the Department proposes to create a new rule chapter to establish standards for approval and administration of Wireless Communication Device Driving Safety Programs.

Statement of Facts and Circumstances Justifying the Rule: During the 2019 Regular Session, the Florida Legislature enacted section 316.306, Florida Statutes. Section 316.306 prohibits individuals from using wireless, handheld communication devices while operating motor vehicles in certain designated areas. Any person who violates this section commits a noncriminal traffic infraction, punishable as a moving violation, and shall have three points assessed against his or her driver license. However, in lieu of this penalty, a first offender under this section may elect to participate in a wireless communications device driving safety program approved by the Department. New rules are necessary to establish standards for program approval and administration. Therefore, the Department proposes to create a new rule chapter to establish standards for approval and administration of wireless communication device driving safety programs.

Summary of Hearings: The Department held a hearing on October 28, 2019. There were five attendees but no public comments. At the hearing, the Department reviewed the rules and announced changes to Rules 15B-16.001, 16.002, 16.005, and 16.006 based on comments from the Joint Administrative Procedures Committee and the Department. The Department held an additional hearing on January 24, 2020.

15B-16.001 Definitions

For the purpose of this chapter, which sets forth the standards for approval of the Wireless Communications Device Driving Safety Program by the Department of Highway Safety and Motor Vehicles, the following words and phrases shall have the meaning indicated.

(1) Class – One or more sessions of an approved Wireless Communications Device Driving Safety Program.

(2) Program Provider – The owner of the copyright or proprietary interests in a Wireless Communications Device Driving Safety Program. Each Wireless Communications Device Driving Safety Program shall have one designated program provider.

(3) Department – The Florida Department of Highway Safety and Motor Vehicles.

(4) Elective Student – A person who attends a Wireless Communications Device Driving Safety Program pursuant to Section 316.306(4)(a), F.S.

(5) Entity – A firm, partnership, association, corporation, public school system, public community college, or public university.

(6) Revocation – The permanent withdrawal of Department approval of a Wireless Communications Device Driving Safety Program for use in the State of Florida.

(7) Suspension – The withdrawal of Department approval of a Wireless Communications Device Driving Safety Program for use in the State of Florida until program provider demonstrates to the Department that it has remedied all issues identified by the Department as constituting the reason(s) for such withdrawal.

(8) Wireless Communications Device – This term has the same meaning as provided in sections 316.305(3)(a) and 316.306(1), F.S.

(9) Wireless Communications Device Driving Safety Program or program – A program approved by the Department, designed for drivers who elect to attend pursuant to section 316.306(4)(a), F.S. A program designated to educate drivers on the dangers of operating a motor vehicle while using wireless communication devices in a handheld manner in a designated school crossing, school zone, or work zone.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History--New

15B-16.002 Program Approval

(1) All Wireless Communications Device Driving Safety Programs conducted in the State of Florida must be approved by the Department.

(a) Each program provider seeking approval of a Wireless Communications Device Driving Safety Program must produce proof

of ownership or copyright to use the program in the State of Florida.

(b) In order to obtain and retain approval by the Department, each program provider shall ensure that all persons or entities conducting the program fully and promptly comply with the applicable laws of the State of Florida. If the program provider is the person or entity conducting the program, then the program provider must fully and promptly comply with the applicable laws of the State of Florida.

(c) In order to obtain and retain Department approval, each program provider shall fully comply with Chapter 15B-16, F.A.C.

(2) Approval of a Wireless Communications Device Driving Safety Program shall be based on Department review of the program materials and effective oversight of the program by the program provider. The program review will be based on the following:

(a) The program provides effective instruction in the following eight topics:

1. Definition of distracted driving, including the types of distractions and how they affect one's ability to drive safely.
2. Impact of distracted driving in the United States and Florida.
3. Strategies to reduce or avoid distracted driving.
4. Driver responsibility concepts.
5. Defensive driving concepts.
6. Rules of the road that relate to safe and distraction-free driving.
7. Impact of physics and natural laws on driving, including perception and reaction times.
8. Psychological factors that affect one's ability to drive safely.

(b) The length of program instruction shall be ninety minutes. An additional ten minutes may be allotted for a break.

(3) A program provider seeking approval of a Wireless Communications Device Driving Safety Program shall submit to the Department HSMV 72891, Application for Wireless Communications Device Driving Safety Program, [effective date], incorporated herein by reference and available at: [DOS hyperlink] or <https://www.flhsmv.gov/pdf/forms/72891.pdf>.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History--New _____.

15B-16.003 Program Completion Certificates – Wireless Communications Device Driving Safety Program

(1) Each program provider must provide each entity conducting its program a certificate of authority to conduct its program in the State. Such certificate must contain the name of the program provider, the name of the entity and the name of the Wireless Communications Device Driving Safety Program. Each program provider shall submit to the Department a copy of all such certificates within five days of issuance. A certificate is not required if the program provider is the person or entity conducting its

program.

(2) The program provider shall ensure that only Department-approved instructional materials are used in the presentation of the program.

(3) The program provider shall ensure that each person who successfully completes a Wireless Communications Device Driving Safety Program is issued at the time of completion a fully executed certificate of program completion. The certificate must include:

(a) The name of the Elective Student as listed on the Elective Student's driver license.

(b) The driver license number of the Elective Student.

(c) The date of birth of the Elective Student.

(d) The program completion certificate number assigned by the Department.

(e) The name of the Wireless Communications Device Driving Safety Program.

(f) The name of the entity conducting the program.

(g) The date that the Elective Student completed the program.

(h) Whether the program completion was ordered by a court. In such case, the certificate must include the court's circuit and county.

(4) The program provider shall ensure that any Elective Student who is unable to attend or complete a program due to an action, error or omission by the program provider or entity conducting its program shall be permitted to complete the program at no additional cost.

(5) The program provider shall submit to the Department written notice of any authorization for an entity to conduct its Wireless Communications Device Driving Safety Program in the State. The program provider shall also submit written notice to the Department within ten days of authorizing a new entity or terminating any existing authorization.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History—New _____.

15B-16.004 Elective Student Records – Wireless Communications Device Driving Safety Program

(1) Each program provider shall have available for inspection and photocopying by the Department all Elective Student records for each program.

(2) Each program provider shall have available for inspection and photocopying by the Department a list of Elective Students who complete each class conducted and information necessary to issue duplicate certificates to such Elective Students as detailed in Rule 15B-16.003(3), F.A.C.

(3) The program provider shall maintain the above records for a minimum of three years from the date of program completion. Records may be maintained in physical or electronic format.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History–New

15B-16.005 Program Completion – Wireless Communications Device Driving Safety Program

(1) The program provider shall electronically submit notice of Elective Student completion through the Department's Driver Improvement Certificate Issuance System within 24 hours of an Elective Student's completion of the program.

(2) The program provider shall also submit notice of Elective Student completion together with the citation number through the Florida Courts E-Filing Portal governed by the Florida Courts E-Filing Authority to the clerk of the circuit court of the county where the citation is issued within 24 hours of an Elective Student's completion of the program.

Rulemaking Authority 321.05(6) FS. Law Implemented 316.306 FS. History–New

15B-16.006 Denial, Suspension or Revocation of Program Approval

(1) The Department shall deny approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

(a) Fails to satisfy any program approval requirement in Chapter 15B-16, F.A.C.

(b) Violates any applicable state or federal law.

(c) Conducts a Wireless Communications Device Driving Safety Program in the State of Florida prior to receiving Department approval.

(d) Has experienced a prior revocation of approval of the program by the Department.

(2) The Department shall suspend approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

(a) Violates any applicable state or federal law.

(b) Violates any provision of Chapter 15B-16, F.A.C.

(3) The Department shall revoke approval of a program provider's Wireless Communications Device Driving Safety Program if the program provider:

(a) Receives a second or subsequent suspension of program approval.

(b) Obtains program approval by fraud or misrepresentation.

(c) Obtains or assists a person in obtaining any driver license by fraud or misrepresentation.

(d) Conducts a Wireless Communications Device Driving Safety Program in the State of Florida while approval of such program is under suspension.

(4) Except as otherwise provided by law, prior to final Department action denying, suspending or revoking approval of a Wireless Communications Device Driving Safety Program, the program provider shall have the opportunity to request either a formal or informal administrative hearing to show cause why the action should not be taken pursuant to sections 120.569 and 120.57, F.S.

Rulemaking Authority 321.05(6) F.S. Law Implemented 316.306 FS. History—New _____.



STATE OF FLORIDA
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
DIVISION OF MOTORIST SERVICES
BUREAU OF MOTORIST COMPLIANCE
APPLICATION FOR WIRELESS COMMUNICATIONS DEVICE DRIVING
SAFETY PROGRAM

SECTION I: APPLICANT INFORMATION

Name of Course: _____

Course Length: _____

Name of Program Provider: _____

Address of Program Provider: _____

Telephone Number of Program Provider: () _____

Program Contact Person: _____

Address of Program Contact Person: _____

Telephone Number of Program Contact Person: () _____

SECTION II: REQUIRED MATERIALS

1. A copy of all the instructional materials, including visual aids and videotapes used in the course. Instructional material shall meet the requirements established in Chapter 15B-16, Florida Administrative Code.
2. A copy of all manuals and materials used in program development.
3. A written description of the methods and instruments to be used for monitoring and evaluating program effectiveness.
4. A copy of the authorization that will be used by the course provider for any contracted entities using the approved curriculum.
5. A copy of the proposed completion certificate to be provided by the approved program provider upon successful completion of the program.
6. A detailed outline that provides confirmation of all required content listed within the Program Criteria Document.

SECTION III: INSTRUCTIONS

Please submit your complete application to the address below. A complete application is comprised of the information required by Sections I and II of this form. The Department will not review incomplete applications.

Department of Highway Safety and Motor Vehicles
Division of Motorist Services
Neil Kirkman Building
2900 Apalachee Parkway MS 39
Tallahassee, Florida 32399-0570
Driver-Education@flhsmv.gov

Program Criteria Document
Wireless Communications Device Driving Safety Program

Part One: The Course Process.

- a. Course materials can be submitted via hard copy or electronically by Microsoft Word 2017 or later.
- b. Provide a thorough description of the technology to be used to present the course.
- c. Provide a description of how the course provider will validate the student registering for the course. Include on the registration form, at minimum, initial blocks in which the student signs off on the following information:
 1. That the student who registers for the course is the one who takes the course.
 2. That the student must take a test of at least 20 questions on course content and answer at least 80% of the questions correctly to receive a course completion certificate. Failure to correctly answer 80% of the test questions will result in failure of the course, and the student's course fee will not be refunded.
 3. That the student will be asked time-limited validation questions during the course. The validation questions will ask students questions about themselves (based on information provided by students at the beginning of the course) and about previously reviewed course content. Failure to answer a time-limited validation question correctly will result in failure of the course and the course fee will not be refunded.
 4. The number of times a student can attempt to answer end of course questions correctly (as determined by the program provider).
 5. The conditions resulting in course failure (as determined by the program provider and provided to the Department).
- d. Provide a description of how the course provider will validate each student's participation during the course presentation.
- e. Provide a word-for-word script of the course material to be presented. The course must be Florida specific and meet all the criteria listed in part two below. The course script must be approved by the Department prior to the development of the technology presentation. If you are presenting a video only course, provide the following information:
 1. All aspects of the course, not just the spoken or written words.
 2. Graphics, where the graphics will appear and their content (for example, an instructor writing on a dry erase board is not enough).
 3. A validation process.
 4. Enough detail to account for limited student interaction.
 5. At least two methods of presentation (for example, instructor, graphics, supplemental video clips, interactive quizzes or activities etc.).
 6. Must include a variety of camera angles if a live person is giving the video presentation.
 7. The location and content of any other video presentations that are part of the course (for instance, you will show the video "Seat Belts are for Dummies" at this location for this duration and the content is as follows).

- f. The script must be proofread for typographical errors, grammar and clarity, and all materials must be of professional quality.
- g. Based on the approved script, provide a question bank of at least 180 multiple choice questions. The questions must be true/false and multiple choice. Each multiple-choice question must have, at a minimum, three answer choices. With each question, provide the answer to the question and where in the curriculum by page the answer is located. These questions will be used as the base from which to generate random tests that the course graduates must complete prior to receiving a course completion certificate. The test must consist of at least 20 randomly chosen questions from the question bank. Provide a description of how the tests will be randomly generated, how the test will be scored, and how the feedback will be given to the student.
- h. Provide a description of how student questions about the course material will be addressed. What are the qualifications of the Florida-specific instructors who will answer these questions? What type of pre-service training will they attend? What type of in-service training will they attend?
- i. Provide a description of the safeguards to be employed to prevent students from “cheating” during the course.
- j. Once the course script is approved, provide a demonstration of the developed technology presentation with the approved script and test questions. The curriculum review committee will complete the course process as a student would. A committee member at random will purposefully fail the test to see that the listed safeguards are in place and work.
- k. Include a plan for effective oversight of the course by those who deliver the course in the state in accordance with s. 318.1451 (2)(a), F.S.
- l. Ensure the course reading level is the 6th grade reading level. The course must be 90 minutes in length with a maximum of one 10-minute break at the mid-point of the class. The final exam is allotted a minimum of 5 minutes at the end of the course. If the course is 90 minutes with no breaks, then there is 85 minutes of content and a minimum of 5 minutes for the final exam.
- m. Include a table of contents that lists all sections of the course, the content to be covered and the timings for each section and the location of the mid-course break.

Part Two: Rating Process.

- a. The Driver Education Process Improvement and Accountability (DEPIA) Unit of the Florida Department of Highway Safety and Motor Vehicles shall rate course material for overall quality and for specific coverage of the topics listed in this document. The topics listed are the minimum course requirements. Material included in the course that is not listed in the minimum requirements will not count towards minimum course timeframe requirements.
- b. For each listed criterion, a grade of “Unacceptable,” “Acceptable with Change,” or “Acceptable” will be given.
- c. All course materials must achieve an “Acceptable” rating for each criterion for overall quality and on the content of the specific topic.

- d. Raters will consider coverage of a specific topic “Acceptable with Change” if the topic needs to be expanded on or if only partial information is covered in the material submitted.
- e. Raters will consider coverage of a specific topic “Unacceptable” if the topic is not covered in the material submitted, there is any factual error contrary to safety, or the coverage is so deficient that students could not be expected to learn that topic.
- f. The statistics used in the presentation must be the latest available.

1. QUALITY OF COURSE MATERIALS.

The Department shall rate the quality of course materials based on:

- a. Technical quality, including legibility, freedom from excessive typographical or grammatical errors and clear wording.
- b. Organization into appropriate instructional units, including a table of contents with subject timings.
- c. Clarity of presentation, including an outline of the presentation of the course topics and the subjects within the topics. The outline must integrate all course material, including videotapes, visual aids, and if appropriate, student workbook into the flow of the course. The outline must define the specific information students will receive and how it will be conveyed.
- d. Production quality (i.e., graphics, methods of presentation, varying camera angles, overall professionalism).

2. Course Content Requirements

- a. **Definition of distracted driving, including the types of distractions and how they take away from concentrating on the driving task.**

Definition: Distracted driving is any non-driving activity that draws your attention away from the driving task.

- Talking or texting on a wireless device
- Eating or drinking
- Talking or interacting with passengers
- Looking at roadside advertisements
- Adjusting in-vehicle devices (air conditioning, heating, stereo, navigation system, entertainment systems)
- Dealing with strong emotions
- Smoking or vaping
- Retrieving objects from floor or seat
- Looking at a map, directions or other reading material
- Applying makeup and similar tasks

- b. **Impact of distracted driving in the United States and Florida**

Statistics for United States and Florida on distracted driving and how they relate to the overall crash problem in the United States and in Florida. Why is that important?

c. Countermeasures to reduce or avoid distracted driving

For each of the distractions listed above, what countermeasures can drivers use to reduce or avoid having their attention drawn away from the driving task by that distraction?

d. Driver responsibility concepts

For each of the distractions listed above, what driver responsibility concepts can drivers use to reduce or avoid having their attention drawn away from the driving task by that distraction?

e. Defensive Driving Concepts

For each of the distractions listed above, what defensive driving concepts can drivers use to reduce or avoid having their attention drawn away from the driving task by that distraction?

f. Rules of the road that relate to driving correctly and distraction-free driving

For each of the distractions listed above, what rules of the road can drivers use to reduce or avoid having their attention drawn away from the driving task by that distraction?

g. Impact of physics and natural laws on driving, including perception and reaction times

- Kinetic Energy
- Laws of Motion
- Perception Times
- Reaction Times
- How are these processes related to and impacted by distracted driving?

h. Psychological Factors: (these factors are discussed from the point of view on how these factors can lead to a crash and how effectively dealing with these issues can prevent a crash)

- Fatigue
- Stress
- Emotions
- The appropriate attitude to adopt when driving