

1986

Session Law 86-036

Florida Senate & House of Representatives

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LEGISLATIVE SUPPLEMENT "B" - SESSION LAW ABSTRACT

Year 1986	Session Law No. 86-36	LOF Cite	#pp
Prime Bill# HB. 109	Sponsor	Comp./Sim. Bills	none
JIMC Hist. Leg. Cites	Senate pp.#s	House pp.#s	215
Committee of Ref.	Senate House <i>Transportation</i>	Previous versions?	

Committee Records

H/S	Committee	Year	Record Series: Folder Title, etc.	Location Cite	#pp
H	Transp.	1986	Bill file "1" /	19/1567	
			Bill file "1" /	19/1568	
S	Transp	1986	Bill file "1" /	18/1566	
			Bill file "1" /	" 5. "	

Senate/House Journals

Page	?	Date	#pp	Page	?	Date	#pp

Tape Recordings

H/S	Floor	Committee/subcommittee	Date	# Tapes	Location Cite

Other Documentation

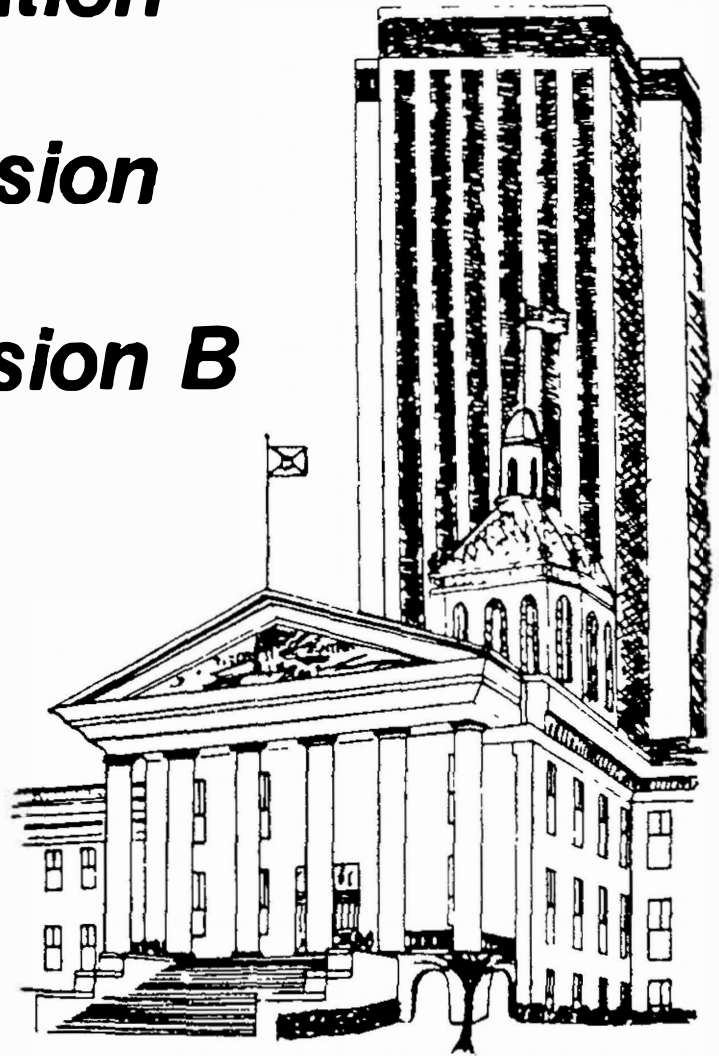
Record series title, folder title, etc.	Location Cite	#pp

FLORIDA LEGISLATURE

History of Legislation

1986 Regular Session

1986 Special Session B



prepared by:

Joint Legislative Management Committee

Legislative Information Division

Capitol Building, Room 826 – 488-4371

HISTORY OF HOUSE BILLS

H 105 (CONTINUED)

04/14/86 HOUSE Withdrawn from Community Affairs -HJ 119, Placed on Calendar
 04/17/86 HOUSE Read second time; Adopted -HJ 157

H 106 GENERAL BILL by Young and others

Contraband Forfeiture/Expenditures, expands authorized uses of proceeds of property forfeited under the Contraband Forfeiture Act Amends 932.704 Effective Date 10/01/86

11/06/85 HOUSE Prefiled
 11/15/85 HOUSE Referred to Criminal Justice; Appropriations
 12/13/85 HOUSE Subreferred to Subcommittee on Law Enforcement, On subcommittee agenda—Criminal Justice, 01/07/86, 8:30 am, 317 HOB
 04/08/86 HOUSE Introduced, referred to Criminal Justice, Appropriations -HJ 24, Subreferred to Subcommittee on Law Enforcement
 06/07/86 HOUSE Died in Committee on Criminal Justice

H 107 GENERAL BILL by Finance & Taxation; Easley (Compare ENG/H 1314)

Ad Valorem Tax/Fire Damage; provides for repeal of certain provisions which allow partial tax abatement when residential buildings are destroyed by fire, specifies taxpayer's liability for prior years' taxes when property is acquired by an exempt governmental unit or for exempt use Amends 196.295, Effective Date. Upon becoming law

11/06/85 HOUSE Prefiled
 12/11/85 HOUSE Referred to Appropriations
 04/08/86 HOUSE Introduced, referred to Appropriations -HJ 24
 04/28/86 HOUSE Withdrawn from Appropriations -HJ 195; Placed on Calendar
 05/20/86 HOUSE Placed on Special Order Calendar
 05/22/86 HOUSE Read second time -HJ 500
 05/27/86 HOUSE Read third time; Passed; YEAS 112 NAYS 0 -HJ 532
 05/27/86 SENATE In Messages
 05/28/86 SENATE Received, referred to Finance, Taxation and Claims -SJ 408
 06/07/86 SENATE Died in Committee on Finance, Taxation and Claims, Iden /Sim /Compare bill passed, refer to HB 1314 (Ch. 86-300)

H 108 GENERAL BILL by Friedman (Identical S 1068)

Communications Interception/Warning, requires communications common carriers to provide certain warning when intercepting or monitoring a communication. Amends 934 03 Effective Date: 10/01/86.

11/06/85 HOUSE Prefiled
 11/15/85 HOUSE Referred to Regulated Industries & Licensing
 01/14/86 HOUSE Subreferred to Subcommittee on Public Utilities
 04/08/86 HOUSE Introduced, referred to Regulated Industries & Licensing -HJ 24, Subreferred to Subcommittee on Public Utilities
 04/25/86 HOUSE On subcommittee agenda—Regulated Industries & Licensing, 04/29/86, 1 15 pm, 413C
 04/29/86 HOUSE Subcommittee Recommendation pending ratification by full Committee: Favorable, On Committee agenda, pending subcommittee action—Regulated Industries & Licensing, 04/30/86, 3:30 pm, 413C—Temporarily passed
 06/07/86 HOUSE Died in Committee on Regulated Industries & Licensing

H 109 GENERAL BILL/ENG by Clements (Similar S 616)

Traffic Control/Violation Revision; restructures provisions re passing vehicles proceeding in opposite directions, limitations on driving to left of center of roadway, driving on divided highways, horns & warning devices, certain required equipment, & violations re return of license or registration to H.S M V , to provide for single violation or restriction per statute subdivision; amends provision re exclusions from bumper requirements. Amends Ch. 316, 324.201. Effective Date 05/27/86.

11/06/85 HOUSE Prefiled
 11/15/85 HOUSE Referred to Transportation
 04/08/86 HOUSE Introduced, referred to Transportation -HJ 24
 04/10/86 HOUSE Subreferred to Subcommittee on Transportation Safety and Motor Vehicles
 04/11/86 HOUSE On subcommittee agenda—Transportation, 04/14/86, 1:15 pm, 214C
 04/14/86 HOUSE Subcommittee Recommendation pending ratification by full Committee: Favorable
 04/17/86 HOUSE On Committee agenda—Transportation, 04/21/86, 1 15 pm, 214C
 04/21/86 HOUSE Preliminary Committee Action by Transportation Favorable, to Calendar
 04/23/86 HOUSE Comm Report. Favorable by Transportation, placed on Calendar -HJ 186
 04/30/86 HOUSE Placed on Special Order Calendar, Read second time -HJ 216
 05/01/86 HOUSE Read third time, Passed, YEAS 114 NAYS 0 -HJ 223, Immediately certified
 05/01/86 SENATE In Messages

H 109 (CONTINUED)

05/06/86 SENATE Received, referred to Transportation -SJ 204, Immediately withdrawn from Transportation, Substituted for SB 616 -SJ 207, Reconsidered substitution for SB 616 -SJ 209; Placed on Calendar
 05/13/86 SENATE Placed on Special Order Calendar -SJ 257, Passed as amended, YEAS 35 NAYS 0 -SJ 257
 05/14/86 HOUSE In Messages
 05/19/86 HOUSE Concurred, Passed as amended, YEAS 116 NAYS 0 -HJ 423
 05/19/86 Ordered engrossed, then enrolled
 05/20/86 Signed by Officers and presented to Governor -HJ 459
 05/27/86 Approved by Governor; Chapter No 86-36 -HJ 573

H 110 GENERAL BILL by Titone

Judgments/Money Damage Interest, provides for payment of interest at rate of 3% above prevailing prime interest rate on judgments involving money damages from certain date. Creates 55.031. Effective Date: 10/01/86

11/06/85 HOUSE Prefiled
 11/15/85 HOUSE Referred to Judiciary, Appropriations
 04/08/86 HOUSE Introduced, referred to Judiciary; Appropriations -HJ 24
 06/07/86 HOUSE Died in Committee on Judiciary

H 111

02/19/86 HOUSE Withdrawn -HJ 25

H 112 GENERAL BILL/CS/ENG by Transportation; Watt; Martin; Morgan and others (Compare H 494, CS/S 109, S 473)

License Plates/Special Issue; (THIS BILL COMBINED IN CS/H 112,494) changes procedures applicable to replacement of license plates, validation stickers & mobile home stickers, provides for issuance of Challenger license plates, provides for issuance of collegiate license plates for each of 9 institutions within State University System, etc. Amends 320 0607, creates 320 0808 Effective Date: 10/01/87, except s. 3 shall take effect 10/01/86

11/06/85 HOUSE Prefiled
 11/15/85 HOUSE Referred to Transportation; Finance & Taxation, Appropriations
 04/08/86 HOUSE Introduced, referred to Transportation, Finance & Taxation, Appropriations -HJ 25
 04/10/86 HOUSE Subreferred to Subcommittee on Transportation Safety and Motor Vehicles
 04/11/86 HOUSE On subcommittee agenda—Transportation, 04/14/86, 1:15 pm, 214C
 04/14/86 HOUSE Subcommittee Recommendation pending ratification by full Committee. Favorable, as a proposed Committee Substitute, combined with HB 494
 04/17/86 HOUSE On Committee agenda—Transportation, 04/21/86, 1:15 pm, 214C
 04/21/86 HOUSE Preliminary Committee Action by Transportation Favorable, as a Committee Substitute, combined with HB 494
 04/23/86 HOUSE Comm Report: CS by Transportation -HJ 187; CS combines this bill and 494, Now in Finance & Taxation
 04/28/86 HOUSE On Committee agenda—Finance & Taxation, 04/30/86, 1:15 pm, Morris Hall
 04/30/86 HOUSE Preliminary Committee Action by Finance & Taxation Favorable
 05/01/86 HOUSE Comm. Report: Favorable by Finance & Taxation -HJ 235, Now in Appropriations
 05/09/86 HOUSE On Committee agenda—Appropriations, 05/13/86, 1:30 pm, Morris Hall
 05/13/86 HOUSE Preliminary Committee Action by Appropriations. Favorable, with 2 amendments, to Calendar
 05/16/86 HOUSE Comm Report. Favorable with 2 amendment(s) by Appropriations, placed on Calendar -HJ 447
 05/20/86 HOUSE Placed on Special Order Calendar
 05/27/86 HOUSE CS read first and second times -HJ 537, Amendments adopted -HJ 538
 05/28/86 HOUSE Read third time; Amendment adopted, CS passed as amended; YEAS 115 NAYS 0 -HJ 557
 05/28/86 SENATE In Messages
 05/29/86 SENATE Received -SJ 474; Substituted for CS/SB 109; CS passed, YEAS 34 NAYS 0 -SJ 480
 05/30/86 Ordered enrolled
 06/06/86 Signed by Officers and presented to Governor -HJ 1475
 06/13/86 Approved by Governor; Chapter No 86-88

H 113 RESOLUTION by Abrams; Friedman; Logan; Metcaif; Casas; Silver; Gutman and others (Similar S 526)

University of Miami Baseball Team, commends Head Coach Ron Fraser & his University of Miami baseball team for another successful season, a second College World Series title, & recognition as the 1985 NCAA baseball champions

11/06/85 HOUSE Prefiled
 11/15/85 HOUSE Referred to Community Affairs
 04/08/86 HOUSE Introduced, referred to Community Affairs -HJ 25
 04/28/86 HOUSE Withdrawn from Community Affairs -HJ 195, Placed on Calendar
 05/20/86 HOUSE Read second time, Adopted -HJ 457

Journal
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SENATE
State of Florida

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EIGHTEENTH REGULAR SESSION
UNDER THE CONSTITUTION AS REVISED IN 1968
APRIL 8 THROUGH JUNE 7, 1986



(4) ~~Coordinate the study required by s. 110.123(5)(d) and Pursue the implementation of mechanisms through which state government will lead by example in the prudent purchase of adequate health services.~~

(Renumber subsequent sections)

Amendment 2—On page 1, in the title, line 9, insert after “language;”: amending s. 395.5042, F S , to conform,

On motions by Senator Hill, the Senate concurred in the House amendments SB 280 passed as amended and was ordered engrossed and then enrolled.

The action of the Senate was certified to the House. The vote on passage was

Yeas—28

Mr President	Frank	Langley	Neal
Beard	Grant	Malchon	Peterson
Castor	Grizzle	Mann	Scott
Childers, W. D	Hill	Margolis	Thomas
Deratany	Jenne	McPherson	Thurman
Dunn	Jennings	Meek	Vogt
Fox	Johnson	Myers	Weinstein

Nays—None

Vote after roll call.

Yea—Hair, Kirkpatrick

On motions by Senator Beard, the rules were waived and by two-thirds vote HB 109 was placed first on the special order calendar.

SPECIAL ORDER

HB 109—A bill to be entitled An act relating to state uniform traffic control, amending ss 316.082, 316 087, 316 090, 316 271, 316 455, and 324.201, F S , restructuring provisions relating to passing vehicles proceeding in opposite directions, limitations on driving to the left of center of a roadway, driving on divided highways, horns and warning devices, certain required equipment, and violations with respect to return of license or registration to the Department of Highway Safety and Motor Vehicles, to provide for a single violation or restriction per statute subdivision, providing an effective date

—was read the second time by title.

Senator Beard moved the following amendments which were adopted

Amendment 1—On page 4, line 14, after “motor-driven cycle” insert *when operated upon a highway*

Amendment 2—On page 4, lines 5 and 8, after “siren” insert: , *whistle, or bell*

Senator Jennings moved the following amendments which were adopted:

Amendment 3—On page 5, between lines 27 and 28, insert

Section 7 Subsection (2) of s. 316.251, Florida Statutes, is amended to read

316 251 Maximum bumper heights.—

(2) *“New motor vehicles” as defined in s 319 001(4), “antique cars” as defined in s 320 08, “horseless carriages” as defined in s 320 086, and “street rod” as defined in s 320 0863, shall be excluded from the requirements of this section*

(Renumber subsequent section.)

Amendment 4—In title, on page 1, line 14, after the semicolon (;) insert amending s 316 251(2), F S ; relating to exclusions from bumper requirements,

On motion by Senator Beard, by two-thirds vote HB 109 as amended was read the third time by title, passed and certified to the House. The vote on passage was.

Yeas—35

Mr. President	Frank	Johnson	Peterson
Beard	Girardeau	Kirkpatrick	Plummer
Castor	Gordon	Malchon	Scott
Childers, D.	Grant	Mann	Stuart
Childers, W D	Grizzle	Margolis	Thomas
Crawford	Hair	McPherson	Thurman
Crenshaw	Hill	Meek	Vogt
Deratany	Jenne	Myers	Weinstein
Fox	Jennings	Neal	

Nays—None

SB 127—A bill to be entitled An act relating to purchasing, creating s 817.062, F S.; prohibiting the submission of bills for goods or services to a state agency, public body, or entity acting under contract to a state agency or public body with the intent to defraud such agency or public body of property or rights to property; providing penalties; authorizing a civil action to recover treble damages; providing an effective date

—was read the second time by title

Senator Langley offered the following amendment which was moved by Senator Kirkpatrick and adopted

Amendment 1—On page 1, lines 26 and 29, strike “\$100” and insert \$300

On motion by Senator Langley, by two-thirds vote SB 127 as amended was read the third time by title, passed, ordered engrossed and then certified to the House The vote on passage was

Yeas—38

Mr President	Frank	Johnson	Peterson
Barron	Gersten	Kirkpatrick	Plummer
Beard	Girardeau	Kiser	Scott
Childers, D	Gordon	Langley	Stuart
Childers, W D	Grant	Malchon	Thomas
Crawford	Grizzle	Mann	Thurman
Crenshaw	Hair	Margolis	Vogt
Deratany	Hill	McPherson	Weinstein
Dunn	Jenne	Meek	
Fox	Jennings	Myers	

Nays—None

Vote after roll call

Yea—Neal

SB 98—A bill to be entitled An act relating to homicide; amending s. 782.071, F.S., including the killing of a human being by the operation of a vessel within the definition of vehicular homicide; providing penalties; providing an effective date.

—was read the second time by title.

Senator Crenshaw moved the following amendments which were adopted

Amendment 1—On page 1, strike all of lines 12-18 and insert

782.071 Vehicular homicide —

(1) “Vehicular homicide” is the killing of a human being by the operation of a motor vehicle or a vessel as defined in s 327 02 by another in a reckless manner likely to cause the death of, or great bodily harm to, another Vehicular homicide is a felony of the third degree, punishable as provided in s 775 082., s 775 083, or s 775 084

(2) *Any person who commits vehicular homicide and willfully fails to stop or to comply with the requirements of s 316 027(1) is guilty of a felony of the second degree, punishable as provided in s 775 082, s 775 083, or s 775 084*

Amendment 2—In title, on page 1, line 6, after the semicolon (;) insert providing an enhanced penalty for persons who commit vehicular homicide and leave the scene of the offense;

On motion by Senator McPherson, by two-thirds vote SB 98 as amended was read the third time by title, passed, ordered engrossed and then certified to the House The vote on passage was

STORAGE NAME: BS H109/6p

Date: 3/20/86

Revised: _____

Final: _____

HOUSE OF REPRESENTATIVES
COMMITTEE ON TRANSPORTATION
STAFF ANALYSIS

BILL #: HB 109

RELATING TO: Traffic Control/Violation Revision

SPONSOR(S): Rep. Clements

EFFECTIVE DATE: UBL

COMPANION BILL(S): None

OTHER COMMITTEES OF REFERENCE: (1) None

(2) _____

I. SUMMARY:

This bill restructures certain provisions of the "Florida Uniform Traffic Control Law" relating to:

- 1) Passing of vehicles proceeding in opposite directions.
- 2) Limitations on driving to the left of center of a roadway.
- 3) Driving on divided highways.
- 4) Horns, warning devices, and other required devices.
- 5) Return of suspended license and registration to the Department of Highway Safety and Motor Vehicles.

II. ECONOMIC IMPACT:

A. Public:

None

B. Government:

State: None

Local: None

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III. STATE COMPREHENSIVE PLAN IMPACT:

None

IV. COMMENTS:

According to the Department of Highway Safety and Motor Vehicles this bill, by listing one offense per subsection, will permit law enforcement officers and the courts to more easily identify offenses through automation when reporting violations to the Department.

V. AMENDMENTS:

None

VI. PREPARED BY: ^{BR} Bob Romig/Trevor Phillips

VII. STAFF DIRECTOR: Bob Coggins ^{RWC}

AMENDMENTS TO HB 109

DATE: MAY 8, 1986

IN ORDER TO CONFORM THE SUBSTANCE OF HB109 AND SB616, TWO AMENDMENTS ARE NECESSARY.

AMENDMENT #1:

ON PAGE 4, LINES 5 AND 8, AFTER THE WORD SIREN, THE WORDS "WHISTLE OR BELL" WOULD BE ADDED. THIS SIMPLY CORRECTS AN OMISSION IN THE CURRENT LAW FOR THE USE OF SIRENS, BELLS, OR WHISTLES ON EMERGENCY VEHICLES.

AMENDMENT #2

ON PAGE 4, LINE 14, AFTER MOTOR-DRIVEN CYCLE, THE WORDS "WHEN OPERATED UPON A HIGHWAY" WOULD BE ADDED. THIS WOULD REQUIRE A MOTORCYCLE OR MOTOR-DRIVEN CYCLE TO COMPLY WITH THE EQUIPMENT REQUIREMENTS SPECIFIED IN THE SECTION IF IT IS TO BE OPERATED ON ROADWAYS OPEN TO THE PUBLIC AS DEFINED IN S. 316.003(54).

AMENDMENT BY JENNINGS

BUMPER AMENDMENT. (P.5 BETWEEN LINES 27 AND 28) PROVIDES THAT THE REQUIREMENT, THAT VEHICLES OF NET WEIGHT OF NOT MORE THAN 5,000 POUNDS BE EQUIPPED WITH FRONT AND REAR BUMPERS, IS NOT APPLICABLE TO A NEW MOTOR VEHICLE, THE TITLE TO WHICH HAS NEVER BEEN TRANSFERRED BY A MANUFACTURER OR DEALER TO AN ULTIMATE PURCHASER.

TITLE AMENDMENT(P.1, LINE 14)

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