



712258

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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05/01/2014 02:16 PM

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Senator Latvala moved the following:

**Senate Amendment (with title amendment)**

Delete lines 522 - 597

and insert:

been certified and who has been selected to provide service  
pursuant to a competitive solicitation process under s. 287.057.

(4) ~~(3)~~ The contract between the department and an ignition  
interlock device service provider must include the following:  
shall design and adopt by rule

(a) Provisions for the effective and efficient installation  
and removal of the ignition interlock device.



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12           (b) Requirements for the provision of services, inspection,  
13 and monitoring of the ignition interlock device.

14           (c) A requirement for the provider to electronically  
15 transmit reports to the department regarding driver activity,  
16 bypass approval, compliance, client violations, and other  
17 reports in a format determined by the department.

18           (d) Requirements for a detailed implementation plan that  
19 outlines the steps and the timeframe necessary for the ignition  
20 interlock device provider to be fully operational.

21           (e) Provisions for the collection and remittance of all  
22 state revenues.

23           (f) Provisions for corrective action to be taken if the  
24 ignition interlock device provider is out of compliance,  
25 including penalty provisions and liquidated damages.

26           (g) Requirements for security protection for ignition  
27 interlock devices, including, but not limited to, each device  
28 being capable of recording each event and providing visual  
29 evidence of any actual or attempted tampering, alteration,  
30 bypass, or circumvention.

31           (h) A provision to ensure processing and continuous  
32 monitoring are achieved for all ignition interlock device  
33 clients who require transition of services.

34           (i) Provisions for training for service center technicians,  
35 clients, toll-free help line staff, the department, and DUI  
36 programs.

37           (j) A requirement for the ignition interlock device  
38 provider to maintain a readily accessible service center in each  
39 judicial circuit. The service center must be adequately staffed  
40 and equipped to provide all ignition interlock device support



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41 services.

42 (k) Requirements for a transition plan for the ignition  
43 interlock device provider before the provider leaves the state  
44 to ensure that continuous monitoring is achieved.

45 (l) A requirement for the ignition interlock device  
46 provider to have and maintain a surety bond or irrevocable  
47 letter of credit in the amount of \$200,000 executed by the  
48 applicant.

49 (m) A requirement that, before beginning work, the ignition  
50 interlock device provider have and maintain insurance as  
51 approved by the department, including workers' compensation  
52 insurance, vendor's public liability and property damage  
53 insurance, and subcontractors' public liability and property  
54 damage insurance.

55 (n) Requirements for the ignition interlock device provider  
56 to maintain client information and financial records, including  
57 requirements for electronic storage media formats. Such records  
58 must be maintained in accordance with generally accepted  
59 accounting procedures and practices that sufficiently and  
60 properly reflect all revenues and expenditures of funds. Such  
61 records are subject to inspection, review, or audit by state  
62 personnel authorized by the department. Upon termination or  
63 expiration of the contract, all such client records shall be  
64 submitted to the department at no cost to the department.

65 (o) A requirement for a warning label to ~~which shall~~ be  
66 affixed to each ignition interlock device upon installation. The  
67 label ~~must shall~~ contain a warning that any person who tampers  
68 with, ~~circumvents, tampering, circumventing,~~ or otherwise  
69 misuses ~~misusing~~ the device commits is guilty of a violation of



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70 law and may be subject to civil liability.

71 (p) A provision requiring the provider to replace defective  
72 ignition interlock devices at no cost to the client.

73 (5) An ignition interlock device provider must maintain the  
74 confidentiality of all personal information received under its  
75 duties as an ignition interlock device provider in accordance  
76 with chapter 119 and the federal Driver's Privacy Protection Act  
77 of 1994, 18 U.S.C. ss. 2721 et seq.

78  
79 ===== T I T L E A M E N D M E N T =====

80 And the title is amended as follows:

81 Delete lines 42 - 43

82 and insert:

83 under specified provisions; amending s. 316.1975,  
84 F.S.;