

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Transportation

CS/CS/HB 7125 — Highway Safety and Motor Vehicles

by Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, and Transportation & Highway Safety Subcommittee and Rep. Raburn and others (CS/CS/SB 1458 by Appropriations Committee, Transportation, Tourism, and Economic Development, Transportation Committee and Senator Brandes)

The bill makes numerous changes to the way the Department of Highway Safety and Motor Vehicles (DHSMV, department) administers many of its programs and functions.

The major provisions of this bill include:

- Correcting inconsistencies and references to the International Registration Plan.
- Revising procedures related to red light camera enforcement. The bill provides a 60 day period in which a person must pay the fine, identify another driver was in control of the vehicle, or request a hearing before a local hearing officer. Enforcement of right- turn-on-red violations is restricted.
- Requiring drivers to yield the left lane to overtaking vehicles when traveling 10 mph slower than posted speed.
- Lowering the blood alcohol level threshold at which an ignition interlock device (IID) will prevent a vehicle from starting from 0.05 to 0.025 for persons convicted of DUI and required to install an IID.
- Requiring commercial motor vehicle drivers to comply with federal regulations relating to the use of handheld mobile devices and medical certification standards, and establishing a schedule of penalties for violations.
- Requiring holders of commercial learners permits adhere to the same noncriminal traffic infraction provisions as commercial driver license holders.
- Allowing the DHSMV to use a new form for buyers and sellers when transferring electronic titles as it relates to motor vehicle casual sales.
- Clarifying vehicle and vessel registration identification requirements.
- Allowing the DHSMV to eliminate certificates of repossession as such documents are effectively obsolete.
- Clarifying the DHSMV's rulemaking authority to regulate driver improvement schools.
- Clarifying the DHSMV's criteria for approval of traffic law and substance abuse education courses, and the requirements of course providers.
- Revising the requirements of eligibility for serving on the Medical Advisory Board.
- Allowing county tax collectors to have re-examination authority for vehicle operators based on mental and physical abilities.
- Authorizing the department to implement a pilot program in Miami-Dade and Hillsborough Counties to evaluate rebuilt motor vehicle inspection services provided by private firms.
- Revising Commercial Driver License and Commercial Learner Permits to align with federal rules, and allowing penalties.

- Authorizing the DHSMV to prohibit future financial transactions with an individual when an insufficient check fee has not been satisfied with the agency.
- Authorizing driver license suspension for persons under 21 years of age when found driving with blood alcohol level of 0.02 or higher.
- Allowing law enforcement authorities to disqualify Commercial Driver License holders found driving with unlawful blood alcohol levels and refusing to submit to breath, urine or blood test, and issue a 10-day temporary permit while a determination is made.
- Allowing persons with an IID to be granted a medical waiver for employment purposes only license.
- Providing same day DUI convictions be treated as separate offenses.
- Clarifying the reinstatement process for habitual traffic offenders in license restoration.
- Requiring insurance companies to report new or cancelled policies within 10 days of processing date or effective date.
- Changing requirements for self-insuring motorists.
- Providing identification requirements for vessel registration applications.
- Allowing persons with certain alcohol-related driving offenses, having no previous convictions, to be issued a business purposes only driver license without a hearing.
- Reclassifying Florida Highway Patrol captains positions to select exempt from career service.
- Authorizing the Florida Department of Transportation to immediately receive crash reports ordinarily confidential and exempt.
- Creating definitions, provisions, and remedies relating to the electronic collection of personal data from driver licenses or identification cards by private entities.
- Authorizing the attachment of a forklift to the rear of a straight truck for towing purposes provided the overall length does not exceed 50 feet.
- Expanding exceptions to width and height limitations to include farming and agricultural equipment operated within a 50 mile radius of managed or harvested real property by the equipment owner.
- Requiring a salvage motor vehicle dealer to notify the National Motor Vehicle Title Information System (NMVTIS) when a motor vehicle is sold to a salvage dealer or upon applying for a certificate of destruction or salvage certificate of title.
- Requiring a person claiming a lien upon a vehicle to conduct a records check using NMVTIS or an equivalent commercially available system, e.g., CARFAX.
- Establishing a valid driver license/identification card and passport are acceptable documents for motor vehicle registration.
- Authorizing the use of electronic media as roadside proof-of-insurance.
- Establishing a \$1 voluntary donation check-off on driver license application forms with proceeds going to the Auto Club Group Traffic Safety Foundation, Inc., (AAA), a not-for-profit organization.
- Creating additional specialty license plates and allowing distribution of use fee proceeds: Lauren's Kids license plate, \$25; Big Brothers Big Sisters license plate, \$25; American Legion license plate, \$25.

- Creating Operation Desert Storm and Operation Desert Shield special license plates for members of the Armed Forces who participated in these operations.
- Increasing the use fee and redirecting the proceeds of the Hispanic Achievers specialty license plates.
- Authorizing the DHSMV to redirect previously collected and future specialty license plate revenues accruing from an organization found to be in non-compliance with statutory use fee controls, to an organization able to perform the same or similar purpose as defined by the originating statute.
- Creating definitions, provisions, exemptions, and remedies relating to electronic collection of personal data on driver licenses or identification cards by private entities.
- Requiring wreckers to disclose, in writing and prior to towing a vehicle, his or her full name and driver license number, the maximum charges for towing and storage and whether the wrecker carries liability insurance of \$300,000 and on-hook insurance of \$50,000.
- Authorizing the DHSMV to retain administrative funds from the vessel registration program and distribute \$400,000 to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services to fund activities relating to protection, restoration and research of the natural oyster reefs and beds of the state, and allows \$300,000 may be used by the Fish and Wildlife Conservation Commission for boating safety education.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 38-0; House 114-1