

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1222

SPONSOR: Senator Argenziano

SUBJECT: Nonagricultural Vehicles

DATE: March 10, 2003

REVISED: 3/11/03

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Weidenbenner	Poole	AG	Fav/l amendment
2.			CJ	
3.			AGG	
4.			AP	
5.				
6.				

I. Summary:

This bill enables the Department of Agriculture and Consumer Services (department) to establish a system that will allow certain vehicles that are not carrying agriculture products to by-pass agriculture inspection stations. It also makes it unlawful for a person to impersonate an inspector, agent, or other employee of the department.

This bill substantially amends sections 570.15 and 570.16 of the Florida Statutes.

II. Present Situation:

All vehicles are required to stop at official agriculture inspection stations unless it is an exempt vehicle, such as private passenger vehicles or a pick-up truck with an open cargo area. The department has the authority to inspect non-exempted vehicles at the inspection stations. In an effort to alleviate traffic congestion at some of the inspection stations, the department tested in 2002 a "Prepass Program" whereby companies that met certain conditions and criteria could by-pass the station by use of a transponder system.

The department reports that people have impersonated a citrus canker inspector and a pest control inspector to gain access to private property or a business workplace. There is very little deterrence to unauthorized persons impersonating a department employee because there is no statutory prohibition. The department is responsible for regulating food safety, pest control use, fertilizer products and other areas that have a direct impact on the health and welfare of Florida citizens. The department is concerned that access by unauthorized persons could interfere with its duty to safeguard the general welfare of Florida's citizens.

III. Effect of Proposed Changes:

Section 1. Authorizes the department to make rules that would allow nonagricultural laden vehicles to pass an agricultural inspection station without stopping for inspection.

Section 2. Makes it a misdemeanor for a person to impersonate an inspector, agent, or other employee of the department.

Section 3. Provides that this act shall take effect July 1, 2003.

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:

None.

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Agriculture:

Changes the effective date from July 1, 2003, to upon becoming law.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
