

**Department of Highway Safety and Motor Vehicles
2013-2014 Annual Regulatory Plan**

Rule Number	Rule Title	Rulemaking Action	Reason for Rulemaking	Additional Details on Reason for Rulemaking	Description of Current Rule or Statute to be Implemented	Description of Changes to be Made in Rulemaking	Economic Impact	Highly Technical or Complicated
15A-3.005	SR-22/FR44 Filings, Original Policy	Rule Amendment	Update/Add Incorporated Material		Insurance companies must provide the Department a certificate of liability form (SR22/FR44) within 15 days except in hardship cases	Insurance companies must provide the Department SR-22/FR44 electronically within 15 days except in hardship cases where we will accept the paper copy.	None	No
15A-3.006	Proof of Insurance	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Effective 7-1-13	Insurers shall furnish proof of purchase cards in paper format to insured and describes the format	Insurers shall provide proof of purchase cards in paper or electronic format to insured and describes the format	None	Yes
15A-3.011	Self-Insurance	Rule Amendment	Update/Add Incorporated Material		Provides details on how to obtain self insurance and what the self insurance certificates look like.	Removed statute verbiage	None	No
15A-3.014	Security Deposited with the Department of Highway safety and Motor Vehicles	Rule Amendment	Update/Add Incorporated Material		Provides details with respect to security deposits provided with claims to injuries or damages related to a crash that results in a financial responsibility case.	Removed statute verbiage	None	No
15A-3.015	Reinstatement Fees	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Remove 627.733 and add 324.0221 effective 07/01/13	Provides details on reinstatement fees related to financial responsibility cases	Removes 627.733 from the statutes and references 324.0221 which we references for reinstatement fees.	None	No
15A-3.016	Vehicles License Plate Seizure	Rule Amendment	Statutory Mandate (federal or state) (Include effective date)	Remove 627.733 and add 324.0221 effective 07/01/13	Authorizes law enforcement to seize license plates 30 days after suspension	Removes 627.733 from the statutes and references 324.0221 which we references for reinstatement fees.	None	No
15A-3.017	Immediate Suspensions	New Rule	Statutory Mandate (federal or state) (Include effective date)		Certain convictions, cancellations and denials will cause an immediate suspension	Creating a rule to enforce that certain convictions, cancellations and denials will cause an immediate suspension	None	Yes
15A-8.002	Definitions	Rule Amendment	Update Rule	None	Covers definitions for this rule.	Update and add definitions.	None	No
15A-8.006	Course Approval	Rule Amendment	Statutory Mandate	None	Approval Criteria for ADI and BDI courses	Updating minimum course content criteria, effectiveness study criteria, establish course update criteria, ensure all class room courses are offered at locations free of distractions and accessible to most applicants. Disclosure of all fees associated with the course.	None	No

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15A-8.0061	Traffic Law and Substance Abuse Education Course	Rule Amendment	Statutory Mandate	None	Approval Criteria for TLSAE courses	Updating minimum course content criteria, effectiveness study criteria, establish course update criteria, ensure all class room courses are offered at locations free of distractions and accessible to most applicants.	None	No
15A-8.007	Course Conduct - BDI and ADI Courses	Rule Amendment	Statutory Mandate	None	ADI and BDI course conduct, Certificate Issuance, and listing the schools that are contracted with each course provider.	Defining a oversight plan for new and existing course providers to provide effective oversight of their programs.	None	No
15A-8.008	Assessment Fee Collection And Reporting - BDI and ADI Courses	Rule Amendment	Statutory Mandate	None	Assessment Fee collection	This change updates the rule to reflect the modified statutory requirement.	None	No
15A-11.005	Program of Instruction	Rule Amendment	Update Rule	None	Covers the requirements for the program of instruction given to the student.	Updating the requirements and structure for programs of instruction given to the student.	None	No
15A-11.006	CDS Instructor Certificate Application and Renewal	Rule Amendment	Update Rule	None	Covers the instructor original application and renewal	Updating instructor training requirements, incorporating forms by reference and requiring return of instructor certificate for an instructor who leaves the school.	SERC	No
15A-11.007	Agent Identification Cards	Rule Amendment	Update Rule	None	Covers the agent identification card original application and renewal	Incorporated form by reference.	SERC	No
15A-11.008	Driving Instruction Contracts	Rule Amendment	Update Rule	None	This gives the school and example of what a contract between a student and a school should look like.	Incorporated form by reference and specify the requirements for a driving instruction contract.	None	No
15A-11.009	CTDS Instructor Certificate Application and Renewal	Rule Amendment	Update Rule	None	Covers the truck driving school instructor (Chapter 1005, F.S.) original application and renewal	Incorporated form by reference.	SERC	No
15A-11.010	CTDS Instruction Vehicles	Rule Amendment	Update Rule	None	Covers the truck driving school instructional vehicle (Chapter 1005, F.S.) original application and renewal	Incorporated form by reference.	SERC	No
15A-11.011	Denial, Revocation or Suspension of CDS License, CDS, CTDS Instructor's Certification or Agent's Card	Rule Amendment	Update Rule	None	Covers the denial, revocation or suspension of CDS License, CDS, CTDS Instructor's Certification or Agent's Card	Expand the requirements for sanctions to protect public safety and the penalties for driver license fraud or misrepresentation.	None	No
15A-11.012	Forms	Repeal Rule				Repeal this section and all of the rule forms have been incorporated by reference throughout the body of the document.	None	No

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15A-10.001	Purpose	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	explains purpose of rule	Amended language for clarification. Remove 322.293 and add 316.193, 322.291, 322.2715	None	No
15A-10.002	Definitions	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	definitions	Amend and remove language for clarification. Remove 322.293 and add 316.193, 322.291	None	No
15A-10.012	Financial Audit	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	All licensed DUI Programs shall submit a certified financial audit yearly to the Department	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.013	Financial Procedures and Reporting Requirements	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	The licensed DUI Program shall account for all fees received.	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.014	Cost Standards and Allocations	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Defines cost of operating a licensed DUI Program	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.0141	DUI Services Fees	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Licensed DUI Programs can only charge fees approved by the Department	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.017	Personnel Policies and Procedures	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	All job descriptions shall be placed in personnel file.	Amend and remove language for clarification.	None	No
15A-10.018	Client Files	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Allows for client files to be kept electronically as well as documents to be retained in client files	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.021	Client Student Conduct.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Licensed DUI Program is permitted to deny enrollment to any client who is unwilling to comply with the rules and procedures of the program	Amend and remove language for clarification	None	No
15A-10.022	Personnel Certification and Training Requirements	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Provides licensed DUI Programs with guidelines regarding employee qualifications and training requirements for employees	Amend and remove language for clarification	None	No
15A-10.0221	Clinical Supervision	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Add section to rule	Outlines responsibilities for Clinical Supervisor of licensed DUI Program	Add section to rule	None	No

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15A-10.023	Education	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Outlines classroom setting guidelines and procedures	Amend and remove language for clarification	None	No
15A-10.024	Level I Course	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets classroom size for Level I course to 30 students	Amend and remove language for clarification	None	No
15A-10.029	Special Supervision Services (SSS) and Statutory Eligibility.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Programs to determine if client is statutory eligible for SSS.	Amend and remove language for clarification.	None	No
15A-10.030	SSS Application and Evaluation Process	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Programs to evaluate SSS applicant and required documentation for evaluation	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.031	SSS Appeal Process	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for applicants to contest a determination of ineligibility.	Amend and remove language for clarification. Remove 322.293	None	No
15A-10.032	SSS Case Management Plan	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Program to develop and revise case management plan.	Amend and remove language for clarification.	None	No
15A-10.033	SSS Military Leave and Florida Resident Temporary Relocation	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for SSS clients who are called to active military duty and temporarily stationed outside Florida	Amend and remove language for clarification	None	No
15A-10.034	Frequency of <u>Periodic Update</u> Appointments.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Program to reduce the frequency of appointments of SSS clients	Amend and remove language for clarification.	None	No
15A-10.035	SSS Missed <u>Periodic Update</u> Appointments.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for licensed DUI Program to notify SSS clients of missed appointments.	Amend and remove language for clarification.	None	No
15A-10.036	SSS Violation of Restricted Licenses	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines when an SSS client is permitted to reapply for restricted license and readmission to SSS program	Amend and remove language for clarification.	None	No
15A-10.037	SSS Transfer Procedure	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Sets guidelines for SSS clients to transfer to another licensed DUI Program	Amend and remove language for clarification. Add 322.293	None	No

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15A-10.038	SSS Fees	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Licensed DUI Programs are only allowed to charge Department approved fees, with the exception of Department approved ancillary fees.	Amend and remove language for clarification.	SERC	No
15A-10.039	SSS Referrals to Treatment	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	SSS Programs shall consider the treatment referral criteria established in section 10.028	Amend and remove language for clarification.	None	No
15A-10.040	Case Monitoring Services	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	update section to permit a licensed DUI Program to provide case monitoring services for SSS applicants.	Amend and remove language for clarification.	None	No
15A-10.041	Denial, Suspension or Revocation of a DUI Program License or Personnel Certification and Probationary Status of a DUI Program License	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Set guidelines for denial of a DUI Program application and probation status	Amend and remove language for clarification.	None	No
15A-10.042	Complaints.	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997	Any complaint against a licensed DUI Program must be submitted in writing.	Amend and remove language for clarification.	None	No
15A-10.043	Forms	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Not updated since 1997		Remove 322.293. Add 316.193, 322.291	None	No
15A-6.015	Failure to Appear	Rule Amendment	Technical Change	Certain "failures to appear" now controlled by s. 322.2615, F.S.	Per new statute, failure of arresting officer and/or breath technician to appear results in overturned suspension	Amend to clarify failure to appear with regard to arresting officer and breath tech	None	No
15B-1.002	Truck, Bus, Flares, Fuses, Electric Lanterns, Flags, and Portable Reflex Reflectors	Rule Amendment	Technical Change		s. 316.300(1)(a) - Rule ensures lamps and reflector on vehicle meet national standards	Correct statute cited in body of the rule and as the Law Implemented	None	No
15B-1.005	Slow-Moving Vehicle Emblem, Specifications	Rule Amendment	Technical Change		s. 316.2225(7)(b) - Rule ensures lamps and reflector on vehicle meet national standards	Correct statute cited in body of the rule and as the Law Implemented	None	No

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15B-4.002	Pupil Transportation	Rule Repeal	Other (Provide a detailed explanation)	Obsolete - FHP no longer conducts school bus inspections	Rule regulates non-public school buses manufactured after 7/1/69. Rule merely refers to specs and regs of the Dept. of Education. Obsolete - FHP no longer conducts school bus inspections	Public and private school buses are regulated by statute. Rule authorizing statute repealed in 1995.	None	No
15B-7.001	General Policy on Need for Physical Fitness	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Internal regulations; do not restrict business	Rule addresses physical fitness related standard for FHP sworn members	Rule should be revised to reflect current practices	None	Yes
15B-7.002	Exercise	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Internal regulations; do not restrict business	Rule addresses physical fitness related standard for FHP sworn members	Rule should be revised to reflect current practices	None	Yes
15B-7.003	Weight Control	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Internal regulations; do not restrict business	Rule addresses physical fitness related standard for FHP sworn members	Rule should be revised to reflect current practices	None	Yes
15B-7.004	Self-Conditioning Program	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Internal regulations; do not restrict business	Rule addresses physical fitness related standard for FHP sworn members	Rule should be revised to reflect current practices	None	Yes
15B-7.005	Physical Examinations	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Internal regulations; do not restrict business	Specifies that FHP may require a member to submit to a physical exam at the Division's expense	Rule should be revised to reflect current practices	None	Yes
15B-8.001	Retirement Award	Rule Amendment	Technical Change	Internal regulations; do not restrict business	Rule specifies the award of a uniform and other accessories to retiring FHP members and those who die in the line of duty.	The term "revolver" should be replaced with "handgun."	None	Yes
15B-9.003	Call Allocation System	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)		Regulates the FHP Rotation Wrecker System	Wrecker Log form referenced in rule no longer exists. All data is captured electronically.	None	No
15B-9.009	Wrecker Forms	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)	Rule is a mere list of forms used throughout 15B-9. Suggested that the reference to form be made in the applicable rule and 9.009 be repealed	Regulates the FHP Rotation Wrecker System	Forms have been revised so effective date should be revised. Wrecker Log and Wrecker Call Summary Report no longer used.	None	Yes

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15B-10.001	Purpose and Authority	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)		Authorizes members to enforce commercial motor vehicle regulations.	Authority to conduct safety inspections of CMVs should be revised to reflect the transfer of OMCC to FHP	None	No
15B-10.002	Safety Criteria	Rule Amendment	Update Rule (Explain, e.g. correct pattern of injury resulting from lack of standards; board priority; not updated since 1908)		Specifies the statutes that constitute safety inspections of commercial motor vehicles.	Authority to conduct safety inspections of CMVs should be revised to reflect the transfer of OMCC to FHP and additional statutes should be added.	None	No
15B-12.001	Florida Highway Patrol Auxiliary	Rule Repeal	Other (Provide a detailed explanation)	Rule obsolete	Adopts the Florida Highway Patrol Auxiliary Manual by reference.	Members of the Auxiliary are state employees, therefore this rule no longer addresses an issue related to the general public	None	No