

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation Committee

BILL: SB 432
 INTRODUCER: Senator Sobel
 SUBJECT: Motor Vehicle Window Sunscreening Requirements
 DATE: March 29, 2010 REVISED: 4/7/10

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Meyer	TR	Fav/1 amendment
2.			HR	
3.			CJ	
4.				
5.				
6.				

I. Summary:

The bill amends s. 316.29545, F.S., to expand the medical exception from window sunscreening restrictions. Persons diagnosed with multiple sclerosis requiring a limited exposure to light or heat will be eligible to obtain a medical exemption certificate. The Department of Highway Safety and Motor Vehicles (department) is authorized to charge a fee for this certificate.

This bill substantially amends s. 316.29545 of the Florida Statutes.

II. Present Situation:

Motor Vehicle Window Sunscreening Restrictions

Sections 316.2953 – 316.2956, F.S., generally restrict motor vehicle operators from applying window tint beyond a certain level of opacity. A medical exclusion currently exists in s. 316.29545, F.S., for persons with Lupus, and for law enforcement vehicles that are used for undercover or canine operations.

Specifically, s. 316.29545, F.S., provides for a medical exemption certificate to be issued to any person afflicted with lupus or a similar medical condition which requires a limited amount of exposure to light. This certificate allows the afflicted person to have sunscreening material on his or her motor vehicle which would normally be in violation of the statutes relating to sunscreening material requirements. The department is authorized to charge a fee for this certificate.

III. Effect of Proposed Changes:

The bill amends s. 316.29545, F.S., to expand the medical exception. Persons diagnosed with multiple sclerosis requiring a limited exposure to light or heat will be eligible to obtain a medical exemption certificate.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Individuals diagnosed with multiple sclerosis requiring a limited exposure to light or heat will be eligible to obtain a medical exemption certificate. The department is authorized to charge a fee for the certificate of exemption.

C. Government Sector Impact:

Indeterminate. Although the department anticipates an increase in revenue for issuing additional medical exemption certificates, it is unknown how many individuals will be eligible.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The department has expressed concerns about the effective date of the bill allowing sufficient time for implementation to make necessary programming modifications. The department suggests an effective date of October 1, 2010.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

Barcode 761696 by Transportation on April 7, 2010:

Expands the medical exception from window sunscreensing restrictions to include persons with auto-immune disorders. The department is directed to consult with its Medical Advisory Board¹ to establish exceptions for persons with certain auto-immune disorders.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹ Created in s. 322.125, F.S.