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1 A bill to be entitled
2 An act relating to transportation; amending s. 20.23,
3 F.S.; requiring the Department of Transportation to
4 consist of a central office that establishes policies
5 and procedures and districts that carry out projects
6 as authorized or required under the policies and
7 procedures of the central office; deleting the
8 requirement that the Secretary of Transportation be
9 appointed from among three persons nominated by the
10 Florida Transportation Commission; amending s.
11 316.003, F.S.; adding, deleting, and revising
12 definitions; amending s. 316.008, F.S.; authorizing a
13 mobile carrier to be operated on sidewalks and
14 crosswalks within a county or municipality when such
15 use is permissible under federal law; providing
16 construction; amending s. 316.0895, F.S.; providing
17 construction; deleting a provision relating to
18 prohibitions on certain vehicles following other
19 vehicles within 300 feet; repealing s. 316.0896, F.S.,
20 relating to the assistive truck platooning technology
21 pilot project; creating s. 316.0897, F.S.; authorizing
22 a platoon to be operated on a roadway in this state
23 after an operator takes specified actions; requiring
24 the Department of Transportation to adopt rules for
25 the issuance of permits for the operation of platoons,
26 subject to certain requirements; providing for the
27 future repeal of this section; amending s. 316.2071,
28 F.S.; authorizing a mobile carrier to operate on
29 sidewalks and crosswalks; providing that a mobile

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30 carrier operating on a sidewalk or crosswalk has all
31 the rights and duties applicable to a pedestrian under
32 the same circumstances, except that the mobile carrier
33 must not unreasonably interfere with pedestrians or
34 traffic and must yield the right-of-way to pedestrians
35 on the sidewalk or crosswalk; specifying requirements
36 for a mobile carrier; prohibiting a mobile carrier
37 from taking specified actions; amending s. 316.302,
38 F.S.; revising regulations to which owners and drivers
39 of commercial motor vehicles are subject; delaying the
40 requirement for electronic logging devices and support
41 documents for certain intrastate motor carriers;
42 deleting a limitation on a civil penalty for
43 falsification of certain time records; deleting a
44 requirement that a motor carrier maintain certain
45 documentation of driving times; providing an exemption
46 from specified provisions for a person who operates a
47 commercial motor vehicle having a certain gross
48 vehicle weight, gross vehicle weight rating, and gross
49 combined weight rating; deleting the exemption from
50 such provisions for a person transporting petroleum
51 products; amending s. 316.303, F.S.; conforming a
52 provision to changes made by the act; amending s.
53 316.85, F.S.; authorizing the Florida Turnpike
54 Enterprise to fund, construct, and operate test
55 facilities for the advancement of autonomous and
56 connected innovative transportation technology
57 solutions for specified purposes; amending s. 319.141,
58 F.S.; redefining the term "rebuilt inspection

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59 services"; deleting obsolete language; requiring the
60 Department of Highway Safety and Motor Vehicles to
61 ensure that an applicant of the pilot rebuilt motor
62 vehicle inspection program meets basic criteria
63 designed to protect the public before the applicant is
64 renewed; revising requirements for the applicant;
65 requiring the operator of a facility to annually make
66 certain attestations; prohibiting a program
67 participant from conducting an inspection of a vehicle
68 rebuilt before its purchase by the current applicant;
69 requiring that such vehicles be inspected by the
70 department; requiring any applicant that fails an
71 initial rebuilt inspection to have that vehicle
72 reinspected only by the department or the facility
73 that conducted the original inspection; prohibiting
74 any person or business authorized by the department to
75 train, certify, or recertify operators and inspectors
76 of private rebuilt motor vehicle inspection facilities
77 from certifying or recertifying themselves or any of
78 their employees; requiring the department to conduct
79 an onsite facility inspection at least twice a year;
80 requiring a current operator to give the department
81 certain notice of a transfer before any transfer of a
82 rebuilt inspection facility; requiring a transferee to
83 meet certain eligibility requirements and execute a
84 new memorandum of understanding with the department
85 before operating the facility; extending the date for
86 future repeal of this section; requiring the
87 department to submit a certain written report to the

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88 Legislature on or before a specified date; amending s.
89 319.32, F.S.; prohibiting the department and the tax
90 collector from charging any fee or service charge,
91 except for the expedited title fee, if applicable, for
92 a certificate of title issued for a motor vehicle to
93 transfer the title from a deceased owner to a
94 surviving parent or any surviving child, if the parent
95 or child is a resident of this state, the vehicle is
96 titled in this state before the transfer, and the
97 parent or child applies for the title transfer within
98 a specified period after the death of the owner;
99 amending s. 320.01, F.S.; revising definitions;
100 amending s. 320.02, F.S.; requiring the application
101 form for motor vehicle registration and renewal of
102 registration to include language permitting a
103 voluntary contribution of a specified amount per
104 applicant to aid in Alzheimer's and other related
105 dementia research; requiring such contributions to be
106 distributed to the Alzheimer's Association, Inc., for
107 the purpose of supporting research conducted in this
108 state; providing that a mobile carrier is not required
109 to satisfy specified registration and insurance
110 requirements; amending s. 320.03, F.S.; preempting to
111 the state jurisdiction over the electronic filing
112 system for use by authorized electronic filing system
113 agents to process title transactions, derelict motor
114 vehicle certificates, and certain certificates of
115 destruction for derelict and salvage motor vehicles;
116 authorizing an entity that, in the normal course of

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117 its business, processes title transactions, derelict
118 motor vehicle certificates, or certain certificates of
119 destruction for derelict or salvage motor vehicles and
120 meets all established requirements, to be an
121 authorized electronic filing system agent; prohibiting
122 such an entity from being precluded from participating
123 in the electronic filing system in any county;
124 deleting provisions requiring the department to adopt
125 certain rules to replace specified program standards;
126 authorizing the department to adopt certain rules;
127 amending s. 320.06, F.S.; requiring a vehicle that has
128 an apportioned registration to be issued, before a
129 specified date, an annual license plate and a cab card
130 denoting the declared gross vehicle weight; providing
131 requirements, beginning on a specified date, for
132 license plates, cab cards, and validation stickers for
133 vehicles registered in accordance with the
134 International Registration Plan; providing a specified
135 fee for initial and renewed validation stickers;
136 requiring the fee to be deposited into the Highway
137 Safety Operating Trust Fund; authorizing a damaged or
138 worn license plate to be replaced at no charge under
139 certain circumstances; providing an exception to the
140 design of dealer license plates for specialty license
141 plates; amending s. 320.0605, F.S.; requiring that the
142 department-authorized paper or electronic registration
143 certificate or an official copy and a true copy or an
144 electronic copy of rental or lease documentation
145 issued for a motor vehicle or issued for a replacement

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146 vehicle in the same registration period be in the
147 possession of the operator thereof or be carried in
148 the vehicle for which issued and be exhibited upon
149 demand of any authorized law enforcement officer or
150 any agent of the department; specifying that the act
151 of presenting to a law enforcement officer or agent of
152 the department an electronic device displaying an
153 electronic copy of rental or lease documentation does
154 not constitute consent for the officer or agent to
155 access any information on the device other than the
156 displayed rental or lease documentation; requiring the
157 person who presents the device to the officer or agent
158 to assume the liability for any resulting damage to
159 the device; providing that rental or lease
160 documentation that includes the date and time of
161 rental is sufficient to satisfy a specified
162 requirement; amending s. 320.0607, F.S.; providing an
163 exemption, beginning on a specified date, from a
164 certain fee for vehicles registered under the
165 International Registration Plan; amending s. 320.0657,
166 F.S.; providing an exception to the design of fleet
167 license plates for specialty license plates;
168 authorizing fleet companies to purchase specialty
169 license plates in lieu of the standard fleet license
170 plates for additional specified fees; requiring fleet
171 companies to be responsible for all costs associated
172 with the specialty license plate; amending s. 320.08,
173 F.S.; authorizing dealers to purchase specialty
174 license plates in lieu of the standard graphic dealer

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175 license plates for additional specified fees;
176 requiring dealers to be responsible for all costs
177 associated with the specialty license plate; amending
178 s. 320.08056, F.S.; allowing the department to
179 authorize dealer and fleet specialty license plates;
180 authorizing a dealer or fleet company to purchase
181 specialty license plates to be used on dealer and
182 fleet vehicles with the permission of the sponsoring
183 specialty license plate organization; requiring a
184 dealer or fleet specialty license plate to include
185 specified letters on the right side of the license
186 plate; requiring dealer and fleet specialty license
187 plates to be ordered directly through the department;
188 establishing annual use fees for certain specialty
189 license plates; amending s. 320.08058, F.S.; directing
190 the Department of Highway Safety and Motor Vehicles to
191 develop certain specialty license plates; providing
192 for distribution and use of fees collected from the
193 sale of the plates; amending s. 320.131, F.S.;

194 authorizing, beginning on a specified date, the
195 department to partner with a county tax collector to
196 conduct a Fleet Vehicle Temporary Tag pilot program,
197 subject to certain requirements; providing for future
198 repeal; amending s. 320.95, F.S.; authorizing the
199 department to authorize the format of an electronic
200 certificate of registration in addition to printing a
201 paper registration certificate; authorizing the
202 operator to present for inspection an electronic
203 device displaying a department-issued electronic

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204 certificate or registration issued under certain
205 circumstances; providing that such presentation does
206 not constitute consent for inspection of any
207 information on the device other than the displayed
208 certificate of registration; providing that the person
209 who presents the device to the officer assumes the
210 liability for any resulting damage to the device;
211 amending s. 322.01, F.S.; providing definitions;
212 amending s. 322.032, F.S.; directing the department to
213 implement protocols for issuing an optional electronic
214 credential and procure a related technology solution;
215 providing requirements for qualified entities;
216 requiring the department to maintain certain protocols
217 and national standards; requiring the department to
218 timely review and approve all electronic credential
219 provider requests for authorized access to certain
220 interfaces that meet the agency's requirements;
221 providing requirements for an electronic credential
222 provider and the electronic credential and
223 verification solution; requiring the department to
224 procure electronic credential providers and a
225 credential service provider; requiring the department
226 to enter into specified agreements with electronic
227 credential providers; requiring a report to the
228 Legislature and the Governor; requiring that the
229 department provide electronic credential providers
230 access to a standardized digital transaction process
231 that has specified capabilities; requiring that
232 certain revenue be deposited into the Motor Vehicle

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233 License Clearing Trust Fund for distribution;
234 authorizing the department to assess a competitive
235 market rate fee structure; prohibiting certain fees;
236 requiring that an electronic credential be in a format
237 that allows certain entities to verify the
238 authenticity of such electronic credential and to
239 validate certain privileges; providing that presenting
240 an electronic device displaying an electronic
241 credential does not constitute consent for a law
242 enforcement officer to access any other information on
243 such device; providing for the assumption of
244 liability; amending s. 322.059, F.S.; conforming a
245 provision to changes made by the act; amending s.
246 322.09, F.S.; providing that a caregiver of a minor
247 who is under a specified age and is in foster care
248 does not assume any obligation or become liable for
249 any damages caused by the negligence or willful
250 misconduct of the minor by reason of having signed the
251 minor's application for a learner's driver license;
252 requiring a caseworker to notify the caregiver of his
253 or her intent to sign and verify such application
254 before signing the application; amending s. 322.143,
255 F.S.; revising a definition; amending s. 322.15, F.S.;
256 conforming a provision to changes made by the act;
257 amending s. 322.38, F.S.; prohibiting a person from
258 renting a motor vehicle to another until he or she has
259 verified that the driver license of the person to whom
260 the vehicle is rented is unexpired; deleting the
261 requirement that a person renting a motor vehicle to

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262 another keep a record of the date when the license of
263 the person to whom the vehicle is rented was issued;
264 specifying that a rental car company is deemed to have
265 met specified requirements when the rental car company
266 requires the renter to verify that he or she is duly
267 licensed and that the license is unexpired if the
268 rental car company rents a motor vehicle to a person
269 through certain digital, electronic, or other means;
270 specifying when such verification may occur; amending
271 s. 322.61, F.S.; conforming a cross-reference;
272 amending s. 324.021, F.S.; revising the definition of
273 the term "motor vehicle"; amending s. 324.031, F.S.;
274 authorizing the owner or operator of a taxicab,
275 limousine, jitney, or any other for-hire passenger
276 transportation vehicle to prove financial
277 responsibility by providing satisfactory evidence of
278 holding a motor vehicle liability policy that is
279 provided by an insurer that is authorized to do
280 business in this state and a member of the Florida
281 Insurance Guaranty Association or an eligible
282 nonadmitted insurer that has a certain financial
283 strength rating by a rating agency acceptable to the
284 Office of Insurance Regulation of the Financial
285 Services Commission; amending s. 324.032, F.S.;
286 decreasing the minimum amount of taxicabs, limousines,
287 jitneys, or any other for-hire passenger
288 transportation vehicles that an owner or a lessee
289 operates in order to be able to provide financial
290 responsibility by complying with specified provisions,

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291 subject to certain requirements; amending s. 338.166,
292 F.S.; revising provisions relating to express lane
293 toll amounts charged according to average travel
294 speed; providing that an express lane segment is the
295 distance between the customer's point of entry to the
296 first available exit; providing that additional
297 segments are defined by the distance between
298 subsequent exits; amending s. 338.2216, F.S.; revising
299 provisions relating to express lane toll amounts
300 charged according to level of service; providing that
301 an express lane segment is the distance between the
302 customer's point of entry to the first available exit;
303 providing that additional segments are defined by the
304 distance between subsequent exits; deleting a
305 provision requiring a customer to be charged the
306 general toll lane toll amount plus an amount set by
307 department rule under certain circumstances; amending
308 s. 338.222, F.S.; revising provisions relating to
309 contracting and negotiation between the Department of
310 Transportation and local governmental entities for
311 acquisition, construction, or operation of turnpike
312 projects; creating s. 334.352, F.S.; prohibiting a
313 local governmental entity from preventing motor
314 vehicle access to a transportation facility or
315 transportation corridor under certain circumstances;
316 amending s. 655.960, F.S.; conforming a cross-
317 reference; amending s. 812.014, F.S.; providing a
318 criminal penalty for an offender committing grand
319 theft who uses a device to interfere with a global

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320 positioning or similar system; providing effective
321 dates.

322
323 Be It Enacted by the Legislature of the State of Florida:

324
325 Section 1. Subsection (1) of section 20.23, Florida
326 Statutes, is amended to read:

327 20.23 Department of Transportation.—There is created a
328 Department of Transportation which shall be a decentralized
329 agency.

330 (1) (a) The Department of Transportation shall consist of:

331 1. A central office, which establishes policies and
332 procedures; and

333 2. Districts, which carry out projects as authorized or
334 required under the policies and procedures of the central office
335 established pursuant to paragraph (3) (a).

336 (b) ~~(a)~~ The head of the Department of Transportation is the
337 Secretary of Transportation. The secretary shall be appointed by
338 the Governor, ~~from among three persons nominated by the Florida~~
339 ~~Transportation Commission and shall be subject to confirmation~~
340 by the Senate. The secretary shall serve at the pleasure of the
341 Governor.

342 (c) ~~(b)~~ The secretary shall be a proven, effective
343 administrator who, by a combination of education and experience,
344 clearly possesses ~~shall clearly possess~~ a broad knowledge of the
345 administrative, financial, and technical aspects of the
346 development, operation, and regulation of transportation systems
347 and facilities or comparable systems and facilities.

348 (d) ~~(e)~~ The secretary shall provide to the Florida

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349 Transportation Commission or its staff, such assistance,
350 information, and documents as are requested by the commission or
351 its staff to enable the commission to fulfill its duties and
352 responsibilities.

353 (e)~~(d)~~ The secretary may appoint up to three assistant
354 secretaries who shall be directly responsible to the secretary
355 and who shall perform such duties as are assigned by the
356 secretary. The secretary shall designate to an assistant
357 secretary the duties related to enhancing economic prosperity,
358 including, but not limited to, the responsibility of liaison
359 with the head of economic development in the Executive Office of
360 the Governor. Such assistant secretary shall be directly
361 responsible for providing the Executive Office of the Governor
362 with investment opportunities and transportation projects that
363 expand the state's role as a global hub for trade and investment
364 and enhance the supply chain system in the state to process,
365 assemble, and ship goods to markets throughout the eastern
366 United States, Canada, the Caribbean, and Latin America. The
367 secretary may delegate to any assistant secretary the authority
368 to act in the absence of the secretary.

369 (f)~~(e)~~ Any secretary appointed after July 5, 1989, and the
370 assistant secretaries shall be exempt from the provisions of
371 part III of chapter 110 and shall receive compensation
372 commensurate with their qualifications and competitive with
373 compensation for comparable responsibility in the private
374 sector.

375 Section 2. Subsection (20) of section 316.003, Florida
376 Statutes, is amended, present subsections (21) through (37) of
377 that section are redesignated as subsections (20) through (36),

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378 respectively, new subsections (37) and (52) are added to that
379 section, present subsections (52) through (99) of that section
380 are redesignated as subsections (53) through (100),
381 respectively, and subsections (40) and (51) and present
382 subsections (57) and (97) of that section are amended, to read:

383 316.003 Definitions.—The following words and phrases, when
384 used in this chapter, shall have the meanings respectively
385 ascribed to them in this section, except where the context
386 otherwise requires:

387 ~~(20) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY. Vehicle~~
388 ~~automation and safety technology that integrates sensor array,~~
389 ~~wireless vehicle-to-vehicle communications, active safety~~
390 ~~systems, and specialized software to link safety systems and~~
391 ~~synchronize acceleration and braking between two vehicles while~~
392 ~~leaving each vehicle's steering control and systems command in~~
393 ~~the control of the vehicle's driver in compliance with the~~
394 ~~National Highway Traffic Safety Administration rules regarding~~
395 ~~vehicle-to-vehicle communications.~~

396 (37) MOBILE CARRIER.—An electrically powered device that:

397 (a) Is operated on sidewalks and crosswalks and is intended
398 primarily for transporting property;

399 (b) Weighs less than 80 pounds, excluding cargo;

400 (c) Has a maximum speed of 12.5 mph; and

401 (d) Is equipped with a technology to transport personal
402 property with the active monitoring of a property owner, and
403 primarily designed to remain within 25 feet of the property
404 owner.

405
406 A mobile carrier is not considered a vehicle or personal

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407 delivery device unless expressly defined by law as a vehicle or
408 personal delivery device.

409 (40) MOTOR VEHICLE.—Except when used in s. 316.1001, a
410 self-propelled vehicle not operated upon rails or guideway, but
411 not including any bicycle, motorized scooter, electric personal
412 assistive mobility device, mobile carrier, personal delivery
413 device, swamp buggy, or moped. For purposes of s. 316.1001,
414 “motor vehicle” has the same meaning as provided in s.
415 320.01(1)(a).

416 (51) PERSONAL DELIVERY DEVICE.—An electrically powered
417 device that:

418 (a) Is operated on sidewalks and crosswalks and intended
419 primarily for transporting property;

420 (b) Weighs less than 100 ~~80~~ pounds, excluding cargo;

421 (c) Has a maximum speed of 10 miles per hour; and

422 (d) Is equipped with technology to allow for operation of
423 the device with or without the active control or monitoring of a
424 natural person.

425
426 A personal delivery device is not considered a vehicle unless
427 expressly defined by law as a vehicle. A mobile carrier is not
428 considered a personal delivery device.

429 (52) PLATOON.—A group of individual truck-tractor semi-
430 trailer combinations which do not require placards traveling in
431 a unified manner via wireless communications at electronically
432 coordinated speeds and following distances.

433 (58) ~~(57)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
434 provided in paragraph (80)(b) ~~(79)(b)~~, any privately owned way
435 or place used for vehicular travel by the owner and those having

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436 express or implied permission from the owner, but not by other
437 persons.

438 (98)~~(97)~~ VEHICLE.—Every device in, upon, or by which any
439 person or property is or may be transported or drawn upon a
440 highway, except personal delivery devices, mobile carriers, and
441 devices used exclusively upon stationary rails or tracks.

442 Section 3. Paragraph (b) of subsection (7) of section
443 316.008, Florida Statutes, is amended to read:

444 316.008 Powers of local authorities.—

445 (7)

446 (b)1. Except as provided in subparagraph 2., a personal
447 delivery device and a mobile carrier may be operated on
448 sidewalks and crosswalks within a county or municipality when
449 such use is permissible under federal law. This paragraph does
450 not restrict a county or municipality from otherwise adopting
451 regulations for the safe operation of personal delivery devices
452 and mobile carriers.

453 2. A personal delivery device may not be operated on the
454 Florida Shared-Use Nonmotorized Trail Network created under s.
455 339.81 or components of the Florida Greenways and Trails System
456 created under chapter 260.

457 Section 4. Section 316.0895, Florida Statutes, is amended
458 to read:

459 316.0895 Following too closely.—

460 (1) The driver of a motor vehicle shall not follow another
461 vehicle more closely than is reasonable and prudent, having due
462 regard for the speed of such vehicles and the traffic upon, and
463 the condition of, the highway. This subsection may not be
464 construed to prevent overtaking and passing.

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465 ~~(2) It is unlawful for the driver of any motor truck, motor~~
466 ~~truck drawing another vehicle, or vehicle towing another vehicle~~
467 ~~or trailer, when traveling upon a roadway outside of a business~~
468 ~~or residence district, to follow within 300 feet of another~~
469 ~~motor truck, motor truck drawing another vehicle, or vehicle~~
470 ~~towing another vehicle or trailer. The provisions of this~~
471 ~~subsection shall not be construed to prevent overtaking and~~
472 ~~passing nor shall the same apply upon any lane specially~~
473 ~~designated for use by motor trucks or other slow-moving~~
474 ~~vehicles.~~

475 (2)~~(3)~~ Motor vehicles being driven upon any roadway outside
476 of a business or residence district in a caravan or motorcade,
477 whether or not towing other vehicles, shall be so operated as to
478 allow sufficient space between each such vehicle or combination
479 of vehicles as to enable any other vehicle to enter and occupy
480 such space without danger. This provision shall not apply to
481 funeral processions.

482 (3)~~(4)~~ A violation of this section is a noncriminal traffic
483 infraction, punishable as a moving violation as provided in
484 chapter 318.

485 Section 5. Section 316.0896, Florida Statutes, is repealed.

486 Section 6. Section 316.0897, Florida Statutes, is created
487 to read:

488 316.0897 Platoons.—

489 (1) A platoon may be operated on a roadway in this state
490 after an operator does all of the following:

491 (a) Provides notification to the Department of Highway
492 Safety and Motor Vehicles.

493 (b) Obtains a permit for such operation from the Department

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494 of Transportation.

495 (2) The Department of Transportation shall adopt rules for
496 the issuance of permits for the operation of platoons. Such
497 rules shall be adopted in consultation with all interested
498 parties and must address all of the following:

499 (a) The safety of the traveling public.

500 (b) The preservation of infrastructure.

501 (c) Platooning technology.

502 (3) This section is repealed effective October 1, 2023,
503 unless reviewed and saved from repeal by the Legislature.

504 Section 7. Section 316.2071, Florida Statutes, is amended
505 to read:

506 316.2071 Personal delivery devices and mobile carriers.—

507 (1) Notwithstanding any provision of law to the contrary, a
508 personal delivery device or mobile carrier may operate on
509 sidewalks and crosswalks, subject to s. 316.008(7)(b). A
510 personal delivery device or mobile carrier operating on a
511 sidewalk or crosswalk has all the rights and duties applicable
512 to a pedestrian under the same circumstances, except that the
513 personal delivery device or mobile carrier must not unreasonably
514 interfere with pedestrians or traffic and must yield the right-
515 of-way to pedestrians on the sidewalk or crosswalk.

516 (2) A personal delivery device and a mobile carrier must:

517 (a) Obey all official traffic and pedestrian control
518 signals and devices.

519 (b) For personal delivery devices, include a plate or
520 marker that has a unique identifying device number and
521 identifies the name and contact information of the personal
522 delivery device operator.

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523 (c) Be equipped with a braking system that, when active or
524 engaged, enables the personal delivery device or mobile carrier
525 to come to a controlled stop.

526 (3) A personal delivery device and a mobile carrier may
527 not:

528 (a) Operate on a public highway except to the extent
529 necessary to cross a crosswalk.

530 (b) Operate on a sidewalk or crosswalk unless the personal
531 delivery device operator is actively controlling or monitoring
532 the navigation and operation of the personal delivery device or
533 a property owner remains within 25 feet of the mobile carrier.

534 (c) Transport hazardous materials as defined in s. 316.003.

535 (4) A person who owns and operates a personal delivery
536 device in this state must maintain an insurance policy, on
537 behalf of himself or herself and his or her agents, which
538 provides general liability coverage of at least \$100,000 for
539 damages arising from the combined operations of personal
540 delivery devices under the entity's or agent's control.

541 Section 8. Subsection (1) and paragraphs (a), (c), (d), and
542 (f) of subsection (2) of section 316.302, Florida Statutes, are
543 amended to read:

544 316.302 Commercial motor vehicles; safety regulations;
545 transporters and shippers of hazardous materials; enforcement.-

546 (1) Except as otherwise provided in subsection (3):

547 (a) All owners and drivers of commercial motor vehicles
548 that are operated on the public highways of this state while
549 engaged in interstate commerce are subject to the rules and
550 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

551 (b) Except as otherwise provided in this section, all

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552 owners or drivers of commercial motor vehicles that are engaged
553 in intrastate commerce are subject to the rules and regulations
554 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~
555 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~
556 ~~definition of bus,~~ as such rules and regulations existed on
557 December 31, 2017 ~~2012~~.

558 (c) The emergency exceptions provided by 49 C.F.R. s.
559 392.82 also apply to communications by utility drivers and
560 utility contractor drivers during a Level 1 activation of the
561 State Emergency Operations Center, as provided in the Florida
562 Comprehensive Emergency Management plan, or during a state of
563 emergency declared by executive order or proclamation of the
564 Governor.

565 (d) Except as provided in ~~s. 316.215(5), and except as~~
566 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
567 requirements for intrastate operations, the requirements of this
568 section supersede all other safety requirements of this chapter
569 for commercial motor vehicles.

570 (e) For motor carriers engaged in intrastate commerce who
571 are not carrying hazardous materials in amounts that require
572 placards, the requirement for electronic logging devices and
573 hours of service support documents shall take effect December
574 31, 2018.

575 (2) (a) A person who operates a commercial motor vehicle
576 solely in intrastate commerce not transporting any hazardous
577 material in amounts that require placarding pursuant to 49
578 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b)(1)
579 and 395.3 ~~395.3(a) and (b)~~.

580 (c) Except as provided in 49 C.F.R. s. 395.1, a person who

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581 operates a commercial motor vehicle solely in intrastate
582 commerce not transporting any hazardous material in amounts that
583 require placarding pursuant to 49 C.F.R. part 172 may not drive
584 after having been on duty more than 70 hours in any period of 7
585 consecutive days or more than 80 hours in any period of 8
586 consecutive days if the motor carrier operates every day of the
587 week. Thirty-four consecutive hours off duty shall constitute
588 the end of any such period of 7 or 8 consecutive days. This
589 weekly limit does not apply to a person who operates a
590 commercial motor vehicle solely within this state while
591 transporting, during harvest periods, any unprocessed
592 agricultural products or unprocessed food or fiber that is
593 subject to seasonal harvesting from place of harvest to the
594 first place of processing or storage or from place of harvest
595 directly to market or while transporting livestock, livestock
596 feed, or farm supplies directly related to growing or harvesting
597 agricultural products. Upon request of the Department of Highway
598 Safety and Motor Vehicles, motor carriers shall furnish time
599 records or other written verification to that department so that
600 the Department of Highway Safety and Motor Vehicles can
601 determine compliance with this subsection. These time records
602 must be furnished to the Department of Highway Safety and Motor
603 Vehicles within 2 days after receipt of that department's
604 request. Falsification of such information is subject to a civil
605 penalty ~~not to exceed \$100. The provisions of This paragraph~~
606 does ~~de~~ not apply to operators of farm labor vehicles operated
607 during a state of emergency declared by the Governor or operated
608 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
609 utility service vehicles as defined in 49 C.F.R. s. 395.2.

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610 (d) A person who operates a commercial motor vehicle solely
611 in intrastate commerce not transporting any hazardous material
612 in amounts that require placarding pursuant to 49 C.F.R. part
613 172 within a 150 air-mile radius of the location where the
614 vehicle is based need not comply with 49 C.F.R. s. 395.8~~7~~ if the
615 requirements of 49 C.F.R. s. 395.1(e)(1)(ii), (iii)(A) and (C),
616 ~~395.1(e)(1)(iii) and (v) are met. If a driver is not released~~
617 ~~from duty within 12 hours after the driver arrives for duty, the~~
618 ~~motor carrier must maintain documentation of the driver's~~
619 ~~driving times throughout the duty period.~~

620 (f) A person who operates a commercial motor vehicle having
621 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,
622 and gross combined weight rating of less than 26,001 pounds
623 solely in intrastate commerce and who is not transporting
624 hazardous materials in amounts that require placarding pursuant
625 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
626 ~~as defined in s. 376.301,~~ is exempt from subsection (1).
627 However, such person must comply with 49 C.F.R. parts 382, 392,
628 and 393~~7~~ and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

629 Section 9. Subsection (3) of section 316.303, Florida
630 Statutes, is amended to read:

631 316.303 Television receivers.—

632 (3) This section does not prohibit the use of an electronic
633 display used in conjunction with a vehicle navigation system; an
634 electronic display used by an operator of a vehicle equipped
635 with autonomous technology, as defined in s. 316.003; or an
636 electronic display used by an operator of a platoon vehicle
637 ~~equipped and operating with driver-assistive truck platooning~~
638 ~~technology,~~ as defined in s. 316.003.

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639 Section 10. Subsection (3) is added to section 316.85,
640 Florida Statutes, to read:

641 316.85 Autonomous vehicles; operation.—

642 (3) The Florida Turnpike Enterprise may fund, construct,
643 and operate test facilities for the advancement of autonomous
644 and connected innovative transportation technology solutions for
645 the purposes of improving safety and decreasing congestion for
646 the traveling public and to otherwise advance the enterprise's
647 objectives as set forth under the Florida Transportation Code.

648 Section 11. Section 319.141, Florida Statutes, is amended
649 to read:

650 319.141 Pilot rebuilt motor vehicle inspection program.—

651 (1) As used in this section, the term:

652 (a) "Facility" means a rebuilt motor vehicle inspection
653 facility authorized and operating under this section.

654 (b) "Rebuilt inspection services" means an examination of a
655 rebuilt vehicle and a properly endorsed certificate of title,
656 salvage certificate of title, or manufacturer's statement of
657 origin and an application for a rebuilt certificate of title, a
658 rebuilder's affidavit, a photograph of the junk or salvage
659 vehicle taken before repairs began, a photograph of the interior
660 driver and passenger sides of the vehicle if airbags were
661 previously deployed and replaced, receipts or invoices for all
662 major component parts, as defined in s. 319.30, and repairs
663 which were changed, and proof that notice of rebuilding of the
664 vehicle has been reported to the National Motor Vehicle Title
665 Information System.

666 (2) ~~By July 1, 2015,~~ The department shall oversee a pilot
667 program in Miami-Dade County to evaluate alternatives for

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668 rebuilt inspection services offered by existing private sector
669 operators, including the continued use of private facilities,
670 the cost impact to consumers, and the potential savings to the
671 department.

672 (3) The department shall establish a memorandum of
673 understanding that allows private parties participating in the
674 pilot program to conduct rebuilt motor vehicle inspections and
675 specifies requirements for oversight, bonding and insurance,
676 procedures, and forms and requires the electronic transmission
677 of documents.

678 (4) Before an applicant is approved or renewed, the
679 department shall ensure that the applicant meets basic criteria
680 designed to protect the public. At a minimum, the applicant
681 shall meet all of the following requirements:

682 (a) Have and maintain a surety bond or irrevocable letter
683 of credit in the amount of \$100,000 executed by the applicant.

684 (b) Secure and maintain a facility at a permanent fixed
685 structure which has at an address identified by a county-issued
686 tax folio number and recognized by the United States Postal
687 Service where the only services provided on such property are
688 rebuilt inspection services. The operator of a facility shall
689 annually attest that:

690 1. He or she is not employed by or does not have an
691 ownership interest in or other financial arrangement with the
692 owner, operator, manager, or employee of a motor vehicle repair
693 shop as defined in s. 559.903, a motor vehicle dealer as defined
694 in s. 320.27(1)(c), a towing company, a vehicle storage company,
695 a vehicle auction, an insurance company, a salvage yard, a metal
696 retailer, or a metal rebuilder, from which he or she receives

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697 remuneration, directly or indirectly, for the referral of
698 customers for rebuilt inspection services;

699 2. There have been no changes to the ownership structure of
700 the approved facility; and

701 3. The only services being provided by the operator of the
702 facility at the property are rebuilt vehicle inspection services
703 approved by the department.

704 (c) Have and maintain garage liability and other insurance
705 required by the department.

706 (d) Have completed criminal background checks of the
707 owners, partners, and corporate officers and the inspectors
708 employed by the facility.

709 (e) Have a designated office and customer waiting area that
710 is separate from and not within view of the vehicle inspection
711 area. The vehicle inspection area must be capable of
712 accommodating all vehicle types and must be equipped with
713 cameras allowing the department to view and monitor every
714 inspection.

715 (f) ~~(e)~~ Meet any additional criteria the department
716 determines necessary to conduct proper inspections.

717 (5) A participant in the program shall access vehicle and
718 title information and enter inspection results through an
719 electronic filing system authorized by the department and shall
720 maintain records of each rebuilt vehicle inspection processed at
721 such facility for at least 5 years.

722 (6) A participant in the program may not conduct an
723 inspection of a vehicle rebuilt before its purchase by the
724 current applicant. Such vehicles must be inspected by the
725 department.

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726 (7) Any applicant for a rebuilt title that fails an initial
727 rebuilt inspection may have that vehicle reinspected only by the
728 department or the facility that conducted the original
729 inspection.

730 (8) Any person or business authorized by the department to
731 train, certify, or recertify operators and inspectors of private
732 rebuilt motor vehicle inspection facilities may not certify or
733 recertify themselves or any of their employees.

734 (9)~~(6)~~ The department shall conduct an onsite facility
735 inspection at least twice a year and shall immediately terminate
736 any operator from the program who fails to meet the minimum
737 eligibility requirements specified in subsection (4). Before any
738 a change in ownership or transfer of a rebuilt inspection
739 facility, the current operator must give the department 45 days'
740 written notice of the intended sale or transfer. The prospective
741 owner or transferee must meet the eligibility requirements of
742 this section and execute a new memorandum of understanding with
743 the department before operating the facility.

744 (10)~~(7)~~ This section is repealed on July 1, 2020 2018,
745 unless saved from repeal through reenactment by the Legislature.
746 On or before January 1, 2019, the department shall submit a
747 written report to President of the Senate and Speaker of the
748 House of Representatives evaluating the current program and the
749 benefits to the consumer and the department.

750 Section 12. Subsection (7) of section 319.32, Florida
751 Statutes, is amended to read:

752 319.32 Fees; service charges; disposition.—

753 (7) Notwithstanding any other provision of this section,
754 the department and tax collector may not charge any fee or

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755 service charge, except for the expedited title fee, if
756 applicable, for a certificate of title issued for a motor
757 vehicle ~~solely~~ to:

758 (a) Remove a deceased coowner from a title registered in
759 the names of two persons if the other coowner is the surviving
760 spouse; or

761 (b) Transfer the title from a deceased owner to a surviving
762 parent or any surviving child, if the parent or child is a
763 resident of this state, the vehicle is titled in this state
764 before the transfer, and the parent or child applies for the
765 title transfer within 30 days after the death of the owner.

766 Section 13. Paragraph (a) of subsection (1) and subsection
767 (24) of section 320.01, Florida Statutes, are amended to read:

768 320.01 Definitions, general.—As used in the Florida
769 Statutes, except as otherwise provided, the term:

770 (1) "Motor vehicle" means:

771 (a) An automobile, motorcycle, truck, trailer, semitrailer,
772 truck tractor and semitrailer combination, or any other vehicle
773 operated on the roads of this state, used to transport persons
774 or property, and propelled by power other than muscular power,
775 but the term does not include traction engines, road rollers,
776 personal delivery devices and mobile carriers as defined in s.
777 316.003, special mobile equipment as defined in s. 316.003,
778 vehicles that run only upon a track, bicycles, swamp buggies, or
779 mopeds.

780 (24) "Apportionable vehicle" means any vehicle, except
781 recreational vehicles, vehicles displaying restricted plates,
782 city pickup and delivery vehicles, ~~buses used in transportation~~
783 ~~of chartered parties,~~ and government-owned vehicles, which is

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784 used or intended for use in two or more member jurisdictions
785 that allocate or proportionally register vehicles and which is
786 used for the transportation of persons for hire or is designed,
787 used, or maintained primarily for the transportation of property
788 and:

789 (a) Is a power unit having a gross vehicle weight in excess
790 of 26,000 pounds;

791 (b) Is a power unit having three or more axles, regardless
792 of weight; or

793 (c) Is used in combination, when the weight of such
794 combination exceeds 26,000 pounds gross vehicle weight.

795
796 Vehicles, or combinations thereof, having a gross vehicle weight
797 of 26,000 pounds or less and two-axle vehicles may be
798 proportionally registered.

799 Section 14. Paragraph (v) is added to subsection (15) of
800 section 320.02, Florida Statutes, and subsection (19) of that
801 section is amended, to read:

802 320.02 Registration required; application for registration;
803 forms.—

804 (15)

805 (v) Notwithstanding s. 320.023, the application form for
806 motor vehicle registration and renewal of registration must
807 include language permitting a voluntary contribution of \$1 per
808 applicant to aid in Alzheimer's and other related dementia
809 research. Contributions made pursuant to this paragraph shall be
810 distributed to the Alzheimer's Association, Inc., for the
811 purpose of supporting research conducted in this state.

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813 For the purpose of applying the service charge provided in s.
814 215.20, contributions received under this subsection are not
815 income of a revenue nature.

816 (19) A personal delivery device and a mobile carrier as
817 defined in s. 316.003 are ~~is~~ not required to satisfy the
818 registration and insurance requirements of this section.

819 Section 15. Effective January 1, 2019, subsection (10) of
820 section 320.03, Florida Statutes, is amended to read:

821 320.03 Registration; duties of tax collectors;
822 International Registration Plan.—

823 (10) Jurisdiction over the electronic filing system for use
824 by authorized electronic filing system agents to electronically
825 title or register motor vehicles, vessels, mobile homes, or off-
826 highway vehicles; process title transactions, derelict motor
827 vehicle certificates, and certificates of destruction for
828 derelict and salvage motor vehicles pursuant to s. 319.30(2),
829 (3), (7), and (8); issue or transfer registration license plates
830 or decals; electronically transfer fees due for the title and
831 registration process; and perform inquiries for title,
832 registration, and lienholder verification and certification of
833 service providers is expressly preempted to the state, and the
834 department shall have regulatory authority over the system. The
835 electronic filing system shall be available for use statewide
836 and applied uniformly throughout the state. An entity that, in
837 the normal course of its business, sells products that must be
838 titled or registered; ~~7~~ provides title and registration services
839 on behalf of its consumers; or processes title transactions,
840 derelict motor vehicle certificates, or certificates of
841 destruction for derelict or salvage motor vehicles pursuant to

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842 s. 319.30(2), (3), (7), or (8); and meets all established
843 requirements may be an authorized electronic filing system agent
844 and shall not be precluded from participating in the electronic
845 filing system in any county. Upon request from a qualified
846 entity, the tax collector shall appoint the entity as an
847 authorized electronic filing system agent for that county. ~~The~~
848 ~~department shall adopt rules in accordance with chapter 120 to~~
849 ~~replace the December 10, 2009, program standards and to~~
850 ~~administer the provisions of this section, including, but not~~
851 ~~limited to, establishing participation requirements,~~
852 ~~certification of service providers, electronic filing system~~
853 ~~requirements, and enforcement authority for noncompliance. The~~
854 ~~December 10, 2009, program standards, excluding any standards~~
855 ~~which conflict with this subsection, shall remain in effect~~
856 ~~until the rules are adopted.~~ An authorized electronic filing
857 system agent may charge a fee to the customer for use of the
858 electronic filing system. The department may adopt rules to
859 administer this subsection, including, but not limited to, rules
860 establishing participation requirements, certification of
861 service providers, electronic filing system requirements,
862 disclosures, and enforcement authority for noncompliance.

863 Section 16. Paragraph (b) of subsection (1) and paragraph
864 (a) of subsection (3) of section 320.06, Florida Statutes, are
865 amended to read:

866 320.06 Registration certificates, license plates, and
867 validation stickers generally.—

868 (1)

869 (b)1. Registration license plates bearing a graphic symbol
870 and the alphanumeric system of identification shall be issued

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871 for a 10-year period. At the end of the 10-year period, upon
872 renewal, the plate shall be replaced. The department shall
873 extend the scheduled license plate replacement date from a 6-
874 year period to a 10-year period. The fee for such replacement is
875 \$28, \$2.80 of which shall be paid each year before the plate is
876 replaced, to be credited toward the next \$28 replacement fee.
877 The fees shall be deposited into the Highway Safety Operating
878 Trust Fund. A credit or refund may not be given for any prior
879 years' payments of the prorated replacement fee if the plate is
880 replaced or surrendered before the end of the 10-year period,
881 except that a credit may be given if a registrant is required by
882 the department to replace a license plate under s.
883 320.08056(8)(a). With each license plate, a validation sticker
884 shall be issued showing the owner's birth month, license plate
885 number, and the year of expiration or the appropriate renewal
886 period if the owner is not a natural person. The validation
887 sticker shall be placed on the upper right corner of the license
888 plate. The license plate and validation sticker shall be issued
889 based on the applicant's appropriate renewal period. The
890 registration period is 12 months, the extended registration
891 period is 24 months, and all expirations occur based on the
892 applicant's appropriate registration period.

893 2. Before October 1, 2019, a vehicle that has an
894 apportioned registration shall be issued an annual license plate
895 and a cab card denoting ~~that denote~~ the declared gross vehicle
896 weight ~~for each apportioned jurisdiction in which the vehicle is~~
897 ~~authorized to operate.~~

898 3. Beginning October 1, 2019, a vehicle registered in
899 accordance with the International Registration Plan shall be

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900 issued a license plate for a 5-year period, an annual cab card
901 denoting the declared gross vehicle weight, and an annual
902 validation sticker showing the month and year of expiration. The
903 validation sticker shall be placed in the center of the license
904 plate. The license plate and validation sticker shall be issued
905 based on the applicant's appropriate renewal period. The fee for
906 the initial validation sticker and any renewed validation
907 sticker is \$28. This fee shall be deposited into the Highway
908 Safety Operating Trust Fund. A damaged or worn license plate may
909 be replaced at no charge by applying to the department and
910 surrendering the current license plate.

911 4.2. In order to retain the efficient administration of the
912 taxes and fees imposed by this chapter, the 80-cent fee increase
913 in the replacement fee imposed by chapter 2009-71, Laws of
914 Florida, is negated as provided in s. 320.0804.

915 (3) (a) Registration license plates must be made of metal
916 specially treated with a retroreflection material, as specified
917 by the department. The registration license plate is designed to
918 increase nighttime visibility and legibility and must be at
919 least 6 inches wide and not less than 12 inches in length,
920 unless a plate with reduced dimensions is deemed necessary by
921 the department to accommodate motorcycles, mopeds, or similar
922 smaller vehicles. Validation stickers must also be treated with
923 a retroreflection material, must be of such size as specified by
924 the department, and must adhere to the license plate. The
925 registration license plate must be imprinted with a combination
926 of bold letters and numerals or numerals, not to exceed seven
927 digits, to identify the registration license plate number. The
928 license plate must be imprinted with the word "Florida" at the

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929 top and the name of the county in which it is sold, the state
930 motto, or the words "Sunshine State" at the bottom. Apportioned
931 license plates must have the word "Apportioned" at the bottom
932 and license plates issued for vehicles taxed under s.
933 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
934 the word "Restricted" at the bottom. License plates issued for
935 vehicles taxed under s. 320.08(12) must be imprinted with the
936 word "Florida" at the top and the word "Dealer" at the bottom
937 unless the license plate is a specialty license plate as
938 authorized in s. 320.08056. Manufacturer license plates issued
939 for vehicles taxed under s. 320.08(12) must be imprinted with
940 the word "Florida" at the top and the word "Manufacturer" at the
941 bottom. License plates issued for vehicles taxed under s.
942 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at
943 the bottom. Any county may, upon majority vote of the county
944 commission, elect to have the county name removed from the
945 license plates sold in that county. The state motto or the words
946 "Sunshine State" shall be printed in lieu thereof. A license
947 plate issued for a vehicle taxed under s. 320.08(6) may not be
948 assigned a registration license number, or be issued with any
949 other distinctive character or designation, that distinguishes
950 the motor vehicle as a for-hire motor vehicle.

951 Section 17. Section 320.0605, Florida Statutes, is amended
952 to read:

953 320.0605 Certificate of registration; possession required;
954 exception.—

955 (1) (a) The department-authorized paper or electronic
956 registration certificate or an official copy thereof, a true
957 copy or an electronic copy of rental or lease documentation

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958 issued for a motor vehicle or issued for a replacement vehicle
959 in the same registration period, a temporary receipt printed
960 upon self-initiated electronic renewal of a registration via the
961 Internet, or a cab card issued for a vehicle registered under
962 the International Registration Plan shall, at all times while
963 the vehicle is being used or operated on the roads of this
964 state, be in the possession of the operator thereof or be
965 carried in the vehicle for which issued and shall be exhibited
966 upon demand of any authorized law enforcement officer or any
967 agent of the department, except for a vehicle registered under
968 s. 320.0657. ~~The provisions of~~ This section does ~~do~~ not apply
969 during the first 30 days after purchase of a replacement
970 vehicle. A violation of this section is a noncriminal traffic
971 infraction, punishable as a nonmoving violation as provided in
972 chapter 318.

973 (b)1. The act of presenting to a law enforcement officer or
974 agent of the department an electronic device displaying an
975 electronic copy of the registration certificate or the rental or
976 lease documentation does not constitute consent for the officer
977 or agent to access any information on the device other than the
978 displayed rental or lease documentation.

979 2. The person who presents the device to the officer or
980 agent assumes the liability for any resulting damage to the
981 device.

982 (2) Rental or lease documentation that is sufficient to
983 satisfy the requirement in subsection (1) includes the
984 following:

- 985 (a) ~~Date of rental~~ and time of ~~exit from~~ rental facility;
986 (b) Rental station identification;

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- 987 (c) Rental agreement number;
988 (d) Rental vehicle identification number;
989 (e) Rental vehicle license plate number and state of
990 registration;
991 (f) Vehicle's make, model, and color;
992 (g) Vehicle's mileage; and
993 (h) Authorized renter's name.

994 Section 18. Subsection (5) of section 320.0607, Florida
995 Statutes, is amended to read:

996 320.0607 Replacement license plates, validation decal, or
997 mobile home sticker.—

998 (5) Upon the issuance of an original license plate, the
999 applicant shall pay a fee of \$28 to be deposited in the Highway
1000 Safety Operating Trust Fund. Beginning October 1, 2019, this
1001 subsection does not apply to a vehicle registered under the
1002 International Registration Plan.

1003 Section 19. Paragraph (b) of subsection (2) of section
1004 320.0657, Florida Statutes, is amended to read:

1005 320.0657 Permanent registration; fleet license plates.—

1006 (2)

1007 (b) The plates, which shall be of a distinctive color,
1008 shall have the word "Fleet" appearing at the bottom and the word
1009 "Florida" appearing at the top unless the license plate is a
1010 specialty license plate as authorized in s. 320.08056. The
1011 plates shall conform in all respects to the provisions of this
1012 chapter, except as specified herein. For additional fees as set
1013 forth in s. 320.08056, fleet companies may purchase specialty
1014 license plates in lieu of the standard fleet license plates.
1015 Fleet companies shall be responsible for all costs associated

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1016 with the specialty license plate, including all annual use fees,
1017 processing fees, fees associated with switching license plate
1018 types, and any other applicable fees.

1019 Section 20. Subsection (12) of section 320.08, Florida
1020 Statutes, is amended to read:

1021 320.08 License taxes.—Except as otherwise provided herein,
1022 there are hereby levied and imposed annual license taxes for the
1023 operation of motor vehicles, mopeds, motorized bicycles as
1024 defined in s. 316.003(3), tri-vehicles as defined in s. 316.003,
1025 and mobile homes as defined in s. 320.01, which shall be paid to
1026 and collected by the department or its agent upon the
1027 registration or renewal of registration of the following:

1028 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
1029 motor vehicle dealer, independent motor vehicle dealer, marine
1030 boat trailer dealer, or mobile home dealer and manufacturer
1031 license plate: \$17 flat, of which \$4.50 shall be deposited into
1032 the General Revenue Fund. For additional fees as set forth in s.
1033 320.08056, dealers may purchase specialty license plates in lieu
1034 of the standard graphic dealer license plates. Dealers shall be
1035 responsible for all costs associated with the specialty license
1036 plate, including all annual use fees, processing fees, fees
1037 associated with switching license plate types, and any other
1038 applicable fees.

1039 Section 21. Subsection (2) of section 320.08056, Florida
1040 Statutes, is amended, and paragraphs (ffff) and (gggg) are added
1041 to subsection (4) of that section, to read:

1042 320.08056 Specialty license plates.—

1043 (2) (a) The department shall issue a specialty license plate
1044 to the owner or lessee of any motor vehicle, except a vehicle

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1045 registered under the International Registration Plan, a
1046 commercial truck required to display two license plates pursuant
1047 to s. 320.0706, or a truck tractor, upon request and payment of
1048 the appropriate license tax and fees.

1049 (b) The department may authorize dealer and fleet specialty
1050 license plates. With the permission of the sponsoring specialty
1051 license plate organization, a dealer or fleet company may
1052 purchase specialty license plates to be used on dealer and fleet
1053 vehicles.

1054 (c) Notwithstanding s. 320.08058, a dealer or fleet
1055 specialty license plate must include the letters "DLR" or "FLT"
1056 on the right side of the license plate. Dealer and fleet
1057 specialty license plates must be ordered directly through the
1058 department.

1059 (4) The following license plate annual use fees shall be
1060 collected for the appropriate specialty license plates:

1061 (ffff) Orlando City Soccer Club license plate, \$25.

1062 (gggg) Orlando United license plate, \$25.

1063 Section 22. Subsections (84) and (85) are added to section
1064 320.08058, Florida Statutes, to read:

1065 320.08058 Specialty license plates.—

1066 (84) ORLANDO CITY SOCCER CLUB LICENSE PLATES.—

1067 (a) The department shall develop an Orlando City Soccer
1068 Club license plate as provided in paragraph (9) (a).

1069 (b) The annual use fees from the sale of the plate shall be
1070 distributed and used as provided in paragraph (9) (b).

1071 (85) ORLANDO UNITED LICENSE PLATES.—

1072 (a) The department shall develop an Orlando United license
1073 plate as provided in this section and s. 320.08053. The plate

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1074 must bear the colors and design approved by the department. The
1075 word "Florida" must appear at the top of the plate, and the
1076 words "Orlando United" must appear at the bottom of the plate.

1077 (b) The annual use fees from the sale of the plate shall be
1078 distributed as follows:

1079 1. Seven percent shall be distributed to the Mental Health
1080 Association of Central Florida, Inc., to be used for marketing
1081 of the license plate.

1082 2. Thirty-one percent shall be distributed to the Mental
1083 Health Association of Central Florida, Inc. Of this amount, up
1084 to 5 percent may be used for administrative expenses, and the
1085 remainder shall be used to offer free personalized counseling to
1086 any person affected by the shooting at the Pulse nightclub in
1087 Orlando on June 12, 2016.

1088 3. Thirty-one percent shall be distributed to onePULSE
1089 Foundation, a charitable, nonprofit organization under s.
1090 501(c)(3) of the Internal Revenue Code. Of this amount, up to 5
1091 percent may be used for administrative expenses, and the
1092 remainder shall be used to support the construction and
1093 maintenance of the onePULSE Foundation Memorial.

1094 4. Thirty-one percent shall be distributed to Two Spirit
1095 Health Services, Inc. Of this amount, up to 5 percent may be
1096 used for administrative expenses, and the remainder shall be
1097 used to offer free personalized counseling to any person
1098 affected by the shooting at the Pulse nightclub in Orlando on
1099 June 12, 2016.

1100 Section 23. Subsection (10) is added to section 320.131,
1101 Florida Statutes, to read:

1102 320.131 Temporary tags.—

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1103 (10) Beginning October 1, 2018, the department may partner
1104 with a county tax collector to conduct a Fleet Vehicle Temporary
1105 Tag pilot program to provide temporary tags to fleet companies
1106 to allow them to operate fleet vehicles awaiting a permanent
1107 registration and title.

1108 (a) The department shall establish a memorandum of
1109 understanding that allows a maximum of three companies to
1110 participate in the pilot program and receive multiple temporary
1111 tags for company fleet vehicles.

1112 (b) To participate in the program, a fleet company must
1113 have a minimum of 3,500 fleet vehicles registered in this state
1114 which qualify to be registered as fleet vehicles pursuant to s.
1115 320.0657.

1116 (c) The department may issue up to 50 temporary tags at a
1117 time to an eligible fleet company, if requested by such company.

1118 (d) The temporary tags are for exclusive use on a vehicle
1119 purchased for the company's fleet, and may not be used on any
1120 other vehicle.

1121 (e) Each temporary plate may be used on only one vehicle
1122 and each vehicle may only use one temporary plate.

1123 (f) Upon issuance of the vehicle's permanent license plate
1124 and registration, the temporary tag becomes invalid and must be
1125 removed from the vehicle and destroyed.

1126 (g) Upon a finding by the department that a temporary tag
1127 has been misused by a fleet company under this program, the
1128 department may terminate the memorandum of understanding with
1129 the company, invalidate all temporary tags issued to the company
1130 under the program, and require such company to return any unused
1131 temporary tags.

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1132 (h) This subsection is repealed on October 1, 2021, unless
1133 saved from repeal through reenactment by the Legislature.

1134 Section 24. Subsection (3) is added to section 320.95,
1135 Florida Statutes, to read:

1136 320.95 Transactions by electronic or telephonic means.—

1137 (3) The department may authorize the format of an
1138 electronic certificate of registration in addition to printing a
1139 paper registration certificate. If the paper certificate of
1140 registration is not available for inspection or is damaged or
1141 otherwise illegible, the operator may present for inspection an
1142 electronic device displaying a department-issued electronic
1143 certificate or registration issued pursuant to this section.
1144 Such presentation does not constitute consent for inspection of
1145 any information on the device other than the displayed
1146 certificate of registration. The person who presents the device
1147 to the officer assumes the liability for any resulting damage to
1148 the device.

1149 Section 25. Section 322.01, Florida Statutes, is amended to
1150 read:

1151 322.01 Definitions.—As used in this chapter:

1152 (1) "Actual weight" means the weight of a motor vehicle or
1153 motor vehicle combination plus the weight of the load carried on
1154 it, as determined at a fixed scale operated by the state or as
1155 determined by use of a portable scale operated by a law
1156 enforcement officer.

1157 (2) "Alcohol" means any substance containing any form of
1158 alcohol including, but not limited to, ethanol, methanol,
1159 propanol, and isopropanol.

1160 (3) "Alcohol concentration" means:

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1161 (a) The number of grams of alcohol per 100 milliliters of
1162 blood;

1163 (b) The number of grams of alcohol per 210 liters of
1164 breath; or

1165 (c) The number of grams of alcohol per 67 milliliters of
1166 urine.

1167 (4) "Authorized emergency vehicle" means a vehicle that is
1168 equipped with extraordinary audible and visual warning devices,
1169 that is authorized by s. 316.2397 to display red or blue lights,
1170 and that is on call to respond to emergencies. The term
1171 includes, but is not limited to, ambulances, law enforcement
1172 vehicles, fire trucks, and other rescue vehicles. The term does
1173 not include wreckers, utility trucks, or other vehicles that are
1174 used only incidentally for emergency purposes.

1175 (5) "Cancellation" means the act of declaring a driver
1176 license void and terminated.

1177 (6) "Color photographic driver license" means a color
1178 photograph of a completed driver license form meeting the
1179 requirements prescribed in s. 322.14.

1180 (7) "Commercial driver license" means a Class A, Class B,
1181 or Class C driver license issued in accordance with the
1182 requirements of this chapter.

1183 (8) "Commercial motor vehicle" means any motor vehicle or
1184 motor vehicle combination used on the streets or highways,
1185 which:

1186 (a) Has a gross vehicle weight rating of 26,001 pounds or
1187 more;

1188 (b) Is designed to transport more than 15 persons,
1189 including the driver; or

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1190 (c) Is transporting hazardous materials and is required to
1191 be placarded in accordance with 49 C.F.R. part 172, subpart F.
1192

1193 A vehicle that occasionally transports personal property to and
1194 from a closed-course motorsport facility, as defined in s.
1195 549.09(1)(a), is not a commercial motor vehicle if the use is
1196 not for profit and corporate sponsorship is not involved. As
1197 used in this subsection, the term "corporate sponsorship" means
1198 a payment, donation, gratuity, in-kind service, or other benefit
1199 provided to or derived by a person in relation to the underlying
1200 activity, other than the display of product or corporate names,
1201 logos, or other graphic information on the property being
1202 transported.

1203 (9) "Controlled substance" means any substance classified
1204 as such under 21 U.S.C. s. 802(6), Schedules I-V of 21 C.F.R.
1205 part 1308, or chapter 893.

1206 (10) "Convenience service" means any means whereby an
1207 individual conducts a transaction with the department other than
1208 in person.

1209 (11)(a) "Conviction" means a conviction of an offense
1210 relating to the operation of motor vehicles on highways which is
1211 a violation of this chapter or any other such law of this state
1212 or any other state, including an admission or determination of a
1213 noncriminal traffic infraction pursuant to s. 318.14, or a
1214 judicial disposition of an offense committed under any federal
1215 law substantially conforming to the aforesaid state statutory
1216 provisions.

1217 (b) Notwithstanding any other provisions of this chapter,
1218 the definition of "conviction" provided in 49 C.F.R. s. 383.5

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1219 applies to offenses committed in a commercial motor vehicle or
1220 by a person holding a commercial driver license.

1221 (12) "Court" means any tribunal in this state or any other
1222 state, or any federal tribunal, which has jurisdiction over any
1223 civil, criminal, traffic, or administrative action.

1224 (13) "Credential service provider" means an electronic
1225 credential provider competitively procured by the department to
1226 supply secure credential services based on open standards for
1227 identity management and verification to qualified entities.

1228 (14) "Declared weight" means the maximum loaded weight
1229 declared for purposes of registration, pursuant to chapter 320.

1230 (15)~~(14)~~ "Department" means the Department of Highway
1231 Safety and Motor Vehicles acting directly or through its duly
1232 authorized representatives.

1233 (16) "Digital identity verifier" means a public or private
1234 entity that consumes the identity management services provided
1235 by the credential service provider.

1236 (17)~~(15)~~ "Disqualification" means a prohibition, other than
1237 an out-of-service order, that precludes a person from driving a
1238 commercial motor vehicle.

1239 (18)~~(16)~~ "Drive" means to operate or be in actual physical
1240 control of a motor vehicle in any place open to the general
1241 public for purposes of vehicular traffic.

1242 (19)~~(17)~~ "Driver license" means a certificate that, subject
1243 to all other requirements of law, authorizes an individual to
1244 drive a motor vehicle and denotes an operator's license as
1245 defined in 49 U.S.C. s. 30301.

1246 (20) "Electronic" means relating to technology having
1247 electrical, digital, magnetic, wireless, optical,

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1248 electromagnetic, or similar capabilities.

1249 (21) "Electronic credential" means an electronic
1250 representation of a physical driver license or identification
1251 card which is viewable on an electronic credential system and
1252 capable of being verified and authenticated.

1253 (22) "Electronic credential holder" means a person to whom
1254 an electronic credential has been issued.

1255 (23) "Electronic credential provider" means a qualified
1256 entity contracted with the department to provide electronic
1257 credentials to electronic credential holders.

1258 (24) "Electronic credential system" means a computer system
1259 used to display or transmit electronic credentials to a person
1260 or verification system and that may be accessed using an
1261 electronic device.

1262 (25) "Electronic device" means a device or a portion of a
1263 device that is designed for and capable of communicating across
1264 a computer network with other computers or devices for the
1265 purpose of transmitting, receiving, or storing data, including,
1266 but not limited to, a cellular telephone, tablet, or other
1267 portable device designed for and capable of communicating with
1268 or across a computer network, and is used to render an
1269 electronic credential.

1270 (26) "Electronic ID" means a technology solution by which a
1271 qualified entity authenticates the identity of an individual
1272 receiving goods or services.

1273 (27)~~(18)~~ "Endorsement" means a special authorization which
1274 permits a driver to drive certain types of vehicles or to
1275 transport certain types of property or a certain number of
1276 passengers.

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1277 (28)~~(19)~~ "Farmer" means a person who grows agricultural
1278 products, including aquacultural, horticultural, and forestry
1279 products, and, except as provided herein, employees of such
1280 persons. The term does not include employees whose primary
1281 purpose of employment is the operation of motor vehicles.

1282 (29)~~(20)~~ "Farm tractor" means a motor vehicle that is:

1283 (a) Operated principally on a farm, grove, or orchard in
1284 agricultural or horticultural pursuits and that is operated on
1285 the roads of this state only incidentally for transportation
1286 between the owner's or operator's headquarters and the farm,
1287 grove, or orchard or between one farm, grove, or orchard and
1288 another; or

1289 (b) Designed and used primarily as a farm implement for
1290 drawing plows, mowing machines, and other implements of
1291 husbandry.

1292 (30)~~(21)~~ "Felony" means any offense under state or federal
1293 law that is punishable by death or by a term of imprisonment
1294 exceeding 1 year.

1295 (31)~~(22)~~ "Foreign jurisdiction" means any jurisdiction
1296 other than a state of the United States.

1297 (32)~~(23)~~ "Gross vehicle weight rating" means the value
1298 specified by the manufacturer as the maximum loaded weight of a
1299 single, combination, or articulated vehicle.

1300 (33)~~(24)~~ "Hazardous materials" means any material that has
1301 been designated as hazardous under 49 U.S.C. s. 5103 and is
1302 required to be placarded under subpart F of 49 C.F.R. part 172
1303 or any quantity of a material listed as a select agent or toxin
1304 in 42 C.F.R. part 73.

1305 (34)~~(25)~~ "Medical examiner's certificate" means a document

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1306 substantially in accordance with the requirements of 49 C.F.R.
1307 s. 391.43.

1308 (35)~~(26)~~ "Motorcycle" means a motor vehicle powered by a
1309 motor with a displacement of more than 50 cubic centimeters,
1310 having a seat or saddle for the use of the rider, and designed
1311 to travel on not more than three wheels in contact with the
1312 ground, but excluding a tractor, tri-vehicle, or moped.

1313 (36)~~(27)~~ "Motor vehicle" means any self-propelled vehicle,
1314 including a motor vehicle combination, not operated upon rails
1315 or guideway, excluding vehicles moved solely by human power,
1316 motorized wheelchairs, and motorized bicycles as defined in s.
1317 316.003.

1318 (37)~~(28)~~ "Motor vehicle combination" means a motor vehicle
1319 operated in conjunction with one or more other vehicles.

1320 (38)~~(29)~~ "Narcotic drugs" means coca leaves, opium,
1321 isonipecaine, cannabis, and every substance neither chemically
1322 nor physically distinguishable from them, and any and all
1323 derivatives of same, and any other drug to which the narcotics
1324 laws of the United States apply, and includes all drugs and
1325 derivatives thereof known as barbiturates.

1326 (39)~~(30)~~ "Out-of-service order" means a prohibition issued
1327 by an authorized local, state, or Federal Government official
1328 which precludes a person from driving a commercial motor
1329 vehicle.

1330 (40)~~(31)~~ "Owner" means the person who holds the legal title
1331 to a vehicle. However, if a vehicle is the subject of an
1332 agreement for the conditional sale or lease thereof with the
1333 right of purchase upon performance of the conditions stated in
1334 the agreement and with an immediate right of possession vested

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1335 in the conditional vendee or lessee, or if a mortgagor of a
1336 vehicle is entitled to possession, such conditional vendee,
1337 lessee, or mortgagor is the owner for the purpose of this
1338 chapter.

1339 (41)~~(32)~~ "Passenger vehicle" means a motor vehicle designed
1340 to transport more than 15 persons, including the driver, or a
1341 school bus designed to transport more than 15 persons, including
1342 the driver.

1343 (42)~~(33)~~ "Permit" means a document authorizing the
1344 temporary operation of a motor vehicle within this state subject
1345 to conditions established in this chapter.

1346 (43) "Qualified entity" means a public or private entity
1347 which enters into a contract with the department, meets usage
1348 criteria, agrees to terms and conditions, and is authorized by
1349 the department to use the credential service provider for
1350 authentication and identification verification services.

1351 (44)~~(34)~~ "Resident" means a person who has his or her
1352 principal place of domicile in this state for a period of more
1353 than 6 consecutive months, has registered to vote, has made a
1354 statement of domicile pursuant to s. 222.17, or has filed for
1355 homestead tax exemption on property in this state.

1356 (45)~~(35)~~ "Restriction" means a prohibition against
1357 operating certain types of motor vehicles or a requirement that
1358 a driver comply with certain conditions when driving a motor
1359 vehicle.

1360 (46)~~(36)~~ "Revocation" means the termination of a licensee's
1361 privilege to drive.

1362 (47)~~(37)~~ "School bus" means a motor vehicle that is
1363 designed to transport more than 15 persons, including the

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1364 driver, and that is used to transport students to and from a
1365 public or private school or in connection with school
1366 activities, but does not include a bus operated by a common
1367 carrier in the urban transportation of school children. The term
1368 "school" includes all preelementary, elementary, secondary, and
1369 postsecondary schools.

1370 (48)~~(38)~~ "State" means a state or possession of the United
1371 States, and, for the purposes of this chapter, includes the
1372 District of Columbia.

1373 (49)~~(39)~~ "Street or highway" means the entire width between
1374 the boundary lines of a way or place if any part of that way or
1375 place is open to public use for purposes of vehicular traffic.

1376 (50)~~(40)~~ "Suspension" means the temporary withdrawal of a
1377 licensee's privilege to drive a motor vehicle.

1378 (51)~~(41)~~ "Tank vehicle" means a vehicle that is designed to
1379 transport any liquid or gaseous material within a tank either
1380 permanently or temporarily attached to the vehicle, if such tank
1381 has a designed capacity of 1,000 gallons or more.

1382 (52)~~(42)~~ "United States" means the 50 states and the
1383 District of Columbia.

1384 (53)~~(43)~~ "Vehicle" means every device in, upon, or by which
1385 any person or property is or may be transported or drawn upon a
1386 public highway or operated upon rails or guideway, except a
1387 bicycle, motorized wheelchair, or motorized bicycle.

1388 (54)~~(44)~~ "Identification card" means a personal
1389 identification card issued by the department which conforms to
1390 the definition in 18 U.S.C. s. 1028(d).

1391 (55)~~(45)~~ "Temporary driver license" or "temporary
1392 identification card" means a certificate issued by the

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1393 department which, subject to all other requirements of law,
1394 authorizes an individual to drive a motor vehicle and denotes an
1395 operator's license, as defined in 49 U.S.C. s. 30301, or a
1396 personal identification card issued by the department which
1397 conforms to the definition in 18 U.S.C. s. 1028(d) and denotes
1398 that the holder is permitted to stay for a short duration of
1399 time, as specified on the temporary identification card, and is
1400 not a permanent resident of the United States.

1401 (56)~~(46)~~ "Tri-vehicle" means an enclosed three-wheeled
1402 passenger vehicle that:

1403 (a) Is designed to operate with three wheels in contact
1404 with the ground;

1405 (b) Has a minimum unladen weight of 900 pounds;

1406 (c) Has a single, completely enclosed, occupant
1407 compartment;

1408 (d) Is produced in a minimum quantity of 300 in any
1409 calendar year;

1410 (e) Is capable of a speed greater than 60 miles per hour on
1411 level ground; and

1412 (f) Is equipped with:

1413 1. Seats that are certified by the vehicle manufacturer to
1414 meet the requirements of Federal Motor Vehicle Safety Standard
1415 No. 207, "Seating systems" (49 C.F.R. s. 571.207);

1416 2. A steering wheel used to maneuver the vehicle;

1417 3. A propulsion unit located forward or aft of the enclosed
1418 occupant compartment;

1419 4. A seat belt for each vehicle occupant certified to meet
1420 the requirements of Federal Motor Vehicle Safety Standard No.
1421 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);

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1422 5. A windshield and an appropriate windshield wiper and
1423 washer system that are certified by the vehicle manufacturer to
1424 meet the requirements of Federal Motor Vehicle Safety Standard
1425 No. 205, "Glazing Materials" (49 C.F.R. s. 571.205) and Federal
1426 Motor Vehicle Safety Standard No. 104, "Windshield Wiping and
1427 Washing Systems" (49 C.F.R. s. 571.104); and

1428 6. A vehicle structure certified by the vehicle
1429 manufacturer to meet the requirements of Federal Motor Vehicle
1430 Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R.
1431 s. 571.216).

1432 Section 26. Section 322.032, Florida Statutes, is amended
1433 to read:

1434 322.032 Electronic credential ~~Digital proof of driver~~
1435 ~~license.~~-

1436 (1) (a) The department shall develop and implement ~~begin to~~
1437 ~~review and prepare for the development of a secure and uniform~~
1438 protocols which comply with national standards ~~system~~ for
1439 issuing an optional electronic credential. The department shall
1440 procure the related technology solution from the credential
1441 service provider that uses a revenue sharing model through a
1442 competitive solicitation process pursuant to s. 287.057 ~~digital~~
1443 ~~proof of driver license~~. The department may issue electronic
1444 credentials to persons who hold a Florida driver license or
1445 identification card.

1446 (b) Qualified entities must have the technological
1447 capabilities necessary to integrate with the credential service
1448 provider. The department shall maintain the protocols and
1449 national standards necessary for a digital verifier or an
1450 electronic credential provider to request authorized access to

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1451 an application programming interface, or appropriate
1452 technological tool of at least the same capabilities, necessary
1453 for such qualified entity to consume an electronic ID. The
1454 department shall timely review requests for authorized access
1455 and approve all requests by digital identity verifiers that meet
1456 the department's requirements.

1457 (c) The electronic credential provider must have the
1458 necessary technological capabilities to execute the
1459 authentication of an electronic credential across all states,
1460 jurisdictions, federal and state agencies, and municipalities.
1461 The electronic credential and verification solution must provide
1462 the standardized system integration necessary:

1463 1. For qualified entities to securely consume an electronic
1464 credential.

1465 2. For the production of a fully compliant electronic
1466 credential by electronic credential providers.

1467 3. To successfully ensure secure authentication and
1468 validation of data from disparate sources.

1469 (d) The department shall competitively procure at least two
1470 but no more than five ~~contract with one or more~~ electronic
1471 credential providers ~~private entities~~ to develop and implement
1472 an initial phase to provide a secure electronic credential ~~a~~
1473 digital proof of driver license system. The department shall
1474 enter into agreements with electronic credential providers that
1475 provide the permitted uses, terms and conditions, privacy
1476 policy, and uniform remittance terms relating to the consumption
1477 of an electronic credential. The department must competitively
1478 procure the credential service provider before the initial phase
1479 may begin. Upon completion of the initial phase, the department

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1480 shall submit a report to the Governor, the President of the
1481 Senate, and the Speaker of the House of Representatives
1482 regarding the continued implementation and tools necessary to
1483 scale future phases.

1484 (2) (a) The department shall provide electronic credential
1485 providers access to a standardized digital transaction process
1486 that provides the proceeds of a completed financial transaction
1487 to the department at the point of sale. The standardized digital
1488 transaction process must enable electronic credential providers
1489 to direct through their electronic commerce workflow to a
1490 standardized checkout process and enable documentation of the
1491 electronic credential providers participating in a transaction.
1492 Revenue generated from use of the electronic credential system
1493 shall be deposited into the Motor Vehicle License Clearing Trust
1494 Fund for distribution pursuant to a legislative appropriation
1495 and department agreements with electronic credential providers.
1496 Electronic credential revenue shall be shared between the state
1497 and electronic credential providers.

1498 (b) The department may assess a competitive market rate fee
1499 structure for use of the credential service provider for any
1500 qualified entity to obtain an electronic ID. Revenue generated
1501 from use of the credential service provider by digital identity
1502 verifiers shall be shared between the state and the credential
1503 service provider. Revenues shall be deposited into the Motor
1504 Vehicle License Clearing Trust Fund for distribution pursuant to
1505 department agreements with digital identity verifiers. Fees may
1506 not be charged to any state court, state governmental entity, or
1507 law enforcement agency.

1508 (3) (a) ~~(2)~~ The electronic credential ~~digital proof of driver~~

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1509 ~~license~~ developed by the department or by an electronic
1510 credential provider ~~an entity~~ contracted by the department must
1511 be in such a format as to allow law enforcement or an authorized
1512 consumer to verify the authenticity of the electronic credential
1513 and the identity of the credential holder and to validate the
1514 status of any driving privileges associated with the electronic
1515 credential ~~digital proof of driver license~~. The department shall
1516 adhere to protocols and national standards ~~may adopt rules~~ to
1517 ensure valid authentication of electronic credentials ~~digital~~
1518 ~~driver licenses~~ by law enforcement.

1519 (b) The act of presenting to a law enforcement officer an
1520 electronic device displaying an electronic credential does not
1521 constitute consent for the officer to access any information on
1522 the device other than the electronic credential.

1523 (c) The person who presents the device to the officer
1524 assumes liability for any resulting damage to the device.

1525 (4)-(3) A person may not be issued an electronic credential
1526 ~~a digital proof of driver license~~ until he or she has satisfied
1527 all of the requirements of this chapter for issuance of a
1528 physical driver license or identification card as provided in
1529 this chapter.

1530 (5)-(4) A person who:

1531 (a) Manufactures a false electronic credential ~~digital~~
1532 ~~proof of driver license~~ commits a felony of the third degree,
1533 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1534 (b) Possesses a false electronic credential ~~digital proof~~
1535 ~~of driver license~~ commits a misdemeanor of the second degree,
1536 punishable as provided in s. 775.082.

1537 Section 27. Section 322.059, Florida Statutes, is amended

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1538 to read:

1539 322.059 Mandatory surrender of suspended driver license and
1540 registration.—A person whose driver license or registration has
1541 been suspended as provided in s. 322.058 must immediately return
1542 his or her driver license and registration to the Department of
1543 Highway Safety and Motor Vehicles. The department shall
1544 invalidate the electronic credential ~~digital proof of driver~~
1545 ~~license~~ issued pursuant to s. 322.032 for such person. If such
1546 person fails to return his or her driver license or
1547 registration, a law enforcement agent may seize the license or
1548 registration while the driver license or registration is
1549 suspended.

1550 Section 28. Subsection (4) of section 322.09, Florida
1551 Statutes, is amended to read:

1552 322.09 Application of minors; responsibility for negligence
1553 or misconduct of minor.—

1554 (4) Notwithstanding subsections (1) and (2), if a foster
1555 parent or caregiver of a minor who is under the age of 18 years
1556 and is in foster care as defined in s. 39.01, an authorized
1557 representative of a residential group home at which such a minor
1558 resides, the caseworker at the agency at which the state has
1559 placed the minor, or a guardian ad litem specifically authorized
1560 by the minor's caregiver to sign for a learner's driver license
1561 signs the minor's application for a learner's driver license,
1562 that foster parent, caregiver, group home representative,
1563 caseworker, or guardian ad litem does not assume any obligation
1564 or become liable for any damages caused by the negligence or
1565 willful misconduct of the minor by reason of having signed the
1566 application. Before signing the application, the caseworker

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1567 shall notify the foster parent, caregiver, or other responsible
1568 party of his or her intent to sign and verify the application.

1569 Section 29. Paragraph (c) of subsection (1) of section
1570 322.143, Florida Statutes, is amended to read:

1571 322.143 Use of a driver license or identification card.—

1572 (1) As used in this section, the term:

1573 (c) "Swipe" means the act of passing a driver license or
1574 identification card through a device that is capable of
1575 deciphering, in an electronically readable format, the
1576 information electronically encoded in a magnetic strip or bar
1577 code on the driver license or identification card or consuming
1578 an electronic credential.

1579 Section 30. Subsection (1) of section 322.15, Florida
1580 Statutes, is amended to read:

1581 322.15 License to be carried and exhibited on demand;
1582 fingerprint to be imprinted upon a citation.—

1583 (1) Every licensee shall have his or her driver license,
1584 which must be fully legible with no portion of such license
1585 faded, altered, mutilated, or defaced, in his or her immediate
1586 possession at all times when operating a motor vehicle and shall
1587 present or submit the same upon the demand of a law enforcement
1588 officer or an authorized representative of the department. A
1589 licensee may present or submit an electronic credential ~~a~~
1590 ~~digital proof of driver license~~ as provided in s. 322.032 in
1591 lieu of a physical driver license.

1592 Section 31. Section 322.38, Florida Statutes, is amended to
1593 read:

1594 322.38 Renting motor vehicle to another.—

1595 (1) ~~A~~ No person may not ~~shall~~ rent a motor vehicle to any

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1596 other person unless the other ~~latter~~ person is ~~then~~ duly
1597 licensed, ~~or, if a nonresident, he or she shall be licensed~~
1598 under the laws of the state or country of his or her residence,
1599 except a nonresident whose home state or country does not
1600 require that an operator be licensed.

1601 (2) ~~A No~~ person may not ~~shall~~ rent a motor vehicle to
1602 another until he or she has inspected the driver license of the
1603 person to whom the vehicle is to be rented, ~~and has compared and~~
1604 verified that the driver license is unexpired ~~signature thereon~~
1605 ~~with the signature of such person written in his or her~~
1606 presence.

1607 (3) Every person renting a motor vehicle to another shall
1608 keep a record of the registration number of the motor vehicle so
1609 rented, the name, ~~and address, and license number~~ of the person
1610 to whom the vehicle is rented, ~~the number of the license of said~~
1611 ~~latter person,~~ and the ~~date and place when and where the said~~
1612 license was issued. Such record shall be open to inspection by
1613 any police officer, ~~or officer or employee of the department.~~

1614 (4) If a rental car company rents a motor vehicle to a
1615 person through digital, electronic, or other means that allows
1616 the renter to obtain possession of the motor vehicle without
1617 direct contact with an agent or employee of the rental car
1618 company, or if through use of such means the renter does not
1619 execute a rental contract at the time he or she takes possession
1620 of the vehicle, the rental car company is deemed to have met the
1621 requirements of subsections (1) and (2) when the rental car
1622 company requires the renter to verify that he or she is duly
1623 licensed and that the license is unexpired. Such verification
1624 may occur at the time the renter enrolls in a membership

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1625 program, master agreement, or other means of establishing use of
1626 the rental car company's services or at any time thereafter.

1627 Section 32. Subsection (4) of section 322.61, Florida
1628 Statutes, is amended to read:

1629 322.61 Disqualification from operating a commercial motor
1630 vehicle.—

1631 (4) Any person who is transporting hazardous materials as
1632 defined in s. 322.01(33) ~~s. 322.01(24)~~ shall, upon conviction of
1633 an offense specified in subsection (3), be disqualified from
1634 operating a commercial motor vehicle for a period of 3 years.
1635 The penalty provided in this subsection shall be in addition to
1636 any other applicable penalty.

1637 Section 33. Subsection (1) of section 324.021, Florida
1638 Statutes, is amended to read:

1639 324.021 Definitions; minimum insurance required.—The
1640 following words and phrases when used in this chapter shall, for
1641 the purpose of this chapter, have the meanings respectively
1642 ascribed to them in this section, except in those instances
1643 where the context clearly indicates a different meaning:

1644 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is
1645 designed and required to be licensed for use upon a highway,
1646 including trailers and semitrailers designed for use with such
1647 vehicles, except traction engines, road rollers, farm tractors,
1648 power shovels, and well drillers, and every vehicle that is
1649 propelled by electric power obtained from overhead wires but not
1650 operated upon rails, but not including any personal delivery
1651 device or mobile carrier as defined in s. 316.003, bicycle, or
1652 moped. However, the term "motor vehicle" does not include a
1653 motor vehicle as defined in s. 627.732(3) when the owner of such

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1654 vehicle has complied with the requirements of ss. 627.730-
1655 627.7405, inclusive, unless the provisions of s. 324.051 apply;
1656 and, in such case, the applicable proof of insurance provisions
1657 of s. 320.02 apply.

1658 Section 34. Section 324.031, Florida Statutes, is amended
1659 to read:

1660 324.031 Manner of proving financial responsibility.—The
1661 owner or operator of a taxicab, limousine, jitney, or any other
1662 for-hire passenger transportation vehicle may prove financial
1663 responsibility by providing satisfactory evidence of holding a
1664 motor vehicle liability policy as defined in s. 324.021(8) or s.
1665 324.151, which policy is provided by an insurer authorized to do
1666 business in this state ~~issued by an insurance carrier~~ which is a
1667 member of the Florida Insurance Guaranty Association or an
1668 eligible nonadmitted insurer that has a superior, excellent,
1669 exceptional, or equivalent financial strength rating by a rating
1670 agency acceptable to the Office of Insurance Regulation of the
1671 Financial Services Commission. The operator or owner of any
1672 other vehicle may prove his or her financial responsibility by:

1673 (1) Furnishing satisfactory evidence of holding a motor
1674 vehicle liability policy as defined in ss. 324.021(8) and
1675 324.151;

1676 (2) Furnishing a certificate of self-insurance showing a
1677 deposit of cash in accordance with s. 324.161; or

1678 (3) Furnishing a certificate of self-insurance issued by
1679 the department in accordance with s. 324.171.

1680

1681 Any person, including any firm, partnership, association,
1682 corporation, or other person, other than a natural person,

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1683 electing to use the method of proof specified in subsection (2)
1684 shall furnish a certificate of deposit equal to the number of
1685 vehicles owned times \$30,000, to a maximum of \$120,000; in
1686 addition, any such person, other than a natural person, shall
1687 maintain insurance providing coverage in excess of limits of
1688 \$10,000/20,000/10,000 or \$30,000 combined single limits, and
1689 such excess insurance shall provide minimum limits of
1690 \$125,000/250,000/50,000 or \$300,000 combined single limits.
1691 These increased limits shall not affect the requirements for
1692 proving financial responsibility under s. 324.032(1).

1693 Section 35. Subsection (2) of section 324.032, Florida
1694 Statutes, is amended to read:

1695 324.032 Manner of proving financial responsibility; for-
1696 hire passenger transportation vehicles.—Notwithstanding the
1697 provisions of s. 324.031:

1698 (2) An owner or a lessee who is required to maintain
1699 insurance under s. 324.021(9)(b) and who operates at least 150
1700 ~~300~~ taxicabs, limousines, jitneys, or any other for-hire
1701 passenger transportation vehicles may provide financial
1702 responsibility by complying with the provisions of s. 324.171,
1703 such compliance to be demonstrated by maintaining at its
1704 principal place of business an audited financial statement,
1705 prepared in accordance with generally accepted accounting
1706 principles, and providing to the department a certification
1707 issued by a certified public accountant that the applicant's net
1708 worth is at least equal to the requirements of s. 324.171 as
1709 determined by the Office of Insurance Regulation of the
1710 Financial Services Commission, including claims liabilities in
1711 an amount certified as adequate by a Fellow of the Casualty

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1712 Actuarial Society.

1713

1714 Upon request by the department, the applicant must provide the
1715 department at the applicant's principal place of business in
1716 this state access to the applicant's underlying financial
1717 information and financial statements that provide the basis of
1718 the certified public accountant's certification. The applicant
1719 shall reimburse the requesting department for all reasonable
1720 costs incurred by it in reviewing the supporting information.
1721 The maximum amount of self-insurance permissible under this
1722 subsection is \$300,000 and must be stated on a per-occurrence
1723 basis, and the applicant shall maintain adequate excess
1724 insurance issued by an authorized or eligible insurer licensed
1725 or approved by the Office of Insurance Regulation. All risks
1726 self-insured shall remain with the owner or lessee providing it,
1727 and the risks are not transferable to any other person, unless a
1728 policy complying with subsection (1) is obtained.

1729 Section 36. Subsection (5) of section 338.166, Florida
1730 Statutes, is amended to read:

1731 338.166 High-occupancy toll lanes or express lanes.—

1732 (5) ~~Effective July 1, 2018, If the a customer's~~ average
1733 travel speed for a segment of trip in an express lane falls
1734 below 40 miles per hour, the toll customer must be charged shall
1735 be the segment's minimum express lane toll amount. An express
1736 lane segment is the distance between the customer's point of
1737 entry to the first available exit. Additional segments are
1738 defined by the distance between subsequent exits. ~~A customer's~~
1739 ~~express lane average travel speed is his or her average travel~~
1740 ~~speed from the customer's entry point to the customer's exit~~

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1741 ~~point.~~

1742 Section 37. Paragraphs (d) and (e) of subsection (1) of
1743 section 338.2216, Florida Statutes, are amended to read:

1744 338.2216 Florida Turnpike Enterprise; powers and
1745 authority.—

1746 (1)

1747 (d) The Florida Turnpike Enterprise shall pursue and
1748 implement new technologies and processes in its operations and
1749 collection of tolls and the collection of other amounts
1750 associated with road and infrastructure usage. Such technologies
1751 and processes must include, without limitation, video billing
1752 and variable pricing. The Florida Turnpike Enterprise may
1753 require the use of an electronic transponder interoperable with
1754 the department's electronic toll collection system for the use
1755 of express lanes on the turnpike system. Variable pricing may
1756 not be implemented in express lanes when the level of service in
1757 the express lane, determined in accordance with the criteria
1758 established by the Transportation Research Board Highway
1759 Capacity Manual (5th Edition, HCM 2010), as amended from time to
1760 time, is equal to level of service A. Variable pricing in
1761 express lanes when the level of service in the express lane is
1762 level of service B may only be implemented by charging the
1763 segment's general toll-lane toll amount plus the segment's
1764 minimum toll ~~an amount set by department rule.~~ An express lane
1765 segment is the distance between the customer's point of entry to
1766 the first available exit. Additional segments are defined by the
1767 distance between subsequent exits. Except as otherwise provided
1768 in this subsection, pricing in express lanes when the level of
1769 service is other than level of service A or level of service B

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1770 may vary in the manner established by the Florida Turnpike
1771 Enterprise to manage congestion in the express lanes.

1772 ~~(e) Effective July 1, 2018, if a customer's average travel~~
1773 ~~speed for a trip in an express lane falls below 40 miles per~~
1774 ~~hour, the customer must be charged the general toll lane toll~~
1775 ~~amount plus an amount set by department rule. A customer's~~
1776 ~~express lane average travel speed is his or her average travel~~
1777 ~~speed from the customer's entry point to the customer's exit~~
1778 ~~point.~~

1779 Section 38. Subsection (2) of section 338.222, Florida
1780 Statutes, is amended to read:

1781 338.222 Department of Transportation sole governmental
1782 entity to acquire, construct, or operate turnpike projects;
1783 exception.—

1784 (2) The department may, but is not required to, contract
1785 with any local governmental entity as defined in s. 334.03(13)
1786 for the design, right-of-way acquisition, transfer, purchase,
1787 sale, acquisition, or other conveyance of the ownership,
1788 operation, maintenance, or construction of any turnpike project
1789 which the Legislature has approved. Local governmental entities
1790 may negotiate and contract with the department for the design,
1791 right-of-way acquisition, transfer, purchase, sale, acquisition,
1792 or other conveyance of the ownership, operation, maintenance, or
1793 and construction of any section of the turnpike project within
1794 areas of their respective jurisdictions or within counties with
1795 which they have interlocal agreements.

1796 Section 39. Section 334.352, Florida Statutes, is created
1797 to read:

1798 334.352 State university ingress and egress.—A local

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1799 governmental entity may not prevent public motor vehicle use on
1800 or access to an existing transportation facility or
1801 transportation corridor as defined in s. 334.03 if that
1802 transportation facility or transportation corridor is the only
1803 point, or one of only two points, of ingress to and egress from
1804 a state university as defined in s. 1000.21 and regulated by the
1805 Board of Governors of the State University System as provided in
1806 s. 20.155.

1807 Section 40. Subsection (1) of section 655.960, Florida
1808 Statutes, is amended to read:

1809 655.960 Definitions; ss. 655.960-655.965.—As used in this
1810 section and ss. 655.961-655.965, unless the context otherwise
1811 requires:

1812 (1) "Access area" means any paved walkway or sidewalk which
1813 is within 50 feet of any automated teller machine. The term does
1814 not include any street or highway open to the use of the public,
1815 as defined in s. 316.003(80) (a) or (b) ~~s. 316.003(79) (a) or (b)~~,
1816 including any adjacent sidewalk, as defined in s. 316.003.

1817 Section 41. Paragraph (a) of subsection (2) of section
1818 812.014, Florida Statutes, is amended to read:

1819 812.014 Theft.—

1820 (2) (a) 1. If the property stolen is valued at \$100,000 or
1821 more or is a semitrailer that was deployed by a law enforcement
1822 officer; or

1823 2. If the property stolen is cargo valued at \$50,000 or
1824 more that has entered the stream of interstate or intrastate
1825 commerce from the shipper's loading platform to the consignee's
1826 receiving dock; or

1827 3. If the offender commits any grand theft and:

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1828 a. In the course of committing the offense the offender
1829 uses a motor vehicle as an instrumentality, other than merely as
1830 a getaway vehicle, to assist in committing the offense and
1831 thereby damages the real property of another; or

1832 b. In the course of committing the offense the offender
1833 causes damage to the real or personal property of another in
1834 excess of \$1,000; or

1835 4. If the property stolen is cargo and in the course of
1836 committing the offense the offender uses any type of device to
1837 defeat, block, disable, jam, or interfere with a global
1838 positioning system or similar system designed to identify the
1839 location of the cargo or the vehicle or trailer carrying the
1840 cargo,

1841
1842 the offender commits grand theft in the first degree, punishable
1843 as a felony of the first degree, as provided in s. 775.082, s.
1844 775.083, or s. 775.084.

1845 Section 42. Except as otherwise expressly provided in this
1846 act, this act shall take effect October 1, 2018.