

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
MILITARY AND VETERANS AFFAIRS, SPACE, AND
DOMESTIC SECURITY
Senator Altman, Chair
Senator Gibson, Vice Chair

MEETING DATE: Tuesday, October 8, 2013
TIME: 1:30 —3:30 p.m.
PLACE: Mallory Horne Committee Room, 37 Senate Office Building

MEMBERS: Senator Altman, Chair; Senator Gibson, Vice Chair; Senators Abruzzo, Bullard, Dean, Evers, Gardiner, Legg, and Sachs

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 140 Bradley	Driver Licenses; Providing that the spouse of a member of the United States Armed Forces is not required to obtain a Florida driver license because he or she enters his or her children in public school in this state under certain circumstances; updating terminology; providing that the spouse of a member of the United States Armed Forces is granted an automatic extension for the expiration of a certain class of driver license under certain circumstances, etc. MS 10/08/2013 Fav/CS TR ED AP	Fav/CS Yeas 9 Nays 0
2	Presentation on the implementation of SB 1784 (2013) relating to non-conservation encroachment buffers for military installations: Ana Richmond, Regional Planning Administrator, Department of Economic Opportunity		Presented
3	Other Related Meeting Documents		

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Military and Veterans Affairs, Space, and Domestic Security

BILL: CS/SB 140

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security and Senator Bradley

SUBJECT: Driver Licenses

DATE: October 10, 2013 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Spaulding	Ryon	MS	Fav/CS
2.			TR	
3.			ED	
4.			AP	
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

CS/SB 140 exempts the spouse of a military servicemember on active duty stationed in the state who is a nonresident of Florida from the requirement to obtain a driver license for the sole purpose of enrolling his or her child in a Florida public school. The dependent child of a servicemember is also not required to obtain a Florida driver license if the servicemember or the spouse is not required to obtain a license under s. 322.031(2), F.S., provided that the dependent child has a valid driver license issued by another state and does not accept employment in Florida.

The bill also specifically authorizes the spouse of a military servicemember stationed outside of Florida on active duty to be eligible for an automatic extension of a Florida driver license that expires while the spouse resides with the servicemember outside of the state.

The bill substantially amends sections 322.031 and 322.121 of the Florida Statutes.

II. Present Situation:

Driver License Exemptions for Nonresident Military Servicemembers

Florida law requires all persons driving a motor vehicle on a Florida highway to possess a valid driver license issued pursuant to ch. 322, F.S.¹ However, a nonresident who is at least 16 years of age and has a valid driver license from another state is exempt from the requirement to obtain a driver license.² Pursuant to this exemption, nonresident servicemembers and their dependents stationed in Florida are not required to obtain a Florida driver license provided they possess a valid driver license issued by another state.³

Current law provides that once a nonresident enrolls his or children in a Florida public school or accepts employment in the state, the nonresident becomes subject to the driver license provisions in ch. 322, F.S., and must obtain a Florida driver license within 30 days after the commencement of such employment or education.⁴ Under such circumstances, the spouse and dependent children of the nonresident must also obtain a Florida driver license within that 30-day period.

Section 322.031(2), F.S., specifically exempts an active duty servicemember stationed in Florida from obtaining a Florida driver license solely because the servicemember enters his or her children in a Florida public school. To be eligible for the exemption, the servicemember must have a valid military driving permit or a valid driver license issued by another state. This exemption currently does not apply to the spouse or dependent children of a servicemember, only to the individual servicemember.

Driver License Extensions for Military Personnel and Dependents

Florida driver license holders are required to periodically renew their driver license⁵ upon payment of the required renewal fees and successful passage of any required examination.⁶ In an effort to process license renewals expeditiously, only examination of the licensee's eyesight and hearing is required.⁷ The renewal fee for a Class E driver license is \$48. Those renewing a Class E driver license within 12 months after the expiration date of the license are subject to a \$15 delinquent fee.⁸

Section 322.121(5), F.S., grants military servicemembers serving on active duty outside this state, and their dependents residing with them, an automatic extension without reexamination for a Class E driver license that expires while performing such service. This extension is valid for 90-days after the servicemember is either discharged or returns to the state of Florida to live.

¹ Section 322.03(1), F.S.

² Section 322.04(1)(c), F.S.

³ Op. Att'y Gen. Fla 78-164 (1978).

⁴ Section 322.031(1), F.S.

⁵ Pursuant to s. 322.18(4)(a), driver licenses are generally valid for 8 years.

⁶ Section 322.18(4)(a), F.S.

⁷ Section 322.121(1), F.S.

⁸ Section 322.21(1)(c), F.S.

Upon a servicemember's application to the Department of Highway Safety and Motor Vehicles (DHSMV) certifying active duty status outside of Florida, the DHSMV issues a military extension card extending the servicemember's and his or her dependents' driving privileges.⁹ The DHSMV currently recognizes a "dependent" as a servicemember's spouse, children and step-children under the age of 21, living in the same household.¹⁰

III. Effect of Proposed Changes:

Section 1 amends s. 322.031, F.S., to exempt the spouse of an active duty servicemember from the requirement to obtain a Florida driver license solely for the purpose of enrolling his or her children in a Florida public school. The dependent child of a servicemember is also not required to obtain a Florida driver license if the servicemember or the spouse is not required to obtain a license under s. 322.031(2), F.S., provided that the dependent child has a valid driver license issued by another state and he or she does not accept employment in Florida.

Section 2 amends s. 322.121, F.S., to clarify that the spouse of a military servicemember is eligible for an automatic extension without reexamination for a Florida driver license that expires while the spouse resides with the servicemember who is stationed outside of Florida.

Section 3 provides an effective date of July 1, 2014.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

⁹ DHSMV. *Military Extension Instructions For Military Personnel, Spouse and Dependents Temporarily Assigned Outside of Florida*. Available at: <http://www.flhsmv.gov/MilExtCard.pdf>

¹⁰ DHSMV website. *How do I renew my license or ID card?* Available at: <http://www.flhsmv.gov/ddl/renewing.html>

B. Private Sector Impact:

A spouse of a military servicemember who is a nonresident of Florida will not be required to obtain a Florida driver license for the sole purpose of enrolling his or children in a Florida public school. As a result, the spouse will not be subject to the fees associated with obtaining and maintaining a Florida driver license. Additionally, dependent children who qualify for the driver license exemption in the bill will also not be subject to driver license fees.

C. Government Sector Impact:

The DHSMV anticipates a minimal reduction in General Revenue as a result of this bill.¹¹

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Military and Veterans Affairs, Space, and Domestic Security on October 8, 2013:**

The committee substitute provides that the dependent child of a servicemember is also not required to obtain a Florida driver license if the servicemember or the spouse is not required to obtain a license under s. 322.031(2), F.S., provided that the dependent child has a valid driver license issued by another state and he or she does not accept employment in Florida.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹¹ DHSMV Agency Legislative Bill Analysis for SB 140. October 2, 2013.



337714

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
10/08/2013	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Gardiner) recommended the following:

Senate Amendment (with title amendment)

Delete line 38
and insert:
issued by another state. If a member of the United States Armed Forces on active duty in this state or his or her spouse is not required to obtain a Florida driver license under this subsection, his or her child is not required to obtain a Florida driver license if the child has a valid driver license issued by another state.



337714

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 7

and insert:

state under certain circumstances; providing that a
child of a member of the United States Armed Forces is
not required to obtain a Florida driver license under
certain circumstances; updating



508598

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
10/08/2013	.	
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The Committee on Military and Veterans Affairs, Space, and Domestic Security (Gardiner) recommended the following:

Senate Amendment to Amendment (337714) (with title amendment)

Delete lines 8 - 10

and insert:

subsection, his or her dependent child is not required to obtain a Florida driver license if the dependent child has a valid driver license issued by another state, unless the dependent child accepts employment or engages in any trade, profession, or occupation in this state.



508598

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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 17

and insert:

dependent child of a member of the United States Armed
Forces is

By Senator Bradley

7-00205-14

2014140__

1 A bill to be entitled
 2 An act relating to driver licenses; amending s.
 3 322.031, F.S.; providing that the spouse of a member
 4 of the United States Armed Forces is not required to
 5 obtain a Florida driver license because he or she
 6 enters his or her children in public school in this
 7 state under certain circumstances; updating
 8 terminology; amending s. 322.121, F.S.; providing that
 9 the spouse of a member of the United States Armed
 10 Forces is granted an automatic extension for the
 11 expiration of a certain class of driver license under
 12 certain circumstances; providing an effective date.

14 Be It Enacted by the Legislature of the State of Florida:

15 Section 1. Section 322.031, Florida Statutes, is amended to
 16 read:

17 322.031 Nonresident; when license required.—

18 (1) In each every case in which a nonresident, except a
 19 nonresident migrant or seasonal farm worker as defined in s.
 20 316.003(61), accepts employment or engages in any trade,
 21 profession, or occupation in this state or enters his or her
 22 children to be educated in the public schools of this state,
 23 such nonresident shall, within 30 days after the commencement of
 24 such employment or education, be required to obtain a Florida
 25 driver driver's license if such nonresident operates a motor
 26 vehicle on the highways of this state. The spouse or dependent
 27 child of such nonresident shall also be required to obtain a
 28 Florida driver driver's license within that 30-day period before
 29

Page 1 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00205-14

2014140__

30 ~~prior to~~ operating a motor vehicle on the highways of this
 31 state.

32 (2) A member of the United States Armed Forces on active
 33 duty in this state or his or her spouse is ~~shall not be~~ required
 34 to obtain a Florida driver driver's license under this section
 35 solely because he or she enters his or her children to be
 36 educated in the public schools of this state if he or she has a
 37 valid military driving permit or a valid driver driver's license
 38 issued by another state.

39 (3) A nonresident who is domiciled in another state and who
 40 commutes into this state in order to work is ~~shall not be~~
 41 required to obtain a Florida driver driver's license under this
 42 section solely because he or she has accepted employment or
 43 engages in any trade, profession, or occupation in this state if
 44 he or she has a valid driver driver's license issued by another
 45 state. Further, a any person who is enrolled as a student in a
 46 college or university and who is a nonresident but is in this
 47 state for a period of up to 6 months engaged in a work-study
 48 program for which academic credits are earned from a college
 49 whose credits or degrees are accepted for credit by at least
 50 three accredited institutions of higher learning, as defined in
 51 s. 1005.02, is ~~shall not be~~ required to obtain a Florida driver
 52 driver's license for the duration of the work-study program if
 53 such person has a valid driver driver's license issued by
 54 another state. A Any nonresident who is enrolled as a full-time
 55 student in any such institution of higher learning is also
 56 exempt from the requirement of obtaining a Florida driver
 57 driver's license for the duration of such enrollment.

58 (4) A nonresident who is at least 21 years of age and who

Page 2 of 3

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

7-00205-14

2014140__

59 has in his or her immediate possession a valid commercial driver
60 ~~driver's~~ license issued in substantial compliance with the
61 Commercial Motor Vehicle Safety Act of 1986 may operate a motor
62 vehicle of the type permitted by his or her license to be
63 operated in this state.

64 Section 2. Subsection (5) of section 322.121, Florida
65 Statutes, is amended to read:

66 322.121 Periodic reexamination of all drivers.—

67 (5) A member ~~Members~~ of the United States Armed Forces, his
68 or her spouse, or a dependent ~~their dependents~~ residing with him
69 or her ~~them~~, shall be granted an automatic extension for the
70 expiration of his or her ~~their~~ Class E license ~~licenses~~ without
71 reexamination while the member of the United States Armed Forces
72 is serving on active duty outside this state. This extension is
73 valid for 90 days after the member of the United States Armed
74 Forces is either discharged or returns to this state to live.

75 Section 3. This act shall take effect July 1, 2014.



FLORIDA
DEPARTMENT *of*
ECONOMIC
OPPORTUNITY

Implementation of SB 1784 Non-Conservation Encroachment Buffers for Military Installations



Military Base Protection Program

- MBPP now includes the securing of non-conservation lands to serve as a buffer to protect military installations against encroachment
- “non-conservation lands” are defined as lands that are not subject to acquisition by the Florida Forever Program



Process

- DEO to submit an annual list to the Board of Trustees to acquire non-conservation lands
- Directs the Board of Trustees to consider the recommendations of the Florida Defense Support Task Force in making determinations to acquire non-conservation lands

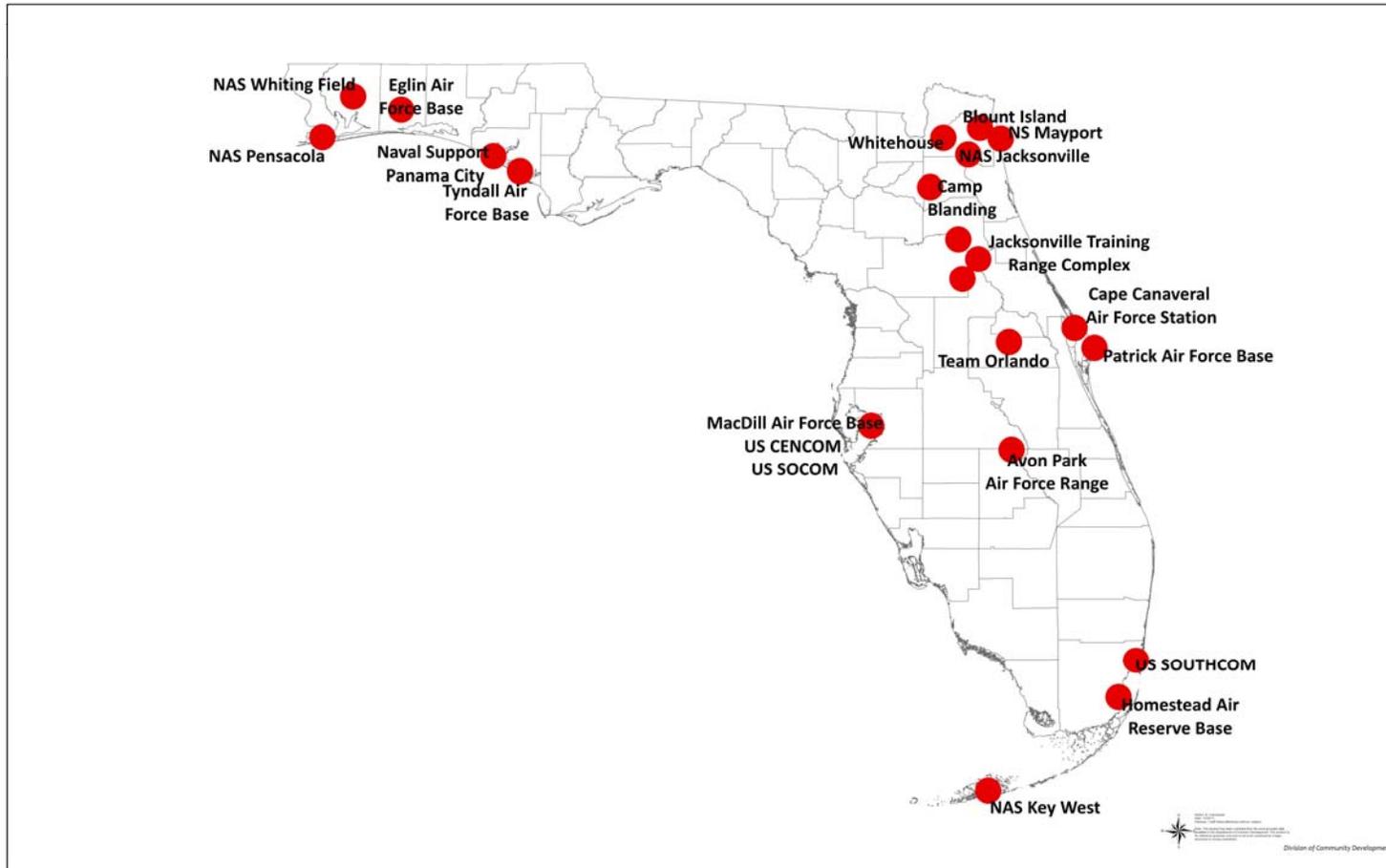


Timeline

- July 1, 2013 SB 1784 went into effect
- July 2013 DEO sent letter to all major military installations soliciting information
- August 2013 all information received
- September – October input from FDSTF
- October 2013 DEO to send recommendations to Board of Trustees
- 2013-2014 Session FDSTF works to obtain funding
- July 2014 Division of State Lands to begin acquisition



Map of Major Military Bases



Identified Non Conservation Encroachment Threats

- 64 sites identified totaling over 3,600 acres
- Air Force
 - **39 sites totaling 693 acres**
- Navy
 - **29 sites totaling 320 acres**
- National Guard
 - **2 sites totaling 2,653 acres**



Types of Encroachment

- Residential Development in Clear Zone, Accident Potential Zones, or within 65dB and above noise contour line
- Sites exempted from local government AICUZ Ordinance
- Proximity to existing and proposed artillery ranges

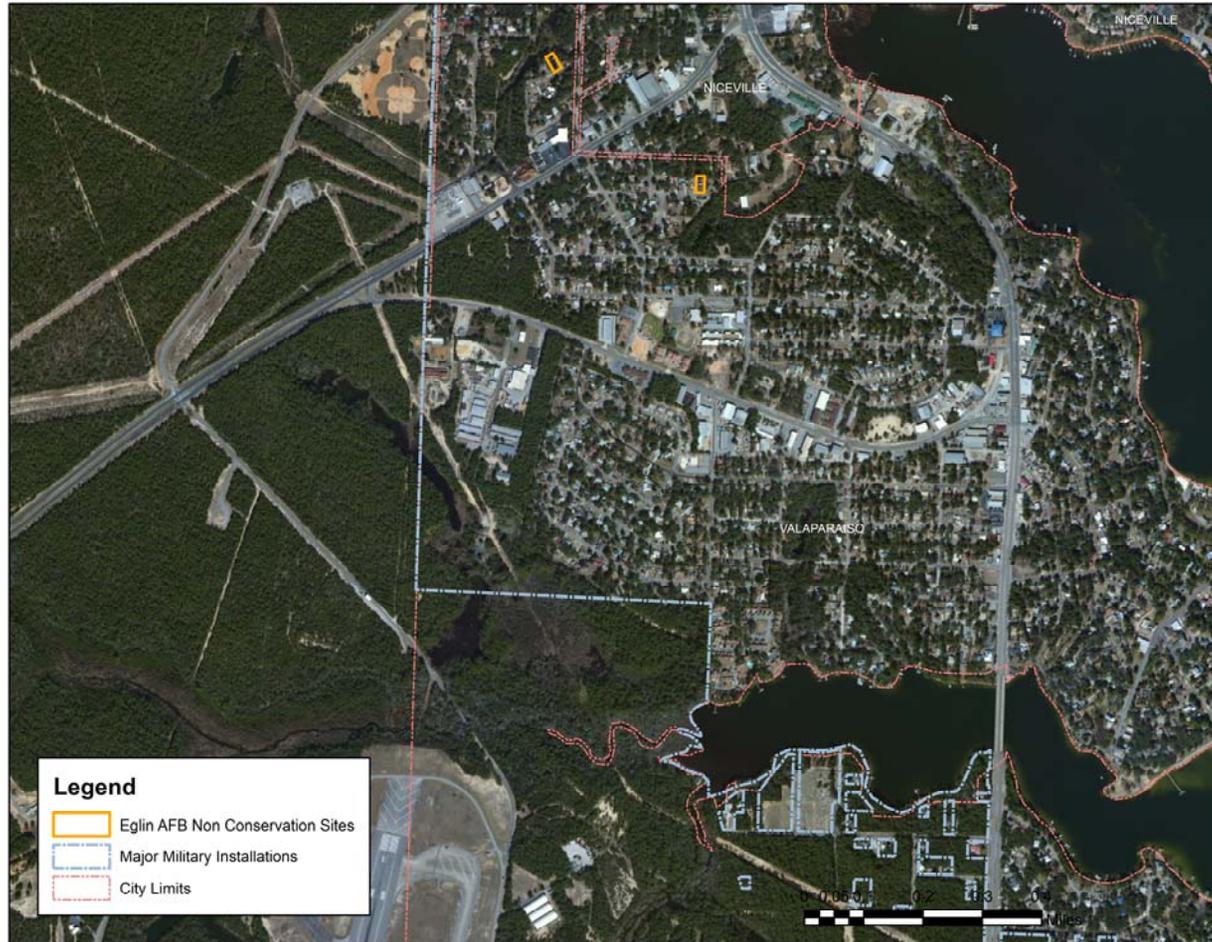


Air Force

- Eglin Air Force Base and Hurlburt Field
 - **2 sites totaling 6 acres**
- Homestead Air Reserve Base
 - **31 sites totaling 629 acres**
- MacDill Air Force Base
 - **4 sites totaling 28 acres**
- Tyndal Air Force Base
 - **2 sites totaling 31 acres**
- Avon Park Air Range and Patrick Air Force Base identified no sites



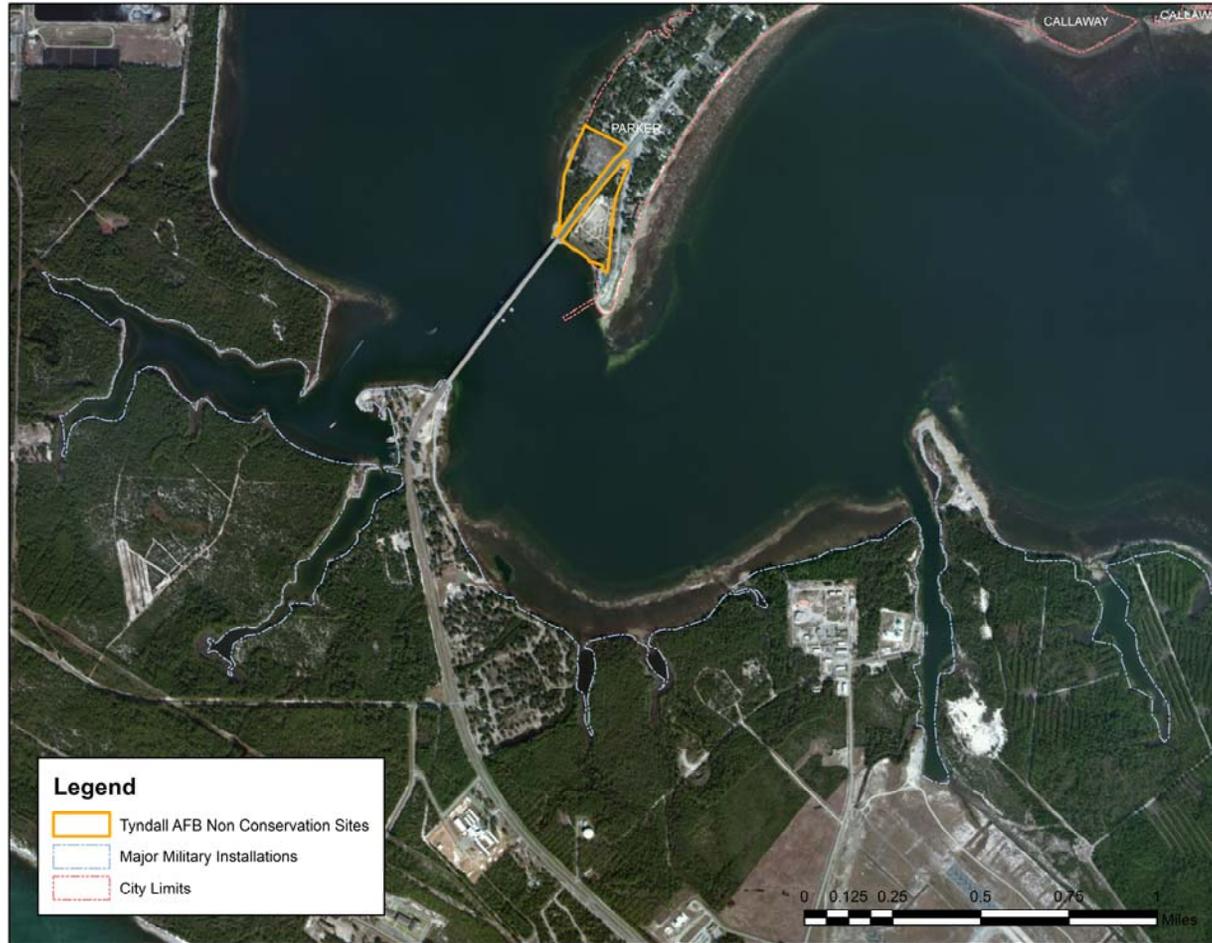
Eglin Air Force Base



Homestead Air Reserve Base



Tyndall Air Force Base



MacDill Air Force Base



Navy

- Naval Air Station Key West
 - **2 sites totaling 130 acres**
- Naval Support Activity Panama City
 - **1 site totaling 8 acres**
- Naval Air Station Pensacola
 - **9 sites totaling 171.41 acres**
- Naval Station Mayport
 - **11 sites totaling 11 acres**
- Jacksonville Training Range Complex, NAS Jacksonville, and NAS Whiting Field identified no sites



Naval Air Station Key West



Naval Support Activity Panama City



Naval Air Station Pensacola



Naval Station Mayport

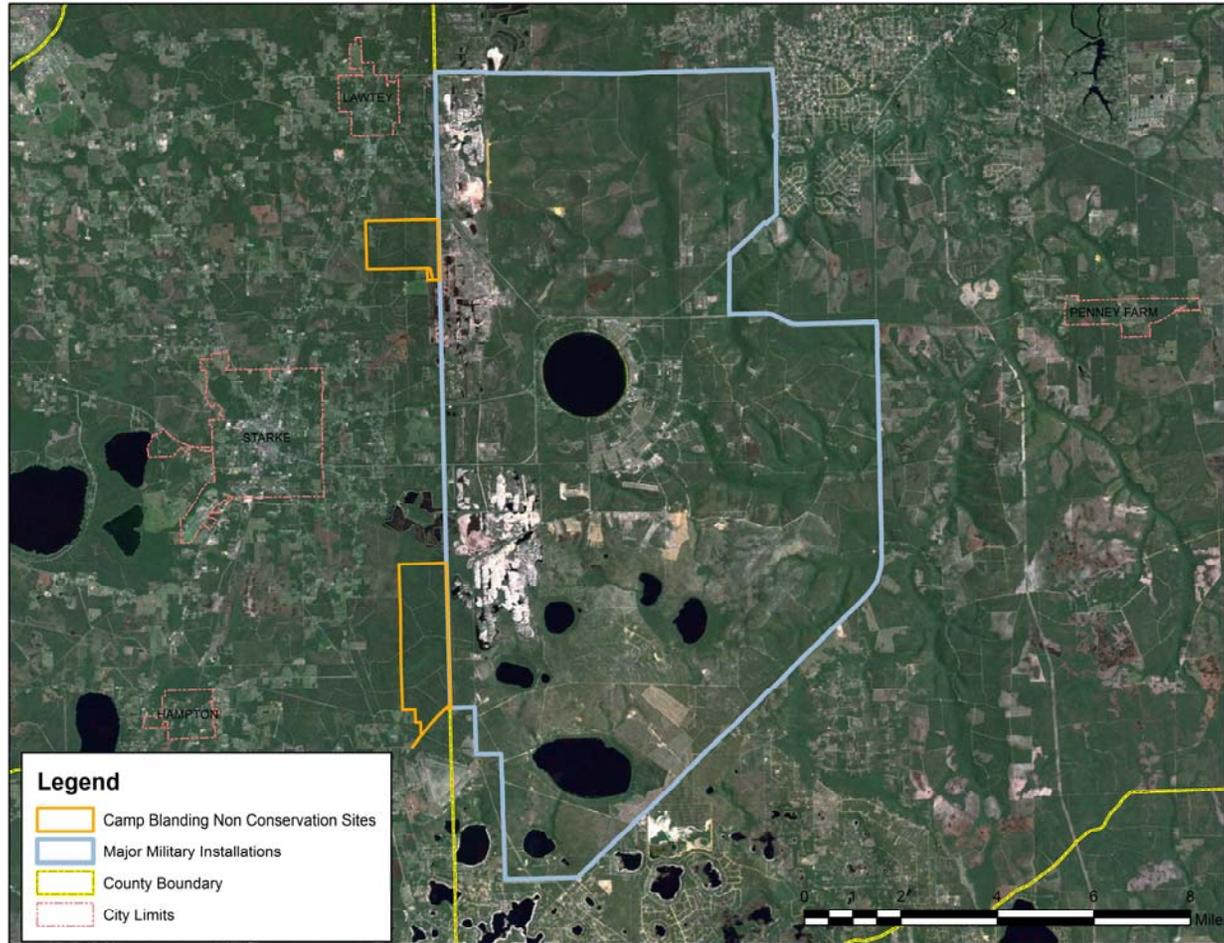


Army National Guard

- Camp Blanding
 - 2 sites totaling 2653 acres



Camp Blanding



Spectrum Report

- Ranked potential encroachment sites and recommended acquisition of:
 - **Florida Rock Property outside of MacDill AFB**
 - **Barefoot Palms Property outside NSA Panama City**
 - **JaxPort Properties outside of NS Mayport**



DEO Ranking

- Existing land use restrictions
- Existing development on site
- Redevelopment potential
- Ownership
- Identified encroachment threat
- Short Term vs. Long Term



DEO Ranking – Short Term

- Tier 1
 - High likelihood of development incompatible with Clear Zone or Accident Potential Zone 1
 - Approved development with potential to impact overall base mission
 - No existing restrictions on development to reduce encroachment/safety risk



DEO Ranking – Long Term

- Tier 2
 - Existing development within Clear Zone or Accident Potential Zones with low likelihood of redevelopment
- Tier 3
 - Existing restrictive easements on properties
 - Currently compatible land use and zoning on property



Tier 1

- MacDill AFB - Florida Rock Property
- NSA Panama City - Barefoot Palms Property
- NS Mayport - JaxPort Properties



Tier 2

- Eglin AFB – Clear Zone Properties in Valparaiso
- NAS Pensacola – APZ1 Properties
- Homestead ARB – Homestead Park of Commerce, Homestead Housing Authority



Tier 3

- Camp Blanding – Rayonier sites
- MacDill AFB – Frontgate, Three C SAC Self Storage, and Zons Property
- NAS Key West – Sub Pens and Gulf Seafood
- Tyndall AFB – Long Point Cove and Tyndall Sunset Properties



THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/8/13

Meeting Date

Topic Military Base Encroachment

Bill Number _____
(if applicable)

Name Ana Richmond

Amendment Barcode _____
(if applicable)

Job Title Regional Planning Administrator

Address 107 East Madison Street

Phone 850 717 8509

Street

Tallahassee FL 32399

E-mail _____

City

State

Zip

Speaking: For Against Information

Representing DED

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/8/13
Meeting Date

Topic Military Base Encroachment Bill Number _____
(if applicable)
Name Mike McDaniel Amendment Barcode _____
(if applicable)
Job Title Comprehensive Planning Manager
Address 107 E. Madison St Phone 850 217 8499
Street
Tallahassee FL 32308 E-mail _____
City State Zip

Speaking: For Against Information

Representing DEO

Appearing at request of Chair: Yes No Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

CourtSmart Tag Report

Room: LL 37

Case:

Type:

Caption: Military and Veterans Affairs, Space, and Domestic Security

Judge:

Started: 10/8/2013 1:33:52 PM

Ends: 10/8/2013 2:12:48 PM Length: 00:38:57

1:33:53 PM Chairman Altman calls the meeting to order
1:34:03 PM Roll call by Administrative Assistant, Lois Graham
1:34:17 PM Chairman Altman asks everyone to turn off all electronic devices
1:34:57 PM Chairman introduces Mrs. Barbara Hoagland to the committee, stating that she will be acting Staff Director while Mrs. Elizabeth Ryon goes on maternity leave
1:35:43 PM Mrs. Hoagland gives brief remarks
1:35:51 PM Chairman Altman asks that Senator Bradley come forward to explain his Bill
1:36:12 PM Tab 1 SB 140 presented by Senator Bradley
1:38:24 PM Chairman Altman states that there is a courtesy amendment by Senator Gardiner AM #337714
1:38:54 PM Senator Bradley explains amendment #337714
1:39:13 PM Senator Gardiner has a courtesy amendment to the amendment #508598
1:39:41 PM Senator Bradley explains the amendment to the amendment
1:39:53 PM Question by Senator Gibson regarding the amendment
1:40:57 PM Response by Senator Bradley
1:41:16 PM Response by Mr. Ray Spaulding, Staff Analyst
1:41:44 PM Question by Senator Gibson
1:42:00 PM Response by Ray Spaulding
1:42:31 PM Chairman Altman asks if there were additional questions
1:42:40 PM The amendment to the amendment was adopted
1:43:25 PM Amendment #337714 passes as adopted
1:43:46 PM Chairman Altman asks if there were additional questions
1:44:04 PM Statement by Senator Gibson regarding the amendment
1:44:17 PM Chairman Altman asks if there were additional questions
1:44:31 PM Chairman Altman asks for a motion for a CS. Senator Gibson moves the bill for a CS
1:44:50 PM Roll call by Administrative Assistant, Lois Graham on CS/SB 140
1:45:05 PM Chairman Altman states CS/SB 140 passes favorably
1:45:25 PM Tab 2 - Chairman Altman introduces Ms. Ana Richmond, Regional Planning Administrator, Department of Economic Opportunity
1:46:02 PM Presentation by Ms. Ana Richmond on the Implementation of SB 1784 Non-Conservation Encroachment Buffers for Military Installations
1:49:51 PM Question from Senator Evers
1:50:05 PM Response from Chairman Altman
1:50:36 PM Question from Senator Evers
1:50:45 PM Response from Chairman Altman
1:51:18 PM Question from Chairman Altman
1:51:25 PM Response from Ms. Richmond
1:51:46 PM Ms. Richmond continues presentation
1:52:00 PM Question from Senator Gibson
1:52:14 PM Response from Ms. Richmond
1:52:42 PM Question from Senator Bullard
1:52:53 PM Response from Ms. Richmond

1:53:24 PM Question from Senator Evers
1:53:35 PM Response from Ms. Richmond
1:54:52 PM Question from Chairman Altman
1:56:22 PM Response from Ms. Richmond
1:57:54 PM Ms. Richmond continues presentation
1:58:20 PM Question from Chairman Altman
1:58:32 PM Response from Ms. Richmond
1:58:54 PM Ms. Richmond continues presentation
1:59:54 PM Question from Senator Gibson
2:00:04 PM Response from Ms. Richmond
2:00:38 PM Response from Chairman Altman
2:01:08 PM Question from Senator Gibson
2:01:26 PM Response from Chairman Altman
2:02:01 PM Ms. Richmond continues presentation
2:03:01 PM Question from Chairman Altman
2:03:15 PM Response from Ms. Richmond
2:03:56 PM Ms. Richmond continues presentation
2:04:29 PM Question from Chairman Altman
2:04:37 PM Response from Ms. Richmond
2:04:46 PM Ms. Richmond continues presentation
2:07:34 PM Question from Chairman Altman
2:07:44 PM Ms. Richmond responded
2:09:04 PM Question from Chairman Altman
2:09:24 PM Response from Ms. Richmond
2:10:01 PM Chairman Altman asked if there were any additional questions from the committee
2:10:25 PM Question from Chairman Altman
2:10:34 PM Response from Ms. Richmond
2:11:13 PM Statement from Chairman Altman
2:11:32 PM Question from Senator Gibson
2:11:40 PM Response from Ms. Richmond
2:11:58 PM Comments from Chairman Altman regarding the great presentation
2:12:34 PM Senator Gibson moves to rise