

Item # 36

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Dori Slosberg Driver Education Safety Act Ordinance

DEPARTMENT: County Manager **DIVISION:** _____

AUTHORIZED BY: J. Kevin Grace **Contact:** Sally A. Sherman **EXT.** 7224

| |
|---|
| Agenda Date <u>09/23/03</u> Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/> |
| Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/> |

MOTION/RECOMMENDATION:

Approve and authorize setting a public hearing to consider adoption of an Ordinance implementing the Dori Slosberg Driver Education Safety Act, to help fund Traffic Education Programs in Seminole County.

BACKGROUND:

On September 9, 2003, the Board of County Commissioner directed staff to bring forward for consideration an ordinance implementing the Dori Slosberg Driver Education Safety Act. At this time staff is seeking approval to set a public hearing to consider the adoption of the ordinance. The action is a follow-up to a request received from the Seminole County School Board (attached) seeking consideration on adopting an ordinance for the Dori Slosberg Driver Education Safety Act.

In 2002, the Legislature passed the Act which provides dedicated resources to fund student driving programs. The request is to consider passing an ordinance implementing the Dori Slosberg Driver Education Safety Act, which allows a \$3.00 surcharge to each civil traffic violation. The funds are required to be used for student driver educational expenses, not administrative expenses.

The School Board stated that funding (\$107,000) currently used to support the part-time driver education program will be redirected to the Pre-K program. Therefore, after FY 2003/04, the support Seminole County Government has provided to the Pre K Program will no longer be necessary.

A summary of fines and fees will be presented during the October 28, 2003, meeting. Also attached for your information is a copy of Florida Statute 318.121.

Attachment (3)

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| Reviewed by: _____ Co Atty: <u>[Signature]</u> DFS: _____ Other: _____ DCM: <u>[Signature]</u> CM: <u>[Signature]</u> File No: <u>RCM01</u> |
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SEMINOLE COUNTY PUBLIC SCHOOLS

Educational Support Center

School Board Office

400 E Lake Mary Boulevard

Sanford, Florida 32773

Facsimile No.: 407/320-0281

This transmission consists of 4 page(s) including the cover page and is directed to **KEVIN GRACE, SEMINOLE COUNTY MANAGER.**

Office Phone: _____

Fax Phone: 407/665-7958

Date: 8/20/03

Time: 1:37 PM

From: Karen Ponder

If you fail to receive full transmission please call me at: 407/320-0003

Subject: *Information from Dr. Vogel*

Comments: Please call if additional information is needed. Thank you.



THE SCHOOL BOARD OF SEMINOLE COUNTY

INFORMATION ITEM:

DRIVER EDUCATION PROGRAM PROPOSAL

DORI SLOSBERG DRIVER EDUCATION SAFETY ACT

Item Number

Background Information: In 1996, Dori Slosberg was killed in South Florida in an automobile accident. She was not wearing her seat belt. The driver and front seat passenger, also teenagers, survived the crash most likely because they were wearing their seat belts. This incident led to the political career of her father, Irving Slosberg. He now serves in the State House of Representatives.

The 2002 Florida State Statutes, Title XXIII, Chapter 318, Section 1215, also known as the "Dori Slosberg Driver Education Safety Act" became effective on October 1, 2002. The act states, "... a board of county commissioners may require, by ordinance, that the clerk of the court collect an additional \$3.00 with each civil traffic penalty, which shall be used to fund traffic education programs in public and nonpublic schools. The ordinance shall provide for the board of county commissioners to administer the funds. The funds shall be used for direct educational expenses and shall not be used for administration."

As of August 7, 2003, 44 of the 67 counties in Florida have enacted the Dori Slosberg Driver Safety Education Act.

National/State Statistics

The need to continue and expand our efforts related to driver education is evident when reviewing the following statistics:

- Automobile accidents are the leading cause of death for teenagers.*
- Teen age drivers are 7% of the driving population but account for 14% of all accidents.*
- 65% of teen passenger deaths occur when another teen is the driver.*
- One out of three teens have an accident during their first years as a teen driver.*
- 82% of teen accidents are caused by driver error according to police reports. Reasons listed are inexperience, inattention and thrill seeking.*
- In 2001, 40,975 accidents were reported in Florida where the driver was between the ages of 15-19. Teenage drivers were listed in 375 crashes where a fatality occurred.**
- In 2001, 439 accidents occurred where the driver was under the age of 15. Four of these accidents involved fatalities.**

*Source: National Safety Council

**Source: Florida Department of Motor Vehicles

Seminole County Statistics*

- Between April 2001 and March 2002, there were 9,087 crashes in Seminole County. 1,320 of these crashes involved drivers between the ages of 15-19.
- 16 of the drivers were believed to be under the influence of drugs or alcohol.
- There were 494 injuries and 1 fatality involving teenage drivers.
- Total vehicular damages are estimated at \$3,099,843.00.

*Source: Seminole County Traffic and Engineering Data

In the recent past, three Seminole High School students were killed in early morning automobile accidents on their way to school. Other Seminole County students have been killed after school hours and on weekends or injured to such a degree that their lives have been forever changed. We need to take every possible step to minimize the likelihood of tragedies such as these recurring.

In the 2001-02 fiscal year, 84,423 civil traffic infractions were written. If all infraction fees were paid, the additional \$3.00 would yield \$253,269 for traffic education programs in Seminole County. As required by the act, a portion of these funds would need to be allocated to private driving schools. There are several private driving schools located in Seminole County including: Central Florida Safety Council, American Safe Driving Academy and Go Driving School. Estimating that 10% would be allocated to private driving schools, the projected revenue to Seminole County Public Schools would be \$227,942.

Status

Seminole County Public Schools offers driver education as a summer school course (Course #1900310) at four high school sites per year. There is a large demand for driver education evidenced by the fact that schools have enrolled students for both morning and afternoon sessions. In addition to funding the current costs for Seminole County Public Schools driver education program (approximately \$108,000), funding in excess of the current program costs would allow for additional driver education options and the opportunity to serve more students.

The majority of our high schools no longer have driver education ranges that allow for range driving during the regular school year. However, classroom instruction coupled with driving simulators could provide a semester of training for students who may have academic or job-related needs during the compact summer school schedule. For example, after-school driver education programs using driving simulators could be offered during the school year or on weekends. The district could also investigate the option of offering Course #1900300, Driver Education Classroom Instruction, within the school day, again using driving simulators.

Many of Seminole County Public Schools driver education endorsed teachers are nearing retirement age. Efforts need to be made to recruit and train more driver education endorsed teachers. This endorsement, required to teach both of the driver education courses, involves nine semester hours of course work. An in-county effort to offer this coursework is needed, and additional funding will support this effort.

Proposal: Staff is prepared to contact the Board of County Commissioners to begin dialog regarding enacting the Dori Slosberg Driver Education Act. If enacted, the collected fees will be used to fund, enhance and possibly expand Seminole County Public Schools driver education program.

As detailed below, funds currently used to support Seminole County Public Schools driver education program, approximately \$107,000, would be allocated to the Pre-K School Readiness Program in recognition of the efforts made by the Board of County Commissioners on behalf of the Pre-K program during the 2002-03 and 2003-04 school years. An annual report will be submitted to the Board of County Commissioners regarding the expenditures for the Seminole County Public Schools driver education program, as well as the funds allocated to the Pre-K School Readiness Program.

Driver Education Program Costs
Based on the Four High School Summer School Model

| Expenditure | \$ Amount |
|------------------|------------------|
| Lease Cars | 23,799 |
| Teacher Salaries | 80,039 |
| Fuel Costs | 2,400 |
| | \$106,238 |

Driver Education Program Enhancements

| Enhancement | \$ Amount |
|--------------------------------------|------------------|
| Teacher Training | 36,000 |
| *3 Driving Simulators @\$15,000 each | 45,000 |
| Personnel | 30,000 |
| Textbooks | 10,704 |
| | \$121,704 |

*Additional driving simulators will be purchased as funds are available.

Estimated SCPS Driver Education Program Costs w/ Enhancements: \$227,942

| | |
|---|------------------|
| Estimated Revenue from Dori Slosberg Act: | \$253,269 |
| Estimated 10% to private driving schools: | \$ 25,326 |
| Projected Revenue to SCPS: | \$227,942 |
| Projected Contribution to Pre-K School Readiness | \$107,000 |

Reference: Copies of the interlocal agreement for Palm Beach County and the ordinance adopted by the Palm Beach Board of County Commissioners are available.

2. Prepared by: Anna-Marie Cote, Ed.D.
Exec. Director, Instructional Excellence and Equity
Hugh Harris, Director, Curriculum Services
Mary Lane, TOA, Curriculum Services
Attachment(s): None
Back-up not in agenda book: Palm Beach County Documents
3. Board Meeting Date 8/26/03

Dori Slosberg Driver Education Safety Act

Section 98 - Ch. 2002-20, Laws of Florida, (HB 261)

Dori Slosberg Driver Education Safety Act.—Effective October 1, 2002, notwithstanding the provisions of s. 318.121, Florida Statutes, a board of county commissioners may require, by ordinance, that the clerk of the court collect an additional \$3 with each civil traffic penalty, which shall be used to fund traffic education programs in public and nonpublic schools. The ordinance shall provide for the board of county commissioners to administer the funds. The funds shall be used for direct educational expenses and shall not be used for administration. This section may be cited as the “Dori Slosberg Driver Education Safety Act.”

AN ORDINANCE AMENDING CHAPTER 50, CIRCUIT AND COUNTY COURT, SEMINOLE COUNTY CODE, BY THE CREATION OF PART 9 ENACTING THE "DORI SLOSBERG DRIVER EDUCATION SAFETY ACT";, PROVIDING FOR DEFINITIONS; PROVIDING FOR CREATION OF DRIVER EDUCATION SAFETY TRUST FUND, COLLECTION OF AN ADDITIONAL \$3.00 WITH EACH CIVIL TRAFFIC PENALTY TO BE DEPOSITED INTO THE DRIVER EDUCATION SAFETY TRUST FUND, AND ACCOUNTING; PROVIDING FOR DISBURSEMENT OF DRIVER EDUCATION SAFETY TRUST FUND MONIES; PROVIDING FOR APPLICABILITY; PROVIDING FOR CODIFICATION IN THE SEMINOLE COUNTY CODE; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 98, Chapter 2002-20, Laws of Florida, known as the "Dori Slosberg Driver Education Safety Act," authorized counties to enact an ordinance requiring the Clerk of the Court to collect an additional Three Dollars (\$3.00) with each civil traffic penalty to be used to fund traffic education programs in public and non-public schools; and

WHEREAS, Seminole County is otherwise empowered under Chapter 125, Florida Statutes, to enact ordinances and perform acts which are in the common interest of the people of the County; and

WHEREAS, the Board of County Commissioners of Seminole County desires to protect the health, safety, and welfare of the citizens of Seminole County by promoting driver education through the collection and disbursement of such funds; and

WHEREAS, an Economic Impact Statement has been prepared and is available for public review in accordance with the provisions set forth in the Seminole County Home Rule Charter; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Chapter 50, Circuit and County Court, Seminole County Code, is amended by the creation of Part 9, to read as follows:

Part 9. The Dori Slosberg Driver Education Safety Act.

Sec. 50.161. Definitions.

(a) Board of County Commissions shall mean the Board of County Commissioners of Seminole County, Florida.

(b) Clerk shall mean the Clerk of the Circuit Court and County Court of Seminole County.

(c) County shall mean the incorporated and unincorporated areas of Seminole County, Florida.

(d) The County Manager shall mean the County Manager, his successor or designated representative.

(e) Direct Educational Expenses shall mean to purchase cars, gas, oil, instructors salaries, instructor license fees, simulators, and all required equipment, videos, CDs, VHS tapes, books supplies, site license, insurance, printing costs, installation of extra brakes, State licenses, vehicle tags, car

and office telephone bills, and any additional equipment to meet the special needs population requirements for driver education.

Sec. 50.162. Creation of Driver Education Safety Trust Fund, Collection of an Additional \$3.00 with Each Civil Traffic Penalty to be Deposited in the Driver Education Safety Trust Fund, and Accounting.

(a) Pursuant to the Dori Slosberg Driver Education Safety Act, on or after October 1, 2003, the Clerk shall collect an additional \$3.00 with each civil traffic penalty levied in Seminole County, to be used for driver education programs.

(b) The Clerk will keep a record of monies collected under this Ordinance. On a monthly basis, the Clerk shall forward all monies collected under this Ordinance in the previous month to the Board of County Commissioners for deposit into a special and separate account titled "Driver Education Safety Trust Fund". Once each quarter, the Board of County Commissioners shall receive a report from the County Manager as to the amount of money received from the Clerk and deposited into the Driver Education Safety Trust Fund, and as to the amount of money disbursed from the Driver Education Safety Trust Fund.

Sec. 50.163. Disbursement of Driver Education Safety Trust Fund Monies.

(a) Monies deposited into the Driver Education Safety Trust Fund shall be used to financially assist driver education safety programs in public schools in the County. The funds

shall be used for direct educational expenses as defined herein and shall not be used for administration costs.

(b) Annually on the first business day of the fiscal year, one hundred percent (100%) of the funds collected under this Ordinance shall be disbursed to the School Board of Seminole County for driver education programs in public schools.

Sec. 50.164. Applicability. This Ordinance shall apply to all civil traffic penalties levied in the incorporated and unincorporated areas of Seminole County, Florida

Section 2. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Code of Seminole County, Florida and that the word "ordinance" may be changed to "section", "article", or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; provided, however, that Sections 5, 6, and 7 shall not be codified.

Section 3. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 4. Effective date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Florida Department of State by the Clerk of the Board of County Commissioners.

ENACTED this ____ day of _____, 2003.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

Daryl G. McLain, Chairman

AEC/lpk
9/16/03
ord- Slosberg driver ed