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Key Legislative Contacts

Gary VanLandingham
Director
850-487-0578

Marti Harkness
Staff Director
Criminal Justice
850-487-9233

Florida Government Accountability Act Sunset Reviews

The act establishes the process, criteria, and schedule for the Legislature to assess whether state agencies and advisory committees need to continue to exist.

The following agencies are on the first year schedule for Sunset Reviews to be conducted by July 1, 2008

- Fish and Wildlife Conservation Commission
- Department of Agriculture and Consumer Services
- Department of Citrus, including the Citrus Commission
- Department of Environmental Protection
- Department of Highway Safety and Motor Vehicles
- Water Management Districts

OPPAGA

111 West Madison Street
Suite 312
Tallahassee, Florida 32399
Phone: 850-488-0021
Fax: 850-487-3804

www.oppaga.state.fl.us

OPPAGA Reports on the Department of Highway Safety and Motor Vehicles - 2000-2007

2004

Department Has Taken Steps to Improve the Detection of Uninsured Motorists, Report No. 04-52, August 2004. The Department of Highway Safety and Motor Vehicles has taken steps to reduce the length of time that it takes to identify uninsured motorists. Under its former system, an uninsured motorist could operate a vehicle for an extended period of time (165 days) before being identified and subjected to enforcement action. The department is now implementing an on-line insurance data reporting system that, along with other changes, is expected to reduce this time period to 60 days. Currently, 129 insurance companies, accounting for approximately 95% of the motor vehicle insurance policies in the state, are using this new reporting system.

The department reported that Florida's uninsured motorist rate was 5.9% (or 665,475 uninsured vehicles) as of June 2004, which was significantly lower than the estimated rate in prior years. The lower rate appears to be primarily due to the department using a new methodology for estimating the percentage of uninsured motorists in the state. However, it does not reflect the likelihood of being in an accident involving an uninsured motorist. The department estimated that 8.2% of

the vehicles involved in crashes during Fiscal Year 2003-04 may have been uninsured.

2002

Department of Highway Safety and Motor Vehicles Addresses Most Driver License Recommendations, Report No. 02-52, October 2002. The Department of Highway Safety and Motor Vehicles took action to implement most of the recommendations in our 2001 report. The department modified its methodology to consistently report the performance of county tax collectors; established pilot projects to assess the validity of using driver skill-based testing to determine driver competency; established a task force to review new research and technological developments for improving driving tests; modified its reporting system to provide data that can be used to evaluate the effect of driver distractions on crash rates; increased its contracting with county tax collectors to provide driver license-related services; and increased its efforts to identify uninsured motorists.

We suggest as in our 2001 report that the Legislature consider revising the statutes to restrict the number of passengers in vehicles driven by teenage drivers and for drivers 70 years of age and older eliminate the mail-in renewal options and shorten the renewal periods.

Some Motor Vehicle Services Recommendations Addressed; No Action Taken on Outsourcing Mobile Home Regulation, Subsidies from Title Fees, and Rebuilt Vehicle Disclosure, Report No. 02-51, October 2002. The Department of Highway Safety and Motor Vehicles and the 2002 Legislature implemented some recommendations made in our January 2001 review of the Licenses, Titles, and Regulations Program. However, the department did not identify the cost of mobile home manufacturing regulation, estimate its monitoring costs if this activity were privatized, and solicit bids from private entities for providing mobile home manufacturing regulation.

In addition, the Legislature considered but did not adopt our recommendations to amend Chs. 319 and 320, *Florida Statutes*, to revise fees. Vehicle title and registration fees subsidize activities which are not financially self-supporting, including dealer and manufacturer licensing and regulatory activities, rebuilt motor vehicle inspections, and Vehicle Identification Number verifications. If these activities were made self-supporting from fees on their users, the Legislature could reduce title and registration fees by an off-setting amount. We suggest as in our 2001 report that the Legislature consider amending s. 319.14, *Florida Statutes*, to require disclosure to consumers that rebuilt vehicles are not inspected for safety.

2001

Motor Vehicle-Related Activities Performed by the Licenses, Titles, and Regulations Program Department of Highway Safety and Motor Vehicles, Report No. 01-03, January 2001. The purpose of the program's motor vehicle-related activities is to increase consumer protection and public safety through licensing systems that title and register motor vehicles, vessels, and motor homes, regulate vehicle and mobile home dealers and manufacturers; and efficiently collect revenue. The program's primary public benefits are protecting consumers, assisting the law enforcement

community, and serving as a source of revenue to support its costs and those of other state programs.

We found that the program's budget structure does not accurately portray the resources used for licensing and regulating motor vehicle dealers and manufacturers; additional program activities could be outsourced; program compliance and enforcement activities could be more financially self-sufficient; although Florida has several controls over rebuilt motor vehicle title fraud, these controls need strengthening to better protect consumers; the program's practice of over-sampling tax collectors' title work for quality control is an inefficient use of its limited resources; and the department's redesign of its information technology and business practices for issuing titles and registrations has improved its efficiency.

Driver License-Related Activities Performed by the Licenses, Titles, and Regulations Program Department of Highway Safety and Motor Vehicles, Report No. 01-02, January 2001. The purpose of the program's driver license-related activities is to maintain an efficient and effective licensing program that assures only drivers demonstrating the necessary knowledge, skills, and abilities are licensed to operate motor vehicles on Florida's highways. The program's primary public benefits are promoting public safety on state roads, providing citizens with a universally accepted form of identification, assisting citizens when this identification is stolen or used fraudulently, and serving as a significant source of state revenues.

We found that although graduated licensing restrictions have helped reduce teenage crash rates, additional restrictions may be needed; to address the high crash risk of elder drivers, the Legislature should implement more proactive driver licensing policies for elder drivers, such as eliminating mail-in renewals for drivers above a specific age, and the department should continue to research ways to improve driver skill assessment; the department should collect data to determine whether the state should continue to allow the use of cellular telephones and items such as route guidance systems while driving, as these can distract drivers and affect their ability to drive safely.

Also, the department's evaluation of driver improvement courses could be enhanced to better assist providers in identifying under-performing schools; the department should establish a system for continuously assessing the validity of its driver tests as tools for determining whether individuals have the requisite knowledge, skills, and abilities needed to drive safely on Florida's roadways; the department could expand its use of contractors to provide driver-licensing services; to improve program efforts to identify uninsured motorists, the department should develop a computer program to identify insurance companies that untimely report insurance policy data so that staff can take action to bring more companies into compliance with statutory reporting timeframes; and the program has been inconsistent in including the driver-licensing activities performed by county tax collectors when calculating program outputs.

2000

License Plate Seizure Program's Error Rate Still High; Program Should Be Abolished, Report No. 00-25, December 2000. To help address the problem of

uninsured motorists, the 1995 Legislature directed the Department of Highway Safety and Motor Vehicles (DHSMV) to conduct a pilot program in three counties. This pilot program authorized licensed recovery agents to remove the license plates from vehicles whose owners had not maintained required insurance. The 1999 Legislature amended the law to allow the program to be expanded if certain conditions were met. One of these conditions was that OPPAGA verify that the error rate for valid license plates seized by recovery agents was 2% or less.

A department study conducted in October 2000 determined that the error rate for seized license plates was 34.8%. We reviewed the study's methodology and department data, and concluded that the department's error rate estimate is reasonable. Consequently, the criteria for expanding the pilot program have not been met. The Legislature should abolish the pilot program because of the consistently high error rate, the department's belief that it will be unable to reduce the error rate to the level required by law, and the inconvenience to drivers whose plates are seized in error.

The Florida Legislature

Office of Program Policy Analysis and Government Accountability



Where does OPPAGA get its work?

- Presiding officers
- Legislation or Proviso in the General Appropriations Act
- Legislative Auditing Committee
- Member requests approved by presiding officers

What does OPPAGA provide?

- **Research memoranda** answer specific issues or questions for leadership, members, or committees; these papers provide a non-public forum to fine-tune ideas as they are confidential to the requesting member and his or her presiding officer. In Fiscal Year 2005-06 OPPAGA issued 100 research assistance memoranda.
- **Reports** deliver program evaluation, policy analysis, and justification reviews of state programs to assist members with overseeing government operations and developing policy choices. Progress reports inform the Legislature whether agencies have corrected identified problems. In Fiscal Year 2005-06, OPPAGA issued 77 reports and made 53 presentations to legislative committees on these reports.
- **Florida Government Accountability Report (FGAR)** offers descriptive, evaluative, and performance information about more than 200 state programs. This nationally unique, award-winning encyclopedia of state government is available on-line and in print for all members' capitol and district offices.
- **The Florida Monitor Weekly** provides summaries and links to new reports and articles of interest to Florida policy makers through a weekly electronic newsletter.