

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: April 7, 1998 Revised: _____

Subject: Highway Safety

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Vickers</u>	<u>Johnson</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>WM</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This CS provides that other than in a school zone persons exceeding the posted speed limit by 1-5 miles per hour would receive a warning rather than a \$25 citation. The CS also specifies certain conditions under which fines for speed violations in construction zones may be doubled.

The CS eliminates the department's authority to suspend the driver's license of a motor vehicle owner not complying with the security requirements provided for in ss. 324.022 and 627.733, F.S.

This CS amends sections 318.18 and 627.733 of the Florida Statutes.

II. Present Situation:

Section 318.18(3), F.S., establishes the fine schedule for moving violations involving unlawful speed. Currently, the fine for speed exceeding the posted limit by 1-9 mph is \$25.00. A person cited for exceeding the speed limit in a legally posted school zone or a posted construction zone will be assessed a fine double the amount established in s. 318.18(3), F.S. Section 322.27, F.S., provides that a person convicted of unlawful speed not in excess of 15 mph over the posted limit is assessed 3 points on their driving record.

The Department of Highway Safety and Motor Vehicles is authorized to suspend the registration and driver's license of a motor vehicle owner or operator for noncompliance with the requirements of the Florida Motor Vehicle No-Fault Law (s. 627.733, F.S.), and the financial responsibility requirements contained in s. 324.022, F.S. The department is directed to reinstate the driver's license and registration of the owner or operator upon proof of compliance with statutory requirements and payment of a nonrefundable reinstatement fee. For the initial reinstatement the fee is set at \$150. A second reinstatement within a 3-year period requires a

reinstatement fee of \$250. Revenue generated through these fees is deposited into the Highway Safety Operating Trust Fund.

III. Effect of Proposed Changes:

Section 1 amends s. 318.18(3)(b), F.S., to provide that for violations between 1-5 mph over the posted speed limit a warning notice would be issued and no fine imposed. Presumably, because no conviction occurred, the driver would not be assessed any points. Violations between 6-9 mph over the posted speed limit would continue to result in a citation, a fine of \$25, and an assessment of 3 points. The CS stipulates that speed violations between 1-5 mph in school zones would continue to be subject to a \$50 citation.

The CS also provides that fines for speed violations will be doubled for construction zone violations only if construction personnel are present or operating equipment is on the road or immediately adjacent to the road under construction.

Section 2 amends s. 627.733, F.S., to delete the provision authorizing the department to suspend an individual's driver's license when the owner or registrant of a motor vehicle fails to provide proof of security as required by ss. 627.733 and 322.022, F.S. The department would continue to suspend vehicle registration when a vehicle is uninsured.

Section 3 provides for an effective date of July 1, 1998.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Motorists stopped for exceeding the posted speed limit by 1-5 mph would receive a warning rather than a \$25 fine. School zones would constitute an exception and the \$50 fine would continue to apply. The department reported that statistics regarding the number of persons cited for unlawful speed between 1-5 mph over the posted speed limit were not available.

During fiscal year 1996-97, approximately 600,000 drivers' license suspensions were generated as a result of noncompliance with the relevant security requirements. The department estimated that one-half of these cases involved persons who were in fact insured but their insurance company had not updated the insurance file in the department's database.

C. Government Sector Impact:

The department reports that the overall fiscal impact of this CS is indeterminate. However, the department estimated that the CS will require \$200,000 in computer program modifications.

The department indicated that due to on-going information management projects, changes necessitated by the CS could not be implemented until June of 1999.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.