1982

Session Law 82-095

Florida Senate & House of Representatives

Follow this and additional works at: https://ir.law.fsu.edu/staff-analysis

Part of the Legislation Commons

Recommended Citation
House of Representatives, Florida Senate &, "Session Law 82-095" (1982). Staff Analysis. 386. https://ir.law.fsu.edu/staff-analysis/386

This Article is brought to you for free and open access by the Florida Legislative Documents at Scholarship Repository. It has been accepted for inclusion in Staff Analysis by an authorized administrator of Scholarship Repository. For more information, please contact efarrell@law.fsu.edu.
## COMMITTEE RECORDS

<table>
<thead>
<tr>
<th>H/S</th>
<th>Committee</th>
<th>Year</th>
<th>Record Series: Folder title, etc.</th>
<th>Loc. Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>Gov Ops</td>
<td>82</td>
<td>58 322</td>
<td>18/1197</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1/27/82</td>
<td></td>
</tr>
<tr>
<td>H</td>
<td>Trans</td>
<td>82</td>
<td>H8 1080 (PCB 16)</td>
<td>19/997</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

- continued on reverse

### Senate/House Journals

<table>
<thead>
<tr>
<th>Page #</th>
<th>?</th>
<th>Date</th>
<th>Page #</th>
<th>?</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Committee/Floor Tapes

<table>
<thead>
<tr>
<th>H/S</th>
<th>c/f</th>
<th>Committee/subcommittee name</th>
<th>Date</th>
<th>#</th>
<th>Location Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Other Documentation

<table>
<thead>
<tr>
<th>Record Series Title, folder title, etc.</th>
<th>Location Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>H/S</td>
<td>Committee</td>
</tr>
<tr>
<td>-----</td>
<td>-----------</td>
</tr>
</tbody>
</table>

### NOTES

...
History of Legislation
1982 Regular Session
Special Sessions C, D, E, F, G
Florida Legislature

prepared by:
Legislative Information Division
Joint Legislative Management Committee
Capitol Building, Room 826 — 488-4371
H 1076 GENERAL BILL BY GOVERNMENTAL OPERATIONS, SHERLON (SIMILAR CS/S 0840, COMPARE CS/S 0872) TELEPHONE COMPANIES: CLARIFIES P.S.C.'S ACCESS TO TELEPHONE COMPANY RECORDS; PROVIDES PRECAUTION FOR SETTING INTEREST RATES OR SETTING REVENUES SUBJECT TO REFUND; PROVIDES TIME LIMITS FOR REDUCING COMMISSION RATE ADJUSTMENT ORDERS TO WRITING, ETC. CREATES 3-H.050, .337; PROVIDES FOR REGULATIONS, CONTROLS, ADMINISTRATION; PROVIDES FOR REGULATIONS, CONTROLS, ADMINISTRATION; PROVIDES FOR REGULATIONS, CONTROLS, ADMINISTRATION; SHALL PROVIDE INFORMATION IN RESPONSE TO SUBPOENAS DUCE SUM FROM STATE ATTORNEYS, U.S. ATTORNEYS, ETC. AMENDS 344.005, .337, EFFECTIVE DATE: 07/01/82.

02/15/82 HOUSE FILED
03/04/82 HOUSE PLACED ON SPECIAL ORDER CALENDAR
03/09/82 HOUSE SIGN/SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
04/02/82 APPROVED BY GOVERNOR CH. 82-66

H 1077 GENERAL BILL BY GOVERNMENTAL OPERATIONS (SIMILAR S 0942, COMPARE CS/S 0942) COMMUNICATIONS SYSTEMS & SERVICES: PROVIDES FOR MUNICIPAL UTILIZATION OF LONG DISTANCE COMMUNICATIONS SYSTEM AS PROVIDED BY COMMUNICATIONS GENERAL SERVICES DEPT. UNDER CERTAIN CIRCUMSTANCES. CREATES 287.251, EFFECTIVE DATE: 07/01/82.

02/15/82 HOUSE FILED
04/07/82 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00251
04/07/82 HOUSE PLACED ON SPECIAL ORDER CALENDAR
06/07/82 HOUSE SIGN/SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
07/01/82 HOUSE PLA(NED ON SPECIAL ORDER CALENDAR

H 1078 GENERAL BILL BY GOVERNMENTAL OPERATIONS (SIMILAR S 0942, COMPARE CS/S 0942) SECURITY FOR PUBLIC DEPOSITS; AUTHORIZES TREASURER TO REQUIRE CERTAIN COLLATERAL IN CONTINGENT LIABILITY IS PROHIBITED OR INADEQUATE. CREATES 280.23, EFFECTIVE DATE: 04/02/82.

02/15/82 HOUSE FILED
02/16/82 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00251
03/08/82 HOUSE SIGN/SIGNED BY OFFICERS AND PRESENTED TO GOVERNOR
04/02/82 HOUSE PLA(NED ON SPECIAL ORDER CALENDAR

H 1079 GENERAL BILL BY GOVERNMENTAL OPERATIONS (COMPARE H 1091, CS/S 0269, ENG/S 0281, ENG/S 0615) REVENUE LAWS; AGG/AGG LIST OF REVENUE LAWS CURRENT LIST WHICH REVENUE DEP. REGULATES, CONTROLS, ADMINISTRATES: PROVIDES THAT LEPT. SMALL PROVIDE INFORMATION IN RESPONSE TO SUBPOENAS DUCE SUM FROM STATE ATTORNEYS, U.S. ATTORNEYS, ETC. CREATES 233.05, .391 REALPS. 209.02166, EFFECTIVE DATE UPON BECOMING LAW.

02/15/82 HOUSE FILED
02/16/82 HOUSE INTRODUCED, PLACED ON CALENDAR -HJ 00251
03/01/82 HOUSE PLACED ON SPECIAL ORDER CALENDAR
03/05/82 HOUSE WITHDRAWN FROM CALENDAR, REFERRED TO FINANCE & TAXATION COMMITTEE

CONTINUED ON NEXT PAGE
CH 82-95

Senate Committee on Transportation

Documentation from bill file on SB 322
(Florida State Archives, Series 18, Box 1197)
A bill to be entitled
An act relating to public records; adding s.
119.07(3)(1), Florida Statutes; providing that
information concerning the identity of certain
persons is exempt from disclosure provisions of
the public record law; providing an effective
date.

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

Section 1. Paragraph (1) is added to subsection (3) of
section 119.07, Florida Statutes, to read:

119.07 Inspection and examination of records;
exemptions.--

(1) Any information revealing the identity of any
individual who has provided his name for ridesharing
arrangements as defined in s. 341.031(5) is exempt from the
provisions of subsection (1).

Section 2. This act shall take effect upon becoming a
law.

************************************************

SENATE SUMMARY

Exempts from the disclosure provisions of the public
records any information identifying an individual who
provides his name for ridesharing arrangements.

CODING: Words in double-underline are deletions from existing law; words underlined are additions.
Please include in the analysis what information is provided by applicants to the R/S people. I talked to C. Johnson and he gave me the info below. The bill's language would exempt from disclosure any information on someone who applies for R/S i.e., if a senator applied, his financial disclosure would be confidential. Please prepare necessary amendment.

NAME: Charles Johnson  POSITION/DEPT: DOT  PHONE: 8-7390

DATE:  name  tel # (home or business)
work has  driver/rider
employer address  rider
address (applicants)  driver/rider
age  notice (optional)

NAME:  POSITION/DEPT:  PHONE:
DATE:

NAME:  POSITION/DEPT:  PHONE:
DATE:
I. Summary
   A. Present Situation:

   Section 341.031, F.S., defines “ridesharing” as
   “an arrangement between persons with a common
   destination, or destinations, within the same proximity,
   to share the use of a motor vehicle for transportation to
   such destination, or destinations.”

   Pursuant to a 341.041(2), the Department of
   Transportation administers a ridesharing program
   with the aid of computer technology, utilizes information
   provided by interested persons to “match” individuals
   with common employment and domiciliary
   destinations.

   The ridesharing lists, as well as the
Bill No. And Sponsor:
SB 322 by Senator Sternberg

Public Records: Exception of Ridesharing Information

Information used to produce the lists, are public documents, which, in accordance with §119.07, F.S., are subject to examination and inspection by any person desiring to do so.

The department reports that the inspection and examination requirements of §119, F.S., have hampered the ridesharing program. Groups and individuals who would otherwise avail themselves of the service do not do so because the information they provide to the department is not confidential.

B. Effect of Proposed Changes:

The bill would exempt any information revealing the identity of those who provide their names for ridesharing arrangements, from the inspection and examination requirements of §119.07, F.S.
II Economic Impact and Fiscal Note:

A. Public:

Groups and individuals who utilize ridesharing lists or government for solicitation, mailing lists, statistical information, etc., would have to obtain similar information from other sources. Whether, if so, how much it costs, information is available and the cost of that information is not known.

B. Government:

Although the Department of Transportation may charge a fee for the reproduction of ridesharing lists, the department was unable to determine if there has been any sale of the ridesharing names; therefore, the potential revenue lost as a result of the bill is unknown.

III Comments:

The bill is similar to HB 8513 which has been referred to the House Governmental Operations Committee.

IV Amendments

None
BILL # 322
Sponsor ___________
Subject ___________

COMMENTS:

Do they sell the list up? They can. Whitehead will call back of info to if they have & how much revenue realized.

NAME: Charles Johnson  POSITION/DEPT: Transportation  PHONE: 8-2390
DATE: 1-14-82

Tango running ridesharing & papers would want

Some companies won’t join & they don’t want their names, addresses, etc. Available for development to unions, etc. Matching lists

NAME: Tony Melvin  POSITION/DEPT: Transportation  PHONE: 8-7665
DATE: 1-14-82

DOT has a program for matching people for ridesharing program. This is in public records, several companies where harassment by newspapers run each district there is a PS coordinator. PS program for employees (e.g. employer).

NAME: ___________  POSITION/DEPT: ___________________  PHONE: ___________________
DATE: ___________

Generally go to one employee and get matches for his employees. Have capability to do set by the area, so individuals who live next to one another could be matched even if there is no common employer.
Pub. Trans

DOT - not aware of any sale of any names.
I. SUMMARY:

A. Present Situation:

Section 341.031, F.S., defines "ridesharing" as "an arrangement between persons with a common destination, or destinations, within the same proximity, to share the use of a motor vehicle for transportation to such destination, or destinations."

Pursuant to s. 341.041, F.S., the Department of Transportation administers a ridesharing program and, with the aid of computer technology, utilizes information provided by interested persons to "match" individuals with common employment and domiciliary destinations.

To apply for a ridesharing arrangement an individual supplies the department with the following information: his name, working hours, age, home address and the address of his employer, home and business telephone numbers, whether he objects to smoking, and whether he prefers to ride or drive. The applicant, if he desires, may also indicate any hobbies he has.

The ridesharing lists, as well as the information used to produce the lists, are public documents, which, in accordance with s. 119.07, F.S., are subject to examination and inspection by all persons desiring to do so.

The department reports that the inspection and examination requirements of ch. 119, F.S., have hampered the ridesharing program. Groups and individuals who would otherwise avail themselves of the service do not do so because the information they provide to the department is not confidential.

B. Effect of Proposed Changes:

The bill would exempt from the inspection and examination requirements of s. 119.07, F.S., any information revealing the identity of those who provide their names for ridesharing arrangements.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Groups and individuals who utilize ridesharing lists for solicitation, mailing lists, statistical information, etc., would have to obtain their information from other sources. Whether similar information is available and if so, how much it costs, is not known.

B. Government:

Although the Department of Transportation may charge a fee for the reproduction of ridesharing lists, the department was
unable to determine if there has ever been any sale of the list of ridesharing names; therefore, the potential revenue lost as a result of the bill is unknown.

III. COMMENTS:

This bill became law as ch. 82-95, L.O.F.

The bill is similar to HB 513, which has been referred to the House Governmental Operations Committee.
Journal of the Senate
State of Florida

FOURTEENTH REGULAR SESSION
UNDER THE CONSTITUTION AS REVISED IN 1968
JANUARY 18 THROUGH MARCH 25, 1982
(a) In no instance shall a restricted license be issued to a minor under 15 to 16 years of age; except on condition that such minor

(b) Any person holding a restricted operator license when operating a motor vehicle, other than a motorcycle, motor driven cycle, or moped motorbike, shall be accompanied at all times by a licensed operator or chauffeur who is not less than 18 years of age and who is actually occupying the front seat beside such restricted operator minor;

(c) Any restricted operator under the age of 15 years 10 months may operate a motor vehicle during daytime hours only. During the last 60 days before the licensee's 16th birthday, the restricted operator licenseholder may, subject to the above conditions, operate a motor-vehicle after dark; and any restricted operator license under 16 years of age shall not be permitted to rent a motorcycle, motor driven cycle, moped or motorized scooter or other motor-driven vehicle the operation of which does not require that such restricted operator minor be accompanied by a licensed operator or chauffeur under this section.

Section 2. Subsection (5) of section 322.18, Florida Statutes, is amended and subsection (9) is added to said section to read:

322.18 Original applications, licenses and renewals; expiration of licenses; delinquent licenses.—

(5) All renewal operators', restricted operators', or chauffeurs' licenses issued under the provisions of this section shall be accompanied by a certificate of eligibility by the department.

(9) (a) A restricted operator license shall not be issued to any person who has previously held a restricted operator license issued by this state.

(b) An original restricted operator license shall not be renewable.

Section 3. This act shall take effect July 1, 1982.

Further consideration of SB 66 was deferred.

SB 150—A bill to be entitled An act relating to motor vehicles; amending s. 320.10, Florida Statutes; exempting from the annual license tax the operation of motor vehicles or mobile homes, any such motor vehicle or mobile home owned and operated by any member of the United States Armed Forces who is not a resident of Florida and who is stationed in the state in compliance with military or naval orders; providing for issuance of license plates, revalidation stickers, or mobile home stickers for such motor vehicles or mobile homes and prescribing the fee therefor; conforming certain language to the definition of "motor vehicle"; amending s. 327.22, Florida Statutes; exempting boats from the definition of a motor vehicle; providing for issuance of license plates, revalidation stickers, or mobile home stickers for such motor vehicles or mobile homes; amending s. 320.10, Florida Statutes; exempting from the operation of which does not require that such restricted operator minor be accompanied by a licensed operator or chauffeur under this section.

was read the second time by title. On motion by Senator Anderson, by two-thirds vote SB 150 was read the third time by title, passed and certified to the House. The vote on passage was:

Yea—33
Jefferson, Jennings, Stuart
Childers, D., Johnston, Thomas
Dunn, Kirkpatrick, Trask
Frank, Langley, Vogt
Gersten, Lewis, Ware
Henderson, Jenkins, Steinberg
Hill, Maxwell, Steinberg

Nay—None

On motion by Senator Dunn, the rules were waived and all former Senators were accorded privileges of the floor.

Senator Stuart presiding

SB 317—A bill to be entitled An act relating to drivers' licenses; amending s. 322.251(2), Florida Statutes; providing for proof of notice of cancellation, suspension, or revocation by entry in the records of the Department of Highway Safety and Motor Vehicles; providing for admissibility of notice in courts; providing an effective date.

was read the second time by title. On motion by Senator Lewis, by two-thirds vote SB 317 was read the third time by title, passed and certified to the House. The vote on passage was:

Yea—34
Andersen, Jennings, McClain
Carlucci, Jennings, McKnight
Childers, D., Johnston, Poele
Dunn, Kirkpatrick, Rehm
Frank, Langley, Renick
Gersten, Lewis, Scott
Grizzle, Margolis, Skinner
Hair, Maxwell, Steinberg

Nay—None

(§ 322) A bill to be entitled An act relating to public records, adding s. 119.07(3)(1), Florida Statutes; providing that information concerning the identity of certain persons is exempt from disclosure provisions of the public record law; providing an effective date.

was read the second time by title.

The Committee on Governmental Operations recommended the following amendment which was moved by Senator Steinberg and adopted:

Amendment 1—On page 1, line 15, strike "revealing" and insert: which is provided to the Department of Transportation for the purpose of forming ridesharing arrangements which reveals

Senator Steinberg moved the following amendment which was adopted:

Amendment 2—On page 1, strike all of lines 19 and 20 and insert:

Section 2. Subsection (5) of section 341.031, Florida Statutes, is amended and subsection (6) is added to said section to read:

341.031 Definitions.—As used in ss. 341.011-341.051:

(5) "Ridesharing" means an arrangement between persons with a common destination, or destinations, within the same proximity, to share the use of a motor vehicle on a recurring basis for round-trip transportation to and from their place of employment or other common destination. Such destination or
destinations. Transportation under such arrangement shall be limited to a single round trip daily, in a motor vehicle manufactured for the transportation of 15 or fewer persons. Ridesharing, as herein defined, is specifically intended to distinguish this activity from public transit services such as shared ride programs which are provided for hire by governmentally owned or privately owned providers of such services.

(6) For purposes of ridesharing, "employment" shall be deemed to commence when an employee arrives at the employer's place of employment to report for work and shall terminate when the employee leaves the employer's place of employment, excluding areas not under their control of the employer. However, the employee shall be deemed to be within the course of their employment if the employee is engaged in the furtherance of the business of the employer, irrespective of location.

Section 3. Section 341.103, Florida Statutes, is created to read:

341.103 Employer liability limits; ridesharing.—No employer shall be liable for injuries or damages sustained by operators, passengers, or other persons resulting from the operation of a motor vehicle while being used in a ridesharing arrangement between a place of residence and place of employment or termini near such places, nor shall such employer be liable for injuries or damages sustained to operators, passengers, or other persons because such employer provides information or incentives, or otherwise encourages employees to participate in ridesharing arrangements. However, this section shall not apply to motor vehicles owned or leased by an employer nor to acts by an employee within the scope of his or her employment as defined in s. 341.031(6).

Section 4. This act shall take effect upon becoming a law.

The Committee on Governmental Operations recommended the following amendments which were moved by Senator Steinberg and adopted:

Amendment 3—in title on page 1, lines 4 and 5, strike all of line 4 and "persons" on line 5 and insert: certain information given to the Department of Transportation for the purpose of forming ridesharing arrangements

On motion by Senator Steinberg, by two-thirds vote SB 322 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35


Nays—None

Vote after roll call:

Yea—Hill

SB 87—a bill to be entitled An act relating to motor vehicle license tags; amending s. 960.03(7), Florida Statutes, 1980 Supplement, as amended, and adding a new subsection (2), providing a definition; redefining "victim"; amending s. 960.09(3), Florida Statutes, clarifying certain notice requirements; assessing certain appellate costs; providing appellate procedural rules; clarifying authority of deputy commissioners when conducting hearings on claims; creating s. 960.095, Florida Statutes, providing for the appointment of guardians for minors or incompetents; amending s. 960.13(2), (3) and (6), Florida Statutes, and adding a new subsection (4), prohibiting awards for emotional or mental injury; clarifying language; providing an effective date.

was read the second time by title. On motion by Senator Carlucci, by two-thirds vote SB 87 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35


Nays—None

SB 46—a bill to be entitled An act relating to tax on sales, use and other transactions; adding s. 212.02(20), Florida Statutes; defining "factory-built building"; amending s. 212.06(1) (b), Florida Statutes; providing that persons who manufacture such buildings for their own use in the performance of contracts for construction or improvement of real property shall pay tax only on the cost of materials used in such manufacture; providing an effective date.

was read the second time by title.

The Committee on Commerce recommended the following amendments which were moved by Senator Vogt and adopted:

Amendment 1—in title on page 2, line 18, strike "cost of material" and insert: persons' cost price of items

Amendment 2—in title on page 1, lines 9 and 10, strike "of materials" and insert: cost price of items

On motion by Senator Vogt, by two-thirds vote SB 46 as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35


Nays—None

Vote after roll call:

Yea—Hill

SB 386—a bill to be entitled An act relating to motor vehicle license tags; amending s. 320.04(2), Florida Statutes; exempting certain license plate agencies from certain prohibitions against charging notary public fees; providing an effective date.

was read the second time by title. On motion by Senator Hill, by two-thirds vote SB 386 was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—33


Nays—None

February 17, 1982
A bill to be entitled
An act relating to public records; adding s. 119.07(3)(1), Florida Statutes; providing that information concerning the identity of certain persons is exempt from disclosure provisions of the public record law; amending s. 341.031(5), Florida Statutes, and adding s. 341.031(6) to said section; amending definition of ridesharing and adding definition of employment; creating s. 341.103, Florida Statutes; limiting liability of employers for injuries or damages sustained by persons participating in ridesharing programs; providing an effective date.

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

Section 1. Paragraph (1) is added to subsection (3) of section 119.07, Florida Statutes, to read:

119.07 Inspection and examination of records; exemptions.--
(3) Any information which is provided to any agency of state government or of a political subdivision for the purpose of forming ridesharing arrangements which reveals the identity of any individual who has provided his name for ridesharing arrangements as defined in s. 341.031(5) is exempt from the provisions of subsection (1).

Section 2. Subsection (5) of section 341.031, Florida Statutes, is amended and subsection (6) is added to said section to read:
341.031 Definitions.--As used in ss. 341.011-341.051:

(5) "Ridesharing" means an arrangement between persons
with a common destination, or destinations, within the same
proximity, to share the use of a motor vehicle on a recurring
basis for round-trip transportation to and from their place of
employment or other common destination. Such destination or
destinations. Transportation under such arrangement shall be
limited to a single round trip daily in a motor vehicle
manufactured for the transportation of 15 or fewer persons.
Ridesharing as herein defined is specifically intended to
distinguish this activity from public transit services such as
shared-ride programs which are provided for hire by
governmentally owned or privately owned providers of such
services.

(6) For purposes of ridesharing, "employment" shall be
deemed to commence when an employee arrives at the employer's
place of employment to report for work and shall terminate
when the employee leaves the employer's place of employment,
excluding areas not under the control of the employer.
However, the employee shall be deemed to be within the course
of employment when the employee is engaged in the performance
of duties assigned or directed by the employer, or acting in
the furtherance of the business of the employer, irrespective
of location.

Section 3. Section 341.103, Florida Statute, is
created to read:
341.103 Employer liability limits; ridesharing.--No
employer shall be liable for injuries or damages sustained by
operators, passengers, or other persons resulting from the
operation of a motor vehicle while being used in a ridesharing
arrangement between a place of residence and place of

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
employment or termini near such places, nor shall such employer be liable for injuries or damages sustained to operators, passengers, or other persons because such employer provides information or incentives, or otherwise encourages employees to participate in ridesharing arrangements. However, this section shall not apply to motor vehicles owned or leased by an employer nor to acts by an employee within the scope of his or her employment as defined in s. 341.031(6).

Section 4. This act shall take effect upon becoming a law.
CH 82-95

House Committee on Transportation

Documentation from bill file on **HB 1080** (PCB 16)
(Florida State Archives, Series 19, Box 947)
DATE: February 8, 1982
BILL NUMBER: PCB 16
SPONSOR: Committee on Transportation
RELATING TO: Ridesharing
OTHER COMM REFERENCES: SIMILAR OR COMP. BILLS:
SUMMARY PREPARED BY: Pat Turner

SUMMARY

Present Situation: Chapter 341, F.S., defines ridesharing and allows D.O.T. to participate in federally assisted ridesharing programs. There is no detail and no particular emphasis placed on the program.

Effect of Proposed Change: This bill expands the legislative intent of Chapter 341 to place more emphasis on the benefits of ridesharing to the state in the way of reduced fuel consumption, less traffic congestion, less pollution, etc. More employers can be expected to encourage ridesharing programs among employees due to definite limits of liability for such employers.

FISCAL IMPACT

State: None
Local: None
Private Sector: None
A bill to be entitled
An act relating to public transit; amending s.
341.021, Florida Statutes, relating to
legislative intent; amending s. 341.031(5),
Florida Statutes, and adding subsection (6)
thereof, redefining the term "ridesharing" and
defining the term "employment"; creating
s. 341.103, Florida Statutes, providing limits
of liability with respect to employers in
certain ridesharing arrangements;

providing an effective date.

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

Section 1. Section 341.021, Florida Statutes, is
amended to read:

341.021 Legislative intent.—It is the legislative
intent of ss. 341.011-341.051 to define the role of the
Department of Transportation in developing the transit element
of an effective multimodal transportation system for this
state. This role shall be viewed as dynamic and capable of
recognizing changing developments in technology and local,
state, and federal laws and policies that affect the state's
total multimodal transportation system. It is further
recognized by the Legislature that adequate and efficient
public surface transit services are essential to the economic
growth of the urban and rural communities of the state and the
well-being of its people. It is in the best interests of the
state to encourage and promote the development of public
transit systems, embracing various modes of transport in a
manner that will serve the state, including local and regional
areas, in a safe, efficient, and effective manner. The
Legislature finds and declares that Florida's transportation
needs are being threatened by the growing energy shortage
which this nation faces. In addition, this state has many
roads which are heavily congested during commuting hours,
resulting in the unnecessary usage of gasoline and in lengthy
delays for the traveling public. There are presently no
energy efficient alternatives such as public transportation
for many citizens in Florida, which would reduce the number of
single-occupancy, private automobiles on the road. Therefore,
the Legislature wishes to encourage ridesharing programs which
will help reduce traffic congestion, conserve gasoline
consumption, and promote the mobility needs of the public.
One important way to address these problems is to encourage
employers, and employees to form ridesharing arrangements.
However, employers have been reluctant to support such
activities because of their potential liability to employees
and others. The Legislature, therefore, finds that it is in
the public interest to promote ridesharing arrangements
through employer sponsorship and promotional activities by
exempting employers from certain liabilities they might incur

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
as a result of their promotion or sponsorship of certain types 1.3/46
of employee ridesharing programs.

Section 2. Subsection (5) of section 341.031, Florida 1.3/42
Statutes, is amended, and subsection (6) is added to said 1.15
section, to read:

341.031 Definitions.--As used in ss. 341.011-341.051: 1.17
(5) "Ridesharing" means an arrangement between persons 1.17
with a common destination, or destinations, within the same 1.17/2
proximity, to share the use of a motor vehicle on a recurring
basis for round-trip transportation to and from their place of 1.17/3
employment or other common destination, such-destination-or
destinations.--Transportation-under-such-arrangement-shall-be
limited-to-a-single-round-trip-daily,-in-a-motor-vehicle 1.17/6
manufactured-for-the-transportation-of-15-or-fewer-persons-
Ridesharing,-as-herein-defined,-is-specifically-intended-to
distinguish-this-activity-from-public-transit-services-such-as
shared-ride-programs-which-are-provided-for-hire-by
governmentally-owned-or-privately-owned-providers-of-such
services;

(6) "Employment" shall be deemed to commence when an 1.17/1
employee arrives at the employer's place of employment to
report for work and shall terminate when the employee leaves
the employer's place of employment, excluding areas not under
the control of the employer. However, when the employee is
required by the employer to be away from the employer's place
of employment, the employee shall be deemed to be in the
course of employment while the employee is engaged in the
direct performance of duties assigned or directed by the
employer.

Section 3. A new section 341.103, Florida Statutes, is 1.17/1
created to read:

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
341.103 Employer liability limits-ridesharing.-- No employer shall be liable for injuries or damages sustained by operators, passengers, or other persons resulting from the operation of a motor vehicle while being used in a ridesharing arrangement between a place of residence and place of employment or termini near such places, nor shall such employer be liable for injuries or damages sustained to operators, passengers, or other persons because such employer provides information or incentives, or otherwise encourages employees to participate in ridesharing arrangements.

Section 4. This act shall take effect upon becoming a law.

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
HOUSE SUMMARY

Amends various provisions of the "Florida Public Transit Act" to:

1. Redefine the term "ridesharing" to include round-trip transportation to and from the place of employment or other common destination.
2. Define the term "employment."
3. Limit liability with respect to employers who encourage employees to participate in ridesharing arrangements.

See bill for details.

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
Mr. __________________ moved the adoption of the amendment, which was adopted, which failed of adoption.

Form H-62
A bill to be entitled

An act relating to public transit; amending s. 341.021, Florida Statutes, relating to legislative intent; amending s. 341.031(5), Florida Statutes, and adding subsection (6) thereto, redefining the term "ridesharing" and defining the term "employment"; creating s. 341.103, Florida Statutes, providing limits of liability with respect to employers in certain ridesharing arrangements; providing an effective date.

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

Section 1. Section 341.021, Florida Statutes, is amended to read:

341.021 Legislative intent.--It is the legislative intent of ss. 341.011-341.051 to define the role of the Department of Transportation in developing the transit element of an effective multimodal transportation system for this state. This role shall be viewed as dynamic and capable of recognizing changing developments in technology and local, state, and federal laws and policies that affect the state's total multimodal transportation system. It is further recognized by the Legislature that adequate and efficient public surface transit services are essential to the economic growth of the urban and rural communities of the state and the well-being of its people. It is in the best interests of the state to encourage and promote the development of public transit systems, embracing various modes of transport in a manner that will serve the state, including local and regional

HB 1080

By Committee on Transportation
areas, in a safe, efficient, and effective manner. The Legislature finds and declares that Florida's transportation needs are being threatened by the growing energy shortage which this nation faces. In addition, this state has many roads which are heavily congested during commuting hours, resulting in the unnecessary usage of gasoline and in lengthy delays for the traveling public. There are presently no energy efficient alternatives such as public transportation for many citizens in Florida, which would reduce the number of single-occupancy, private automobiles on the road. Therefore, the Legislature wishes to encourage ridesharing programs which will help reduce traffic congestion, conserve gasoline consumption, and promote the mobility needs of the public. One important way to address these problems is to encourage employers and employees to form ridesharing arrangements. However, employers have been reluctant to support such activities because of their potential liability to employees and others. The Legislature, therefore, finds that it is in the public interest to promote ridesharing arrangements through employer sponsorship and promotional activities, by exempting employers from certain liabilities they might incur as a result of their promotion or sponsorship of certain types of employee ridesharing programs.

Section 2. Subsection (5) of section 341.031, Florida Statutes, is amended, and subsection (6) is added to said section, to read:

341.031 Definitions.—As used in ss. 341.011-341.051:

(5) "Ridesharing" means an arrangement between persons with a common destination, or destinations, within the same proximity, to share the use of a motor vehicle on a recurring basis for round-trip transportation to and from their place of work.
(6) For purposes of ridesharing, "employment" shall be deemed to commence when an employee arrives at the employer's place of employment to report for work and shall terminate when the employee leaves the employer's place of employment, excluding areas not under the control of the employer.

However, the employee shall be deemed to be within the course of employment when the employee is engaged in the performance of duties assigned or directed by the employer, or acting in the furtherance of the business of the employer, irrespective of location.

Section 3. Section 341.103, Florida Statutes, is created to read:

341.103 Employer liability limits; ridesharing.--No employer shall be liable for injuries or damages sustained by operators, passengers, or other persons resulting from the operation of a motor vehicle while being used in a ridesharing arrangement between a place of residence and place of employment or termini near such places, nor shall such employer be liable for injuries or damages sustained to operators, passengers, or other persons because such employer provides information or incentives, or otherwise encourages employees to participate in ridesharing arrangements.

CODING: Words in small type are deletions from existing law; words underlined are additions.
However, this section shall not apply to motor vehicles owned or leased by an employer nor to acts by an employee within the scope of his or her employment as defined in s. 341.031(6).

Section 4. This act shall take effect upon becoming a law.

*************************************************************************

HOUSE SUMMARY

Amends various provisions of the "Florida Public Transit Act" to:
1. Redefine the term "ridesharing" to include round-trip transportation to and from the place of employment or other common destination.
2. Define the term "employment."
3. Limit liability with respect to employers who encourage employees to participate in ridesharing arrangements.

See bill for details.

CODING: Words in strike through type are deletions from existing law; words underlined are additions.
PRELIMINARY LIST OF POSSIBLE INCENTIVES
FOR MODEL STATE RIDESHARING INCENTIVES LAW

1. ESTABLISH A STATEWIDE RIDESHARING PROGRAM
   A. Provide planning and technical assistance to public and
      private employers.
      (1) Matching and promotion program
   B. Provide financial assistance to public and private employers.
      (1) Guarantee loans to acquire vans
      (2) Interest-free loans to acquire vans
        (a) For mass transit agencies
        (b) For all employers
   C. Provide funding sources for the program
      (1) Dedicate percentage of federal-aid highway funds
      (2) Use federal-aid highway funds as interest free loans
          to acquire vans
        (a) Provide all or part of the 25% local match
            for federal-aid vanpools.
      (3) Increase gas tax to subsidize ridesharing
      (4) Levy a special tax on all passenger motor vehicles
           except those used in ridesharing or mass transit
      (5) Authorize contracts with, or obtaining and using
           funds from, the U.S. DOT (or any other source) for demon­
           stration or any other funds available to encourage ride­
           sharing or any other means of commuting to work other than
           driving alone in a car.
           (a) Require State DOT to have projects under
      (6) Authorize grants from State Transportation Funds for
          local ridesharing programs and for loans to acquire ride­
          sharing vehicles.
      (7) Establish revolving fund to acquire ridesharing vehicles.
      (8) Impose special tax per square foot of office space.
           (a) Except employers or owners that have an approved
               ridesharing program.
   D. Establish a Task Force on Ridesharing
      (1) To advise legislature and ridesharing program admin­
          nistrator on:
           (a) Problems and their solution
           (b) Additional incentives
           (c) Other ways to increase ridesharing (or to decrease
               commuting alone in a motor vehicle).
   E. Appropriate money for the program
   F. Require businesses receiving state contracts to have a
      ridesharing program.
2. ESTABLISH A RIDE-SHARING PROGRAM FOR STATE EMPLOYEES
   A. Authorize a state agency to acquire vans.
   B. Authorize state agencies to maintain vans.
   C. Authorize sale of state gas for use in vans.
   D. Provide interest free loans to acquire vans.
   E. Establish a loan guaranty program.
   F. Require preferential parking for ridesharing vehicles and relate degree of preference to the normal occupancy rate.
   G. Require (or authorize) charging a fee for parking on state-owned property based on vehicle occupancy.
      (1) Provide that surplus income from state-owned parking lots will be used to purchase vans, provide bicycle parking and to pay costs of ridesharing program.
   H. Require each state agency to have a ridesharing program before building or expanding any parking facility.
   I. Authorize special incentives or rewards to state employees who do not commute in a single-occupant motor vehicle:
      (1) Shorter work day
      (2) More annual leave
      (3) Free lunch once a week
      (4) Non-monetary awards
   J. Authorize payroll deductions for ridesharing arrangements
   K. Employee may buy van for $2500 at end of ___ years or return it to the state.
   L. Require letting employees go on time to meet ridesharing schedule.
   M. In determining fares, amortize vans over a 10-year period of time.

3. LEGISLATIVE RESOLUTION URGING ALL STATE AND LOCAL GOVERNMENT AGENCIES TO USE PUBLIC FUNDS FOR PROGRAMS THAT WILL DECREASE COMMUTING TO WORK IN A CAR OR VAN OCCUPIED BY ONLY ONE PERSON

4. REQUIRE ALL EMPLOYERS TO ENCOURAGE THEIR EMPLOYEES TO COMMUTE TO WORK BY A MEANS OTHER THAN DRIVING ALONE IN A CAR OR VAN. HAVE AN AWARDS PROGRAM RECOGNIZING OUTSTANDING EMPLOYER PROGRAMS.

5. REQUIRE EVERY EMPLOYER WITH MORE THAN 50 EMPLOYEES TO HAVE A PROGRAM TO ENCOURAGE COMMUTING BY ANY MEANS OTHER THAN A CAR OR VAN OCCUPIED BY ONLY ONE PERSON.
   A. Require cooperation with state ridesharing program office.
   B. Tax parking spaces except those used by high occupancy vehicles.
   C. Require giving information to employees about ridesharing.
   D. Require giving names and addresses of employees to state or local ridesharing office for purposes of creating carpools.
E. Require employers to charge for employees to park with lower or free parking for ridesharing vehicles.
F. Require preferential parking spaces for ridesharing vehicles (require percentage of all spaces for such parking).
G. Require employers to provide vehicles for all business trips that must be taken by employees during the day.
H. Require employers to pay full cost of an employees' using their vehicles for business purposes.
I. Reduce property tax if preferential parking for high occupancy vehicles is provided.
J. All new major employers or employers who wish to expand facilities must have a ridesharing program and seek matches at least once each year.
K. Require employers to provide free parking for ridesharing vehicles and bicycles.
L. Require employers to give incentives or rewards to employees who do not commute to work in a car or van occupied by one person.
M. Require employers to purchase bicycles for employees to use in commuting.
N. Relax dress codes for employees who walk, jog or bicycle to work.
O. See the other incentives for state employees, item 2A through 2L, above

6. TAX INCENTIVES FOR EMPLOYERS:
A. Authorize employers to deduct, as ordinary business expenses, the following:
   (1) Cost of his entire ridesharing program.
   (2) Cost of subsidies paid to employees to encourage not driving alone, particularly amounts paid to encourage use of mass transit, ridesharing, and bicycles.
   (3) Cost of providing preferential parking for ridesharing vehicles and bicycles (accelerated depreciation basis).
   (4) Reduce property tax for parking spaces used by bicycles or by high occupancy vehicles.
B. Give special tax credit to any employer who reduces the size of his parking lot.
C. Do not regard payments to employers by ridesharing participants as income.
D. Grant employers a tax credit of 20% of the cost of vehicles acquired for use in ridesharing programs.
E. Grant employers a tax credit of a specified dollar amount (such as $1,000) for instituting any program deemed beneficial for ridesharing, bicycling or walking (such as flex-time). Could be regarded as special energy tax credit.
7. TAX INCENTIVES FOR EMPLOYEES:
   A. Allow employees to deduct, from their income (or adjusted 
gross income) all or part of the following expenses:
      (1) Amounts paid to ride a subway, bus, or other mass 
transit facility.
      (2) Amounts paid to participate in all or certain ride-
sharing arrangements.
         (a) Allow deduction of gas tax
         (3) The cost of acquiring a van used in a ridesharing
arrangement, depreciated over four years.
         (4) The cost of acquiring and maintaining a bicycle used 
to commute to and from work (as well as such safety equip-
ment as helmets, lights, audible warning devices, etc.)
         (5) Provide that an employer's commuting subsidies and 
          incentives (including personal use of the ridesharing 
vehicle) are not taxable income to the employee.

8. SPECIAL TAX INCENTIVES
   A. Refund all or part of tax on motor fuel (and any sales tax 
on fuel) used by vehicles in all or certain ridesharing 
arrangements.
   B. Waive sales or title tax for all or certain vehicles to be 
used in ridesharing arrangements.
   C. Forbid localities from collecting personal property taxes 
on all or certain vehicles used in ridesharing arrangements.
   D. Reduce the registration fee for vans used in ridesharing 
arrangements.
   E. Reduce or eliminate tolls for all or certain ridesharing 
vehicles.
   F. Reduce frequency or cost of inspecting vans used in ridesharing 
arrangements.
   G. Eliminate lease tax on vehicles leased for ridesharing.
   H. Provide that sales taxes or business and occupations taxes 
do not apply to ridesharing arrangements.

9. PROVIDE FOR PRIORITY OF ALL OR CERTAIN MOTOR VEHICLES USED IN 
RIDESHARING ARRANGEMENTS IN THE EVENT OF GAS RATIONING.
   A. Develop a priority fuel distribution system for carpools 
and vanpools.

10. MANDATE, OR EXPRESS LEGISLATIVE DESIRE FOR, ALL EMPLOYERS TO 
INSTITUTE FLEX-TIME.
11. AS TO BANKS, CREDIT UNIONS AND OTHER FINANCIAL INSTITUTIONS:
   A. Require (or encourage) 100% loans at prime rate (or less) to acquire vans for use in ridesharing.
   B. Provide a loan guaranty program.
   C. Give special tax credits to cooperating lending institutions that make 100%, low-interest, five-year loans for van purchases.

12. PREFERENTIAL OPERATIONS
   A. Require (or authorize) lanes or highways for use by high-occupancy vehicles (and bicycles).
   B. Require (or authorize) lower tolls (or no tolls) for high-occupancy vehicles and do not require their drivers to stop at toll booths.
   C. Where highway access is by means of a metered ramp, require giving preference to high-occupancy vehicles.
   D. Alter rules of the road to expedite high-occupancy vehicle traffic.
      (1) Require drivers to yield the right of way to a bus pulling out into traffic from a bus stop.
      (2) Allow high-occupancy vehicles to travel at higher speeds or lower the speed limits for single-occupant motor vehicles.
   E. Authorize larger cities to prohibit entry or use of a van or car occupied by one person during rush hours.
      (1) Authorize a special, local tax on single-occupant cars and vans.
   F. Require every large city or regional planning agency to have a plan for preferential treatment of ridesharing vehicles and bicycles by January 1, 1985.

13. AUTHORIZE (OR REQUIRE) ALL OR CERTAIN CITIES TO HAVE RESIDENTIAL PARKING PROGRAMS TO DECREASE THE AMOUNT OF FREE PARKING FOR COMMUTERS. (Note: The National Institute of Municipal Law Officers has a model ordinance on this subject.)
   A. Authorize cities to prohibit all on-street parking.

14. REQUIRE ALL (OR CERTAIN) CITIES AND COUNTIES TO:
   A. Have a ridesharing program. The elements listed in items 1A through 1E should be considered.
   B. Establish a ridesharing program for municipal employees. See items 2A through 2L.
   C. Amend zoning laws and building codes to encourage ridesharing efforts.
      (1) Reduce number of parking spaces for owners, developers and employers who have ridesharing programs.
(2) Require developers of new communities or major subdivisions, or office buildings to provide staging areas, shuttle buses, and ridesharing programs.

(3) Grant zoning and building code variances for ridesharing programs meeting certain standards.

D. Require contractors to have ridesharing programs.

E. Provide staging areas (park and ride lots).

F. Reduce property taxes for owners of certain property with approved ridesharing programs.

G. Construct or lease preferential parking spaces for ridesharing vehicles and bicycles.

15. SPECIAL LOCAL FUNDING SOURCES

A. Allow cities to borrow money or issue bonds to fund ridesharing programs or acquire ridesharing vehicles.

B. Authorize special tax levies to encourage use of high-occupancy vehicles or bicycles.

16. AS TO TRANSIT COMMISSIONS

A. Authorize them to operate vanpool programs.

B. Require their involvement in local ridesharing programs.

17. CREATE A STATE ASSOCIATION OF VANPOOL OPERATORS.

18. AMEND PRIVACY LAWS SO THEY DO NOT APPLY TO RIDE SHARING PROGRAMS AND THEREBY ENABLE GIVING OUT THE NAMES, ADDRESSES AND TELEPHONE NUMBERS OF EMPLOYEES FOR MATCHING PURPOSES.

19. PARK AND RIDE LOTS

A. Encourage churches, shopping centers and other owners of real property with parking lots to allow commuters to park their cars there during the day by:

   (1) Authorizing governmental agencies to:

   (a) Pay tort claims arising from such use or pay the cost of insurance.
   (b) Pay the cost of extra maintenance of the lots.
   (c) Pay the cost of erecting signs.
   (d) Pay the cost of paving and maintenance of the lots.

   (2) Providing that such use, even with a charge for parking, does not affect the tax status of a nonprofit organization.

   (3) Providing a reduction in property tax.

   (4) Providing tax credits or other tax incentives, including a deduction for any costs incurred by the owner.
20. INSURANCE MATTERS
   A. Create a corporation to insure all or certain vehicles used
      in ridesharing arrangements.
   B. Subsidize insurance premiums.
   C. Mandate lower rates for ridesharing vehicles.
   D. Require insurers to reduce premiums when ridesharing parti-
      cipants cyclists or walkers leave their cars at home instead
      of using them to commute.

21. GRANT EMPLOYERS WITH APPROVED RIDESHARING PROGRAMS A VARIANCE
    FROM, OR CREDIT TOWARD MEETING, ON-SITE AIR POLLUTION CONTROLS.

22. REQUIRE EVERY SCHOOL DISTRICT (OR THOSE IN MAJOR METROPOLITAN
    AREAS) TO HAVE A PLAN TO REDUCE THE NUMBER OF MILES DRIVEN BY STUDENTS,
    FACULTY, ADMINISTRATORS AND PARENTS IN CONNECTION WITH SCHOOL
    ACTIVITIES.

23. PROVIDE PROGRAMS TO OVERCOME FEAR ASSOCIATED WITH WALKING,
    BICYCLING AND USE OF MASS TRANSIT FACILITIES.
Mr. Edward F. Kearney  
Executive Director  
National Committee  
on Uniform Traffic Laws and Ordinances  
First & Merchants Bank Building  
801 North Glebe Road, Suite 400  
Arlington, Virginia 22203  

Dear Mr. Kearney:

This will acknowledge receipt of your letter of recent date requesting evaluation of incentives that would be included in a Model State Ridesharing Incentives Law.

This is to advise that we are today forwarding your letter to the person or agency named below since we understand this to be the best source of information on the subject about which you inquire. We feel certain that a satisfactory answer or the requested material will be sent to you promptly.

Senate Transportation Committee  
30 Senate Building  
Tallahassee, Florida 32301  

House Transportation  
326 House Building  
Tallahassee, Florida 32301

Sincerely,

B. Gene Baker
TO: Members and alternates of the National Committee
   Legislative reference bureaus
   State and local ridesharing agencies
   Members of National Association of Vanpool Operators
   State energy offices
   State departments of insurance
   State departments of transportation
   State departments of motor vehicles
   Members of American Ridesharing Professionals
   Metropolitan planning agencies
   Members of President's Task Force on Ridesharing
   Regional conservation directors
   Members of the Transportation Committee on the National
   Conference of State Legislatures
   Other selected commentators

FROM: Edward F. Kearney, Executive Director

DATE: January 15, 1982

We are preparing a Model State Ridesharing Incentives Law and need your assistance.

Enclosed is a list of incentives which could be included in a model law to encourage forming and using ridesharing arrangements or to encourage any means of commuting to work other than driving alone in a motor vehicle.

I would appreciate your considering these incentives and evaluating them keeping these criteria in mind:

1. Would this incentive increase ridesharing, use of mass transit, bicycling or walking to work?

2. Would this incentive be acceptable to society in general, and to state legislatures, in particular?

3. Would this incentive be easy to implement?

In addition, if you can think of incentives which should be added to the list, I'd like to know about them.
If possible, please mail me your comments by February 3, 1982, so I can commence work on the first draft of the model law. A copy of the first draft will also be sent to you for your comment.

Because evaluating so many incentives in a short period of time is asking a lot, you may wish to use the evaluation sheet attached to this memo. If you do use this sheet, I suggest you use a simple Yes or No for each incentive in each column or assign the following numbers in the appropriate column for each incentive:

3 -- Incentive would increase ridesharing or alternative means of commuting to work (column 1)
   Incentive is acceptable to society and to state legislators (column 2)
   Incentive would be easy to implement (column 3)

2 -- Incentive might or might not increase ridesharing or alternative means of commuting to work (column 1)
   Incentive may or may not be acceptable to society and state legislators (column 2)
   Incentive may or may not be easy to implement (column 3)

1 -- Incentive will not increase ridesharing or alternate means of commuting to work (column 1)
   Incentive is not acceptable to society nor to state legislators (column 2)
   Incentive would not be easy to implement (column 3)
**EVALUATION SHEET**

*(Please mail by February 3, 1981)*

TO: Ed Kearney  
NCUTLO  
400 F&M Bank Bldg.  
801 N. Glebe Road  
Arlington, Va. 22203

FROM:  
*(name -- please print)*

(name of agency or company)

<table>
<thead>
<tr>
<th>INCENTIVE</th>
<th>EFFECTIVE</th>
<th>ACCEPTABLE</th>
<th>IMPLEMENT</th>
<th>INCENTIVE</th>
<th>EFFECTIVE</th>
<th>ACCEPTABLE</th>
<th>IMPLEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>2G</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IA</td>
<td></td>
<td></td>
<td></td>
<td>2G(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IA(1)</td>
<td></td>
<td></td>
<td></td>
<td>2H</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IB</td>
<td></td>
<td></td>
<td></td>
<td>2I</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IB(1)</td>
<td></td>
<td></td>
<td></td>
<td>2I(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IB(2)</td>
<td></td>
<td></td>
<td></td>
<td>2I(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IB(2) (a)</td>
<td></td>
<td></td>
<td></td>
<td>2I(3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IB(2) (b)</td>
<td></td>
<td></td>
<td></td>
<td>2I(4)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC</td>
<td></td>
<td></td>
<td></td>
<td>2J</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(1)</td>
<td></td>
<td></td>
<td></td>
<td>2K</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(2)</td>
<td></td>
<td></td>
<td></td>
<td>2L</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(2) (a)</td>
<td></td>
<td></td>
<td></td>
<td>2M</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(3)</td>
<td></td>
<td></td>
<td></td>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(4)</td>
<td></td>
<td></td>
<td></td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(5)</td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(5) (a)</td>
<td></td>
<td></td>
<td></td>
<td>5A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(6)</td>
<td></td>
<td></td>
<td></td>
<td>5B</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(7)</td>
<td></td>
<td></td>
<td></td>
<td>5C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(8)</td>
<td></td>
<td></td>
<td></td>
<td>5D</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IC(8) (a)</td>
<td></td>
<td></td>
<td></td>
<td>5E</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID</td>
<td></td>
<td></td>
<td></td>
<td>5F</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID(1)</td>
<td></td>
<td></td>
<td></td>
<td>5G</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID(1) (a)</td>
<td></td>
<td></td>
<td></td>
<td>5H</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID(1) (b)</td>
<td></td>
<td></td>
<td></td>
<td>5I</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ID(1) (c)</td>
<td></td>
<td></td>
<td></td>
<td>5J</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IE</td>
<td></td>
<td></td>
<td></td>
<td>5K</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>IF</td>
<td></td>
<td></td>
<td></td>
<td>5L</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>5M</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2A</td>
<td></td>
<td></td>
<td></td>
<td>5N</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2B</td>
<td></td>
<td></td>
<td></td>
<td>5O</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2C</td>
<td></td>
<td></td>
<td></td>
<td>6A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2D</td>
<td></td>
<td></td>
<td></td>
<td>6A(1)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2E</td>
<td></td>
<td></td>
<td></td>
<td>6A(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2F</td>
<td></td>
<td></td>
<td></td>
<td>6A(3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>INCENTIVE</td>
<td>EFFECTIVE</td>
<td>ACCEPTABLE</td>
<td>IMPLEMENT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------</td>
<td>-----------</td>
<td>------------</td>
<td>-----------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5A (4)</td>
<td></td>
<td></td>
<td>14C(2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5B</td>
<td></td>
<td></td>
<td>14C(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5C</td>
<td></td>
<td></td>
<td>14D</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5D</td>
<td></td>
<td></td>
<td>14E</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5E</td>
<td></td>
<td></td>
<td>14F</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td>14G</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A</td>
<td></td>
<td></td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A(1)</td>
<td></td>
<td></td>
<td>15A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A(2)</td>
<td></td>
<td></td>
<td>15B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A(2)(a)</td>
<td></td>
<td></td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A(3)</td>
<td></td>
<td></td>
<td>16A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A(4)</td>
<td></td>
<td></td>
<td>16B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7A(5)</td>
<td></td>
<td></td>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8A</td>
<td></td>
<td></td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8B</td>
<td></td>
<td></td>
<td>19A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8C</td>
<td></td>
<td></td>
<td>19A(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8D</td>
<td></td>
<td></td>
<td>19A(1)(a)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8E</td>
<td></td>
<td></td>
<td>19A(1)(b)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8F</td>
<td></td>
<td></td>
<td>19A(1)(c)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8G</td>
<td></td>
<td></td>
<td>19A(1)(d)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td>19A(2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9A</td>
<td></td>
<td></td>
<td>19A(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>19A(4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td>20A</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11A</td>
<td></td>
<td></td>
<td>20B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11B</td>
<td></td>
<td></td>
<td>20C</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11C</td>
<td></td>
<td></td>
<td>20D</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12A</td>
<td></td>
<td></td>
<td>22</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12B</td>
<td></td>
<td></td>
<td>23</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12D</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12D(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12D(2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12E</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12E(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12F</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14A</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14B</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14C(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
FLORIDA LEGISLATURE

SUMMARY OF
GENERAL LEGISLATION
1982

Regular Extended Session
January 18 - March 25

Special Sessions:
March 26-29, March 29- April 7,
and May 21
MOTOR VEHICLES AND TRANSPORTATION*

Enactments of the 1982 Legislature in the area of motor vehicles and transportation include: revision of Chapter 319, F. S., relating to titles and liens on motor vehicles and mobile homes; requirement that newly formed Metropolitan Planning Organizations be operative within six months of designation by the Governor; modification of procedures for reporting of unclaimed motor vehicles; provision for issuance of special license plates for active Armed Forces reservists and ex-prisoners of war; requirement that mobile home and recreational vehicle brokers be licensed by the state; provision directing the Department of Transportation to develop both a proposed and a final annual program budget; authorization for use of permanent license plates on vehicles rented, loaned or leased to a district school board for driver training purposes; reenactment with modifications of Chapters 351 and 354, F. S., relating to the regulation of railroads and other common carriers; authority for the Department of Transportation to cash-flow the revenue in the Sunshine State Parkway Improvement Fund; requirement for use of child restraint devices for children five years old or younger;

*Prepared by staff of Senate Committee on Transportation

171
percent of the unpaid balance of all turnpike improvement project obligations outstanding at any time.

COMMITTEE SUBSTITUTE FOR SENATE BILL 620 (CHAPTER 82-246) directs the Florida Department of Transportation to increase for a one-year period toll charges on all except westbound lanes of "Dolphin" and "Julia Tuttle" or "Airport" Expressways (State Roads 836 and 112 respectively) from 10 cents to 25 cents. During this time the Department is to conduct a study to determine whether 25 cents or 20 cents toll would provide revenues required by the bond indentures, and the effect on revenues of free travel during certain daylight hours and free egress at one Dolphin Expressway exit. The results of the study are to be reported to the chairmen of the House and Senate Transportation Committees prior to the 1984 Session. Moreover, the act authorizes the Department to place tolls on the 192nd Street Causeway to fund a study to determine the feasibility of financing construction on U. S. Highway 1 in north Dade County through bonds underwritten by such tolls.

Ridesharing

Information provided to a governmental entity for purposes of forming ridesharing arrangements which reveal the identity of any person participating in such arrangements is exempted from the public records law by SENATE BILL 322 (CHAPTER 82-95). In another provision of this enactment, the liability of employers who encourage or promote ridesharing arrangements is limited. Such employers are not liable for
injuries or damages to persons resulting from the operation of a vehicle used in a ridesharing arrangement between a residence and place of employment. This limitation would not apply to motor vehicles owned or leased by the employer nor to acts by an employee within the scope of his "employment," as defined in the act.

**Speed Limit Designation**

SENATE BILL 306 (CHAPTER 82-94) requires that, subject to approval by the Federal Highway Administration, all new or replacement speed limit signs erected by the Department of Transportation shall show the legal speed limit both in miles per hour and in kilometers per hour.

In a second provision, the act provides that when, due to accident, equipment failure or other emergency, a temporary detour to bypass a bridge on the State Highway System is necessary, and the only available detour is over a toll facility, the Department is authorized to pay the tolls to the appropriate authority.

**Disposal of Surplus Property by DOT**

The allocation of appraisal costs in conjunction with the disposal of surplus property by the Department of Transportation is the subject of HOUSE BILL 407 (CHAPTER 82-36). When, as a result of an inquiry, the Department initiates the process to dispose of surplus property, the person making the inquiry will bear the cost of an independent appraisal to determine the fair market value of the property. If the
335.14 Traffic devices on state highway system.--The Department of Transportation shall designate and prescribe the location, form and character of informational, regulatory and warning sign, curb and pavement or other markings and traffic signals installed or placed by any public authority, or other agency, upon any road in the state highway or state park road systems. No such sign, marking or signal shall be located or placed without the approval of the department, and, if a federal aid road, the additional concurrence of the Federal Highway Administration United States Commissioner of Public Roads. Any sign, marking or signal placed without the approval of the department with concurrence of the Federal Highway Administration United States Commissioner of Public Roads where required may be removed, without payment to the erecting authority, if, upon request of the department said erecting authority refuses to remove such sign, marking or signal. Subject to approval by the Federal Highway Administration, all new or replacement speed limit signs erected by the Department of Transportation shall show the legal speed limit both in miles per hour and in kilometers per hour.

Section 2. Subsection (6) is added to section 335.15, Florida Statutes, to read:

335.15 Detour roads.--

(6) Whenever a temporary detour is necessary to bypass a bridge on the State Highway System due to accident, unforeseen failure of equipment, or emergency traffic stoppage, and the only available detour is over a toll facility, the Department of Transportation is authorized to pay to the appropriate authority the tolls that would normally have been collected.

Section 3. This act shall take effect July 1, 1982.

Approved by the Governor April 5, 1982.

Filed in Office Secretary of State April 6, 1982.

An act relating to public records; adding s. 119.07(3)(1), Florida Statutes; providing that information concerning the identity of certain persons is exempt from disclosure provisions of the public record law; amending s. 341.031(5), Florida Statutes, and adding s. 341.031(6) to said section; amending definition of ridesharing and adding definition of employment; creating s. 341.103, Florida Statutes; limiting liability of employers for injuries or damages sustained by persons participating in ridesharing programs; providing an effective date.

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

Section 1. Paragraph (1) is added to subsection (3) of section 119.07, Florida Statutes, to read:

119.07 Inspection and examination of records; exemptions.--
(1) Any information which is provided to any agency of state
government or of a political subdivision for the purpose of forming
ridesharing arrangements which reveals the identity of any individual
who has provided his name for ridesharing arrangements as defined in
s. 341.031(5) is exempt from the provisions of subsection (1).

Section 2. Subsection (5) of section 341.031, Florida Statutes,
is amended and subsection (6) is added to said section to read:

341.031 Definitions.--As used in ss. 341.011-341.051:

(5) "Ridesharing" means an arrangement between persons with a
common destination, or destinations, within the same proximity, to
share the use of a motor vehicle on a recurring basis for round-trip
transportation to and from their place of employment or other common
destination, such destination or destinations. Transportation under such
arrangement shall be limited to a single round trip daily,
in a motor vehicle manufactured for the transportation of 15 or fewer
persons. Ridesharing, as herein defined, is specifically intended to
distinguish this activity from public transit services such as
shared-ride programs which are provided for hire by governmentally
owned or privately owned providers of such services.

(6) For purposes of ridesharing, "employment" shall be deemed to
commence when an employee arrives at the employer's place of
employment to report for work and shall terminate when the employee
leaves the employer's place of employment, excluding areas not under
the control of the employer. However, the employee shall be deemed
to be within the course of employment when the employee is engaged in
the performance of duties assigned or directed by the employer, or
acting in the furtherance of the business of the employer,
irrespective of location.

Section 3. Section 341.103, Florida Statute, is created to read:

341.103 Employer liability limits; ridesharing.--No employer
shall be liable for injuries or damages sustained by operators,
passengers, or other persons resulting from the operation of a motor
vehicle while being used in a ridesharing arrangement between a place
of residence and place of employment or termini near such places, nor
shall such employer be liable for injuries or damages sustained to
operators, passengers, or other persons because such employer
provides information or incentives, or otherwise encourages employees
to participate in ridesharing arrangements. However, this section
shall not apply to motor vehicles owned or leased by an employer nor
to acts by an employee within the scope of his or her employment as
defined in s. 341.031(6).

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor April 5, 1982.

Filed in Office Secretary of State April 6, 1982.
A bill to be entitled

An act relating to public transit; amending s. 341.021, Florida Statutes, relating to legislative intent; amending s. 341.031(5), Florida Statutes, and adding subsection (6) thereto, redefining the term "ridesharing" and defining the term "employment"; creating s. 341.103, Florida Statutes, providing limits of liability with respect to employers in certain ridesharing arrangements; providing an effective date.

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

Section 1. Section 341.021, Florida Statutes, is amended to read:

341.021 Legislative intent.--It is the legislative intent of ss. 341.011-341.051 to define the role of the Department of Transportation in developing the transit element of an effective multimodal transportation system for this state. This role shall be viewed as dynamic and capable of recognizing changing developments in technology and local, state, and federal laws and policies that affect the state's total multimodal transportation system. It is further recognized by the Legislature that adequate and efficient public surface transit services are essential to the economic growth of the urban and rural communities of the state and the well-being of its people. It is in the best interests of the state to encourage and promote the development of public transit systems, embracing various modes of transport in a manner that will serve the state, including local and regional
areas, in a safe, efficient, and effective manner. The

Legislature finds and declares that Florida's transportation
needs are being threatened by the growing energy shortage
which this nation faces. In addition, this state has many
roads which are heavily congested during commuting hours,
resulting in the unnecessary usage of gasoline and in lengthy
delays for the traveling public. There are presently no
energy efficient alternatives such as public transportation
for many citizens in Florida, which would reduce the number of
single-occupancy, private automobiles on the road. Therefore,
the Legislature wishes to encourage ridesharing programs which
will help reduce traffic congestion, conserve gasoline
consumption, and promote the mobility needs of the public.
One important way to address these problems is to encourage
employers and employees to form ridesharing arrangements.
However, employers have been reluctant to support such
activities because of their potential liability to employees
and others. The Legislature, therefore, finds that it is in
the public interest to promote ridesharing arrangements
through employer sponsorship and promotional activities, by
exempting employers from certain liabilities they might incur
as a result of their promotion or sponsorship of certain types
of employee ridesharing programs.

Section 2. Subsection (5) of section 341.031, Florida
Statutes, is amended, and subsection (6) is added to said
section, to read:

341.031 Definitions.--As used in ss. 341.011-341.051:

(5) "Ridesharing" means an arrangement between persons
with a common destination, or destinations, within the same
proximity, to share the use of a motor vehicle on a recurring
basis for round-trip transportation to and from their place of
employment or other common destination, such-destination=er
destinations.--Transportation-under-such-arrangement-shall-be
limited-to-a-single-round-trip-daily-in-a-motor-vehicle
manufactured-for-the-transportation-of-15-or-fewer-persons-
Ridesharing-as-herein-defined-is-specifically-intended-to
distinguish-this-activity-from-public-transit-services-such-as
shared-ride-programs-which-are-provided-for-hire-by
governmentally-owned-or-privately-owned-providers-of-such
services.

(6) For purposes of ridesharing, "employment" shall be
deemed to commence when an employee arrives at the employer's
place of employment to report for work and shall terminate
when the employee leaves the employer's place of employment,
excluding areas not under the control of the employer.
However, the employee shall be deemed to be within the course
of employment when the employee is engaged in the performance
of duties assigned or directed by the employer, or acting in
the furtherance of the business of the employer, irrespective
of location.

Section 3. Section 341.103, Florida Statutes, is
created to read:

341.103 Employer liability limits; ridesharing.--No
employer shall be liable for injuries or damages sustained by
operators, passengers, or other persons resulting from the
operation of a motor vehicle while being used in a ridesharing
arrangement between a place of residence and place of
employment or termini near such places, nor shall such
employer be liable for injuries or damages sustained to
operators, passengers, or other persons because such employer
provides information or incentives, or otherwise encourages
employees to participate in ridesharing arrangements.

CODING: Words in struck through type are deletions from existing law; words underlined are additions.
However, this section shall not apply to motor vehicles owned or leased by an employer nor to acts by an employee within the scope of his or her employment as defined in s. 341.031(6).

Section 4. This act shall take effect upon becoming a law.

*************

HOUSE SUMMARY

Amends various provisions of the "Florida Public Transit Act" to:

1. Redefine the term "ridesharing" to include round-trip transportation to and from the place of employment or other common destination.
2. Define the term "employment."
3. Limit liability with respect to employers who encourage employees to participate in ridesharing arrangements.

See bill for details.

CODING: Words in overstrike through type are deletions from existing law; words underlined are additions.
A bill to be entitled
An act relating to public records; adding s.
119.07(3)(1), Florida Statutes; providing that
information concerning the identity of certain
persons is exempt from disclosure provisions of
the public record law; providing an effective
date.

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

Section 1. Paragraph (1) is added to subsection (3) of
section 119.07, Florida Statutes, to read:

119.07 Inspection and examination of records;
exemptions.--

(1) Any information revealing the identity of any
individual who has provided his name for ridesharing
arrangements as defined in s. 341.031(5) is exempt from the
provisions of subsection (1).

Section 2. This act shall take effect upon becoming a
law.

*****************************************

SENATE SUMMARY

Exempts from the disclosure provisions of the public
records act any information identifying an individual who
provides his name for ridesharing arrangements.
A bill to be entitled
An act relating to public records; amending s. 119.07(2)(i), Florida Statutes; providing that information concerning the identity of passengers in an app-driven ride-sharing program under the public record law; amending s. 341.091(5), Florida Statutes, and adding s. 341.091(6) to said section; amending definition of ride-sharing and adding definition of employment; amending s. 344.301, Florida Statutes; defining liability of operator and driver of rideshare vehicles for injuries to passengers sustained by persons participating in ridesharing programs; providing an effective date.

As enacted by the Legislature of the State of Florida:

Section 1. Subparagraph (2) is added to subsection 2(4) of section 119.07, Florida Statutes, to read:

"(4) Any information which is necessary to establish the identity of a political committee or of a political candidate."

Section 2. Subparagraph (5) of section 344.301, Florida Statutes, as amended and subsection (6) is added to said statute, to read:

"(5) Employment means the hiring or retention by a rideshare entity of an individual who has provided his own motor vehicle for the transportation of passengers as defined in s. 341.091(5) in support of the provisions of subsection (4)."
employment or term in such places, nor shall such
employees be liable for injuries or damages sustained by
employees, passengers, or other persons because such accidents
arose from the negligence of employees, or otherwise
through the fault of employees to participate in self-discharging
ammunition.

However, this section shall not apply to motor vehicles owned
or leased by an employer nor to acts by an employee within the
scope of his or her employment as defined in § 261.501(4).

Section 6. This act shall take effect upon adoption.