



The Florida Legislature

OFFICE OF PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY



SUNSET MEMORANDUM

Report No. 07-S10

Department of Highway Safety and Motor Vehicles Advisory Committees

September 7, 2007

Summary

In response to a request from the Joint Legislative Sunset Committee, we have reviewed the advisory committees of the Florida Department of Highway Safety and Motor Vehicles. We reviewed the department's advisory committees and identified and examined their purposes, activities, and related costs and assessed the need for continuation.¹

The Department of Highway Safety and Motor Vehicles had five advisory committees in Fiscal Year 2006-07 that incurred travel, staff, and other expenses totaling \$59,785. In general, these advisory committees served a public purpose by providing expertise on matters including audits of driving-under-the-influence (DUI) programs; medical standards and case opinions for licensed drivers; and recommendations on relevant proposed legislation, rules, and procedures.

The Legislature and the department may wish to consider continuing all of the advisory committees because they generally provide valuable expertise for department decision making. We find no compelling reason to recommend that the Legislature consider abolishing the councils.

¹ Included in our review were advisory committees that are defined in ss. [20.03\(3\)](#), (7), (8), (9), (10), and (12), *F. S.*, or were created through executive order.

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Background

The Department of Highway Safety and Motor Vehicles' (DHSMV) mission is to develop, maintain, and support a safe driving environment through law enforcement, public education and service, reduction of traffic crashes, titling and registering motor vehicles and vessels, and licensing drivers. The department also will be responsible for implementing the federal Real ID Act. The act creates national standards for the issuance of state driver's licenses and identification cards.

The department reported having five advisory committees, three created by statute and two created by the department, that incurred travel, staff, and other expenses totaling \$59,785 in Fiscal Year 2006-07 (see Exhibit 1).

Exhibit 1

DHSMV Reported \$59,785 in Costs for Advisory Committees in Fiscal Year 2006-07

Advisory Committee	Reported Cost
Medical Advisory Board	\$45,827
DUI Program Review Board	9,801
Automobile Dealers Industry Advisory Board	3,000
Florida At-Risk Driver Council	1,157
Florida Highway Patrol Advisory Council ¹	0
Total	\$59,785

¹ The Highway Patrol Advisory Council is a non-profit charitable organization that does not receive funding from the department.

Source: Department of Highway Safety and Motor Vehicles.

As shown in Exhibit 1, two committees accounted for 93% of the total cost during the fiscal year. They were the Medical Advisory Board (\$45,827) and the DUI Program Review Board (\$9,801).

- The Medical Advisory Review Board advises the department on medical criteria and vision standards related to driver licensing, and assists the department in developing policies consistent with medical and scientific advances. Members report to the department on physical and mental qualifications of individual licensed drivers and applicants, contributing expert medical advice on a case-by-case basis. Board members assess drivers for medical conditions that pose sufficient danger to warrant the department limiting driving privileges. All of the cost pays the OPS salary of the board chair, who is a medical doctor employed by the department. In Fiscal Year 2006-07, the board reviewed 8,192 medical cases.
- The DUI Program Review Board assists the department in reviewing 28 licensed DUI programs through periodic on-site visits. Non-profit organizations provide DUI programs to educate, evaluate, and refer for treatment DUI offenders as required by court order or department rules. Department rules require reviews of DUI programs every two years by an entity independent from the department; judges, treatment professionals, and other experts conduct these reviews.² The board also recommends improvements to the state's DUI programs.

See Appendix A for more information on the department's advisory committees.

² Section [322.292\(2\)\(f\), F.S.](#)

Assessment

In assessing the department's advisory committees, we considered various criteria, including whether the committees

- serve a public purpose;³
- facilitate public participation in an agency's activities or provides agency staff with expertise without duplicating the efforts of other entities;
- are mandated by federal law; and
- fulfill their public purposes.⁴

We concluded that all of the department's advisory committees serve a public purpose by assisting the department in several ways. For example, the Automobile Dealers Industry Advisory Board assists the department in identifying industry trends and advises the department on dealer legislation to protect consumers. In addition, the committees provide expertise that is not readily available from department staff. For example, the At-Risk Driver Council members are medical experts, state agency representatives, and senior services advocates appointed by the department. The council issued a study on the effects of aging on driving to the Legislature in February 2004. The report included 31 policy and program recommendations to address safety concerns of aging drivers.

In conclusion, the Legislature and department may wish to consider continuing all of the department's advisory committees. Although department staff could implement state policies without these committees, they generally provide valuable expertise that improves agency decision-making. Eliminating the committees would not significantly reduce state costs.

³ Section [20.052](#)(1), *F.S.*

⁴ Section [20.052](#)(2), *F.S.*

Appendix A

The Department of Highway Safety and Motor Vehicles Had Five Advisory Committees in Fiscal Year 2006-07

Advisory committees are listed in order of costs (highest to lowest) incurred in Fiscal Year 2006-07.

Advisory Committee	Purpose	Agency Reported Activities	Impact of Abolition
Medical Advisory Board	The board advises the department on medical criteria and vision standards for licensing drivers and informs the department about medical and scientific advances. The board also reports physical and mental conditions of licensed drivers and applicants. Authorized by s. 322.125 , <i>F.S.</i>	The board provides advice to assess driver health to help the department determine whether to restrict or revoke licenses of drivers with dangerous medical conditions. In Fiscal Year 2006-07, the department reviewed 8,192 medical cases.	Medical review activities could not be shifted to department staff as the department lacks the range of medical specialists needed to evaluate all relevant driver health conditions. The department would have to rely entirely on assessments by the department's sole staff physician, who serves as the board chair by statute.
DUI Program Review Board	The board assists the department in reviewing licensed DUI programs through periodic on-site visits. Authorized by s. 15A - 10.007, <i>F.A.C.</i>	The board suggests improvements to the state's DUI program policies and provides expert practitioners and judges to help evaluate the programs. In Fiscal Year 2006-07, the review board conducted site evaluations for 8 of the 28 DUI programs.	Because independent evaluations of DUI programs are statutorily required, the department would have to contract for evaluations. In addition, the department would lose evaluation and policy expertise of volunteer practitioners and judges.
Automobile Dealers Industry Advisory Board	The board makes recommendations on proposed legislation, rules and procedures; presents licensed motor vehicle dealer industry issues to the department; and considers any matters relating to the motor vehicle dealer industry. Authorized by s. 320.275 , <i>F.S.</i>	The board assists the department in identifying industry trends. The board advises the department on dealer legislation to protect consumers. The board held its two required meetings in Fiscal Year 2006-07.	The department's ability to identify trends and future problems would be limited. The department would also be less effective in disseminating dealer law changes and resolving mutual industry, consumer, and government concerns.

Department of Highway Safety and Motor Vehicles Advisory Committees

September 7, 2007

Page 5 of 5

Advisory Committee	Purpose	Agency Reported Activities	Impact of Abolition
Florida At-Risk Driver Council	<p>The council studied the effects of aging on driving ability and advises the department on issues related to senior drivers. Council members are medical experts, state agency representatives, attorneys, and senior services advocates appointed by the department. Authorized by s. 322.181, <i>F.S.</i></p> <p>The council's reported cost for Fiscal Year 2006-07 was \$1,157.</p>	<p>The council presented its study to the Legislature in 2004, as mandated by statute, with policy recommendations to improve aging drivers' safety. In FY 2006-07, council members organized or hosted department staff presentations of Grand Driver program information at 18 education and training events. Forums included professional meetings of judges, medical doctors, senior advocates, and state agencies, as well as public meetings for senior groups.</p>	<p>Florida would lose an effective means to coordinate action by DHSMV, the Department of Transportation, the Department of Elder Affairs, local governments, and community groups to improve safety for senior drivers. In 2007, the U.S. Government Accountability Office identified the council as an exemplary key initiative for improving senior driver safety.</p> <p>(See GAO-07-413, <i>Older Driver Safety: Knowledge Sharing Should Help States Prepare for Increase in Older Driver Population</i>, April 2007.)</p>
Florida Highway Patrol Advisory Council	<p>The council is a registered 501(c)(3) non-profit charity established by management that provides input on the highway patrol's performance and quality of service. The council also advises the director on legislative matters and special projects and provides financial and other support to families of troopers and auxiliary troopers killed or seriously injured in the line of duty.</p> <p>There were no reported costs for Fiscal Year 2006-07.</p>	<p>In Fiscal Year 2006-07, the council provided \$1,000 in financial assistance to families of troopers killed or injured in the line of duty, through the FHP Trooper Memorial Fund.</p>	<p>The highway patrol would lose independent advice on patrol performance and quality of service. The patrol would also lose a source of charitable support for troopers killed or injured in the line of duty.</p>

Source: OPPAGA analysis and the Department of Highway Safety and Motor Vehicles.