

By the Committees on Fiscal Policy; and Transportation; and
Senator DiCeglie

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1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 207.004, F.S.;
4 requiring the department or its authorized agent to
5 issue certain licenses and fuel tax decals; amending
6 s. 316.066, F.S.; requiring all entities required to
7 submit crash reports to provide uniform crash reports
8 to the department using a certain electronic form and
9 reporting method; defining the term "nonproprietary";
10 requiring that such crash reports be consistent with
11 certain rules and procedures and be numbered and
12 inventoried; revising the parties to which crash
13 reports must be made immediately available; providing
14 a declaration of important state interest; amending s.
15 316.2935, F.S.; providing an exception to requirements
16 for certification of air pollution control equipment
17 by a motor vehicle seller, lessor, or transferor;
18 amending s. 316.302, F.S.; revising the list of
19 federal rules and regulations to which owners and
20 drivers of certain commercial motor vehicles are
21 subject; amending s. 319.14, F.S.; requiring that a
22 certificate of title for a flood vehicle specify the
23 type of water that caused damage to the vehicle, as
24 applicable; revising the definition of the term "flood
25 vehicle"; making technical changes; amending s.
26 319.23, F.S.; making technical changes; amending s.
27 319.28, F.S.; providing that a certain affidavit
28 constitutes proof of ownership and right of possession
29 to a motor vehicle or mobile home the previous owner

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30 of which died testate; amending s. 319.29, F.S.;

31 prohibiting the department or a tax collector from

32 charging a fee for reissuance of certain certificates

33 of title; amending s. 319.30, F.S.; revising the

34 definition of the terms "independent entity" and

35 "major component parts"; defining the term "vessel";

36 extending current requirements for an independent

37 entity's release of a damaged or dismantled vehicle to

38 include vessels; authorizing the independent entity to

39 apply for certain certificates for an unclaimed

40 vessel; providing requirements for such application;

41 specifying provisions to which the independent entity

42 is subject; prohibiting the independent entity from

43 charging vessel storage fees; amending s. 320.06,

44 F.S.; authorizing permanent registration of certain

45 rental trucks; authorizing the department to deem a

46 license plate with reduced dimensions to be necessary

47 to accommodate trailers; making technical changes;

48 amending s. 320.0605, F.S.; authorizing a uniform

49 paper or electronic format of the registration

50 certificate for a motor vehicle; specifying that

51 presenting an electronic registration certificate to a

52 law enforcement officer or agent does not constitute

53 consent for the officer or agent to access certain

54 information; making technical changes; amending s.

55 320.08056, F.S.; deleting plate registration

56 requirements for out-of-state college or university

57 license plates; providing applicability; amending s.

58 320.08058, F.S.; revising requirements regarding

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59 collegiate license plates; authorizing the department
60 to reauthorize discontinued collegiate license plates
61 under certain circumstances; revising the distribution
62 of annual use fees for the "Protect Florida Springs"
63 license plate; revising the design requirements of the
64 "American Eagle" license plate; defining the term
65 "immediate relative"; revising eligibility
66 requirements for the "Divine Nine" license plate;
67 renaming the "Give the Kids the World" specialty
68 license plate as the "Universal Orlando Resort"
69 specialty license plate; directing the department to
70 develop a "Florida Association of Realtors" license
71 plate; providing for distribution and use of fees
72 collected from the sale of the plate; amending s.
73 320.084, F.S.; providing that certain disabled
74 veterans may, upon request, be issued a military
75 license plate or specialty license plate in lieu of a
76 "DV" license plate; specifying applicable fees;
77 specifying nonapplicability of certain provisions;
78 amending s. 322.01, F.S.; revising definitions;
79 defining the term "downgrade"; amending s. 322.02,
80 F.S.; charging the department with enforcement and
81 administration of certain federal provisions; amending
82 s. 322.05, F.S.; prohibiting the department from
83 issuing a commercial motor vehicle operator license to
84 certain persons; amending s. 322.07, F.S.; revising
85 requirements for issuance of a temporary commercial
86 instruction permit; amending s. 322.141, F.S.;

87 requiring that certain information on the driver

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88 license or identification card of a sexual offender or
89 sexual predator be printed in red; amending s.
90 322.142, F.S.; authorizing the department to issue
91 reproductions of certain files and records to certain
92 criminal justice or driver licensing agencies for
93 certain purposes; amending s. 322.21, F.S.;
94 authorizing reinstatement of a commercial driver
95 license after a downgrade of the person's privilege to
96 operate a commercial motor vehicle under certain
97 circumstances; making technical changes; creating s.
98 322.591, F.S.; requiring the department to obtain a
99 driver's record from the Commercial Driver's License
100 Drug and Alcohol Clearinghouse under certain
101 circumstances; prohibiting the department from
102 issuing, renewing, transferring, or revising the types
103 of authorized vehicles or the endorsements of certain
104 commercial driver licenses or commercial instruction
105 permits if the department receives a certain
106 notification; requiring the department to downgrade a
107 commercial driver license or commercial instruction
108 permit within a specified timeframe if the department
109 receives a certain notification; requiring the
110 department to notify certain drivers of their
111 prohibition from operating a commercial motor vehicle
112 and, upon request, afford them an opportunity for an
113 informal hearing; providing requirements for such
114 notice and hearing; requiring the department to enter
115 a final order to downgrade a commercial driver license
116 or commercial instruction permit under certain

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117 circumstances; specifying that a request for a hearing
118 tolls certain deadlines; specifying that certain
119 notifications received by the department must be in
120 the record for consideration and are self-
121 authenticating; specifying that the basis for the
122 notification and the information in the Commercial
123 Driver's License Drug and Alcohol Clearinghouse is not
124 subject to challenge; requiring the department to
125 dismiss the downgrade of a commercial driver license
126 or commercial instruction permit under certain
127 circumstances; requiring the department to record in
128 the driver's record that he or she is disqualified
129 from operating a commercial motor vehicle under
130 certain circumstances; specifying that certain actions
131 are not stayed during the pendency of certain
132 proceedings; requiring the department to reinstate a
133 commercial driver license or commercial instruction
134 permit under certain circumstances; exempting the
135 department from liability for certain commercial
136 driver license or commercial instruction permit
137 downgrades; designating the exclusive procedure for
138 the downgrade of certain commercial driver licenses or
139 commercial instruction permits; providing construction
140 and applicability; authorizing the department to issue
141 at no cost a specified driver license to certain
142 persons prohibited from operating a commercial motor
143 vehicle; amending ss. 322.34 and 322.61, F.S.;
144 conforming cross-references; making technical changes;
145 amending ss. 324.0221, 324.131, 627.311, and 627.351,

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146 F.S.; conforming provisions to changes made by the
147 act; making technical changes; amending s. 627.7275,
148 F.S.; deleting provisions relating to noncancelable
149 motor vehicle insurance; making technical changes;
150 providing effective dates.

151
152 Be It Enacted by the Legislature of the State of Florida:

153
154 Section 1. Paragraph (a) of subsection (1) of section
155 207.004, Florida Statutes, is amended to read:

156 207.004 Registration of motor carriers; identifying
157 devices; fees; renewals; temporary fuel-use permits and
158 driveaway permits.—

159 (1) (a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause to
160 be operated in this state any commercial motor vehicle, other
161 than a Florida-based commercial motor vehicle that travels
162 Florida intrastate mileage only, that uses diesel fuel or motor
163 fuel until such carrier has registered with the department or
164 has registered under a cooperative reciprocal agreement as
165 described in s. 207.0281, after such time as this state enters
166 into such agreement, and has been issued an identifying device
167 or such carrier has been issued a permit as authorized under
168 subsections (4) and (5) for each vehicle operated. The fee for
169 each such identifying device issued is ~~There shall be a fee of~~
170 ~~\$4 per year or any fraction thereof for each such identifying~~
171 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
172 the department and must be conspicuously displayed on the
173 commercial motor vehicle as prescribed by the department while
174 it is being operated on the public highways of this state. The

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175 transfer of an identifying device from one vehicle to another
176 vehicle or from one motor carrier to another motor carrier is
177 prohibited. The department or its authorized agent shall issue
178 licenses and fuel tax decals.

179 Section 2. Effective July 1, 2025, section 316.066, Florida
180 Statutes, as amended by section 1 of chapter 2022-198, Laws of
181 Florida, is amended to read:

182 316.066 Written reports of crashes; electronic submission.—

183 (1) (a) All entities required to submit crash reports must
184 provide uniform crash reports by electronic means to the
185 department using a nonproprietary, interchangeable electronic
186 form and reporting method. For purposes of this paragraph, the
187 term "nonproprietary" means commonly used and commercially
188 available report formats and reporting methods. Such crash
189 reports must be consistent with state traffic crash manual rules
190 and with procedures established by the department and must be
191 appropriately numbered and inventoried. A Florida Traffic Crash
192 Report, Long Form must be completed and electronically submitted
193 to the department within 10 days after an investigation is
194 completed by the law enforcement officer who in the regular
195 course of duty investigates a motor vehicle crash that:

196 1. Resulted in death of, personal injury to, or any
197 indication of complaints of pain or discomfort by any of the
198 parties or passengers involved in the crash;

199 2. Involved a violation of s. 316.061(1) or s. 316.193;

200 3. Rendered a vehicle inoperable to a degree that required
201 a wrecker to remove it from the scene of the crash; or

202 4. Involved a commercial motor vehicle.

203 (b) The Florida Traffic Crash Report, Long Form must

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204 include:

- 205 1. The date, time, and location of the crash.
- 206 2. A description of the vehicles involved.
- 207 3. The names and addresses of the parties involved,
208 including all drivers and passengers, and the identification of
209 the vehicle in which each was a driver or a passenger.
- 210 4. The names and addresses of witnesses.
- 211 5. The name, badge number, and law enforcement agency of
212 the officer investigating the crash.
- 213 6. The names of the insurance companies for the respective
214 parties involved in the crash.

215 (c) In any crash for which a Florida Traffic Crash Report,
216 Long Form is not required by this section and which occurs on
217 the public roadways of this state, the law enforcement officer
218 shall complete a short-form crash report or provide a driver
219 exchange-of-information form, to be completed by all drivers and
220 passengers involved in the crash, which requires the
221 identification of each vehicle that the drivers and passengers
222 were in. The short-form report must include:

- 223 1. The date, time, and location of the crash.
- 224 2. A description of the vehicles involved.
- 225 3. The names and addresses of the parties involved,
226 including all drivers and passengers, and the identification of
227 the vehicle in which each was a driver or a passenger.
- 228 4. The names and addresses of witnesses.
- 229 5. The name, badge number, and law enforcement agency of
230 the officer investigating the crash.
- 231 6. The names of the insurance companies for the respective
232 parties involved in the crash.

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233 (d) Each party to the crash must provide the law
234 enforcement officer with proof of insurance, which must be
235 documented in the crash report. If a law enforcement officer
236 submits a report on the crash, proof of insurance must be
237 provided to the officer by each party involved in the crash. Any
238 party who fails to provide the required information commits a
239 noncriminal traffic infraction, punishable as a nonmoving
240 violation as provided in chapter 318, unless the officer
241 determines that due to injuries or other special circumstances
242 such insurance information cannot be provided immediately. If
243 the person provides the law enforcement agency, within 24 hours
244 after the crash, proof of insurance that was valid at the time
245 of the crash, the law enforcement agency may void the citation.

246 (e) The driver of a vehicle that was in any manner involved
247 in a crash resulting in damage to a vehicle or other property
248 which does not require a law enforcement report shall, within 10
249 days after the crash, submit a written report of the crash to
250 the department. The report must ~~shall~~ be submitted on a form
251 approved by the department.

252 (f) Long-form and short-form crash reports prepared by law
253 enforcement must be submitted to the department and may be
254 maintained by the law enforcement officer's agency.

255 (2) (a) Crash reports that reveal the identity, home or
256 employment telephone number or home or employment address of, or
257 other personal information concerning the parties involved in
258 the crash and that are held by an agency, as defined in s.
259 119.011, are confidential and exempt from s. 119.07(1) and s.
260 24(a), Art. I of the State Constitution for a period of 60 days
261 after the date the report is filed.

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262 (b) Crash reports held by an agency under paragraph (a) may
263 be made immediately available to the parties involved in the
264 crash, their legal representatives, their licensed insurance
265 agents, their insurers or insurers to which they have applied
266 for coverage, persons under contract with such insurers to
267 provide claims or underwriting information, law enforcement
268 agencies and their contracted service providers, victim services
269 programs, and any federal, state, or local governmental agency
270 or any private person or entity acting on behalf of a federal,
271 state, or local governmental agency in carrying out its
272 functions, but not for redistribution to any person or entity
273 not listed in this subsection. Crash reports held by an agency
274 under paragraph (a) which do not contain the home or employment
275 street addresses, driver license or identification card numbers,
276 dates of birth, and home and employment telephone numbers of the
277 parties involved in the crash shall be made immediately
278 available to radio and television stations licensed by the
279 Federal Communications Commission and newspapers qualified to
280 publish legal notices under ss. 50.011 and 50.031. A crash
281 report may also be made available to any third party acting on
282 behalf of a person or entity authorized under this section to
283 access the crash report, except that the third party may
284 disclose the crash report only to the person or entity
285 authorized to access the crash report under this section on
286 whose behalf the third party has sought the report. This section
287 shall not prevent an agency, pursuant to a memorandum of
288 understanding, from providing data derived from crash reports to
289 a third party solely for the purpose of identifying vehicles
290 involved in crashes if such data does not reveal the identity,

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291 home or employment telephone number or home or employment
292 address, or other personal information of the parties involved
293 in the crash.

294 (c) Any local, state, or federal agency that is authorized
295 to have access to crash reports by any provision of law shall be
296 granted such access in the furtherance of the agency's statutory
297 duties.

298 (d) As a condition precedent to accessing a crash report, a
299 person must present a valid driver license or other photographic
300 identification, proof of status, or identification that
301 demonstrates his or her qualifications to access that
302 information and file a written sworn statement with the state or
303 local agency in possession of the information stating that
304 information from a crash report made confidential and exempt by
305 this section will not be used for any commercial solicitation of
306 accident victims or knowingly disclosed to any third party for
307 the purpose of such solicitation. Such written sworn statement
308 must be completed and sworn to by the requesting party for each
309 individual crash report that is being requested. In lieu of
310 requiring the written sworn statement, an agency may provide
311 crash reports by electronic means pursuant to a memorandum of
312 understanding to third-party vendors under contract with one or
313 more insurers, but only when such contract states that
314 information from a crash report made confidential and exempt by
315 this section will not be used for any commercial solicitation of
316 accident victims by the vendors, or knowingly disclosed by the
317 vendors to any third party for the purpose of such solicitation,
318 and only when a copy of such contract is furnished to the agency
319 as proof of the vendor's claimed status.

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320 (e) This subsection does not prevent the dissemination or
321 publication of news to the general public by any legitimate
322 media entitled to access confidential and exempt information
323 pursuant to this section.

324 (f) Crash reports held by an agency under paragraph (a) may
325 be made available 60 days after the date the report is filed to
326 any person or entity eligible to access crash reports under
327 paragraph (b) or in accordance with any of the permissible uses
328 listed in 18 U.S.C. s. 2721(b) and pursuant to the resale and
329 redisclosure requirements in 18 U.S.C. s. 2721(c).

330 (g) If crash reports are created by or submitted to an
331 agency electronically as data elements within a computerized
332 database or if personal information from a crash report is
333 entered into a computerized database, such crash data held by an
334 agency is confidential and exempt from s. 119.07(1) and s.
335 24(a), Art. I of the State Constitution. Sixty days after the
336 date the crash report is filed, an agency may provide crash data
337 derived from the crash report which includes personal
338 information to entities eligible to access the crash report
339 under paragraph (b), or in accordance with any of the
340 permissible uses listed in 18 U.S.C. s. 2721(b) and pursuant to
341 the resale and redisclosure requirements in 18 U.S.C. s.
342 2721(c). Such data shall be provided pursuant to a memorandum of
343 understanding.

344 (h) This subsection is subject to the Open Government
345 Sunset Review Act in accordance with s. 119.15 and shall stand
346 repealed on October 2, 2027, unless reviewed and saved from
347 repeal through reenactment by the Legislature.

348 (3) (a) Any driver failing to file the written report

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349 required under subsection (1) commits a noncriminal traffic
350 infraction, punishable as a nonmoving violation as provided in
351 chapter 318.

352 (b) Any employee of a state or local agency in possession
353 of information made confidential and exempt by this section who
354 knowingly discloses such confidential and exempt information to
355 a person not entitled to access such information under this
356 section commits a felony of the third degree, punishable as
357 provided in s. 775.082, s. 775.083, or s. 775.084.

358 (c) Any person, knowing that he or she is not entitled to
359 obtain information made confidential and exempt by this section,
360 who obtains or attempts to obtain such information commits a
361 felony of the third degree, punishable as provided in s.
362 775.082, s. 775.083, or s. 775.084.

363 (d) Any person who knowingly uses confidential and exempt
364 information in violation of a filed written sworn statement,
365 memorandum of understanding, or contractual agreement required
366 by this section commits a felony of the third degree, punishable
367 as provided in s. 775.082, s. 775.083, or s. 775.084.

368 (e) In addition to penalties outlined in paragraphs (c) and
369 (d), a person who obtains a crash report or crash data and who
370 knowingly discloses or knowingly uses personal information
371 revealed in the report for a purpose not permitted under 18
372 U.S.C. s. 2721(b) is liable to the individual to whom the
373 information pertains, who may bring a civil action in any court
374 of competent jurisdiction. The court may award:

375 1. Actual damages, but not less than liquidated damages in
376 the amount of \$2,500.

377 2. Punitive damages upon proof of willful or reckless

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378 disregard of the law.

379 3. Reasonable attorney fees and other litigation costs
380 reasonably incurred.

381 4. Such other preliminary and equitable relief as the court
382 determines to be appropriate.

383

384 This paragraph does not apply to radio and television stations
385 licensed by the Federal Communications Commission and newspapers
386 qualified to publish legal notices under ss. 50.011 and 50.031.

387 (4) Except as specified in this subsection, each crash
388 report made by a person involved in a crash and any statement
389 made by such person to a law enforcement officer for the purpose
390 of completing a crash report required by this section must ~~shall~~
391 be without prejudice to the individual so reporting. Such report
392 or statement may not be used as evidence in any trial, civil or
393 criminal. However, subject to the applicable rules of evidence,
394 a law enforcement officer at a criminal trial may testify as to
395 any statement made to the officer by the person involved in the
396 crash if that person's privilege against self-incrimination is
397 not violated. The results of breath, urine, and blood tests
398 administered as provided in s. 316.1932 or s. 316.1933 are not
399 confidential and are admissible into evidence in accordance with
400 the provisions of s. 316.1934(2).

401 (5) A law enforcement officer, as defined in s. 943.10(1),
402 may enforce this section.

403 Section 3. The Legislature finds that a proper and
404 legitimate purpose is served when crash reports required under
405 s. 316.066, Florida Statutes, are filed electronically with the
406 Department of Highway Safety and Motor Vehicles by all entities

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407 required to submit crash reports. Electronic filing will
408 expedite the availability of crash reports to the persons
409 authorized to receive them, simplify the process of making crash
410 reports available, and expedite the availability of information
411 derived from crash reports to improve highway safety. The
412 requirement of this act that complete crash reports be submitted
413 electronically to the Department of Highway Safety and Motor
414 Vehicles applies to all law enforcement agencies that prepare
415 crash reports submit the completed crash reports electronically
416 to the Department of Highway Safety and Motor Vehicles applies
417 to all similarly situated persons, including school district law
418 enforcement agencies, state university law enforcement agencies,
419 and state law enforcement agencies. Therefore, the Legislature
420 determines and declares that the amendments made by this act to
421 s. 316.066, Florida Statutes, fulfill an important state
422 interest.

423 Section 4. Paragraph (b) of subsection (1) of section
424 316.2935, Florida Statutes, is amended to read:

425 316.2935 Air pollution control equipment; tampering
426 prohibited; penalty.—

427 (1)

428 (b) At the time of sale, lease, or transfer of title of a
429 motor vehicle, the seller, lessor, or transferor shall certify
430 in writing to the purchaser, lessee, or transferee that the air
431 pollution control equipment of the motor vehicle has not been
432 tampered with by the seller, lessor, or transferor or their
433 agents, employees, or other representatives. A licensed motor
434 vehicle dealer shall also visually observe those air pollution
435 control devices listed by department rule pursuant to subsection

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436 (7), and certify that they are in place, and appear properly
437 connected and undamaged. Such certification may ~~shall~~ not be
438 deemed or construed as a warranty that the pollution control
439 devices of the subject vehicle are in functional condition, nor
440 does the execution or delivery of this certification create by
441 itself grounds for a cause of action between the parties to this
442 transaction. This paragraph does not apply if the purchaser of
443 the motor vehicle is a lessee purchasing the leased motor
444 vehicle or if the licensed motor vehicle dealer is not in
445 possession of the motor vehicle at the time of sale.

446 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
447 paragraph (d) of subsection (2), and subsection (9) of section
448 316.302, Florida Statutes, are amended to read:

449 316.302 Commercial motor vehicles; safety regulations;
450 transporters and shippers of hazardous materials; enforcement.-

451 (1) (a) All owners and drivers of commercial motor vehicles
452 that are operated on the public highways of this state while
453 engaged in interstate commerce are subject to the rules and
454 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
455 386, and 390-397.

456 (b) Except as otherwise provided in this section, all
457 owners and drivers of commercial motor vehicles that are engaged
458 in intrastate commerce are subject to the rules and regulations
459 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
460 397, as such rules and regulations existed on December 31, 2022
461 2020.

462 ~~(c) A person who operates a commercial motor vehicle solely~~
463 ~~in intrastate commerce which does not transport hazardous~~
464 ~~materials in amounts that require placarding pursuant to 49~~

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465 ~~C.F.R. part 172 need not comply with the requirements of~~
466 ~~electronic logging devices and hours of service supporting~~
467 ~~documents as provided in 49 C.F.R. parts 385, 386, 390, and 395~~
468 ~~until December 31, 2019.~~

469 (2)

470 (d) A person who operates a commercial motor vehicle solely
471 in intrastate commerce not transporting any hazardous material
472 in amounts that require placarding pursuant to 49 C.F.R. part
473 172 within a 150 air-mile radius of the location where the
474 vehicle is based need not comply with 49 C.F.R. ss. 395.8 and
475 395.11 ~~49 C.F.R. s. 395.8~~ if the requirements of 49 C.F.R. s.
476 395.1(e) (1) (iii) and (iv) ~~49 C.F.R. s. 395.1(e) (1) (ii),~~
477 ~~(iii)(A) and (C), and (v)~~ are met.

478 (9) For the purpose of enforcing this section, any law
479 enforcement officer of the Department of Highway Safety and
480 Motor Vehicles or duly appointed agent who holds a current
481 safety inspector certification from the Commercial Vehicle
482 Safety Alliance may require the driver of any commercial vehicle
483 operated on the highways of this state to stop and submit to an
484 inspection of the vehicle or the driver's records. If the
485 vehicle or driver is found to be operating in an unsafe
486 condition, or if any required part or equipment is not present
487 or is not in proper repair or adjustment, and the continued
488 operation would present an unduly hazardous operating condition,
489 the officer or agent may require the vehicle or the driver to be
490 removed from service pursuant to the North American Standard
491 Out-of-Service Criteria, until corrected. However, if continuous
492 operation would not present an unduly hazardous operating
493 condition, the officer or agent may give written notice

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494 requiring correction of the condition within 15 days.

495 (a) Any member of the Florida Highway Patrol or any law
496 enforcement officer employed by a sheriff's office or municipal
497 police department authorized to enforce the traffic laws of this
498 state pursuant to s. 316.640 who has reason to believe that a
499 vehicle or driver is operating in an unsafe condition may, as
500 provided in subsection (11), enforce the provisions of this
501 section.

502 (b) Any person who fails to comply with a ~~an officer's~~
503 request to submit to an inspection under this subsection commits
504 a violation of s. 843.02 if the person resists the officer
505 without violence or a violation of s. 843.01 if the person
506 resists the officer with violence.

507 Section 6. Paragraphs (b) and (c) of subsection (1) of
508 section 319.14, Florida Statutes, are amended to read:

509 319.14 Sale of motor vehicles registered or used as
510 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
511 nonconforming vehicles, custom vehicles, or street rod vehicles;
512 conversion of low-speed vehicles.-

513 (1)

514 (b) A person may not knowingly offer for sale, sell, or
515 exchange a rebuilt vehicle until the department has stamped in a
516 conspicuous place on the certificate of title for the vehicle
517 words stating that the vehicle has been rebuilt or assembled
518 from parts, or is a kit car, glider kit, replica, flood vehicle,
519 custom vehicle, or street rod vehicle unless proper application
520 for a certificate of title for a vehicle that is rebuilt or
521 assembled from parts, or is a kit car, glider kit, replica,
522 flood vehicle, custom vehicle, or street rod vehicle has been

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523 made to the department in accordance with this chapter and the
524 department has conducted the physical examination of the vehicle
525 to assure the identity of the vehicle and all major component
526 parts, as defined in s. 319.30(1), which have been repaired or
527 replaced. If a vehicle is identified as a flood vehicle, the
528 words stamped on the certificate of title must identify the type
529 of water that caused damage to the vehicle as "salt water,"
530 "fresh water," or "other or unknown water type," as applicable.
531 Thereafter, the department shall affix a decal to the vehicle,
532 in the manner prescribed by the department, showing the vehicle
533 to be rebuilt.

534 (c) As used in this section, the term:

535 ~~9.1.~~ "Police vehicle" means a motor vehicle owned or leased
536 by the state or a county or municipality and used in law
537 enforcement.

538 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle
539 leased without a driver and under a written agreement to one or
540 more persons from time to time for a period of less than 12
541 months.

542 ~~7.b.~~ "Long-term-lease vehicle" means a motor vehicle leased
543 without a driver and under a written agreement to one person for
544 a period of 12 months or longer.

545 ~~6.e.~~ "Lease vehicle" includes both short-term-lease
546 vehicles and long-term-lease vehicles.

547 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
548 home built from salvage or junk, as defined in s. 319.30(1).

549 ~~1.4.~~ "Assembled from parts" means a motor vehicle or mobile
550 home assembled from parts or combined from parts of motor
551 vehicles or mobile homes, new or used. The term "assembled from

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552 parts" does not include ~~mean a motor vehicle defined as a~~
553 "rebuilt vehicle" as defined in subparagraph 10. ~~in subparagraph~~
554 ~~3.7,~~ which has been declared a total loss pursuant to s. 319.30.

555 5. "Kit car" means a motor vehicle assembled with a kit
556 supplied by a manufacturer to rebuild a wrecked or outdated
557 motor vehicle with a new body kit.

558 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
559 supplied by a manufacturer to rebuild a wrecked or outdated
560 truck or truck tractor.

561 ~~11.7.~~ "Replica" means a complete new motor vehicle
562 manufactured to look like an old vehicle.

563 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
564 that has been declared to be a total loss pursuant to s.
565 319.30(3)(a) resulting from damage caused by salt water, fresh
566 water, or other or unknown type of water.

567 ~~8.9.~~ "Nonconforming vehicle" means a motor vehicle that
568 ~~which~~ has been purchased by a manufacturer pursuant to a
569 settlement, determination, or decision under chapter 681.

570 ~~12.10.~~ "Settlement" means an agreement entered into between
571 a manufacturer and a consumer which ~~that~~ occurs after a dispute
572 is submitted to a program, or to an informal dispute settlement
573 procedure established by a manufacturer, or is approved for
574 arbitration before the Florida New Motor Vehicle Arbitration
575 Board as defined in s. 681.102.

576 ~~2.11.~~ "Custom vehicle" means a motor vehicle that:

577 a. Is 25 years of age or older and of a model year after
578 1948 or was manufactured to resemble a vehicle that is 25 years
579 of age or older and of a model year after 1948; and

580 b. Has been altered from the manufacturer's original design

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581 or has a body constructed from nonoriginal materials.

582

583 The model year and year of manufacture that the body of a custom
584 vehicle resembles is the model year and year of manufacture
585 listed on the certificate of title, regardless of when the
586 vehicle was actually manufactured.

587 14.12. "Street rod" means a motor vehicle that:

588 a. Is of a model year of 1948 or older or was manufactured
589 after 1948 to resemble a vehicle of a model year of 1948 or
590 older; and

591 b. Has been altered from the manufacturer's original design
592 or has a body constructed from nonoriginal materials.

593

594 The model year and year of manufacture that the body of a street
595 rod resembles is the model year and year of manufacture listed
596 on the certificate of title, regardless of when the vehicle was
597 actually manufactured.

598 Section 7. Subsection (3) of section 319.23, Florida
599 Statutes, is amended to read:

600 319.23 Application for, and issuance of, certificate of
601 title.—

602 (3) If a certificate of title has not previously been
603 issued for a motor vehicle or mobile home in this state, the
604 application must, unless otherwise provided for in this chapter,
605 ~~shall~~ be accompanied by a proper bill of sale or sworn statement
606 of ownership, or a duly certified copy thereof, or by a
607 certificate of title, bill of sale, or other evidence of
608 ownership required by the law of the state or country ~~county~~
609 from which the motor vehicle or mobile home was brought into

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610 this state. The application must ~~shall~~ also be accompanied by:

611 (a)1. A sworn affidavit from the seller and purchaser
612 verifying that the vehicle identification number shown on the
613 affidavit is identical to the vehicle identification number
614 shown on the motor vehicle; or

615 2. An appropriate departmental form evidencing that a
616 physical examination has been made of the motor vehicle by the
617 owner and by a duly constituted law enforcement officer in any
618 state, a licensed motor vehicle dealer, a license inspector as
619 provided by s. 320.58, or a notary public commissioned by this
620 state and that the vehicle identification number shown on such
621 form is identical to the vehicle identification number shown on
622 the motor vehicle; and

623 (b) If the vehicle is a used car original, a sworn
624 affidavit from the owner verifying that the odometer reading
625 shown on the affidavit is identical to the odometer reading
626 shown on the motor vehicle in accordance with the requirements
627 of 49 C.F.R. s. 580.5 at the time that application for title is
628 made. For the purposes of this section, the term "used car
629 original" means a used vehicle coming into and being titled in
630 this state for the first time.

631 (c) If the vehicle is an ancient or antique vehicle, as
632 defined in s. 320.086, the application must ~~shall~~ be accompanied
633 by a certificate of title; a bill of sale and a registration; or
634 a bill of sale and an affidavit by the owner defending the title
635 from all claims. The bill of sale must contain a complete
636 vehicle description to include the vehicle identification or
637 engine number, year make, color, selling price, and signatures
638 of the seller and purchaser.

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639

640 Verification of the vehicle identification number is not
641 required for any new motor vehicle; any mobile home; any trailer
642 or semitrailer with a net weight of less than 2,000 pounds; or
643 any travel trailer, camping trailer, truck camper, or fifth-
644 wheel recreation trailer.

645 Section 8. Present paragraphs (c) and (d) of subsection (1)
646 of section 319.28, Florida Statutes, are redesignated as
647 paragraphs (d) and (e), respectively, and a new paragraph (c) is
648 added to that subsection, to read:

649 319.28 Transfer of ownership by operation of law.—

650 (1)

651 (c) If the previous owner died testate and the application
652 for a certificate of title is made by, and accompanied by an
653 affidavit attested by, a Florida-licensed attorney in good
654 standing with The Florida Bar who represents the previous
655 owner's estate, such affidavit, for purposes of paragraph (a),
656 constitutes satisfactory proof of ownership and right of
657 possession to the motor vehicle or mobile home, so long as the
658 affidavit sets forth the rightful heir or heirs and the attorney
659 attests in the affidavit that such heir or heirs are lawfully
660 entitled to the rights of ownership and possession of the motor
661 vehicle or mobile home. The application for certificate of title
662 filed under this paragraph is not required to be accompanied by
663 a copy of the will or other testamentary instrument.

664 Section 9. Subsection (3) of section 319.29, Florida
665 Statutes, is amended to read:

666 319.29 Lost or destroyed certificates.—

667 (3) If, following the issuance of an original, duplicate,

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668 or corrected certificate of title by the department, the
669 certificate is lost in transit and is not delivered to the
670 addressee, the owner of the motor vehicle or mobile home, or the
671 holder of a lien thereon, may, within 180 days after ~~of~~ the date
672 of issuance of the title, apply to the department for reissuance
673 of the certificate of title. An ~~No~~ additional fee may not ~~shall~~
674 be charged by the department or a tax collector, as agent for
675 the department, for reissuance under this subsection.

676 Section 10. Paragraphs (g) and (j) of subsection (1) and
677 subsection (9) of section 319.30, Florida Statutes, are amended,
678 and paragraph (y) is added to subsection (1) of that section, to
679 read:

680 319.30 Definitions; dismantling, destruction, change of
681 identity of motor vehicle or mobile home; salvage.—

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

683 (g) "Independent entity" means a business or entity that
684 may temporarily store damaged or dismantled motor vehicles or
685 vessels pursuant to an agreement with an insurance company and
686 is engaged in the sale or resale of damaged or dismantled motor
687 vehicles or vessels. The term does not include a wrecker
688 operator, a towing company, or a repair facility.

689 (j) "Major component parts" means:

690 1. For motor vehicles other than motorcycles and electric,
691 hybrid, or plug-in hybrid motor vehicles, any fender, hood,
692 bumper, cowl assembly, rear quarter panel, trunk lid, door,
693 decklid, floor pan, engine, frame, transmission, catalytic
694 converter, or airbag.

695 2. For trucks, other than electric, hybrid, or plug-in
696 hybrid motor vehicles, in addition to those parts listed in

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697 subparagraph 1., any truck bed, including dump, wrecker, crane,
698 mixer, cargo box, or any bed which mounts to a truck frame.

699 3. For motorcycles, the body assembly, frame, fenders, gas
700 tanks, engine, cylinder block, heads, engine case, crank case,
701 transmission, drive train, front fork assembly, and wheels.

702 4. For mobile homes, the frame.

703 5. For electric, hybrid, or plug-in hybrid motor vehicles,
704 any fender, hood, bumper, cowl assembly, rear quarter panel,
705 trunk lid, door, decklid, floor pan, engine, electric traction
706 motor, frame, transmission or electronic transmission, charge
707 port, DC power converter, onboard charger, power electronics
708 controller, thermal system, traction battery pack, catalytic
709 converter, or airbag.

710 (y) "Vessel" has the same meaning as provided in s.
711 713.78(1)(b).

712 (9)(a) An insurance company may notify an independent
713 entity that obtains possession of a damaged or dismantled motor
714 vehicle or vessel to release the vehicle or vessel to the owner.
715 The insurance company shall provide the independent entity a
716 release statement on a form prescribed by the department
717 authorizing the independent entity to release the vehicle or
718 vessel to the owner or lienholder. The form must, at a minimum,
719 contain the following:

720 1. The policy and claim number.

721 2. The name and address of the insured.

722 3. The vehicle identification number or vessel hull
723 identification number.

724 4. The signature of an authorized representative of the
725 insurance company.

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726 (b) The independent entity in possession of a motor vehicle
727 or vessel must send a notice to the owner that the vehicle or
728 vessel is available for pickup when it receives a release
729 statement from the insurance company. The notice must ~~shall~~ be
730 sent by certified mail or by another commercially available
731 delivery service that provides proof of delivery to the owner at
732 the owner's address contained in the department's records. The
733 notice must state that the owner has 30 days after delivery of
734 the notice to the owner at the owner's address to pick up the
735 vehicle or vessel from the independent entity. If the motor
736 vehicle or vessel is not claimed within 30 days after the
737 delivery or attempted delivery of the notice, the independent
738 entity may apply for a certificate of destruction, a salvage
739 certificate of title, or a certificate of title. For a hull-
740 damaged vessel, the independent entity shall comply with s.
741 328.045, as applicable.

742 (c) If the department's records do not contain the owner's
743 address, the independent entity must do all of the following:

744 1. Send a notice that meets the requirements of paragraph
745 (b) to the owner's address that is provided by the insurance
746 company in the release statement.

747 2. For a vehicle, identify the latest titling jurisdiction
748 of the vehicle through use of the National Motor Vehicle Title
749 Information System or an equivalent commercially available
750 system and attempt to obtain the owner's address from that
751 jurisdiction. If the jurisdiction returns an address that is
752 different from the owner's address provided by the insurance
753 company, the independent entity must send a notice that meets
754 the requirements of paragraph (b) to both addresses.

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755 (d) The independent entity shall maintain for at least a
756 ~~minimum of~~ 3 years the records related to the 30-day notice sent
757 to the owner. For vehicles, the independent entity shall also
758 maintain for at least 3 years the results of searches of the
759 National Motor Vehicle Title Information System or an equivalent
760 commercially available system, and the notification to the
761 National Motor Vehicle Title Information System made pursuant to
762 paragraph (e).

763 (e) The independent entity shall make the required
764 notification to the National Motor Vehicle Title Information
765 System before releasing any damaged or dismantled motor vehicle
766 to the owner or before applying for a certificate of destruction
767 or salvage certificate of title. The independent entity is not
768 required to notify the National Motor Vehicle Title Information
769 System before releasing any damaged or dismantled vessel to the
770 owner or before applying for a certificate of title.

771 (f) Upon applying for a certificate of destruction, ~~or~~
772 salvage certificate of title, or certificate of title, the
773 independent entity shall provide a copy of the release statement
774 from the insurance company to the independent entity, proof of
775 providing the 30-day notice to the owner, proof of notification
776 to the National Motor Vehicle Title Information System if
777 required, proof of all lien satisfactions or proof of a release
778 of all liens on the motor vehicle or vessel, and applicable
779 fees. If the independent entity is unable to obtain a lien
780 satisfaction or a release of all liens on the motor vehicle or
781 vessel, the independent entity must provide an affidavit stating
782 that notice was sent to all lienholders that the motor vehicle
783 or vessel is available for pickup, 30 days have passed since the

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784 notice was delivered or attempted to be delivered pursuant to
785 this section, attempts have been made to obtain a release from
786 all lienholders, and all such attempts have been to no avail.
787 The notice to lienholders and attempts to obtain a release from
788 lienholders may be by written request delivered in person or by
789 certified mail or another commercially available delivery
790 service that provides proof of delivery to the lienholder at the
791 lienholder's address as provided on the certificate of title and
792 to the address designated with the Department of State pursuant
793 to s. 655.0201(2) if such address is different.

794 (g) The independent entity may not charge an owner of the
795 vehicle or vessel storage fees or apply for a title under s.
796 713.585 or s. 713.78.

797 Section 11. Paragraph (b) of subsection (1) and paragraph
798 (a) of subsection (3) of section 320.06, Florida Statutes, are
799 amended to read:

800 320.06 Registration certificates, license plates, and
801 validation stickers generally.—

802 (1)

803 (b)1. Registration license plates bearing a graphic symbol
804 and the alphanumeric system of identification shall be issued
805 for a 10-year period. At the end of the 10-year period, upon
806 renewal, the plate must ~~shall~~ be replaced. The department shall
807 extend the scheduled license plate replacement date from a 6-
808 year period to a 10-year period. The fee for such replacement is
809 \$28, \$2.80 of which must ~~shall~~ be paid each year before the
810 plate is replaced, to be credited toward the next \$28
811 replacement fee. The fees must ~~shall~~ be deposited into the
812 Highway Safety Operating Trust Fund. A credit or refund may not

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813 be given for any prior years' payments of the prorated
814 replacement fee if the plate is replaced or surrendered before
815 the end of the 10-year period, except that a credit may be given
816 if a registrant is required by the department to replace a
817 license plate under s. 320.08056(8) (a). With each license plate,
818 a validation sticker must ~~shall~~ be issued showing the owner's
819 birth month, license plate number, and the year of expiration or
820 the appropriate renewal period if the owner is not a natural
821 person. The validation sticker must ~~shall~~ be placed on the upper
822 right corner of the license plate. The license plate and
823 validation sticker must ~~shall~~ be issued based on the applicant's
824 appropriate renewal period. The registration period is 12
825 months, the extended registration period is 24 months, and all
826 expirations occur based on the applicant's appropriate
827 registration period. Rental vehicles taxed pursuant to s.
828 320.08(6) (a) and rental trucks taxed pursuant to s.
829 320.08(3) (a), (b), and (c) and (4) (a)-(d) may elect a permanent
830 registration period, provided payment of the appropriate license
831 taxes and fees occurs annually.

832 2. A vehicle that has an apportioned registration must
833 ~~shall~~ be issued an annual license plate and a cab card that
834 denote the declared gross vehicle weight for each apportioned
835 jurisdiction in which the vehicle is authorized to operate. This
836 subparagraph expires June 30, 2024.

837 3. Beginning July 1, 2024, a vehicle registered in
838 accordance with the International Registration Plan must be
839 issued a license plate for a 3-year period. At the end of the 3-
840 year period, upon renewal, the license plate must be replaced.
841 Each license plate must include a validation sticker showing the

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842 month of expiration. A cab card denoting the declared gross
843 vehicle weight for each apportioned jurisdiction must be issued
844 annually. The fee for an original or a renewal cab card is \$28,
845 which must be deposited into the Highway Safety Operating Trust
846 Fund. If the license plate is damaged or worn, it may be
847 replaced at no charge by applying to the department and
848 surrendering the current license plate.

849 4. In order to retain the efficient administration of the
850 taxes and fees imposed by this chapter, the 80-cent fee increase
851 in the replacement fee imposed by chapter 2009-71, Laws of
852 Florida, is negated as provided in s. 320.0804.

853 (3) (a) Registration license plates must be made of metal
854 specially treated with a retroreflection material, as specified
855 by the department. The registration license plate is designed to
856 increase nighttime visibility and legibility and must be at
857 least 6 inches wide and not less than 12 inches in length,
858 unless a plate with reduced dimensions is deemed necessary by
859 the department to accommodate motorcycles, mopeds, ~~or~~ similar
860 smaller vehicles, or trailers. Validation stickers must also be
861 treated with a retroreflection material, must be of such size as
862 specified by the department, and must adhere to the license
863 plate. The registration license plate must be imprinted with a
864 combination of bold letters and numerals or numerals, not to
865 exceed seven digits, to identify the registration license plate
866 number. The license plate must be imprinted with the word
867 "Florida" at the top and the name of the county in which it is
868 sold, the state motto, or the words "Sunshine State" at the
869 bottom. Apportioned license plates must have the word
870 "Apportioned" at the bottom, and license plates issued for

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871 vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or
872 (c), or (14) must have the word "Restricted" at the bottom.
873 License plates issued for vehicles taxed under s. 320.08(12)
874 must be imprinted with the word "Florida" at the top and the
875 word "Dealer" at the bottom unless the license plate is a
876 specialty license plate as authorized in s. 320.08056.
877 Manufacturer license plates issued for vehicles taxed under s.
878 320.08(12) must be imprinted with the word "Florida" at the top
879 and the word "Manufacturer" at the bottom. License plates issued
880 for vehicles taxed under s. 320.08(5)(d) or (e) must be
881 imprinted with the word "Wrecker" at the bottom. Any county may,
882 upon majority vote of the county commission, elect to have the
883 county name removed from the license plates sold in that county.
884 The state motto or the words "Sunshine State" must ~~shall~~ be
885 printed in lieu thereof. A license plate issued for a vehicle
886 taxed under s. 320.08(6) may not be assigned a registration
887 license number, or be issued with any other distinctive
888 character or designation, that distinguishes the motor vehicle
889 as a for-hire motor vehicle.

890 Section 12. Effective January 1, 2024, section 320.0605,
891 Florida Statutes, is amended to read:

892 320.0605 Certificate of registration and other documents;
893 possession required; exception.—

894 (1)(a) The registration certificate in a uniform paper or
895 electronic format, as prescribed by the department, or an
896 official copy thereof; ~~;~~ a true copy or an electronic copy of
897 rental or lease documentation issued for a motor vehicle or
898 issued for a replacement vehicle in the same registration
899 period; ~~;~~ a temporary receipt printed upon self-initiated

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900 electronic renewal of a registration via the Internet;~~7~~ or a cab
901 card issued for a vehicle registered under the International
902 Registration Plan must ~~shall, at all times while the vehicle is~~
903 ~~being used or operated on the roads of this state,~~ be in the
904 possession of the operator ~~thereof~~ or be carried in the vehicle
905 for which such documentation was issued at all times while the
906 vehicle is being used or operated on the roads of this state and
907 must ~~shall~~ be exhibited upon demand of any authorized law
908 enforcement officer or any agent of the department, except for a
909 vehicle registered under s. 320.0657. This paragraph ~~section~~
910 does not apply during the first 30 days after purchase of a
911 replacement vehicle. A violation of this paragraph ~~section~~ is a
912 noncriminal traffic infraction, punishable as a nonmoving
913 violation as provided in chapter 318.

914 (b)1. The act of presenting to a law enforcement officer or
915 agent of the department an electronic device displaying an
916 electronic registration certificate or a copy of rental or lease
917 documentation does not constitute consent for the officer or
918 agent to access any information on the device other than the
919 displayed registration certificate or rental or lease
920 documentation.

921 2. The person who presents the device to the officer or
922 agent assumes the liability for any resulting damage to the
923 device.

924 (2) Rental or lease documentation that is sufficient to
925 satisfy the requirement in subsection (1) includes the
926 following:

- 927 (a) Date and time of rental;
928 (b) Rental agreement number;

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929 (c) Rental vehicle identification number;

930 (d) Rental vehicle license plate number and state of
931 registration;

932 (e) Vehicle's make, model, and color;

933 (f) Vehicle's mileage; and

934 (g) Authorized renter's name.

935 Section 13. Paragraphs (a) and (f) of subsection (8) of
936 section 320.08056, Florida Statutes, as amended by section 7 of
937 chapter 2020-181, Laws of Florida, are amended to read:

938 320.08056 Specialty license plates.—

939 (8) (a) The department must discontinue the issuance of an
940 approved specialty license plate if the number of valid
941 specialty plate registrations falls below 3,000, ~~or in the case~~
942 ~~of an out-of-state college or university license plate, 4,000,~~
943 for at least 12 consecutive months. The department shall mail a
944 warning letter to the sponsoring organization following the
945 first month in which the total number of valid specialty plate
946 registrations is below 3,000, ~~or in the case of an out-of-state~~
947 ~~college or university license plate, 4,000.~~ This paragraph does
948 not apply to in-state collegiate license plates established
949 under s. 320.08058(3), license plates of institutions in and
950 entities of the State University System, specialty license
951 plates that have statutory eligibility limitations for purchase,
952 specialty license plates for which annual use fees are
953 distributed by a foundation for student and teacher leadership
954 programs and teacher recruitment and retention, or Florida
955 Professional Sports Team license plates established under s.
956 320.08058(9).

957 (f) Notwithstanding paragraph (a), on January 1 of each

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958 year, the department shall discontinue the specialty license
959 plate with the fewest number of plates in circulation, including
960 license plates exempt from a statutory sales requirement. The
961 department shall mail a warning letter to the sponsoring
962 organizations of the 10 percent of specialty license plates with
963 the lowest number of valid, active registrations as of December
964 1 of each year. This paragraph does not apply to collegiate
965 license plates.

966 Section 14. Subsections (3), (58), and (95), paragraph (c)
967 of subsection (101), and subsection (107) of section 320.08058,
968 Florida Statutes, are amended, and subsection (127) is added to
969 that section, to read:

970 320.08058 Specialty license plates.—

971 (3) COLLEGIATE LICENSE PLATES.—

972 (a) The department shall develop a collegiate license plate
973 as provided in this section for state and independent
974 universities domiciled in this state. However, any collegiate
975 license plate created or established after October 1, 2002, must
976 comply with the requirements of s. 320.08053, except the presale
977 requirements in s. 320.08053(2)(b), and be specifically
978 authorized by an act of the Legislature. Collegiate license
979 plates must bear the colors and design approved by the
980 department as appropriate for each state and independent
981 university. The word "Florida" must be stamped across the bottom
982 of the plate in small letters.

983 (b) A collegiate plate annual use fee is to be distributed
984 to the state or independent university foundation designated by
985 the purchaser for deposit in an unrestricted account. The Board
986 of Governors of the State University System shall require each

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987 state university to submit a plan for approval of the
988 expenditure of all funds so designated. These funds may be used
989 only for academic enhancement, including scholarships and
990 private fundraising activities.

991 (c) The department may reauthorize a collegiate license
992 plate that has previously been discontinued pursuant to s.
993 320.08056(8)(f) if the university resubmits the collegiate
994 license plate for authorization.

995 (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

996 (a) The department shall develop a Protect Florida Springs
997 license plate as provided in this section. The word "Florida"
998 must appear at the top of the plate, and the words "Protect
999 Florida Springs" must appear at the bottom of the plate.

1000 (b) The annual use fees shall be distributed to the Fish &
1001 Wildlife Foundation of Florida, Inc., a citizen support
1002 organization created pursuant to s. 379.223, which shall
1003 administer the fees as follows:

1004 ~~1. Wildlife Foundation of Florida, Inc., shall retain the~~
1005 ~~first \$60,000 of the annual use fees as direct reimbursement for~~
1006 ~~administrative costs, startup costs, and costs incurred in the~~
1007 ~~development and approval process.~~

1008 ~~2. Thereafter,~~ A maximum of 10 percent of the fees may be
1009 used for administrative costs directly associated with education
1010 programs, conservation, springs research, and grant
1011 administration of the foundation. A maximum of 15 percent of the
1012 fees may be used for continuing promotion and marketing of the
1013 license plate.

1014 ~~2.3.~~ At least 75 ~~55~~ percent of the fees shall be available
1015 for the conservation of Florida's freshwater springs, including

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1016 scientific research, springs habitat restoration, springs
1017 protection, and public education on springs ~~competitive grants~~
1018 ~~for targeted community-based springs research not currently~~
1019 ~~available for state funding. The remaining 20 percent shall be~~
1020 ~~directed toward community outreach programs aimed at~~
1021 ~~implementing such research findings.~~ The majority of funds shall
1022 be awarded via competitive grants ~~shall be~~ administered and
1023 approved by the board of directors of the Fish & Wildlife
1024 Foundation of Florida, Inc., with input from a. ~~The granting~~
1025 ~~advisory committee shall be~~ composed of nine members, including
1026 one representative from the Fish and Wildlife Conservation
1027 Commission, one representative from the Department of
1028 Environmental Protection, one representative from the Department
1029 of Health, one representative from the Department of Economic
1030 Opportunity, three citizen representatives, and two
1031 representatives from nonprofit stakeholder groups.

1032 ~~4. The remaining funds shall be distributed with the~~
1033 ~~approval of and accountability to the board of directors of the~~
1034 ~~Wildlife Foundation of Florida, and shall be used to support~~
1035 ~~activities contributing to education, outreach, and springs~~
1036 ~~conservation.~~

1037 (95) AMERICAN EAGLE LICENSE PLATES.—

1038 (a) The department shall develop an American Eagle license
1039 plate as provided in this section and s. 320.08053. The plate
1040 must bear the colors and design approved by the department. The
1041 word "Florida" must appear at the top of the plate, and the
1042 words "Protect the Eagle" ~~"In God We Trust"~~ must appear at the
1043 bottom of the plate.

1044 (b) The annual use fees from the sale of the plate shall be

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1045 distributed to the American Eagle Foundation for deposit in the
1046 foundation's national endowment fund. Up to 10 percent of the
1047 funds received may be used for administrative costs and
1048 marketing of the plate. The American Eagle Foundation shall use
1049 the remainder of the proceeds to fund public education programs,
1050 rescue and care programs, and other conservation efforts in
1051 Florida that benefit bald eagles.

1052 (101) DIVINE NINE LICENSE PLATES.—

1053 (c)1. As used in this paragraph, the term "immediate
1054 relative" means a spouse, domestic partner, or child.

1055 2. To be eligible for issuance of a Divine Nine license
1056 plate representing an organization listed in sub-subparagraphs
1057 (b)3.a.-i., a person must be a resident of this state who is the
1058 registered owner or lessee of a motor vehicle and who either is
1059 a member or an immediate relative of a member of the applicable
1060 organization. The person must ~~also~~ present the following:

1061 a. Proof of membership in the organization, which may be
1062 established by:

1063 (I)~~a.~~ A card distributed by the organization indicating the
1064 person's membership in the organization; or

1065 (II)~~b.~~ A written letter on the organization's letterhead
1066 which is signed by the organization's national president or his
1067 or her designated official and which states that the person was
1068 inducted into the organization.

1069 b. If the person is a lessee of a motor vehicle, a lease
1070 agreement and the vehicle identification number for the motor
1071 vehicle that is being leased.

1072 c. If the person is an immediate relative of a member of
1073 the organization, a marriage license, domestic partnership

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1074 agreement, birth certificate, or record of adoption, and proof
 1075 of membership as described in sub-subparagraph a. of the
 1076 person's immediate relative.

1077 3.2. Proof of membership in an organization listed in sub-
 1078 subparagraphs (b)3.a.-i. is required only for initial issuance
 1079 of a Divine Nine license plate. A person need not present such
 1080 proof for renewal of the license plate.

1081
 1082 License plates created pursuant to this subsection shall have
 1083 their plate sales combined for the purpose of meeting the
 1084 minimum license plate sales threshold in s. 320.08056(8)(a) and
 1085 for determining the license plate limit in s. 320.08053(3)(b).
 1086 License plates created pursuant to this subsection must be
 1087 ordered directly from the department.

1088 (107) UNIVERSAL ORLANDO RESORT ~~GIVE KIDS THE WORLD~~ LICENSE
 1089 PLATES.—

1090 (a) The department shall develop a Universal Orlando Resort
 1091 ~~Give Kids The World~~ license plate as provided in this section
 1092 and s. 320.08053. The plate must bear the colors and design
 1093 approved by the department. The word "Florida" must appear at
 1094 the top of the plate, and the words "Universal Orlando Resort"
 1095 ~~"Give Kids The World"~~ must appear at the bottom of the plate.

1096 (b) The annual use fees from the sale of the plate must
 1097 ~~shall~~ be distributed to Give Kids The World, Inc., a nonprofit
 1098 organization under s. 501(c)(3) of the Internal Revenue Code. Up
 1099 to 10 percent of the proceeds may be used for the promotion and
 1100 marketing of the plate. The remainder of the proceeds must ~~shall~~
 1101 be used by Give Kids The World, Inc., to support the
 1102 organization's mission ~~their~~ mission of providing week-long,

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1103 cost-free vacations to children with critical illnesses and
1104 their families.

1105 (127) FLORIDA ASSOCIATION OF REALTORS LICENSE PLATES.-

1106 (a) The department shall develop a Florida Association of
1107 Realtors license plate as provided in this section and s.
1108 320.08053. The plate must bear the colors and design approved by
1109 the department. The word "Florida" must appear at the top of the
1110 plate, and the words "Support Homeownership" must appear at the
1111 bottom of the plate.

1112 (b) The annual use fees from the sale of the plate shall be
1113 distributed to Homeownership For All, Inc., which may use up to
1114 10 percent of the proceeds to promote and market the plate. The
1115 remainder of the proceeds shall be used by Homeownership For
1116 All, Inc., to fund programs that provide, promote, or otherwise
1117 support affordable housing in this state.

1118 Section 15. Subsection (1) of section 320.084, Florida
1119 Statutes, is amended, and subsection (6) is added to that
1120 section, to read:

1121 320.084 Free motor vehicle license plate to certain
1122 disabled veterans.-

1123 (1) One free "DV" motor vehicle license number plate must
1124 ~~shall~~ be issued by the department for use on any motor vehicle
1125 owned or leased by any disabled veteran who has been a resident
1126 of this state continuously for the preceding 5 years or has
1127 established a domicile in this state as provided by s.
1128 222.17(1), (2), or (3), and who has been honorably discharged
1129 from the United States Armed Forces, upon application,
1130 accompanied by proof that:

1131 (a) A vehicle was initially acquired through financial

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1132 assistance by the United States Department of Veterans Affairs
1133 or its predecessor specifically for the purchase of an
1134 automobile;

1135 (b) The applicant has been determined by the United States
1136 Department of Veterans Affairs or its predecessor to have a
1137 service-connected 100-percent disability rating for
1138 compensation; or

1139 (c) The applicant has been determined to have a service-
1140 connected disability rating of 100 percent and is in receipt of
1141 disability retirement pay from any branch of the United States
1142 Armed Services.

1143 (6) (a) A disabled veteran who qualifies for issuance of a
1144 "DV" license plate under subsection (1) may be issued, in lieu
1145 of the "DV" license plate, a military license plate for which he
1146 or she is eligible, or a specialty license plate. A disabled
1147 veteran electing a military license plate or specialty license
1148 plate under this subsection must pay all applicable fees related
1149 to such license plate, except for fees otherwise waived under
1150 subsections (1) and (4).

1151 (b) A military license plate or specialty license plate
1152 elected under this subsection:

1153 1. Does not provide the protections or rights afforded by
1154 s. 316.1955, s. 316.1964, s. 320.0848, s. 526.141, or s.
1155 553.5041.

1156 2. Is not eligible for the international symbol of
1157 accessibility as described in s. 320.0842.

1158 Section 16. Present subsections (16) through (48) of
1159 section 322.01, Florida Statutes, are redesignated as
1160 subsections (17) through (49), respectively, a new subsection

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1161 (16) is added to that section, and subsection (5) and present
1162 subsections (37) and (41) of that section are amended, to read:

1163 322.01 Definitions.—As used in this chapter:

1164 (5) "Cancellation" means the act of declaring a driver
1165 license void and terminated, but does not include a downgrade.

1166 (16) "Downgrade" has the same meaning as the term "CDL
1167 downgrade" as defined in 49 C.F.R. s. 383.5(4).

1168 (38)~~(37)~~ "Revocation" means the termination of a licensee's
1169 privilege to drive, but does not include a downgrade.

1170 (42)~~(41)~~ "Suspension" means the temporary withdrawal of a
1171 licensee's privilege to drive a motor vehicle, but does not
1172 include a downgrade.

1173 Section 17. Subsection (2) of section 322.02, Florida
1174 Statutes, is amended to read:

1175 322.02 Legislative intent; administration.—

1176 (2) The Department of Highway Safety and Motor Vehicles is
1177 charged with the administration and function of enforcement of
1178 the provisions of this chapter and the enforcement and
1179 administration of 49 C.F.R. parts 382-386 and 390-397.

1180 Section 18. Present subsections (4) through (12) of section
1181 322.05, Florida Statutes, are redesignated as subsections (5)
1182 through (13), respectively, and a new subsection (4) is added to
1183 that section, to read:

1184 322.05 Persons not to be licensed.—The department may not
1185 issue a license:

1186 (4) To any person as a commercial motor vehicle operator
1187 who is ineligible to operate a commercial motor vehicle pursuant
1188 to 49 C.F.R. part 383.

1189 Section 19. Subsection (3) of section 322.07, Florida

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1190 Statutes, is amended to read:

1191 322.07 Instruction permits and temporary licenses.—

1192 (3) Any person who, except for his or her lack of
1193 instruction in operating a commercial motor vehicle, would
1194 otherwise be qualified to obtain a commercial driver license
1195 under this chapter, may apply for a temporary commercial
1196 instruction permit. The department shall issue such a permit
1197 entitling the applicant, while having the permit in his or her
1198 immediate possession, to drive a commercial motor vehicle on the
1199 highways, if:

1200 (a) The applicant possesses a valid Florida driver license;

1201 ~~and~~

1202 (b) The applicant, while operating a commercial motor
1203 vehicle, is accompanied by a licensed driver who is 21 years of
1204 age or older, who is licensed to operate the class of vehicle
1205 being operated, and who is occupying the closest seat to the
1206 right of the driver; and

1207 (c) The department has not been notified that, under 49
1208 C.F.R. s. 382.501(a), the applicant is prohibited from operating
1209 a commercial motor vehicle.

1210 Section 20. Effective January 1, 2024, subsection (3) of
1211 section 322.141, Florida Statutes, is amended to read:

1212 322.141 Color or markings of certain licenses or
1213 identification cards.—

1214 (3) All licenses for the operation of motor vehicles or
1215 identification cards originally issued or reissued by the
1216 department to persons who are designated as sexual predators
1217 under s. 775.21 or subject to registration as sexual offenders
1218 under s. 943.0435 or s. 944.607, or who have a similar

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1219 designation or are subject to a similar registration under the
1220 laws of another jurisdiction, must ~~shall~~ have on the front of
1221 the license or identification card, in a distinctive format and
1222 printed in the color red, all of the following information:

1223 (a) For a person designated as a sexual predator under s.
1224 775.21 or who has a similar designation under the laws of
1225 another jurisdiction, the marking "SEXUAL PREDATOR."

1226 (b) For a person subject to registration as a sexual
1227 offender under s. 943.0435 or s. 944.607, or subject to a
1228 similar registration under the laws of another jurisdiction, the
1229 marking "943.0435, F.S."

1230 Section 21. Subsection (4) of section 322.142, Florida
1231 Statutes, is amended to read:

1232 322.142 Color photographic or digital imaged licenses.—

1233 (4) The department may maintain a film negative or print
1234 file. The department shall maintain a record of the digital
1235 image and signature of the licensees, together with other data
1236 required by the department for identification and retrieval.
1237 Reproductions from the file or digital record are exempt from
1238 ~~the provisions of~~ s. 119.07(1) and may be made and issued only
1239 in the following circumstances:

1240 (a) For departmental administrative purposes. †

1241 (b) For the issuance of duplicate licenses. †

1242 (c) In response to law enforcement agency requests. †

1243 (d) To the Department of Business and Professional
1244 Regulation and the Department of Health pursuant to an
1245 interagency agreement for the purpose of accessing digital
1246 images for reproduction of licenses issued by the Department of
1247 Business and Professional Regulation or the Department of

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1248 Health.~~†~~

1249 (e) To the Department of State pursuant to an interagency
1250 agreement to facilitate determinations of eligibility of voter
1251 registration applicants and registered voters in accordance with
1252 ss. 98.045 and 98.075.~~†~~

1253 (f) To the Department of Revenue pursuant to an interagency
1254 agreement for use in establishing paternity and establishing,
1255 modifying, or enforcing support obligations in Title IV-D
1256 cases.~~†~~

1257 (g) To the Department of Children and Families pursuant to
1258 an interagency agreement to conduct protective investigations
1259 under part III of chapter 39 and chapter 415.~~†~~

1260 (h) To the Department of Children and Families pursuant to
1261 an interagency agreement specifying the number of employees in
1262 each of that department's regions to be granted access to the
1263 records for use as verification of identity to expedite the
1264 determination of eligibility for public assistance and for use
1265 in public assistance fraud investigations.~~†~~

1266 (i) To the Agency for Health Care Administration pursuant
1267 to an interagency agreement for the purpose of authorized
1268 agencies verifying photographs in the Care Provider Background
1269 Screening Clearinghouse authorized under s. 435.12.~~†~~

1270 (j) To the Department of Financial Services pursuant to an
1271 interagency agreement to facilitate the location of owners of
1272 unclaimed property, the validation of unclaimed property claims,
1273 the identification of fraudulent or false claims, and the
1274 investigation of allegations of violations of the insurance code
1275 by licensees and unlicensed persons.~~†~~

1276 (k) To the Department of Economic Opportunity pursuant to

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1277 an interagency agreement to facilitate the validation of
 1278 reemployment assistance claims and the identification of
 1279 fraudulent or false reemployment assistance claims.†

1280 (l) To district medical examiners pursuant to an
 1281 interagency agreement for the purpose of identifying a deceased
 1282 individual, determining cause of death, and notifying next of
 1283 kin of any investigations, including autopsies and other
 1284 laboratory examinations, authorized in s. 406.11.†

1285 (m) To the following persons for the purpose of identifying
 1286 a person as part of the official work of a court:

1287 1. A justice or judge of this state;

1288 2. An employee of the state courts system who works in a
 1289 position that is designated in writing for access by the Chief
 1290 Justice of the Supreme Court or a chief judge of a district or
 1291 circuit court, or by his or her designee; or

1292 3. A government employee who performs functions on behalf
 1293 of the state courts system in a position that is designated in
 1294 writing for access by the Chief Justice or a chief judge, or by
 1295 his or her designee.†~~or~~

1296 (n) To the Agency for Health Care Administration pursuant
 1297 to an interagency agreement to prevent health care fraud. If the
 1298 Agency for Health Care Administration enters into an agreement
 1299 with a private entity to carry out duties relating to health
 1300 care fraud prevention, such contracts must ~~shall~~ include, but
 1301 need not be limited to:

1302 1. Provisions requiring internal controls and audit
 1303 processes to identify access, use, and unauthorized access of
 1304 information.

1305 2. A requirement to report unauthorized access or use to

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1306 the Agency for Health Care Administration within 1 business day
1307 after the discovery of the unauthorized access or use.

1308 3. Provisions for liquidated damages for unauthorized
1309 access or use of no less than \$5,000 per occurrence.

1310 (o) To any criminal justice agency, as defined in s.
1311 943.045, pursuant to an interagency agreement for use in
1312 carrying out the criminal justice agency's functions.

1313 (p) To the driver licensing agency of any other state for
1314 purposes of validating the identity of an applicant for a driver
1315 license or identification card.

1316 Section 22. Subsection (8) and paragraph (a) of subsection
1317 (9) of section 322.21, Florida Statutes, are amended to read:

1318 322.21 License fees; procedure for handling and collecting
1319 fees.—

1320 (8) A person who applies for reinstatement following the
1321 suspension or revocation of the person's driver license must pay
1322 a service fee of \$45 following a suspension, and \$75 following a
1323 revocation, which is in addition to the fee for a license. A
1324 person who applies for reinstatement of a commercial driver
1325 license following the disqualification or downgrade of the
1326 person's privilege to operate a commercial motor vehicle must
1327 ~~shall~~ pay a service fee of \$75, which is in addition to the fee
1328 for a license. The department shall collect all of these fees at
1329 the time of reinstatement. The department shall issue proper
1330 receipts for such fees and shall promptly transmit all funds
1331 received by it as follows:

1332 (a) Of the \$45 fee received from a licensee for
1333 reinstatement following a suspension:

1334 1. If the reinstatement is processed by the department, the

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1335 department must ~~shall~~ deposit \$15 in the General Revenue Fund
1336 and \$30 in the Highway Safety Operating Trust Fund.

1337 2. If the reinstatement is processed by the tax collector,
1338 \$15, less the general revenue service charge set forth in s.
1339 215.20(1), must ~~shall~~ be retained by the tax collector, \$15 must
1340 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,
1341 and \$15 must ~~shall~~ be deposited into the General Revenue Fund.

1342 (b) Of the \$75 fee received from a licensee for
1343 reinstatement following a revocation, ~~or~~ disqualification, or
1344 downgrade:

1345 1. If the reinstatement is processed by the department, the
1346 department must ~~shall~~ deposit \$35 in the General Revenue Fund
1347 and \$40 in the Highway Safety Operating Trust Fund.

1348 2. If the reinstatement is processed by the tax collector,
1349 \$20, less the general revenue service charge set forth in s.
1350 215.20(1), must ~~shall~~ be retained by the tax collector, \$20 must
1351 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,
1352 and \$35 must ~~shall~~ be deposited into the General Revenue Fund.

1353
1354 If the revocation or suspension of the driver license was for a
1355 violation of s. 316.193, or for refusal to submit to a lawful
1356 breath, blood, or urine test, an additional fee of \$130 must be
1357 charged. However, only one \$130 fee may be collected from one
1358 person convicted of violations arising out of the same incident.
1359 The department shall collect the \$130 fee and deposit the fee
1360 into the Highway Safety Operating Trust Fund at the time of
1361 reinstatement of the person's driver license, but the fee may
1362 not be collected if the suspension or revocation is overturned.
1363 If the revocation or suspension of the driver license was for a

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1364 conviction for a violation of s. 817.234(8) or (9) or s.
1365 817.505, an additional fee of \$180 is imposed for each offense.
1366 The department shall collect and deposit the additional fee into
1367 the Highway Safety Operating Trust Fund at the time of
1368 reinstatement of the person's driver license.

1369 (9) An applicant:

1370 (a) Requesting a review authorized in s. 322.222, s.
1371 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
1372 pay a filing fee of \$25 to be deposited into the Highway Safety
1373 Operating Trust Fund.

1374 Section 23. Section 322.591, Florida Statutes, is created
1375 to read:

1376 322.591 Commercial driver license and commercial
1377 instruction permit; Commercial Driver's License Drug and Alcohol
1378 Clearinghouse; prohibition on issuance of commercial driver
1379 licenses; downgrades.-

1380 (1) Beginning November 18, 2024, when a person applies for
1381 or seeks to renew, transfer, or make any other change to a
1382 commercial driver license or commercial instruction permit, the
1383 department must obtain the driver's record from the Commercial
1384 Driver's License Drug and Alcohol Clearinghouse established
1385 pursuant to 49 C.F.R. part 382. The department may not issue,
1386 renew, transfer, or revise the types of authorized vehicles that
1387 may be operated or the endorsements applicable to a commercial
1388 driver license or commercial instruction permit for any person
1389 for whom the department receives notification pursuant to 49
1390 C.F.R. s. 382.501(a) that the person is prohibited from
1391 operating a commercial vehicle.

1392 (2) Beginning November 18, 2024, the department shall

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1393 downgrade the commercial driver license or commercial
1394 instruction permit of any driver if the department receives
1395 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
1396 driver is prohibited from operating a commercial motor vehicle.
1397 Any such downgrade must be completed and recorded by the
1398 department in the Commercial Driver's License Information System
1399 within 60 days after the department's receipt of such
1400 notification.

1401 (3) (a) Beginning November 18, 2024, upon receipt of
1402 notification pursuant to 49 C.F.R. s. 382.501(a) that a driver
1403 is prohibited from operating a commercial motor vehicle, the
1404 department shall immediately notify the driver who is the
1405 subject of such notification that he or she is prohibited from
1406 operating a commercial motor vehicle and, upon his or her
1407 request, must afford him or her an opportunity for an informal
1408 hearing pursuant to this section. The department's notice must
1409 be provided to the driver in the same manner as, and providing
1410 such notice has the same effect as, notices provided pursuant to
1411 s. 322.251(1) and (2).

1412 (b) Such informal hearing must be requested not later than
1413 20 days after the driver receives the notice of the downgrade.
1414 If a request for a hearing, together with the filing fee
1415 required pursuant to s. 322.21, is not received within 20 days
1416 after receipt of such notice, the department must enter a final
1417 order directing the downgrade of the driver's commercial driver
1418 license or commercial instruction permit, unless the department
1419 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
1420 the driver is no longer prohibited from operating a commercial
1421 motor vehicle.

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1422 (c) A hearing requested pursuant to paragraph (b) must be
1423 scheduled and held not later than 30 days after receipt by the
1424 department of a request for the hearing, together with the
1425 filing fee required pursuant to s. 322.21. The submission of a
1426 request for hearing pursuant to paragraph (b) tolls the deadline
1427 to file a petition for writ of certiorari pursuant to s. 322.31
1428 until after the department enters a final order after a hearing
1429 pursuant to paragraph (b).

1430 (d) The informal hearing authorized pursuant to this
1431 subsection is exempt from chapter 120. Such hearing must be
1432 conducted before a hearing officer designated by the department.
1433 The hearing officer may conduct such hearing from any location
1434 in this state by means of communications technology.

1435 (e) The notification received by the department pursuant to
1436 49 C.F.R. s. 382.501(a) must be in the record for consideration
1437 by the hearing officer and in any proceeding pursuant to s.
1438 322.31 and is considered self-authenticating. The basis for the
1439 notification received by the department pursuant to 49 C.F.R. s.
1440 382.501(a) and the information in the Commercial Driver's
1441 License Drug and Alcohol Clearinghouse which resulted in such
1442 notification are not subject to challenge in the hearing or in
1443 any proceeding brought under s. 322.31.

1444 (f) If, before the entry of a final order arising from a
1445 notification received by the department pursuant to 49 C.F.R. s.
1446 382.501(a), the department receives notification pursuant to 49
1447 C.F.R. s. 382.503(a) that the driver is no longer prohibited
1448 from operating a commercial motor vehicle, the department must
1449 dismiss the action to downgrade the driver's commercial driver
1450 license or commercial instruction permit.

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1451 (g) Upon the entry of a final order that results in the
1452 downgrade of a driver's commercial driver license or commercial
1453 instruction permit, the department shall record immediately in
1454 the driver's record that the driver is disqualified from
1455 operating or driving a commercial motor vehicle. The downgrade
1456 of a commercial driver license or commercial instruction permit
1457 pursuant to a final order entered pursuant to this section, and,
1458 upon the entry of a final order, the recording in the driver's
1459 record that the driver subject to such a final order is
1460 disqualified from operating or driving a commercial motor
1461 vehicle, are not stayed during the pendency of any proceeding
1462 pursuant to s. 322.31.

1463 (h) If, after the entry of a final order that results in
1464 the downgrade of a driver's commercial driver license or
1465 commercial instruction permit and the department recording in
1466 the driver's record that the driver is disqualified from
1467 operating or driving a commercial motor vehicle, the department
1468 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
1469 the driver is no longer prohibited from operating a commercial
1470 motor vehicle, the department must reinstate the driver's
1471 commercial driver license or commercial instruction permit upon
1472 application by such driver.

1473 (i) The department is not liable for any commercial driver
1474 license or commercial instruction permit downgrade resulting
1475 from the discharge of its duties.

1476 (j) This section is the exclusive procedure for the
1477 downgrade of a commercial driver license or commercial
1478 instruction permit following notification received by the
1479 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver

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1480 is prohibited from operating a commercial motor vehicle.

1481 (k) The downgrade of a commercial driver license or
1482 commercial instruction permit of a person pursuant to this
1483 section does not preclude the suspension of the driving
1484 privilege for that person pursuant to s. 322.2615 or the
1485 disqualification of that person from operating a commercial
1486 motor vehicle pursuant to s. 322.64. The driving privilege of a
1487 person whose commercial driver license or commercial instruction
1488 permit has been downgraded pursuant to this section also may be
1489 suspended for a violation of s. 316.193.

1490 (4) Beginning November 18, 2024, a driver for whom the
1491 department receives notification that, pursuant to 49 C.F.R. s.
1492 382.501(a), such person is prohibited from operating a
1493 commercial motor vehicle may, if otherwise qualified, be issued
1494 a Class E driver license pursuant to s. 322.251(4), valid for
1495 the length of his or her unexpired license period, at no cost.

1496 Section 24. Subsection (2) of section 322.34, Florida
1497 Statutes, is amended to read:

1498 322.34 Driving while license suspended, revoked, canceled,
1499 or disqualified.—

1500 (2) Any person whose driver license or driving privilege
1501 has been canceled, suspended, or revoked as provided by law, or
1502 who does not have a driver license or driving privilege but is
1503 under suspension or revocation equivalent status as defined in
1504 s. 322.01 ~~s. 322.01(42)~~, except persons defined in s. 322.264,
1505 who, knowing of such cancellation, suspension, revocation, or
1506 suspension or revocation equivalent status, drives any motor
1507 vehicle upon the highways of this state while such license or
1508 privilege is canceled, suspended, or revoked, or while under

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1509 suspension or revocation equivalent status, commits:

1510 (a) A misdemeanor of the second degree, punishable as
1511 provided in s. 775.082 or s. 775.083.

1512 (b)1. A misdemeanor of the first degree, punishable as
1513 provided in s. 775.082 or s. 775.083, upon a second or
1514 subsequent conviction, except as provided in paragraph (c).

1515 2. A person convicted of a third or subsequent conviction,
1516 except as provided in paragraph (c), must serve a minimum of 10
1517 days in jail.

1518 (c) A felony of the third degree, punishable as provided in
1519 s. 775.082, s. 775.083, or s. 775.084, upon a third or
1520 subsequent conviction if the current violation of this section
1521 or the most recent prior violation of the section is related to
1522 driving while license canceled, suspended, revoked, or
1523 suspension or revocation equivalent status resulting from a
1524 violation of:

1525 1. Driving under the influence;

1526 2. Refusal to submit to a urine, breath-alcohol, or blood
1527 alcohol test;

1528 3. A traffic offense causing death or serious bodily
1529 injury; or

1530 4. Fleeing or eluding.

1531
1532 The element of knowledge is satisfied if the person has been
1533 previously cited as provided in subsection (1); or the person
1534 admits to knowledge of the cancellation, suspension, or
1535 revocation, or suspension or revocation equivalent status; or
1536 the person received notice as provided in subsection (4). There
1537 is ~~shall be~~ a rebuttable presumption that the knowledge

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1538 requirement is satisfied if a judgment or order as provided in
1539 subsection (4) appears in the department's records for any case
1540 except for one involving a suspension by the department for
1541 failure to pay a traffic fine or for a financial responsibility
1542 violation.

1543 Section 25. Subsection (4) of section 322.61, Florida
1544 Statutes, is amended to read:

1545 322.61 Disqualification from operating a commercial motor
1546 vehicle.—

1547 (4) Any person who is transporting hazardous materials as
1548 defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an
1549 offense specified in subsection (3), is ~~be~~ disqualified from
1550 operating a commercial motor vehicle for a period of 3 years.
1551 The penalty provided in this subsection is ~~shall be~~ in addition
1552 to any other applicable penalty.

1553 Section 26. Subsection (3) of section 324.0221, Florida
1554 Statutes, is amended to read:

1555 324.0221 Reports by insurers to the department; suspension
1556 of driver license and vehicle registrations; reinstatement.—

1557 (3) An operator or owner whose driver license or
1558 registration has been suspended under this section or s. 316.646
1559 may effect its reinstatement upon compliance with the
1560 requirements of this section and upon payment to the department
1561 of a nonrefundable reinstatement fee of \$150 for the first
1562 reinstatement. The reinstatement fee is \$250 for the second
1563 reinstatement and \$500 for each subsequent reinstatement during
1564 the 3 years following the first reinstatement. A person
1565 reinstating her or his insurance under this subsection must also
1566 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),

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1567 324.023, and 627.7275(2) and present to the appropriate person
 1568 proof that the coverage is in force on a form adopted by the
 1569 department, and such proof must ~~shall~~ be maintained for 2 years.
 1570 If the person does not have a second reinstatement within 3
 1571 years after her or his initial reinstatement, the reinstatement
 1572 fee is \$150 for the first reinstatement after that 3-year
 1573 period. If a person's license and registration are suspended
 1574 under this section or s. 316.646, only one reinstatement fee
 1575 must be paid to reinstate the license and the registration. All
 1576 fees must ~~shall~~ be collected by the department at the time of
 1577 reinstatement. The department shall issue proper receipts for
 1578 such fees and shall promptly deposit those fees in the Highway
 1579 Safety Operating Trust Fund. One-third of the fees collected
 1580 under this subsection must ~~shall~~ be distributed from the Highway
 1581 Safety Operating Trust Fund to the local governmental entity or
 1582 state agency that employed the law enforcement officer seizing
 1583 the license plate pursuant to s. 324.201. The funds may be used
 1584 by the local governmental entity or state agency for any
 1585 authorized purpose.

1586 Section 27. Section 324.131, Florida Statutes, is amended
 1587 to read:

1588 324.131 Period of suspension.—Such license, registration
 1589 and nonresident's operating privilege must ~~shall~~ remain ~~so~~
 1590 suspended and may ~~shall~~ not be renewed, nor may ~~shall~~ any such
 1591 license or registration be thereafter issued in the name of such
 1592 person, including any such person not previously licensed,
 1593 unless and until every such judgment is stayed, satisfied in
 1594 full or to the extent of the limits stated in s. 324.021(7) and
 1595 until the said person gives proof of financial responsibility as

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1596 provided in s. 324.031, such proof to be maintained for 3 years.
1597 In addition, if the person's license or registration has been
1598 suspended or revoked due to a violation of s. 316.193 or
1599 pursuant to s. 322.26(2), that person must ~~shall~~ maintain
1600 ~~noncancelable~~ liability coverage for each motor vehicle
1601 registered in his or her name, as described in s. 627.7275(2),
1602 and must present proof that coverage is in force on a form
1603 adopted by the Department of Highway Safety and Motor Vehicles,
1604 such proof to be maintained for 3 years.

1605 Section 28. Paragraph (g) of subsection (3) of section
1606 627.311, Florida Statutes, is amended to read:

1607 627.311 Joint underwriters and joint reinsurers; public
1608 records and public meetings exemptions.—

1609 (3) The office may, after consultation with insurers
1610 licensed to write automobile insurance in this state, approve a
1611 joint underwriting plan for purposes of equitable apportionment
1612 or sharing among insurers of automobile liability insurance and
1613 other motor vehicle insurance, as an alternate to the plan
1614 required in s. 627.351(1). All insurers authorized to write
1615 automobile insurance in this state shall subscribe to the plan
1616 and participate therein. The plan is ~~shall be~~ subject to
1617 continuous review by the office which may at any time disapprove
1618 the entire plan or any part thereof if it determines that
1619 conditions have changed since prior approval and that in view of
1620 the purposes of the plan changes are warranted. Any disapproval
1621 by the office is ~~shall be~~ subject to ~~the provisions of~~ chapter
1622 120. The Florida Automobile Joint Underwriting Association is
1623 created under the plan. The plan and the association:

1624 (g) Must make available ~~noncancelable~~ coverage as provided

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1625 in s. 627.7275(2).

1626 Section 29. Subsection (1) of section 627.351, Florida
1627 Statutes, is amended to read:

1628 627.351 Insurance risk apportionment plans.—

1629 (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements
1630 may be made among casualty and surety insurers with respect to
1631 the equitable apportionment among them of insurance that ~~which~~
1632 may be afforded applicants who are in good faith entitled to,
1633 but are unable to, procure such insurance through ordinary
1634 methods, and such insurers may agree among themselves on the use
1635 of reasonable rate modifications for such insurance. Such
1636 agreements and rate modifications are ~~shall be~~ subject to the
1637 approval of the office. The office shall, after consultation
1638 with the insurers licensed to write automobile liability
1639 insurance in this state, adopt a reasonable plan or plans for
1640 the equitable apportionment among such insurers of applicants
1641 for such insurance who are in good faith entitled to, but are
1642 unable to, procure such insurance through ordinary methods, and,
1643 when such plan has been adopted, all such insurers shall
1644 subscribe to and participate in the plan ~~thereto and shall~~
1645 ~~participate therein~~. Such plan or plans shall include rules for
1646 classification of risks and rates therefor. The plan or plans
1647 shall make available ~~noncancelable~~ coverage as provided in s.
1648 627.7275(2). Any insured placed with the plan must ~~shall~~ be
1649 notified of the fact that insurance coverage is being afforded
1650 through the plan and not through the private market, and such
1651 notification must ~~shall~~ be given in writing within 10 days of
1652 such placement. To assure that plan rates are made adequate to
1653 pay claims and expenses, insurers shall develop a means of

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1654 obtaining loss and expense experience at least annually, and the
1655 plan shall file such experience, when available, with the office
1656 in sufficient detail to make a determination of rate adequacy.
1657 Prior to the filing of such experience with the office, the plan
1658 shall poll each member insurer as to the need for an actuary who
1659 is a member of the Casualty Actuarial Society and who is not
1660 affiliated with the plan's statistical agent to certify the
1661 plan's rate adequacy. If a majority of those insurers responding
1662 indicate a need for such certification, the plan must ~~shall~~
1663 include the certification as part of its experience filing. Such
1664 experience shall be filed with the office not more than 9 months
1665 following the end of the annual statistical period under review,
1666 together with a rate filing based on such ~~said~~ experience. The
1667 office shall initiate proceedings to disapprove the rate and so
1668 notify the plan or shall finalize its review within 60 days
1669 after ~~of~~ receipt of the filing. Notification to the plan by the
1670 office of its preliminary findings, which include a point of
1671 entry to the plan pursuant to chapter 120, tolls ~~shall toll~~ the
1672 60-day period during any such proceedings and subsequent
1673 judicial review. The rate is ~~shall be~~ deemed approved if the
1674 office does not issue notice to the plan of its preliminary
1675 findings within 60 days after ~~of~~ the filing. In addition to
1676 provisions for claims and expenses, the ratemaking formula must
1677 ~~shall~~ include a factor for projected claims trending and 5
1678 percent for contingencies. ~~In no instance shall~~ The formula may
1679 not include a renewal discount for plan insureds. However, the
1680 plan shall reunderwrite each insured on an annual basis, based
1681 upon all applicable rating factors approved by the office. Trend
1682 factors may ~~shall~~ not be found to be inappropriate if they are

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1683 not in excess of trend factors normally used in the development
1684 of residual market rates by the appropriate licensed rating
1685 organization. Each application for coverage in the plan must
1686 ~~shall~~ include, in boldfaced 12-point type immediately preceding
1687 the applicant's signature, the following statement:

1688
1689 "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA
1690 JOINT UNDERWRITING ASSOCIATION AND NOT THROUGH THE
1691 PRIVATE MARKET. PLEASE BE ADVISED THAT COVERAGE WITH A
1692 PRIVATE INSURER MAY BE AVAILABLE FROM ANOTHER AGENT AT
1693 A LOWER COST. AGENT AND COMPANY LISTINGS ARE AVAILABLE
1694 IN THE LOCAL YELLOW PAGES."

1695
1696 The plan shall annually report to the office the number and
1697 percentage of plan insureds who are not surcharged due to their
1698 driving record.

1699 Section 30. Paragraph (b) of subsection (2) of section
1700 627.7275, Florida Statutes, is amended to read:

1701 627.7275 Motor vehicle liability.—

1702 (2)

1703 (b) The policies described in paragraph (a) must ~~shall~~ be
1704 issued for at least 6 months and, ~~as to the minimum coverages~~
1705 ~~required under this section, may not be canceled by the insured~~
1706 ~~for any reason or by the insurer after 60 days, during which~~
1707 ~~period the insurer is completing the underwriting of the policy.~~
1708 After the insurer has issued ~~completed underwriting~~ the policy,
1709 the insurer shall notify the Department of Highway Safety and
1710 Motor Vehicles that the policy is in full force and effect ~~and~~
1711 ~~is not cancelable for the remainder of the policy period. A~~

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1712 ~~premium shall be collected and the coverage is in effect for the~~
1713 ~~60-day period during which the insurer is completing the~~
1714 ~~underwriting of the policy whether or not the person's driver~~
1715 ~~license, motor vehicle tag, and motor vehicle registration are~~
1716 ~~in effect. Once the noncancelable provisions of the policy~~
1717 becomes ~~become~~ effective, the coverages for bodily injury,
1718 property damage, and personal injury protection may not be
1719 reduced during the policy period below the minimum limits
1720 required under s. 324.021 or s. 324.023 ~~during the policy~~
1721 ~~period.~~

1722 Section 31. Except as otherwise expressly provided in this
1723 act, this act shall take effect July 1, 2023.