

## **CS/SB 1104 pcs – Commercial Motor Vehicles**

This bill amends s. 322.01, F.S., defining “electronic credential,” and amends s. 322.032, F.S., replacing the term “digital proof of driver license” with “electronic credential” for the unranked, 3<sup>rd</sup> degree felony (Level 1 by default). Under current law, this felony applies for manufacturing a false digital proof of license. This would amend that law, making it apply for manufacturing a false electronic credential, which includes an “electronic representation of a physical driver license or identification card.”

Per DOC, in FY 16-17, 2 (adj) offenders were sentenced for manufacturing a false digital proof of license, with none sentenced to prison.

### **CONFERENCE ADOPTED ESTIMATE: Positive Insignificant**

This bill also amends s. 812.014(2), F.S., adding that when someone commits any grand theft, and “if the property stolen is cargo and in the course of committing the offense the offender uses any type of device to defeat, block, disable, jam, or interfere with a global positioning system or similar system designed to identify the location of the cargo or the vehicle or trailer carrying the cargo,” that person would be committing an unranked, 1<sup>st</sup> degree felony (Level 7 by default).

Per DOC, in FY 16-17, 14,962 (adj) offenders were sentenced for grand theft offenses, with 2,043 (adj) receiving a prison sentence (mean sentence length=29.5 m, incarceration rate: 13.7% adj-13.7% unadj). For “cargo valued at less than \$50,000 that has entered the stream of interstate or intrastate commerce from the shipper’s loading platform to the consignee’s receiving dock,” 1 (adj.) offender was sentenced, but that person did not receive a prison sentence. For “cargo valued at \$50,000 or more that has entered the stream of interstate or intrastate commerce from the shipper’s loading platform to the consignee’s receiving dock,” 11 (adj.) offenders were sentenced, with 2 (adj.) receiving a prison sentence (mean sentence length=30.0 m, incarceration rate: 18.2% adj-20.0% unadj.). It is not known how many of these offenses involved stolen cargo with offenders using devices to jam GPS tracking.

Per DOC, in FY 16-17, the incarceration rate for a Level 7, 1<sup>st</sup> degree felony was 73.4%.

### **CONFERENCE ADOPTED ESTIMATE: Positive Indeterminate**

### **CONFERENCE ADOPTED ESTIMATE FOR ENTIRE BILL: Positive Indeterminate**

**Requested by: Senate**