

Mayor Susan Haynie
Chair

Legislative Update for the week ending **02/10/2017**

Overview

During this week, House and Senate committees met and began the process of reviewing budget priorities of the state agencies. Bills have been presented in committees and voted upon, although the focus has certainly been on the beginning steps of formulating a budget. As part of this process, agencies present their budget requests to committees who then ask questions of each agency.

We welcome Rachel Cone as the Interim Secretary of Florida Department of Transportation. She is stepping up to the role from the position of Assistant Secretary for Finance and Administration. Interim Secretary Cone jumped into her new role by handling the DOT budget presentation at the House Transportation & Tourism Appropriations Subcommittee like a seasoned veteran. Her performance showed that she is the right pick to take the reins of DOT during the legislative session. As the agencies presented their portion of the Governor's proposed budget titled "Fighting for Florida" the focus was not on transportation even though it was the largest budget amount by far. Visit Florida was immediately in the cross-hairs of the subcommittee who are looking to reduce the spending in the Governor's budget. As mentioned in the previous newsletter, so far the focus seems to be away from transportation and the focus still remains on Visit Florida and Enterprise Florida.

In the House Transportation & Tourism Appropriations Subcommittee one of the first casualties was the proposed budget of \$76 Million for Visit Florida. House Speaker Corcoran has been very clear that he sees Enterprise Florida and Visit Florida as unnecessary government subsidies. The speaker has been clear that he sees the offering incentives to companies as government picking winners and losers. He explained through a spokesperson that incentives to one company puts other companies at a competitive disadvantage because they are not getting financial incentives which contribute to their success. The Governor supports and is advocating strongly for both Visit Florida and Enterprise Florida. The Governor and the Speaker are coming from very different perspectives, this may make for a long session. It is still early and lots can happen between now and the scheduled end of session on May 5th.

A quick round-up of the Governor's "Fighting For Florida" budget which includes nearly \$11 Billion for transportation. Here are the main points of the proposed transportation budget:

- \$4.1 billion for construction of highway projects
- \$178.2 million in seaport infrastructure improvements
- \$257.8 million for aviation improvements
- \$300.8 million for scheduled repair of 61 bridges and replacement of 16 bridges
- \$978.2 million for maintenance and operation
- \$618 million for public transit development grants

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- \$175.6 million for safety initiatives
- \$82.7 million for bike and pedestrian trails

Since the last newsletter a few side issues have come related to the Governor's budget. Added to the budget issues listed above are concerns the governor expressed with Tri-Rail contracting and deals that Florida seaports are trying to ink with Cuba. The Governor indicated that funding in the upcoming budget could be withheld from Tri-Rail and the Florida seaports if changes were not made. The Mobile, AL seaport seized the opportunity and inked a deal with Cuba while representatives from the Mobile seaport were in Tampa.

Meetings of interest next week

Tuesday – House Appropriations Committee

Wednesday – Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

- House Transportation and Tourism Appropriations Subcommittee
- House Transportation and Infrastructure Subcommittee

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Thursday – Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development

Legislation of interest to the membership

Changes in Red

HB 47: Texting While Driving – (Stark; Slosberg - CO-INTRODUCERS: McGhee; Smith) - Revises penalties for violations of Florida Ban on Texting While Driving Law; provides enhanced penalties for such violations when committed in school zone or school crossing; removes requirement that specified provisions be enforced as secondary action by law enforcement agency. **Referred to 3 Committees**

SB 66: Highway Safety – (Clemens) - Deleting the definition of the term “vulnerable road user”; revising provisions relating to the overtaking and passing of a vehicle; exempting bicycles from provisions for passing a vehicle on the right under certain circumstances; providing penalties for specified infractions contributing to bodily injury of a vulnerable user of a public roadway or a vulnerable user, etc. **Withdrawn**

HB 69: Use of Wireless Communications Devices while Driving – (Slosberg - CO-INTRODUCERS: Baez; McGhee; Smith) - Provides for primary enforcement of Florida Ban on Texting While Driving Law for drivers age 18 or younger; requires deposit of fines into Emergency Medical Services Trust Fund. **Referred to 3 Committees**

HB 139: Local Tax Referenda – (Ingoglia; Avila - CO-INTRODUCERS: Donalds; Gruters; Massullo) – (Companion Bill SB 278 – Steube) - Requires local government discretionary sales surtax referenda to be held on the date of a general election. **Referred to 3 Committees, passed first committee**

SB 178: Traffic Infraction Detectors – (Artiles - CO-INTRODUCERS: Brandes; Mayfield) – (Very similar to HB 6007 – Avila; Ingoglia; Diaz, M) - Repealing provisions relating to the definitions of “local hearing officer” and “traffic infraction detector” and to the installation and use of traffic infraction detectors to enforce specified provisions when a driver fails to stop at a traffic signal, provisions that authorize the

Department of Highway Safety and Motor Vehicles, a county, or a municipality to use such detectors, and the distribution of penalties collected for specified violations, etc. **Did not pass first committee, laid on table**

SB 180: Traffic Infraction Detectors – (Rodriguez) - Decreasing the penalty to be assessed and collected by the department, county, or municipality if a traffic infraction detector is used to enforce specified violations when a driver failed to stop at a traffic signal; prohibiting the suspension of a person's driver license and privilege to drive or the withholding of the license plate or revalidation sticker for failure to pay certain penalties under certain circumstances, etc. **Referred to 4 Committees**

HB 221: Transportation Network Companies – (Sprowls) - Provides that transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles/for-hire vehicles; requires TNC to designate & maintain agent for service of process; provides fare requirements & requirements for TNC's digital network; provides for electronic receipt; provides automobile insurance requirements & requirements for specified proof of coverage; provides disclosure requirements for TNC driver in event of accident; requires TNC to cause its insurer to issue certain payments directly to certain parties; requires TNC to make specified disclosures in writing to TNC drivers; authorizes specified insurers to exclude certain coverage; provides that right to exclude coverage applies to coverage included in automobile insurance policy; provides that specified automobile insurers have right of contribution against other insurers that provide automobile insurance to same TNC drivers in satisfaction of certain coverage requirements under certain circumstances; requires TNC to provide specified information to certain parties during claims coverage investigation; requires certain insurers to disclose specified information to other insurer involved in claim; provides that TNC drivers are independent contractors if specified conditions are met; requires TNC to implement zero-tolerance policy for drug/alcohol use; provides TNC driver requirements; requires TNC to conduct background check for TNC driver; prohibits TNC driver from accepting certain rides or soliciting/accepting street hails; requires TNC to adopt nondiscrimination policy & notify TNC drivers of policy; requires TNC drivers to comply with nondiscrimination policy & applicable laws regarding nondiscrimination & accommodation of service animals; prohibits TNC from imposing additional charges for providing services to persons who have physical disabilities; requires TNC to maintain specified records; specifies that TNCs, TNC drivers, & TNC vehicles are governed exclusively by state law; prohibits local governmental entities & subdivisions from taking specified actions; provides applicability & construction. **Referred to 2 Committees, passed first Committee**

SB 250: High-occupancy Toll Lanes and Express Lanes – (Artiles) - Specifying that the Department of Transportation may only collect tolls on high-occupancy toll lanes or express lanes for the discharge of certain bond indebtedness on a project existing before a specified date; requiring that the tolls be eliminated after discharge of the project's bond indebtedness, etc. **Referred to 3 Committees**

SB 308: Expressway Authorities – (Artiles) - Repealing provisions relating to the Florida Expressway Authority Act and related provisions, which allows the creation and operation of expressway authorities; transferring the governance and control of any expressway authority formed under the Florida Expressway Authority Act to the Florida Turnpike Enterprise; requiring revenues collected on the expressway system to be considered turnpike revenues, etc. **Referred to 3 Committees**

SB 340: Transportation Network Companies - (Brandes – CO-INTRODUCER: Galvano) - Providing that a transportation network company (TNC) driver is not required to register certain vehicles as commercial motor vehicles or for-hire vehicles; providing requirements for a TNC's digital network; providing that specified automobile insurers have a right of contribution against other insurers that provide automobile insurance to the same TNC drivers in satisfaction of certain coverage requirements under certain circumstances, etc. **Referred to 3 Committees**

Other transportation legislation

HB 29: Specialty License Plates – (McGhee) - Directs DHSMV to develop National Pan-Hellenic Council Sorority or Fraternity license plates. **Referred to 3 Committees, Committee substitute, under review**

SB 72: Voter Registration – (Clemens - CO-INTRODUCER: Rodriguez) - Providing that driver license or identification card applications, driver license or identification card renewal applications, and changes of address for existing driver licenses or identification cards submitted to the department serve as voter registration applications; specifying that an applicant must consent to the use of his or her signature for voter registration purposes; providing for paper-based applications, etc. **Referred to 4 Committees**

HB 147: Skateboard and Scooter Regulations – (Stark- Companion Bill SB 266 – Book) - Creates "Max's Helmet Law"; requires child under 16 to wear helmet while riding skateboard or foot-propelled scooter; provides helmet standards; prohibits attachment of skateboard or scooter to vehicle; prohibits parent from authorizing violation; prohibits renting or leasing skateboard or scooter without helmet; provides for enforcement, penalties, exceptions, & disposition of fines. **Referred to 3 Committees**

SB 156: Motor Vehicle Insurance – (Brandes) - Authorizing insurers to provide for termination of motor vehicle insurance policies issued or renewed on or after a specified date as a result of the repeal of sections by this act; requiring certain motor vehicle insurance policies to provide certain property damage liability and bodily injury liability coverage, rather than only such policies providing personal injury protection; expanding the scope of certain criminal acts related to false and fraudulent insurance claims by removing limitations to such acts under the no-fault law, etc. **Referred to 4 Committees**

HB 179: Veteran Identification – (Combee) - Veteran Identification; Requires DHSMV to create veteran identification card for certain purposes; provides for design of card; provides eligibility requirements; prohibits use of card for certain purposes; authorizes use of card as proof of veteran status for obtaining waivers of license/registration fees relating to certain businesses & occupations & carrying concealed weapons/firearms. **Referred to 3 Committees, Committee substitute, review pending**

HB 193: Towing and Storage Fees – (Cortes, R) - Prohibits counties & municipalities from enacting ordinances or rules that impose a fee or charge on wrecker operators or vehicle storage companies when providing certain services; provides exceptions. **Referred to 3 Committees, Committee substitute, review pending**

HB 237: Driving or Boating Under the Influence – (Silvers) - Designates act "Driving Under the Influence of Drugs (DUID) Act"; provides that person with specified amount of delta 9 tetrahydrocannabinol (THC – the drug in marijuana) per milliliter of blood commits offense of driving under influence or boating under influence. **Referred to 3 Committees**

SB 302: Penalties and Fees – (Brandes - CO-INTRODUCERS: Rouson; Young) - Revising requirements relating to the payment of court-related fines or other monetary penalties, fees, charges, and costs; prohibiting the suspension of a person's driver license solely for failure to pay a penalty if the person demonstrates to the court, when specified, that he or she is unable to pay such penalty; revising penalties relating to suspending, revoking, or withholding issuance of driver licenses or driving privileges for minors under a specified age who possess firearms under certain circumstances, etc. **Referred to 3 Committees, Committee substitute, in 2nd Committee.**

HB 6007: Traffic Infraction Detectors – (Avila; Ingoglia - CO-INTRODUCER: Diaz, M.) – (Very similar to SB 178 - Artiles - CO-INTRODUCERS: Brandes; Mayfield) - Traffic Infraction Detectors; Repeals provisions relating to installation & use of traffic infraction detectors to enforce specified provisions when

driver fails to stop at traffic signal, provisions that authorize DHSMV, county, or municipality to use such detectors, & provisions for distribution of penalties collected for specified violations. Referred to 3 Committees, passed 2 Committees, pending in 3rd Committee.

HB 6009: Motorcycle Safety – (Hahnfeldt) - Removes provisions authorizing certain persons over 21 years of age to operate/ride motorcycle without wearing protective headgear; provides penalties. This bill appears to require the use of a helmet when operating a motorcycle that has over a 50 cc engine and more than 2 brake horsepower. Referred to 2 Committees