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# COMMITTEE MEETING EXPANDED AGENDA

**TRANSPORTATION**  
Senator Gainer, Chair  
Senator Rouson, Vice Chair

## MEETING DATE:
Tuesday, October 24, 2017  
TIME: 3:00—5:00 p.m.  
PLACE: James E. "Jim" King, Jr. Committee Room, 401 Senate Office Building  
MEMBERS: Senator Gainer, Chair; Senator Rouson, Vice Chair; Senators Baxley, Galvano, Hukill, Rader, and Taddeo

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<td>SB 290</td>
<td>Motor Vehicle Registration Applications; Requiring the application for motor vehicle registration to include language to indicate an applicant is hearing impaired; requiring such information to be included in certain databases, etc.</td>
<td>Favorable Yeas 6 Nays 0</td>
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<td>Rouson</td>
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<td>Veteran Identification; Requiring the Department of Highway Safety and Motor Vehicles to create a veteran identification card for certain purposes; authorizing use of the card as proof of veteran status for expedited processing of an application for a license to carry a concealed weapon or firearm, etc.</td>
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<td>SB 346</td>
<td>Motorcycle and Moped Riders; Increasing the age at which persons who are operating or riding upon a certain motorcycle are exempt from protective headgear requirements, etc.</td>
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<td>Transportation Facility Designations/Senator Greg Evers Memorial Highway; Providing honorary designation of a certain transportation facility in specified counties, etc.</td>
<td>Favorable Yeas 6 Nays 0</td>
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Other Related Meeting Documents
I. Summary:

SB 290 requires the application form for a motor vehicle registration include an option allowing an applicant to voluntarily indicate that he or she is hearing impaired. Such information must be included in the Florida Crime Information Center (FCIC) system and the Driver and Vehicle Information Database (DAVID).

This bill will have an insignificant fiscal impact to Department of Highway Safety and Motor Vehicles (DHSMV) for various programming and implementation costs.

The bill takes effect July 1, 2018.

II. Present Situation:

In Florida, applicants for a driver license who are deaf, or cannot hear conversation spoken in a normal tone of voice, are restricted to driving with an outside rearview mirror mounted on the left side of the vehicle, or with a hearing aid.\(^3\) According to the Florida Department of Health over 3 million Floridians are affected by hearing loss.\(^2\)

Sections 322.051 and 322.14, F.S. require the DHSMV to issue an identification card or driver license exhibiting the international symbol for the Deaf and Hard of Hearing upon an applicant’s request, payment of the required $1 or $2 fee\(^3\), and providing sufficient proof to the DHSMV that the applicant is deaf or hard of hearing. However, this symbol is not available to all Florida

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\(^3\) The designation is added onto a driver license or identification card for a $1 fee when the license or card is being issued or renewed, or a $2 fee solely to replace a license or card in order to add on the designation.
applicants until implementation of DHSMV’s new designs for the driver license and identification card, which will be available throughout Florida by the end of December 2017.  

The symbol may be useful to indicate to others, especially law enforcement, that the individual is deaf or hard of hearing. However, in the event of a traffic stop, law enforcement officials are likely unaware that the individual is deaf or hard of hearing prior to approaching the vehicle. This may result in the individual having difficulty following verbal commands, especially at night when visibility is low.

**Driver and Vehicle Information Database (DAVID)**

The DAVID system contains driver information, such as driver history, a copy of the driver license and insurance information; motor vehicle information, including vehicle titles; and traffic crash information. The DHSMV is permitted, pursuant to interagency agreements, to share information from its database to be used for specified purposes as provided in s. 322.142, F.S., which includes “in response to law enforcement agency requests.” As of 2013, the DAVID system had over 60,000 users in law enforcement, criminal justice, and other Florida agencies.

**Florida Crime Information Center (FCIC) System**

The FCIC system is Florida’s central database for tracking various crime-related information. The system is designed “to provide services, information, and capabilities to the law enforcement and criminal justice community” in the state, and “gives them access to other criminal justice information systems nationwide.” All employees that access the FCIC must be certified by the Florida Department of Law Enforcement, and all information obtained through the system is restricted to criminal justice purposes.

### III. Effect of Proposed Changes:

The bill requires the application form for a motor vehicle registration include an option allowing an applicant to *voluntarily* indicate that he or she is hearing impaired. Such information must be included in the FCIC system and the DAVID.

A law enforcement officer will be capable of accessing this information when he or she searches for a license plate in the DAVID, through the FCIC system.

The bill takes effect July 1, 2018.

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4 Email from DHSMV, *New Look: Florida Driver License and Identification Card* (July 26, 2017) (on file with the Senate Committee on Transportation).


7 *Id.* at 4.
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.

B. **Private Sector Impact:**
   The bill does not appear to have a fiscal impact on the private sector.

C. **Government Sector Impact:**
   DHSMV estimates a fiscal impact of $23,745 for programming and implementation costs due to the bill’s changes.\(^8\) The DHSMV’s Motorist Modernization Project, which is an ongoing multi-year information technology project to replace existing driver license and motor vehicle information systems, may also be impacted.\(^9\)

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 320.02 and 320.27.

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\(^8\) Email from DHSMV, *SB 290 – implementing cost* (Oct. 20, 2017) (on file with the Senate Committee on Transportation).

\(^9\) *Id.*
IX. Additional Information:

A. Committee Substitute – Statement of Changes:
   (Summarizing differences between the Committee Substitute and the prior version of the bill.)
   None.

B. Amendments:
   None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
Florida Senate - 2018

SB 290

By Senator Rouson

A bill to be entitled
An act relating to motor vehicle registration applications; amending s. 320.02, F.S.; requiring the application for motor vehicle registration to include language to indicate an applicant is hearing impaired; requiring such information to be included in certain databases; amending s. 320.27, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Subsections (14) through (19) of section 320.02, Florida Statutes, are renumbered as subsections (15) through (20), respectively, and a new subsection (14) is added to that section, to read:

320.02 Registration required; application for registration; forms.—

(14) The application form for motor vehicle registration must include language allowing an applicant who is hearing impaired to voluntarily indicate that he or she is hearing impaired. If the applicant indicates on the application that he or she is hearing impaired, such information must be included in the Florida Crime Information Center system and the Driver and Vehicle Information Database.

Section 2. Paragraph (b) of subsection (9) of section 320.27, Florida Statutes, is amended to read:

320.27 Motor vehicle dealers.—

(9) DENIAL, SUSPENSION, OR REVOCATION.—

(b) The department may deny, suspend, or revoke any license issued hereunder or under the provisions of s. 320.77 or s. 320.771 upon proof that a licensee has committed, with sufficient frequency so as to establish a pattern of wrongdoing on the part of a licensee, violations of one or more of the following activities:

1. Representation that a demonstrator is a new motor vehicle, or the attempt to sell or the sale of a demonstrator as a new motor vehicle without written notice to the purchaser that the vehicle is a demonstrator. For the purposes of this section, a "demonstrator," a "new motor vehicle," and a "used motor vehicle" shall be defined as under s. 320.60.

2. Unjustifiable refusal to comply with a licensee's responsibility under the terms of the new motor vehicle warranty issued by its respective manufacturer, distributor, or importer. However, if such refusal is at the direction of the manufacturer, distributor, or importer, such refusal shall not be a ground under this section.

3. Misrepresentation or false, deceptive, or misleading statements with regard to the sale or financing of motor vehicles which any motor vehicle dealer has, or causes to have, advertised, printed, displayed, published, distributed, broadcast, televised, or made in any manner with regard to the sale or financing of motor vehicles.

4. Failure by any motor vehicle dealer to provide a customer or purchaser with an odometer disclosure statement and a copy of any bona fide written, executed sales contract or agreement of purchase connected with the purchase of the motor vehicle purchased by the customer or purchaser.

5. Failure of any motor vehicle dealer to comply with the
terms of any bona fide written, executed agreement, pursuant to
the sale of a motor vehicle.

6. Failure to apply for transfer of a title as prescribed
in s. 319.23(6).

7. Use of the dealer license identification number by any
person other than the licensed dealer or his or her designee.

8. Failure to continually meet the requirements of the
licensure law.

9. Representation to a customer or any advertisement to the
public representing or suggesting that a motor vehicle is a new
motor vehicle if such vehicle lawfully cannot be titled in the
name of the customer or other member of the public by the seller
using a manufacturer’s statement of origin as permitted in s.
319.23(1).

10. Requirement by any motor vehicle dealer that a customer
or purchaser accept equipment on his or her motor vehicle which
was not ordered by the customer or purchaser.

11. Requirement by any motor vehicle dealer that any
customer or purchaser finance a motor vehicle with a specific
financial institution or company.

12. Requirement by any motor vehicle dealer that the
purchaser of a motor vehicle contract with the dealer for
physical damage insurance.

13. Perpetration of a fraud upon any person as a result of
dealing in motor vehicles, including, without limitation, the
misrepresentation to any person by the licensee of the
licensee’s relationship to any manufacturer, importer, or
distributor.

14. Violation of any of the provisions of s. 319.35 by any

15. Sale by a motor vehicle dealer of a vehicle offered in
trade by a customer prior to consummation of the sale, exchange,
or transfer of a newly acquired vehicle to the customer, unless
the customer provides written authorization for the sale of the
trade-in vehicle prior to delivery of the newly acquired
vehicle.

16. Willful failure to comply with any administrative rule
adopted by the department or the provisions of s. 320.131(8).

17. Violation of chapter 319, this chapter, or ss. 559.901-
559.9221, which has to do with dealing in or repairing motor
vehicles or mobile homes. Additionally, in the case of used
motor vehicles, the willful violation of the federal law and
rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the
consumer sales window form.

18. Failure to maintain evidence of notification to the
owner or coowner of a vehicle regarding registration or titling
fees owed as required in s. 320.02(17) and 320.02(18).

19. Failure to register a mobile home salesperson with the
department as required by this section.

Section 3. This act shall take effect July 1, 2018.
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 Transportation

BILL: SB 328
INTRODUCER: Senator Baxley
SUBJECT: Veteran Identification
DATE: October 20, 2017

I. Summary:

SB 328 directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a veteran identification card to be used by veterans as proof of veteran status for obtaining discounts or fee waivers. The DHSMV shall issue the card to a veteran who has been honorably discharged and who provides to the DHSMV:

- A copy of his or her DD Form 214;
- A copy of his or her valid driver license, identification card, or another form of photographic identification acceptable to the DHSMV; and
- Payment of a $10 fee.

The bill provides specifications for information that will appear on the card, and provides that the card may be used as proof of veteran status in numerous sections of the Florida Statutes.

The bill is likely to have a positive fiscal impact to the Highway Safety Operating Trust Fund (HSOTF) and local tax collector revenues. See Section V. Fiscal Impact Statement.

The bill takes effect January 1, 2019.

II. Present Situation:

Veteran Identification Cards

Currently, United States (U.S.) military veterans\(^1\) do not have one uniform veteran identification card available to them that proves military service. In 2015, Congress enacted the “Veterans

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\(^1\) Section 1.01(14), F.S., defines a “veteran” as “a person who served in the active military, naval, or air service who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veteran Affairs on individuals discharged or released with other than honorable discharges.”
Identification Card Act 2015.” The Act directs the Secretary of Veterans Affairs (VA) to issue a veteran identification card to each veteran who requests one, presents a copy of his or her Department of Defense (DoD) form DD-214 or other official document from the official military personnel file of the veteran that describes his or her service, and pays a fee (which is yet to be determined). The card will display the photograph and name of the veteran, and contain an identification number that is not a social security number. The card is not proof of any benefits to which the veteran is entitled to, but does serve as proof that such veteran:

- Served in the Armed Forces; and
- Has a DoD form DD-214 or other official document in the official military personnel file of the veteran that describes the service of the veteran.

According to the VA, information regarding obtaining a Veteran Identification Card will be available in November 2017.

Currently, certain veterans may be eligible for other methods of identification that may prove veteran status, including a:

- Veteran Health Identification Card (VHIC):
  - The VHIC is issued to veterans enrolled in the VA health care system, and is used for identification and check-in at VA appointments and access to U.S. military bases.
- DD Form 2 (Retired) U.S. Uniformed Services Identification Card:
  - This card is available to retired members entitled to retired pay, and members on the Temporary Disability Retired List or the Permanent Disability Retired List.
- DD Form 2765 DoD/Uniformed Services Identification and Privilege Card:
  - This card is available to Medal of Honor recipients, 100 percent disabled veterans, former members in receipt of retired pay, and other benefits-eligible categories described in DoD policy.
- Paper Identification Card or Letter displaying military service that is issued free through the joint VA/DoD web portal.
- State driver license or identification cards with a Veteran designation, or a State-issued Veteran Identification Card.

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3 The DoD issues each veteran a DD-214. This form identifies the veteran’s condition of discharge, and contains information commonly needed to verify military service for benefits, retirement, employment, and membership in veteran organizations. See DD214 website, http://www.dd214.us/ (last visited Oct. 13, 2017).
4 See 38 U.S.C. s. 5706
5 Id.
6 Id.
9 10 U.S.C. s. 101(a) defines uniformed services as the Army, Navy, Air Force, Marine Corps, Coast Guard, and the commissioned corps of the National Oceanic and Atmospheric Administration and the Public Health Service.
11 Id.
**State Driver License or Identification Card Veteran Designations**

Currently, 48 states as well as Puerto Rico and the District of Columbia provide the option for veterans to add a Veteran designation to a state driver license or identification card.\(^{13}\)

Florida provides the option for a veteran designation to be placed on a veteran’s driver license or identification card upon request from the veteran, payment of a fee, and the presentation of a copy of the veteran’s DD Form 214 or other acceptable form specified by the Florida Department of Veterans’ Affairs (FDVA).\(^{14}\) The designation is added onto a driver license or identification card for a $1 fee when the license or card is being issued or renewed, or a $2 fee solely to replace a license or card in order to add on the designation.\(^{15}\)

**State-Issued Veteran Identification Cards**

Virginia and Delaware both offer veteran identification cards issued by the state’s Division of Motor Vehicles.

To be eligible for a Virginia-issued veteran identification card, the veteran must:
- Present documentation indicating that he or she served in the U.S. Armed Forces, received an honorable discharge, and holds an unexpired Virginia driver license or identification card;
- Present documentation that displays the veteran’s branch of service, discharge date, and discharge status; and
- Pay a $10 application fee.\(^{16}\)

Delaware-issued veteran identification cards are available free of charge to any Delaware veteran that served in the U.S. military, was honorably discharged, has a valid Delaware driver license or identification card, and provides accepted proof of military service.\(^{17}\)

Florida does not issue a veteran identification card for all veterans, but does issue cards for veterans with specified 100 percent service-connected disabilities. Section 295.17, F.S., provides that the FDVA may issue an identification card to any veteran who is a permanent resident of Florida and has been determined by the VA to have a 100 percent service-connected permanent and total disability rating, or has a service-connected total and permanent disability rating of 100 percent and is receiving disability retirement pay from any branch of the U.S. Armed Forces.

**Licensing and Registration Fee Waivers**

Florida has the third largest veteran population in the nation, with over 1.5 million veterans in the state.\(^{18}\) Florida offers numerous benefits available to veterans, including fee waivers for veterans,


\(^{14}\) See ss. 322.051(8)(b) and 322.14(1)(d), F.S.

\(^{15}\) *Id.*; The current veteran designation is a “V” printed on the license or card; however, the designation will be changed to read “Veteran” upon implementation of new designs for the license and card by the DHSMV.


spouses of veterans, and business entities with majority ownership held by a veteran or spouse of a veteran.

Currently, Florida waives initial licensing or registration fees for a veteran who provides a copy of his or her DD Form 214 or another acceptable form of identification as specified by the FDVA, for the following:

- The initial application fee for a veteran who applies to be licensed as a private investigator, private investigator intern, private investigative agency manager, private investigative/security agency manager, firearms instructor, security officer manager, security officer instructor, recovery agent, recovery agent intern, recovery agency manager, or recovery agent instructor within 24 months after being discharged from a branch of the U.S. Armed Forces.\(^{19}\)
- The initial license fee for a veteran who applies within 24 months of being discharged from a branch of the U.S. Armed Forces to be licensed as a:
  - Private investigative/security agency manager or a firearms instructor;\(^ {20}\)
  - Private investigator, private investigator intern, or private investigative agency manager;\(^ {21}\)
  - Security officer, security officer instructor, or a security manager;\(^ {22}\) and
  - Recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor.\(^ {23}\)

Veterans of the U.S. Armed Forces who retired within 24 months before application for licensure are exempt from the application filing fee to be licensed as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary upon proof of qualifying veteran status.\(^ {24}\)

Initial license or registration fees are waived for veterans, spouses of veterans, and business entities with a veteran majority owner who submit an application within 60 months after the date of the veteran’s discharge from the U.S. Armed Forces for the following classes of licenses:

- Land surveyor and mapper;\(^ {25}\)
- Health studios;\(^ {26}\)
- Commercial telephone seller or entities providing substance abuse marketing services;\(^ {27}\)
- Telemarketing salesperson;\(^ {28}\)
- Movers and moving brokers;\(^ {29}\)
- Liquefied petroleum gas related license.\(^ {30}\)

\(^ {19}\) Section 493.6105(1)(c), F.S.
\(^ {20}\) Section 493.6107(6), F.S.
\(^ {21}\) Section 493.6202(4), F.S.
\(^ {22}\) Section 493.6302(4), F.S.
\(^ {23}\) Section 493.6402(4), F.S.
\(^ {24}\) Section 626.171(6), F.S., Qualified individuals must provide a copy of a military identification card, service record, personnel file, veteran record, discharge paper, or separation document.
\(^ {25}\) Section 472.015(3), F.S.
\(^ {26}\) Section 501.015(2), F.S.
\(^ {27}\) Section 501.605(5), F.S.
\(^ {28}\) Section 501.607(2)(b), F.S.
\(^ {29}\) Section 507.03(3)(b), F.S.
\(^ {30}\) Section 527.02(3)(b), F.S.
To be eligible for the fee waiver above, the applicant must provide a copy of the veteran’s DD Form 214 or another acceptable form of identification as specified by the FDVA, and a valid marriage license or proof of ownership interest, where applicable.

Finally, a veteran is eligible to receive expedited processing of an application for a license to carry concealed weapons or firearms. A veteran must submit a copy of the DD Form 214 or another acceptable form of identification as specified by the FDVA.

III. **Effect of Proposed Changes:**

The bill directs the DHSMV to create a veteran identification card to be used as proof of veteran status for obtaining discounts or waivers offered to veterans. The card may not be used for the determination of any federal benefits, as a veteran disability identification card issued under s. 295.17, F.S., or as a state identification card issued under s. 322.051, F.S.

The card must bear the colors and design approved by the DHSMV, including:

- A full-face photograph of the veteran;
- The words “Proof of veteran status” at the bottom of the card, and
- The veteran’s full name, branch of service, and date of discharge.

The DHSMV shall issue the card by mail to a veteran of any branch of the U.S. Armed Forces who has been honorably discharged and who provides the DHSMV:

- A copy of his or her DD Form 214;
- A copy of his or her valid driver license or identification card, or other form of photographic identification acceptable to the DHSMV; and
- Payment of a $10 fee.

The bill requires the card be terminated upon the death of the veteran. Additionally, section 1 of the bill, authorizing issuance of the card, will be repealed August 31, 2023.

The bill authorizes the veteran identification card to be used as proof of veteran status in numerous sections of the Florida Statutes. Specifically, the bill authorizes the card to be used as proof of veteran status to receive fee waivers when applying for the following licensures:

- **Section 2** for a land surveyor and mapper;
- **Section 3** for a private investigator, private investigator intern, private investigative agency manager, private investigative/security agency manager, firearms instructor, security officer.

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31 Section 539.001(3)(c), F.S.
32 Section 559.904(3)(b), F.S.
33 Section 559.928(2)(c), F.S.
34 Section 790.065(f)(2), F.S.
35 To be deposited into the Highway Safety Operating Trust Fund (HSOTF).
manager, security officer instructor, recovery agent, recovery agent intern, recovery agency manager, or recovery agent instructor;

- **Section 4** for a private investigative/security agency manager or a firearms instructor;
- **Section 5** for a private investigator, private investigator intern, or private investigative agency manager;
- **Section 6** for a security officer, security officer instructor, or a security manager;
- **Section 7** for a recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor;
- **Section 8** for a health studio;
- **Section 9** for a private investigator, private investigator intern, or private investigative agency manager;
- **Section 10** for a firearms instructor;
- **Section 11** for a recovery agent manager, or recovery agent instructor;
- **Section 12** for a security officer, security officer instructor, or a security manager;
- **Section 13** for a recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor;
- **Section 14** for a health studio;
- **Section 15** for a private investigator, private investigator intern, or private investigative agency manager;
- **Section 16** for a security officer, security officer instructor, or a security manager;
- **Section 17** for a recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor;

Lastly, **section 17** provides that the veteran identification card may be used as proof of veteran status for expedited processing of an application to carry concealed weapons or firearms.

The bill takes effect January 1, 2019.

**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.

B. **Private Sector Impact:**

   A veteran will pay a $10 fee if he or she chooses to receive a veteran identification card.
C. Government Sector Impact:

DHSMV estimates between 40,000 and 65,000 veterans may apply for the veteran identification card in the first year, generating a positive impact of $400,000 to $650,000 to the HSOTF.\textsuperscript{36} To implement the bill, the DHSMV will incur programming and printer costs of approximately $328,740.\textsuperscript{37}

The bill may have a positive impact on local tax collector offices who work as driver license agents, as they are authorized to charge a service fee of $6.25 when providing services under ch. 322, F.S.\textsuperscript{38}

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 322.0511 of the Florida Statutes.

This bill substantially amends the following sections of the Florida Statutes: 472.015, 493.6105, 493.6107, 493.6202, 493.6302, 493.6402, 501.015, 501.605, 501.607, 507.03, 527.02, 539.001, 559.904, 559.928, 626.171, and 790.06.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.
A bill to be entitled An act relating to veteran identification; creating s. 322.0511, F.S.; requiring the Department of Highway Safety and Motor Vehicles to create a veteran identification card for certain purposes; providing for the design of the card; providing veteran eligibility requirements; providing for fee disposition; prohibiting use of the card for certain purposes; providing for termination of the card; providing for future repeal; amending ss. 472.015, 493.6105, 493.6107, 493.6202, 493.6302, 493.6402, 501.015, 501.605, 501.607, 507.03, 527.02, 539.001, 559.904, 559.928, and 626.171, F.S.; authorizing use of the card as proof of veteran status for obtaining waivers of license or registration fees relating to land surveying and mapping, private investigation services, private security services, repossession services, health studios, commercial telephone sellers or entities providing substance abuse marketing services, salespersons, movers and moving brokers, the sale of liquefied petroleum gas, pawnbrokers, motor vehicle repair shops, sellers of travel, and insurance representatives; amending ss. 790.06, F.S.; authorizing use of the card as proof of veteran status for expedited processing of an application for a license to carry a concealed weapon or firearm; providing an effective date.

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

Section 1. Section 322.0511, Florida Statutes, is created to read:

(1) The department, in cooperation with the Department of Veterans’ Affairs, shall create a veteran identification card to be used as proof of veteran status for the purpose of obtaining discounts or waivers offered to veterans for the exchange of goods and services and for other purposes authorized by law, except as provided in subsection (3). The veteran identification card must bear the colors and design approved by the department, including, but not limited to, a full-face photograph of the veteran and his or her full name, branch of service, and date of discharge. The words “Proof of veteran status” must appear at the bottom of the card.

(2) The department shall issue a veteran identification card by mail to a veteran of any branch of the United States Armed Forces who has been honorably discharged and who provides to the department all of the following:

(a) A copy of the veteran’s DD Form 214, as issued by the United States Department of Defense.

(b) A copy of the veteran’s valid, unexpired driver license or identification card issued under this chapter or another form of photographic identification acceptable to the department.

(c) Payment of a $10 fee, which shall be deposited into the Highway Safety Operating Trust Fund.

(3) A veteran identification card issued pursuant to this section is not considered an identification card for the purposes of s. 295.17 or s. 322.051 and may not be used for the
Section 3. Paragraph (c) of subsection (1) of section 493.6105, Florida Statutes, is amended to read:

493.6105 Initial application for license.—

1. Each individual, partner, or principal officer in a corporation, shall file with the department a complete application accompanied by an application fee not to exceed $60, except that the applicant for a Class “D” or Class “G” license is not required to submit an application fee. The application fee is not refundable.

(c) The initial application fee for a veteran, as defined in s. 1.01, shall be waived if he or she applies for a Class “C,” Class “CC,” Class “DI,” Class “E,” Class “EE,” Class “K,” Class “M,” Class “MA,” Class “MB,” Class “MR,” or Class “RI” license within 24 months after being discharged from a branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 2. Paragraph (b) of subsection (3) of section 472.015, Florida Statutes, is amended to read:

472.015 Licensure.—

1. A business entity must provide to the department a complete application accompanied by an application fee not to exceed $60, except that the applicant for a Class “D” or Class “G” license is not required to submit an application fee. The application fee is not refundable.

2. The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran’s discharge from any branch of the United States Armed Forces. To qualify for the waiver:

A veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and, if applicable, a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

The spouse of a veteran must provide to the department a complete application accompanied by an application fee not to exceed $60, except that the applicant for a Class “D” or Class “G” license is not required to submit an application fee. The application fee is not refundable.

3. A business entity must provide to the department a complete application accompanied by an application fee not to exceed $60, except that the applicant for a Class “D” or Class “G” license is not required to submit an application fee. The application fee is not refundable.
Section 6. Subsection (4) of section 493.6302, Florida Statutes, is amended to read:

(4) The initial license fee for a veteran, as defined in s. 501.015, shall be waived if he or she applies for a Class “C,” Class “CC,” or Class “MA” license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs with his or her application in order to obtain a waiver.

Section 7. Subsection (4) of section 493.6402, Florida Statutes, is amended to read:

(4) The initial license fee for a veteran, as defined in s. 501.015, shall be waived if he or she applies for a Class “E,” Class “EE,” Class “MR,” or Class “RI” license within 24 months after being discharged from any branch of the United States Armed Forces. An eligible veteran must include a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs with his or her application in order to obtain a waiver.

Section 8. Subsection (2) of section 501.015, Florida Statutes, is amended to read:

(2) Remit an annual registration fee of $300 to the
department at the time of registration for each of the health
studio’s business locations. The department shall waive the
initial registration fee for an honorably discharged veteran of
the United States Armed Forces, the spouse of such a veteran, or
a business entity that has a majority ownership held by such a
veteran or spouse if the department receives an application, in
a format prescribed by the department, within 60 months after
the date of the veteran’s discharge from any branch of the
United States Armed Forces. To qualify for the waiver:

(a) A veteran must provide to the department a copy of his
or her DD Form 214, as issued by the United States Department of
Defense, his or her veteran identification card issued pursuant
to s. 322.0511, or another acceptable form of identification as
specified by the Department of Veterans’ Affairs;

(b) The spouse of a veteran must provide to the department
a copy of the veteran’s DD Form 214, as issued by the United
States Department of Defense, the veteran’s veteran
identification card issued pursuant to s. 322.0511, or another
acceptable form of identification as specified by the Department
of Veterans’ Affairs, and a copy of a valid marriage license or
certificate verifying that he or she was lawfully married to the
veteran at the time of discharge; or

(c) A business entity must provide to the department proof
that a veteran or the spouse of a veteran holds a majority
ownership in the business, a copy of the veteran’s DD Form 214,
as issued by the United States Department of Defense, the
veteran’s veteran identification card issued pursuant to s.
322.0511, or another acceptable form of identification as
specified by the Department of Veterans’ Affairs, and, if

applicable, a copy of a valid marriage license or certificate
verifying that the spouse of the veteran was lawfully married to
the veteran at the time of discharge.

Section 9. Paragraph (b) of subsection (5) of section
501.605, Florida Statutes, is amended to read:

501.605 Licensure of commercial telephone sellers and
entities providing substance abuse marketing services.—
(5) An application filed pursuant to this part must be
verified and accompanied by:

(a) A fee for licensing in the amount of $1,500. The fee
shall be deposited into the General Inspection Trust Fund. The
department shall waive the initial license fee for an honorably
discharged veteran of the United States Armed Forces, the spouse
of such a veteran, or a business entity that has a majority
ownership held by such a veteran or spouse if the department
receives an application, in a format prescribed by the
department, within 60 months after the date of the veteran’s
discharge from any branch of the United States Armed Forces. To
qualify for the waiver:

1. A veteran must provide to the department a copy of his
or her DD Form 214, as issued by the United States Department of
Defense, his or her veteran identification card issued pursuant
to s. 322.0511, or another acceptable form of identification as
specified by the Department of Veterans’ Affairs;

2. The spouse of a veteran must provide to the department a
copy of the veteran’s DD Form 214, as issued by the United
States Department of Defense, the veteran’s veteran
identification card issued pursuant to s. 322.0511, or another
acceptable form of identification as specified by the Department
Section 10. Paragraph (b) of subsection (2) of section 501.607, Florida Statutes, is amended to read:

- A business entity must provide to the department proof of ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

- The spouse of a veteran must provide to the department a certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

Paragraph (b) of subsection (3) of section 501.607, Florida Statutes, is amended to read:

- A veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs;

Licensure of salespersons.

Section 11. Paragraph (b) of subsection (3) of section 507.03, Florida Statutes, is amended to read:

- The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces. To qualify for the waiver:
  - A veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or
  - The spouse of a veteran must provide to the department a certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

- A business entity must provide to the department proof of ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

- The spouse of a veteran must provide to the department a certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran’s discharge from any branch of the United States Armed Forces. To qualify for the waiver:

1. A veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

2. The spouse of a veteran must provide to the department a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

3. A business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 12. Paragraph (b) of subsection (3) of section 527.02, Florida Statutes, is amended to read:

(b) The department shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran’s discharge from any branch of the United States Armed Forces. To qualify for the waiver:

1. A veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

2. The spouse of a veteran must provide to the department a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

3. A business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or
1. A veteran must provide to the agency a copy of his or her DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

2. The spouse of a veteran must provide to the agency a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

3. A business entity must provide to the agency proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and, if applicable, a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 13. Paragraph (c) of subsection (3) of section 539.001, Florida Statutes, is amended to read:

539.001 The Florida Pawnbroking Act.—

(3) LICENSE REQUIRED.—

(c) Each license is valid for a period of 1 year unless it is earlier relinquished, suspended, or revoked. Each license shall be renewed annually, and each licensee shall, initially and annually thereafter, pay to the agency a license fee of $300 for each license held. The agency shall waive the initial license fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the agency receives an application, in a format prescribed by the agency, within 60 months after the date of the veteran’s discharge from any branch of the United States Armed Forces. To qualify for the waiver:

1. A veteran must provide to the agency a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs;

2. The spouse of a veteran must provide to the agency a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge.

Section 14. Paragraph (b) of subsection (3) of section 559.904, Florida Statutes, is amended to read:

559.904 Motor vehicle repair shop registration; application; exemption.—

(3) 

(b) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran’s discharge from any branch of the United States Armed Forces. To
559.928 Registration.—

(2) The department shall waive the initial registration fee to a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

3. A business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and a copy of a valid marriage license or certificate verifying that the spouse of the veteran was lawfully married to the veteran at the time of discharge; or

Section 15. Paragraph (c) of subsection (2) of section 559.928, Florida Statutes, is amended to read:

(c) The department shall waive the initial registration fee for an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse if the department receives an application, in a format prescribed by the department, within 60 months after the date of the veteran’s discharge from any branch of the United States Armed Forces. To qualify for the waiver:

1. A veteran must provide to the department a copy of his or her DD Form 214, as issued by the United States Department of Defense, his or her veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs; or

2. The spouse of a veteran must provide to the department a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or

3. A business entity must provide to the department proof that a veteran or the spouse of a veteran holds a majority ownership in the business, a copy of the veteran’s DD Form 214, as issued by the United States Department of Defense, the veteran’s veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans’ Affairs, and a copy of a valid marriage license or certificate verifying that he or she was lawfully married to the veteran at the time of discharge; or
Section 16. Subsection (6) of section 626.171, Florida Statutes, is amended to read:

(6) Members of the United States Armed Forces and their spouses, and veterans of the United States Armed Forces who have retired within 24 months before application for licensure, are exempt from the application filing fee prescribed in s. 624.501. Qualified individuals must provide a copy of a military identification card, military dependent identification card, military service record, military personnel file, veteran identification card, veteran record, discharge paper, or separation document, or a separation document that indicates such members of the United States Armed Forces are currently in good standing or were honorably discharged.

Section 17. Paragraph (f) of subsection (5) of section 790.06, Florida Statutes, is amended to read:

(5) The applicant shall submit to the Department of Agriculture and Consumer Services or an approved tax collector pursuant to s. 790.0625:

(f) For expedited processing of an application:

1. A servicemember shall submit a copy of the Common Access Card, United States Uniformed Services Identification Card, or current deployment orders.

2. A veteran shall submit a copy of the DD Form 214, issued by the United States Department of Defense, the veteran identification card issued pursuant to s. 322.0511, or another acceptable form of identification as specified by the Department of Veterans' Affairs.

Section 18. This act shall take effect January 1, 2019.
I. **Summary:**

SB 330 designates the portion of U.S. 90/S.R. 10 between S.R. 285 and N. 9th Street/S.R. 83 in Walton County as “Lieutenant Ewart T. Sconiers Highway” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

The estimated cost to the FDOT to install the designation markers required under this bill is $1,000. See the heading, “Fiscal Impact Statement” below for details.

The bill takes effect July 1, 2018.

II. **Present Situation:**

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes, or to distinguish a particular facility. Such designations are not to be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.1

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated by the law creating the designation, and to erect any other markers it deems appropriate for the transportation facility.2

The FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the

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1 Section 334.071(1), F.S.
2 Section 334.071(2), F.S.
designated road or bridge segment is located in more than one city or county, each affected local

government must pass resolutions supporting the designations before installation of the markers.³

III. **Effect of Proposed Changes:**

The bill designates the portion of U.S. 90/S.R. 10 between S.R. 285 and N. 9th Street/S.R. 83 in
Walton County as “Lieutenant Ewart T. Sconiers Highway” and directs the FDOT to erect
suitable markers for the described designation.

Lieutenant Sconiers was born in 1915 and raised in DeFuniak Springs. He attended the
University of Florida before enlisting in the Army on September 16, 1941. He was shot down
and captured by the Germans on October 21, 1942. He was imprisoned in German-occupied
Poland and passed away there on January 24, 1944. In April of 2017, his remains were found and
positively identified. Lieutenant Sconiers will be buried in DeFuniak Springs with full military
honors on January 27, 2018.

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.

B. **Private Sector Impact:**

None.

C. **Government Sector Impact:**

The estimated cost to erect the designation markers required under this bill is $1,000,
based on the assumption that two markers are required at a cost to the FDOT of no less
than $500 each. The estimate includes sign fabrication, installation, and maintenance over
time but does not include any additional expenses related to maintenance of traffic,

³ Section 334.071(3), F.S.
dedication event costs, or replacement necessitated by damage, vandalism, or storm events.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill creates an undesignated section of Florida Law.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
A bill to be entitled An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

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

Section 1. Lieutenant Ewart T. Sconiers Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 90/S.R. 10 between S.R. 285 and N. 9th Street/S.R. 83 N. in Walton County is designated as "Lieutenant Ewart T. Sconiers Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Lieutenant Ewart T. Sconiers Highway as described in subsection (1).

Section 2. This act shall take effect July 1, 2018.
I. Summary:

SB 346 requires riders and operators under the age of 21 years old to wear protective headgear and eye-protection when operating or riding upon motorcycles powered by a motor of 50 cubic centimeters (CCs) or less or rated at two horsepower or less, which is not capable of propelling the motorcycle more than 30 miles per hour (mph). Currently these protective equipment requirements only apply to riders and operators who are under 16 years old. A violation is a noncriminal traffic infraction, punishable as a nonmoving violation, which is a fine of up to $108.

The bill does not appear to have a significant fiscal impact on state or local government.

The bill takes effect July 1, 2018.

II. Present Situation:

Section 316.211, F.S., requires a person operating or riding upon a motorcycle to wear protective headgear securely fastened upon his or her head as well as an eye-protective device. The headgear must comply with Federal Motorcycle Vehicle Safety Standards1, and the eye-protective device must be approved by the Department of Highway Safety and Motor Vehicles (DHSMV)2. However, this section does not apply to:

- Persons riding within an enclosed cab;

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2 Approved eye-protective devices are “goggles, faces shields designed for use with, and as part of an approved helmet or eyeglasses including sunglasses,” which must be “in good repair, free of sharp edges or projections…free from cracks, waves, bubbles, or any other defect which may impair its normal visibility.” See 2013 Florida Motorcycle Handbook at 9, (Sept. 2012), available at https://www.flhsmv.gov/handbooks/EnglishMotorcycleHandbook.pdf (last visited Oct. 16, 2017).
• Any person *16 years of age or older* operating or riding upon a motorcycle powered by a motor with a displacement of 50CCs or less or is rated not in excess of two brake horsepower and not capable of propelling the motorcycle at a speed greater than 30 mph;
• A person at least 21 years of age, if such person is covered by an insurance policy providing at least $10,000 in medical benefits for injuries incurred as a result of a motorcycle crash.

Additionally, s. 316.211, F.S., prohibits a person under 16 years of age from operating or riding upon a moped without protective headgear.3

This section also requires motorcycles registered to persons under 21 years of age to display an “Under 21” license plate. The current design of this license plate features a motorcycle-sized plate with a white background and with letters and numbers in a red font.4

A violation of any of the provisions of s. 316.211, F.S., is a noncriminal traffic infraction, punishable as a nonmoving violation, which is a fine of up to $108.5 In 2016, there were 3,098 citations issued in Florida for a violation of this section.6

According to the DHSMV, motorcycles manufactured with a motor of 50CCs or less can be altered in order to make the motorcycle more powerful than is displayed on the motorcycle’s body or included on the manufacturer’s certificate of origin.7 This can make enforcement of the helmet law difficult for law enforcement, since the helmet requirement differs based on the power of the motorcycle and age of the individual.

III. **Effect of Proposed Changes:**

The bill requires riders and operators under the age of 21 years old to wear protective headgear which complies with Federal Motorcycle Vehicle Safety Standards, and eye-protection approved by the DHSMV when operating or riding upon a motorcycle powered by a motor:
• With a displacement of 50CCs or less or is rated not in excess of two brake horsepower, and;
• Which is not capable of propelling the motorcycle at a speed greater than 30 mph on level ground.

A violation of this law is a noncriminal traffic infraction, punishable as a nonmoving violation, which is a fine of up to $108.

The bill takes effect July 1, 2018.

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3 Section 316.003(38), F.S., defines “moped” as “any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than 3 wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.”
6 Email from DHSMV (Aug. 31, 2017) (on file with the Senate Committee on Transportation).
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.
   
   B. **Private Sector Impact:**
      
      Individuals may incur costs associated with acquiring required protective headgear. A person who violates this law may be subject to a fine of up to $108.
   
   C. **Government Sector Impact:**
      
      The bill does not appear to have a significant fiscal impact on state or local government. DHSMV may incur minimal programming costs to implement the bill.

VI. **Technical Deficiencies:**
   
   None.

VII. **Related Issues:**
   
   None.

VIII. **Statutes Affected:**
   
   This bill substantially amends section 316.211 of the Florida Statutes.

IX. **Additional Information:**
   
   A. **Committee Substitute – Statement of Changes:**
      
      (Summarizing differences between the Committee Substitute and the prior version of the bill.)
      
      None.
B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
The Committee on Transportation (Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 36 - 46 and insert:

(4) A person under 21 years of age may not operate or ride upon a moped unless the person is properly wearing protective headgear securely fastened upon his or her head which complies with Federal Motorcycle Vehicle Safety Standard 218 promulgated by the United States Department of Transportation.

(5) The department shall make available a list of
protective headgear approved in this section, and the list shall
be provided on request.

(6) Each motorcycle or moped registered to a person under
21 years of age must display a license plate that is unique in
design and color.

And the title is amended as follows:

Delete line 5

and insert:

motorcycle or moped are exempt from protective
headgear
A bill to be entitled
An act relating to motorcycle and moped riders;
amending s. 316.211, F.S.; increasing the age at which
persons who are operating or riding upon a certain
motorcycle are exempt from protective headgear
requirements; providing an effective date.

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

Section 1. Section 316.211, Florida Statutes, is amended to
read:

316.211 Equipment for motorcycle and moped riders.—
(1) A person may not operate or ride upon a motorcycle
unless the person is properly wearing protective headgear
securely fastened upon his or her head which complies with
Federal Motorcycle Vehicle Safety Standard 218 promulgated by
the United States Department of Transportation. The Department
of Highway Safety and Motor Vehicles shall adopt this standard
by agency rule.

(2) A person may not operate a motorcycle unless the person
is wearing an eye-protective device over his or her eyes of a
type approved by the department.

(3)(a) This section does not apply to persons riding within
an enclosed cab or to any person over 21 years of age 16 years
of age or older who is operating or riding upon a motorcycle
powered by a motor with a displacement of 50 cubic centimeters
or less or is rated not in excess of 2 brake horsepower and
which is not capable of propelling such motorcycle at a speed
greater than 30 miles per hour on level ground.

(b) Notwithstanding subsection (1), a person over 21 years
of age may operate or ride upon a motorcycle without wearing
protective headgear securely fastened upon his or her head if
such person is covered by an insurance policy providing for at
least $10,000 in medical benefits for injuries incurred as a
result of a crash while operating or riding on a motorcycle.

(4) A person under 16 years of age may not operate or ride
upon a moped unless the person is properly wearing protective
headgear securely fastened upon his or her head which complies
with Federal Motorcycle Vehicle Safety Standard 218 promulgated
by the United States Department of Transportation.

(5) The department shall make available a list of
protective headgear approved in this section, and the list shall
be provided on request.

(6) Each motorcycle registered to a person under 21 years
of age must display a license plate that is unique in design and
color.

(7) A violation of this section is a noncriminal traffic
infraction, punishable as a nonmoving violation as provided in
chapter 318.

Section 2. This act shall take effect July 1, 2018.
The Florida Senate
APPEARANCE RECORD

Meeting Date: 10/24/17

Bill Number (if applicable): 346

Topic: 

Name: Chris Nuland

Job Title: 

Address: 1000 Riverside Ave #240

City: Jacksonville

State: FL

Zip: 32204

Phone: 904-233-3051

Email: nulandlaw@gmail.com

Speaking: [ ] For [ ] Against [ ] Information

Waive Speaking: [ ] In Support [ ] Against

(The Chair will read this information into the record.)

Representing: Florida Neurosurgical Society

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.
The Florida Senate
APPEARANCE RECORD

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

Meeting Date 10-24-17

Bill Number (if applicable) 346

Topic Motorcycle & Moped Riders

Name David Cullen

Job Title

Address 1674 University Pkwy #296
Street
City SARASOTA
State FL
Zip 34239

Phone 941-323-2434
Email cullenaseca@yahoo.com

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Advocacy Institute for Children

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 (10/14/14)
I. Summary:

SB 358 designates the portion of S.R. 4 between Munson Highway and S.R. 189 in Santa Rosa and Okaloosa Counties as “Senator Greg Evers Memorial Highway” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

The estimated cost to the FDOT to install the designation markers required under this bill is $1,000. See the heading, “Fiscal Impact Statement” below for details.

The bill takes effect July 1, 2018.

II. Present Situation:

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes, or to distinguish a particular facility. Such designations are not to be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.\(^1\)

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated by the law creating the designation, and to erect any other markers it deems appropriate for the transportation facility.\(^2\)

The FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the

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\(^1\) Section 334.071(1), F.S.
\(^2\) Section 334.071(2), F.S.
III. Effect of Proposed Changes:

The bill designates the portion of S.R. 4 between Munson Highway and S.R. 189 in Santa Rosa and Okaloosa Counties as “Senator Greg Evers Memorial Highway” and directs the FDOT to erect suitable markers.

Senator Greg Evers was a fifth-generation northwest Floridian whose primary career was in agriculture. He served in the Florida House of Representatives from 2001 to 2010 and in the Florida Senate from 2010 to 2016. Throughout his legislative career, Senator Evers was recognized as a champion for law enforcement, first responders, and veterans. Senator Evers passed away on August 22, 2017.

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.

B. Private Sector Impact:

   None.

C. Government Sector Impact:

   The estimated cost to erect the designation markers required under this bill is $1,000, based on the assumption that two markers are required at a cost to the FDOT of no less than $500 each. The estimate includes sign fabrication, installation, and maintenance over time but does not include any additional expenses related to maintenance of traffic, dedication event costs, or replacement necessitated by damage, vandalism, or storm events.

3 Statement 334.071(3), F.S.
VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill creates an undesignated section of Florida Law.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. **Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.
A bill to be entitled
An act relating to transportation facility
designations; providing honorary designation of a
certain transportation facility in specified counties;
directing the Department of Transportation to erect
suitable markers; providing an effective date.

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

Section 1. Senator Greg Evers Memorial Highway designated;
Department of Transportation to erect suitable markers.—
(1) That portion of S.R. 4 between Munson Highway and S.R.
189 in Santa Rosa and Okaloosa Counties is designated as
"Senator Greg Evers Memorial Highway."
(2) The Department of Transportation is directed to erect
suitable markers designating Senator Greg Evers Memorial Highway
as described in subsection (1).

Section 2. This act shall take effect July 1, 2018.
THE FLORIDA SENATE
APPEARANCE RECORD
(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Meeting Date

Meeting Date: 10-24-17

Topic: Sey. Greg Evers Memorial Hwy

Name: Greg Smith

Job Title: Sen. Affairs Mgr

Address: 215 S. Monroe

Phone: 850.444.6864

Email: glsmith@flsenate.gov

Speaking: ☑ For ☐ Against ☐ Information

Representing: (Gulf Power)

Waive Speaking: ☐ In Support ☑ Against

Bill Number (if applicable): SB 358

Amendment Barcode (if applicable): ___________

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.
October 23, 2017

The Honorable George Gainer
302 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1300

Dear Chairman Gainer:

In accordance with Senate Rule 1.21, I am writing to you to be excused from the Transportation meeting that will be held on October 24, 2017 at 3:00pm due to a business matter that needs my immediate attention. I sincerely apologize for any inconvenience this may cause.

Thank you for your consideration. Please feel free to contact me at 561-866-4020 if you have any questions.

Sincerely

Kevin Rader
State Senator
District 29

cc: Phillip Miller, Staff Director
3:01:01 PM Call to order
3:01:08 PM Roll Call - Quorum Present
3:01:17 PM Pledge of Allegiance
3:01:52 PM Preliminary Announcements
3:02:25 PM Tab 5 - SB 358 by Sen. Latvala
3:03:38 PM Waived Speaking - Greg Smith, Gulf Power
3:04:01 PM Comments by Sen. Baxley
3:04:44 PM Comments by Chair Gainer
3:05:04 PM Comments by Sen. Rouson
3:05:40 PM Sen. Latvala waives close
3:05:47 PM Roll Call on SB 358
3:06:09 PM Chair SB 358 - Favorable
3:06:27 PM Tab 1 - SB 290 by Sen. Rouson
3:06:44 PM Sen. Rouson explains SB 290
3:07:15 PM Chair Gainer
3:07:19 PM Question - Sen. Hukill
3:07:32 PM Reply - Sen. Rouson
3:07:43 PM Comment by Sen. Hukill
3:08:07 PM Chair Gainer
3:08:20 PM Sen. Rouson waives close
3:08:32 PM Chair Gainer
3:08:37 PM Roll Call
3:08:49 PM Chair SB 290 - Favorable
3:08:58 PM Tab 2 - SB 328 by Sen. Baxley
3:09:09 PM Sen. Baxley explains SB 328
3:10:21 PM Chair Gainer
3:10:37 PM Sen. Baxley waives close
3:10:44 PM Roll Call
3:10:54 PM Chair - SB 328 Favorable
3:11:15 PM Tab 3 - SB 330 by Sen. Gainer
3:11:31 PM Sen. Rouson takes Chair
3:11:46 PM Sen. Gainer explains SB 330
3:12:53 PM Chair Rouson
3:13:09 PM Question - Sen. Hukill
3:13:24 PM Reply - Sen. Gainer
3:13:30 PM Chair Rouson
3:13:48 PM Sen. Gainer waives close
3:13:55 PM Chair Rouson
3:13:57 PM Roll Call
3:14:01 PM Chair - SB 330 Favorable
3:14:15 PM Tab 4 - SB 346 by Sen. Perry
3:14:54 PM Sen. Galvao asks to vote Favorable on missed bills
3:15:16 PM Recording Paused to wait for Sen. Perry to present his bill
3:21:37 PM Recording Resumed
3:22:07 PM Chair Gainer announces to Temporarily Postpone SB 346 by Sen. Perry
3:22:30 PM Motion to adjourn by Senator Hukill
3:23:17 PM Meeting Adjourned