

Agenda Order

Tab 1	SB 216 by McClain ; Similar to H 00191 Verification of Reemployment Assistance Benefit Eligibility				
Tab 2	SB 246 by Gruters (CO-INTRODUCERS) Rodriguez ; Identical to H 00231 Specialty License Plates/Ultimate Fighting Championship (UFC)				
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Tab 3	SB 356 by Wright ; Identical to H 00101 Utility Terrain Vehicles				
Tab 4	SB 388 by Arrington ; Specialty License Plates/Florida Wildflower				
Tab 5	SB 470 by Wright ; Similar to H 00639 Fraternal Order of Police License Plate				
Tab 6	SB 488 by Massullo ; Similar to H 00937 Department of Highway Safety and Motor Vehicles				
Tab 7	SB 490 by Massullo ; Similar to H 00939 Public Records/E-mail Addresses Collected by the Department of Highway Safety for Providing Renewal Notices				
Tab 8	SB 528 by Truenow ; Identical to H 00483 Manufacturing				
Tab 9	SB 584 by Avila ; Identical to H 00953 Commercial Driving Schools				
Tab 10	SB 594 by Burton ; Identical to H 00267 Local Housing Assistance Plans				

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
**APPROPRIATIONS COMMITTEE ON TRANSPORTATION,
TOURISM, AND ECONOMIC DEVELOPMENT**
Senator DiCeglie, Chair
Senator Polsky, Vice Chair

MEETING DATE: Wednesday, January 21, 2026

TIME: 11:00 a.m.—1:00 p.m.

PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator DiCeglie, Chair; Senator Polsky, Vice Chair; Senators Arrington, Avila, Bernard, Bracy Davis, Grall, Leek, Martin, Mayfield, McClain, Smith, Truenow, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 216 McClain (Similar H 191)	<p>Verification of Reemployment Assistance Benefit Eligibility; Citing this act as the "Promoting Work, Deterring Fraud Act of 2026"; revising circumstances under which the Department of Commerce disqualifies claimants from reemployment assistance benefits; requiring the department to verify claimants' identities before paying benefits; providing duties of the department, etc.</p> <p>CM 12/10/2025 Favorable ATD 01/21/2026 FP</p>	
2	SB 246 Gruters (Identical H 231)	<p>Specialty License Plates/Ultimate Fighting Championship (UFC); Directing the Department of Highway Safety and Motor Vehicles to develop an Ultimate Fighting Championship (UFC) license plate; providing for distribution and use of fees collected from the sale of the plate, etc.</p> <p>TR 12/02/2025 Favorable ATD 01/21/2026 FP</p>	
3	SB 356 Wright (Identical H 101)	<p>Utility Terrain Vehicles; Authorizing the operation of a utility terrain vehicle (UTV) during all hours; authorizing the operation of UTVs on certain roadways; authorizing the Department of Transportation to prohibit the operation of UTVs under certain circumstances; requiring owners or operators of a UTV to comply with certain requirements and regulations, etc.</p> <p>TR 12/09/2025 Favorable ATD 01/21/2026 FP</p>	

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Transportation, Tourism, and Economic Development
Wednesday, January 21, 2026, 11:00 a.m.—1:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	SB 388	Arrington	Specialty License Plates/Florida Wildflower; Increasing the annual use fee for the Florida Wildflower license plate and providing a discount for owners purchasing the plate for more than a specified number of vehicles, etc.
		TR 01/12/2026 Favorable ATD 01/21/2026 FP	
5	SB 470	Wright (Similar H 639)	Fraternal Order of Police License Plate; Deleting a restriction on who may be issued the Fraternal Order of Police license plate; revising the distribution and use of annual use fees collected from sales of the Fraternal Order of Police license plate, etc.
		TR 01/12/2026 Favorable ATD 01/21/2026 FP	
6	SB 488	Massullo (Similar H 937, Compare H 543, H 939, S 1274, Linked S 490)	Department of Highway Safety and Motor Vehicles; Requiring licensure in lieu of registration of motor carriers operating certain qualified motor vehicles; revising due dates for motor fuel use tax returns submitted by licensed motor carriers; authorizing the department to inspect records necessary to verify the tax returns of motor carriers, motor fuel retail dealers, and motor fuel wholesale distributors; revising the apparent amount of property damage which requires the driver of a vehicle involved in a crash to notify law enforcement of the crash, etc.
		TR 01/12/2026 Favorable ATD 01/21/2026 FP	
7	SB 490	Massullo (Similar H 939, Compare H 937, Linked S 488)	Public Records/E-mail Addresses Collected by the Department of Highway Safety for Providing Renewal Notices ; Expanding an exemption from public records requirements for e-mail addresses collected by the Department of Highway Safety and Motor Vehicles for providing renewal notices to include e- mail addresses collected for use as a method of notification generally and not only for the purpose of providing renewal notices; expanding the exemption to include e-mail addresses collected for use as a method of notification related to vessel registrations; providing retroactive applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.
		TR 01/12/2026 Favorable ATD 01/21/2026 FP	

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Committee on Transportation, Tourism, and Economic Development
Wednesday, January 21, 2026, 11:00 a.m.—1:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS		COMMITTEE ACTION
8	SB 528 Truenow (Identical H 483)	Manufacturing; Revising the duties of the Department of Commerce; establishing the Chief Manufacturing Officer among the senior leadership of the department for a specified purpose; creating the Florida Manufacturers' Workforce Development Grant Program within the department; providing that the grant program is under the direction of the Chief Manufacturing Officer in consultation with the National Institute of Standards and Technology Manufacturing Extension Partnership organization in this state; requiring the department to administer the grant awards from the Economic Development Trust Fund, etc.	CM 01/13/2026 Favorable ATD 01/21/2026 AP	
9	SB 584 Avila (Identical H 953)	Commercial Driving Schools; Authorizing the Department of Highway Safety and Motor Vehicles to enter into interagency agreements with tax collectors for a specified purpose; specifying that such an interagency agreement is a delegation of authority of the department to the tax collector; providing that such an interagency agreement may include, but need not be limited to, certain grants of authority, etc.	TR 01/12/2026 Favorable ATD 01/21/2026 FP	
10	SB 594 Burton (Identical H 267)	Local Housing Assistance Plans; Authorizing counties and eligible municipalities to expend certain funds on lot rental assistance for mobile home owners for a specified time period; requiring each county and eligible municipality to include in its local housing assistance plan certain strategies; authorizing counties and eligible municipalities to provide certain funds to mobile home owners for rehabilitation and emergency repairs, etc.	CA 01/13/2026 Favorable ATD 01/21/2026 RC	

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 216

INTRODUCER: Senator McClain

SUBJECT: Verification of Reemployment Assistance Benefit Eligibility

DATE: January 20, 2026 **REVISED:** _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Dike</u>	<u>McKay</u>	<u>CM</u>	<u>Favorable</u>
2. <u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 216 requires the Department of Commerce (department) to:

- Disqualify claimants who fail to contact the required number of employers, appear for scheduled job interviews, and return to employment when recalled.
- Verify the identity of claimants before paying benefits and cross-check claim information with the SAVE database for initial claims and as necessary.
- Verify claimants are living, not incarcerated, and not employed every two weeks.
- Investigate claims with duplicative information from existing claims.
- Scrutinize claims filed from foreign IP addresses before paying any benefits.
- Share fraudulent claim information with specified state and federal agencies.
- Maintain a web page for reporting violations of reemployment assistance laws.
- Publish a yearly report on its website which details fraudulent claim data.

The bill will likely have a positive fiscal impact on private and government sectors. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Unemployment Compensation Overview

According to the U.S. Department of Labor (USDOL), the Federal-State Unemployment Insurance Program provides unemployment benefits to eligible workers who are unemployed through no-fault of their own (as determined under state law) and who meet the requirements of

state law.¹ The program is administered as a partnership of the federal government and the states.² The individual states collect unemployment compensation payroll taxes on a quarterly basis, which are used to pay benefits, while the Internal Revenue Service collects an annual federal payroll tax under the Federal Unemployment Tax Act (FUTA).³ FUTA collections go to the states for costs of administering state unemployment compensation and job service programs.⁴ In addition, FUTA pays one-half of the cost of extended unemployment benefits (during periods of high unemployment) and provides for a fund from which states may borrow, if necessary, to pay benefits.⁵

States are permitted to set benefit eligibility requirements, the amount and duration of benefits, and the state tax structure, as long as state law does not conflict with FUTA or Social Security Act requirements.⁶ Florida's program was created by the Legislature in 1937.⁷ The department is the current agency responsible for administering Florida's laws, primarily through its Division of Workforce Services.⁸ The department contracts with the Florida Department of Revenue (DOR) to provide unemployment tax collections services.⁹

State Reemployment Assistance Benefits

In Florida, which rebranded the unemployment compensation program as the reemployment assistance program in 2012,¹⁰ a qualified claimant may receive benefits equal to 25% of wages, not to exceed \$6,325 in a benefit year.¹¹ Benefits range from a minimum of \$32 per week to a maximum weekly benefit amount¹² of \$275, for a maximum of between 12 weeks and 23 weeks,¹³ depending on the claimant's length of prior employment, wages earned, and the unemployment rate.¹⁴

¹ USDOL, *State Unemployment Insurance Benefits*, available at <https://oui.doleta.gov/unemploy/uifactsheet.asp> (last visited Dec. 9, 2025).

² There are 53 programs, including the 50 states, Puerto Rico, the Virgin Islands, and the District of Columbia. USDOL, *Unemployment Compensation, Federal – State Partnership*, available at <https://oui.doleta.gov/unemploy/pdf/partnership.pdf> (last visited Dec. 9, 2025).

³ FUTA is codified at 26 U.S.C. § 3301-3311.

⁴ Julie M. Whittaker, CONG. RSCH. SERV., *Unemployment Compensation: The Fundamentals of the Federal Unemployment Tax (FUTA)*, available at https://www.congress.gov/crs_external_products/R/PDF/R44527/R44527.5.pdf (last visited Dec. 9, 2025).

⁵ USDOL, *Unemployment Insurance Tax Topic*, available at <https://oui.doleta.gov/unemploy/uitaxtopic.asp#:~:text=FUTA%20taxes%20are%20calculated%20by,times%20the%20employer's%20taxable%20wages.&text=Employers%20who%20pay%20their%20state,tax%20paid%20to%20the%20state> (last visited Dec. 9, 2025).

⁶ 26 U.S.C. § 3304.

⁷ Chapter 18,402, Acts of 1937 Laws of Fla.

⁸ Section 443.1316, F.S.

⁹ *Id.*

¹⁰ Chapter 2012-30, Laws of Fla.

¹¹ Section 443.111(5), F.S. The maximum amount of benefits available is calculated by multiplying an individual's weekly benefit amount by the number of available benefit weeks.

¹² Pursuant to section 443.111(3), F.S., the "weekly benefit amount," is an amount equal to one twenty-sixth of the total wages for insured work paid during the quarter of the base period where the wages paid were highest.

¹³ Section 443.111(5)(c), F.S.

¹⁴ The average weekly benefit amount for each quarter in 2024 was: first quarter – \$264; second quarter – \$265; third quarter – \$263; and fourth quarter – \$265. USDOL, *Unemployment Insurance Data*, run report for Florida, available at https://oui.doleta.gov/unemploy/data_summary/DataSum.asp (last visited Dec. 9, 2025).

The maximum number of weeks available is set at the beginning of the year and applies for the entire calendar year. The maximum number of weeks is based upon the average seasonally adjusted statewide unemployment rate for the months of July, August, and September.¹⁵ If the average rate for that most recent third calendar year quarter is at or below 5%, then the maximum number of weeks of benefits available is 12 weeks. For each 0.5% step above 5%, an additional week of benefits is added to the maximum duration, up to 23 weeks of benefits if that average third quarter unemployment rate is 10.5%. On January 1, 2021, the maximum number of weeks of benefits increased from 12 weeks to 19 weeks based on the three month average of July, August, and September of 2020, which was 8.6%.¹⁶

To receive benefits, a claimant must meet certain monetary and non-monetary eligibility requirements, including a claimant's earnings during a certain period of time, the manner in which the claimant became unemployed, and the claimant's efforts to find new employment.¹⁷

Benefit Eligibility Conditions

A claimant must meet certain requirements in order to be eligible for benefits for each week of unemployment. Generally, these include efforts related to finding new employment, such as:¹⁸

- Completing the department's online work registration;
- Reporting to the One-Stop Career Center when directed to do so by the local CareerSource board;
- Being able to and available for work;¹⁹
- Contacting at least 5 prospective employers each week or going to the One-Stop Career Center for reemployment services; and
- Participating in reemployment services.²⁰

For each week of benefits claimed, a claimant must submit to the department the name, address, and telephone number of each prospective employer contacted.²¹ A claimant must be actively seeking work to be considered available for work. "This means engaging in systematic and sustained efforts to find work, including contacting at least five prospective employers for each week of unemployment claimed" or three prospective employers for individuals who live in

¹⁵ Section 443.111(5)(a), F.S. Typically in the calculation of monthly unemployment rates, a rate is published about midway through the following month and the revised rate is published about midway through the next month. *See* Dept. of Commerce, Unemployment – Local Area Unemployment Statistics (LAUS) – Release Schedule, (2025), available at <http://lmsresources.labormarketinfo.com/library/DataReleaseSchedule.pdf>, (last visited Dec. 9, 2025).

¹⁶ Dept. of Commerce, *Florida Department of Economic Opportunity Announces Florida Achieves Six Consecutive Months of Month-Over-Month Job Growth*, (November 20, 2020), available at <https://floridajobs.org/news-center/DEO-Press/2020/11/20/florida-department-of-economic-opportunity-announces-florida-achieves-six-consecutive-months-of-month-over-month-job-growth>, (last visited Dec. 9, 2025).

¹⁷ *See* Section 443.091, F.S.

¹⁸ Section 443.091(1), F.S.,

¹⁹ "Able to work" means physically and mentally capable of performing the duties of the occupation in which work is being sought. "Available for work" means actively seeking and being ready and willing to accept suitable work. *See* Section 443.036(1) and (6), F.S. *See also* Rule 73B-11.021(2), F.A.C.

²⁰ *See* Section 443.091(1)(b), F.S.; Employ Florida, available at <https://www.employflorida.com/vosnet/Default.aspx>, (last visited Dec. 9, 2025). Employ Florida Marketplace is a partnership of Workforce Florida, Inc., and the Department of Commerce. It provides job-matching and workforce resources.

²¹ Section 443.091(1)(c)1., F.S.

small counties.²² Proof of work search efforts cannot include the same prospective employer at the same location in three consecutive weeks, unless in the meantime the employer has indicated that it is hiring.²³ The department conducts random audits of the submitted information to verify that claimants are meeting these requirements.²⁴

Disqualification for Reemployment Assistance Benefits

Section 443.101, F.S., specifies the circumstances under which an individual would be disqualified from receiving benefits. These circumstances include:

- Voluntarily leaving work without good cause, or being discharged by his or her employing unit for misconduct connected with the work;²⁵
- Failing to apply for available suitable work when directed by the department or the One-Stop Career Center, to accept suitable work when offered, or to return to suitable self-employment when directed to do so;²⁶
- Making false or fraudulent representations in filing for benefits;
- Being discharged from employment due to drug use or rejection from a job offer for failing a drug test; and
- Becoming unavailable for work due to incarceration or imprisonment.

The statute specifies the duration of the disqualification and the requirements for requalification for an individual's next benefit claim, depending on the reason for the disqualification.

Fraud Prevention Measures

Currently, the department employs multiple measures to combat fraud. The department:

- Uses software that blocks foreign or suspicious IP addresses to prevent claims from being filed outside the country and detects multiple claim attempts from different states.
- Verifies identities through ID.me at the time of filing and interfaces with the Division of Highway Safety and Motor Vehicles to verify identities.
- Uses ICON with the Social Security Administration to ensure no duplicate claims have been filed with other states.²⁷

Moreover, the department has enhanced its fraud detection procedures by developing the Fraud Initiative Rules and Ratings Engine (FIRRE) system, which is integrated with the National Association of State Workforce Agencies' (NASWA) Integrity Data Hub (IDH).²⁸ The FIRRE system, in combination with IDH, applies business rules designed to detect, flag, or lock suspicious claims for further investigation by fraud unit staff.²⁹

²² Section 443.091(1)(d), F.S. A “small county” is a county that has a non-incarcerated population of 75,000 or less according to the most recent decennial census. Section 120.52(19), F.S.

²³ Section 443.091(1)(d), F.S.

²⁴ *Id.*

²⁵ An individual is not disqualified for voluntarily leaving temporary work to return to full time work, or to relocate with his or her military spouse due to relocation orders, or due to circumstances related to domestic violence.

²⁶ Section 443.101(2), F.S.

²⁷ FLORIDA DEPT. OF COMMERCE, *2025 Agency Legislative Bill Analysis for SB 1238* (on file with the Senate Commerce and Tourism Committee). This agency bill analysis was provided for a substantially similar bill in the 2025 legislative session.

²⁸ *Id.*

²⁹ *Id.*

Additionally, the following cross-checks are performed regularly to verify claimant information:

- The United States Department of Health and Human Services National Directory of New Hires conducts a weekly cross-check.
- The State Directory of New Hires completes a daily review.
- Incarceration data is cross-checked weekly using a vendor separate from the Department of Corrections and the Social Security Administration, which gathers federal, state, and local incarceration records.
- The Systemic Alien Verification for Entitlements Program (SAVE) is used upon filing an initial claim to confirm eligibility.³⁰

III. Effect of Proposed Changes:

Title

Section 1 creates the title “Promoting Work, Deterring Fraud Act of 2026.”

Disqualification

Section 2 amends s. 443.101, F.S., to mandate that a claimant be disqualified from reemployment assistance benefits if the department finds that the claimant failed without good cause to:

- Contact the required number of prospective employers per week;
- Appear on three or more occasions for a scheduled job interview without notifying the prospective employer of the need to cancel or reschedule; or
- Return to employment when recalled to work after a temporary layoff.

Such disqualification continues for the next full period of unemployment following one of these failures until the claimant has earned income of at least seventeen times their weekly benefit amount.

Verification

Section 3 creates s. 443.1112, F.S., to require the department to verify the identity of each claimant who applies for reemployment assistance benefits before paying any benefits to that individual. For the initial claim for benefits, and as necessary to verify a claimant’s eligibility, the department must cross-check the information from the claim with the SAVE database. Every two weeks that a claimant makes a claim, including the initial claim for benefits, the department must cross-check the claimant’s information to ensure the claimant is living, not incarcerated, and not employed.

Under the bill, the department must:

³⁰ *Id.*; “SAVE is an online service for registered federal, state, territorial, tribal, and local government agencies to verify immigration status and naturalized/acquired U.S. citizenship of applicants seeking benefits or licenses.” CITIZENSHIP AND IMMIGR. SERV., SAVE, available at <https://www.uscis.gov/save#:~:text=SAVE%20is%20an%20online%20service%20for%20registered%20federal%2C,U.S.%20citizenship%20of%20applicants%20seeking%20benefits%20or%20licenses>, (last visited Dec. 9, 2025).

- Investigate claims that are associated with a mailing address, bank account, e-mail address, phone number, or IP address that is also associated with another existing claim for benefits in this state or another state. For such claims, the department must verify the claim is legitimate before paying out benefits.
- Scrutinize claims filed from foreign IP addresses before paying any benefits.
- Work with the USDOL, U.S. Department of Justice, other state workforce agencies, the Department of Law Enforcement, the state attorneys, or the Office of the Statewide Prosecutor to share information pertaining to fraudulent claims for further investigation.

Additionally, the department must maintain a web page through which individuals and employers can report known or suspected violations of ch. 443, F.S. The department must also make a yearly report available on its website which identifies:

- The number of fraudulent reemployment assistance claims identified the previous year;
- The number of claims not paid due to successful detection of fraudulent intentions;
- The number of claims and the amount of reemployment assistance benefits paid against claims subsequently identified as fraudulent;
- The amount of fraudulent overpayments recovered;
- The number of fraudulent claims referred for investigation/prosecution; and
- The list of sources used to cross-check the claims.

Effective Date

Section 4 sets out an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Indeterminate. If the provisions of the bill function to lower the amount of reemployment assistance benefits paid out, employers could see a reduction in their contribution rates over time.

C. Government Sector Impact:

Indeterminate. As of April 2025, state government entities can use the SAVE database at no cost, resulting in a reduction in expenditures to verify claimants' eligibility.³¹

VI. Technical Deficiencies:

None.

VII. Related Issues:

The Social Security Act (SSA) requires that state unemployment laws use “methods of administration... to [e]nsure full payment of unemployment compensation when due.”³² Federal regulation interprets this to mean that unemployment compensation benefits must be paid to eligible claimants with the greatest promptness as administratively feasible.³³ To comply with this, states must issue at least 87% of all first payments within fourteen or twenty-one days after the week ending date of the first compensable week in the benefit year.³⁴ The U.S. Supreme Court has determined that even when a claimant’s initial determination of eligibility is being appealed by an employer, a state must continue to pay unemployment benefits each week while the appeal process is taking place.³⁵ As a result of this interpretation of the “when due” provision of the SSA, a state cannot withhold benefits until a decision is made regarding a claimant’s continuing eligibility.³⁶

As the state must act promptly to verify an individual’s identity to ensure full payment of unemployment benefits, the cross-checks under the bill may impact the department’s ability to ensure full payments when due. For continued claims, a timely payment requires that the department decides each claim no later than the end of the week following the week in which the

³¹ Press Release, Dept. of Homeland Security, DHS, USCIS, DOGE Overhaul Systematic Alien Verification for Entitlements Database (Apr. 22, 2025), available at <https://www.dhs.gov/news/2025/04/22/dhs-uscis-doge-overhaul-systematic-alien-verification-entitlements-database> (last visited Dec. 11, 2025).

³² 42 U.S.C. s. 503(a)(1).

³³ 20 C.F.R. s. 640.3-640.4.

³⁴ 20 C.F.R. s. 640.5.

³⁵ *California v. Java*, 402 U.S. 121, 132-135 (1971) (“Paying compensation to an unemployed worker promptly after an initial determination of eligibility accomplishes the congressional purposes of avoiding resort to welfare and stabilizing consumer demands; delaying compensation until months have elapsed defeats these purposes.”).

³⁶ *Id.*

issue is detected.³⁷ If the decision is not issued timely, the state must continue to pay the claim until a determination is made about a claimant's eligibility.

VIII. Statutes Affected:

This bill substantially amends section 443.101 of the Florida Statutes.

This bill creates section 443.1112 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

³⁷ FLORIDA DEPT. OF COMMERCE, *supra* note 27.

By Senator McClain

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16 Be It Enacted by the Legislature of the State of Florida:

18 Section 1. This act may be cited as the "Promoting Work,
19 Deterring Fraud Act of 2026."

20 Section 2. Subsection (2) of section 443.101, Florida
21 Statutes, is amended to read:

443.101 Disqualification for benefits.—An individual shall be disqualified for benefits:

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30 notifying the prospective employer of the need to cancel or
31 reschedule the interview, to accept suitable work when offered
32 to him or her, to or return to the individual's customary self-
33 employment when directed by the department, or to return to
34 employment when recalled to work by the individual's employer
35 after a temporary layoff, the disqualification continues for the
36 next full period of unemployment next ensuing after he or she
37 failed without good cause to apply for available suitable work,
38 accept suitable work, or return to his or her customary
39 employment or self-employment, and until the individual has
40 earned income of at least 17 times his or her weekly benefit
41 amount. The department shall by rule adopt criteria to implement
42 this subsection, including for determining the "suitability of
43 work," or "suitable work," as used in this section. In
44 developing these rules, the department shall consider the
45 duration of a claimant's unemployment in determining the
46 suitability of work and the suitability of proposed rates of
47 compensation for available work. Further, after an individual
48 has received 25 weeks of benefits in a single year, suitable
49 work is a job that pays the minimum wage and is 120 percent or
50 more of the weekly benefit amount the individual is drawing.

51 (a) In determining whether ~~or not any~~ work is suitable for
52 an individual, the department shall consider the degree of risk
53 to the individual's health, safety, and morals; the individual's
54 physical fitness, prior training, experience, prior earnings,
55 length of unemployment, and prospects for securing local work in
56 his or her customary occupation; and the distance of the
57 available work from his or her residence.

58 (b) Notwithstanding ~~any other provisions of this chapter,~~

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59 work is not deemed suitable and benefits may not be denied to
60 any otherwise eligible individual for refusing to accept new
61 work under any of the following conditions:

62 1. The position offered is vacant due directly to a strike,
63 lockout, or other labor dispute.

64 2. The wages, hours, or other conditions of the work
65 offered are substantially less favorable to the individual than
66 those prevailing for similar work in the locality.

67 3. As a condition of being employed, the individual is
68 required to join a company union or to resign from or refrain
69 from joining any bona fide labor organization.

70 (c) If the department finds that an individual was rejected
71 for offered employment as the direct result of a positive,
72 confirmed drug test required as a condition of employment, the
73 individual is disqualified for refusing to accept an offer of
74 suitable work.

75 Section 3. Section 443.1112, Florida Statutes, is created
76 to read:

77 443.1112 Verification of reemployment assistance benefit
78 eligibility; detection of fraud.—

79 (1) The Department of Commerce shall verify the identity of
80 each claimant who applies for reemployment assistance benefits
81 before paying any benefits to that individual.

82 (2) For the initial claim for benefits made by a claimant
83 and as necessary to verify a claimant's eligibility for
84 benefits, the department shall cross-check the information
85 contained in the claim with information in the database of the
86 Systematic Alien Verification for Entitlements Program
87 established by the United States Bureau of Citizenship and

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88 Immigration Services.

89 (3) For every 2 weeks that a claimant makes a claim for
90 benefits, including the initial claim for benefits, to verify a
91 claimant's eligibility for benefits, the department shall cross-
92 check the information contained in the claim to make sure that
93 the claimant is:

94 (a) Living.

95 (b) Not incarcerated.

96 (c) Not already employed.

97 (4) The department shall do all of the following:

98 (a) Investigate any claim in this state associated with a
99 mailing address, a bank account, an e-mail address, a telephone
100 number, or an Internet protocol address that is also associated
101 with another existing claim for reemployment assistance benefits
102 in this state or another state and verify that the claim in this
103 state is legitimate and not fraudulent before paying any
104 benefits for the claim.

105 (b) Scrutinize any claim in this state filed from a foreign
106 Internet protocol address before paying any benefits for the
107 claim.

108 (c) Work with the United States Department of Labor, the
109 United States Department of Justice, other state workforce
110 agencies, the Department of Law Enforcement, the state
111 attorneys, or the Office of the Statewide Prosecutor to share
112 information related to fraudulent claims or attempted fraudulent
113 claims to the extent feasible for further investigation and
114 proceedings brought under this chapter.

115 (d) Maintain a web page through which an individual or an
116 employer may report known or suspected violations of this

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117 chapter, including identity theft or fraud. Each year, the
118 department shall notify employers in this state of this web page
119 for reporting violations.

120 (e) Each year, make available on its website a report
121 identifying the number of fraudulent reemployment assistance
122 claims identified for the previous year, the number of claims
123 not paid due to successful detection of fraudulent intentions,
124 the number of claims and the amount of reemployment assistance
125 benefits paid against claims subsequently identified as
126 fraudulent, the amount of fraudulent overpayments recovered, and
127 the number of fraudulent claims referred for investigation and
128 possible prosecution. The report must also list the sources of
129 information which were used to cross-check claims during the
130 reporting period.

131 Section 4. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 246

INTRODUCER: Senators Gruters and Rodriguez

SUBJECT: Specialty License Plates/Ultimate Fighting Championship (UFC)

DATE: January 20, 2026 **REVISED:** _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2. <u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 246 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for the Ultimate Fighting Championship (UFC). The annual use fee for the plate is \$25.

Proceeds of the sale of the UFC specialty license plate will be distributed to the UFC Foundation, Inc., to support charities and nonprofits in the state of Florida that align with the foundation's mission and goals, such as children's hospitals, support for first responders and the military, and youth advocacy and mentorship, and to fund the development and operation of youth mentorship programs in partnership with local law enforcement agencies. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate.

The estimated fiscal impact associated with the implementation of the new specialty license plate is \$8,160.¹ See **Section V. Fiscal Impact Statement**.

The bill takes effect October 1, 2026.

II. Present Situation:

UFC Foundation

The UFC Foundation is a Nevada not-for-profit corporation registered with the Nevada Department of State.² According to the Foundation's website: "Established in 2021, the UFC Foundation is dedicated to making a positive impact on the community by advocating for youth,

¹ DHSMV, 2026 Legislative Bill Analysis: SB 246 (October 21, 2025) at p. 6 (on file with the Senate Committee on Transportation)

² Nevada Department of State: Division of Corporations, *UFC Foundation, Inc.* [SilverFlume Nevada's Business Portal to start/manage your business](https://silverflume.dos.nv.gov/business/starting-managing-businesses/entity-number/E11683632021-4), Entity Number E11683632021-4 (last visited January 15, 2026).

arts and education, public service, equality, sustainability, growing the sport of MMA, and those who fight to overcome critical and life-threatening illnesses".³ In 2023-24, UFC and the UFC Foundation partnered with 148 non-profit organizations in eight countries around the world (U.S., Australia, Brazil, Canada, France, Jamaica, Mexico, and the United Kingdom). By producing a series of fundraising campaigns throughout the year, UFC charitable partners received gifts and direct donations to help further their respective missions and goals.⁴

Specialty License Plates

According to the DHSMV, as of October 2025, there are 132 specialty license plates authorized by the Legislature. Of these plates, 118 are available for immediate purchase and 14 are in the presale process.⁵ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.⁶ The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.⁷

Authorization of Specialty License Plates

In order to establish a specialty license plate (after the plate is approved by law) s. 320.08053, F.S., requires the following actions within certain timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.⁸

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers.⁹ Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.¹⁰

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the

³ UFC Foundation, [UFC Foundation | UFC](#), (last visited January 15, 2026).

⁴ *Id.*

⁵ DHSMV, *supra* note 1, at 2.

⁶ Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), the annual use fee for a specialty license plate is \$25.

⁷ Section 320.08058, F.S.

⁸ Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

⁹ Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

¹⁰ Section 320.08053(2)(b), F.S.

DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.¹¹

The Department must discontinue the issuance of an approved specialty license plate if the number of valid specialty license plate registrations falls below 3,000 (4,000 for out-of-state college or university specialty license plates), for at least 12 consecutive months and must mail a warning letter to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations is below the minimum number of plates.¹²

If the Legislature has approved 135 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 135.¹³

Use of Specialty License Plate Fees

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.¹⁴ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.¹⁵

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.¹⁶ Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.¹⁷

III. Effect of Proposed Changes:

The bill amends s. 320.08058, F.S., to authorize the DHSMV to create a new specialty license plate for the UFC. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “UFC Lives Here” at the bottom of the plate.

Proceeds of the sale of the UFC specialty license plate will be distributed to the UFC Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and

¹¹ Section 320.08053(3)(a), F.S.

¹² Section 320.08056(8)(a), F.S. These requirements do not apply to certain categories of plates, including: a) in-state collegiate license plates established under s. 320.08058(3), F.S.; b) license plates of institutions in the State University System; c) specialty license plates that have statutory eligibility limitations for purchase; d) specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention; or e) Florida Professional Sports Team specialty license plates established under s. 320.08058(9), F.S.

¹³ Section 320.08053(3)(b), F.S.

¹⁴ Section 320.08056(10)(a), F.S.

¹⁵ Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

¹⁶ Section 320.08056(10)(a), F.S.

¹⁷ Section 320.08056(11), F.S.

promotion of the plate. The remaining proceeds will support charities and nonprofits in the state of Florida that align with the foundation's mission and goals, such as children's hospitals, support for first responders and the military, and youth advocacy and mentorship, and to fund the development and operation of youth mentorship programs in partnership with local law enforcement agencies.

The bill takes effect October 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If the specialty license plate is produced, the UFC Foundation, Inc., will receive the annual use fees associated with sales of the plate.

C. Government Sector Impact:

The estimated fiscal impact associated with the bill is \$8,160.¹⁸

VI. Technical Deficiencies:

None.

¹⁸ DHSMV, *supra* note 1.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 320.08058 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Gruters

22-00369A-26

2026246

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop an Ultimate Fighting Championship (UFC) license plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

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

Section 1. Subsection (136) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(136) ULTIMATE FIGHTING CHAMPIONSHIP (UFC) LICENSE PLATES.

(a) The department shall develop an Ultimate Fighting

Championship (UFC) license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "UFC Lives Here" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate must be distributed to the UFC Foundation, a nonprofit corporation under s. 501(c) (3) of the Internal Revenue Code, which may use up to 10 percent of the proceeds to promote and market the plate. The UFC Foundation shall use the remainder of the proceeds to support charities and nonprofits in this state that align with the foundation's mission and goals, such as children's hospitals, support for first responders and the military, and

22-00369A-26

2026246

30 youth advocacy and mentorship, and to fund the development and
31 operation of youth mentorship programs in partnership with local
32 law enforcement agencies.

33 Section 2. This act shall take effect October 1, 2026.



LEGISLATIVE ACTION

Senate

House

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The Appropriations Committee on Transportation, Tourism, and Economic Development (Gruters) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete line 33

4 and insert:

5 (137) REPUBLICAN PARTY OF FLORIDA AND FLORIDA DEMOCRATIC
6 PARTY LICENSE PLATES.—

7 (a) Notwithstanding the presale voucher requirements in s.
8 320.08053(2) (b) and the limitation on the number of specialty
9 license plates that may be issued by the department under s.
10 320.08053(3) (b), the department shall develop a Republican Party



353194

11 of Florida license plate and a Florida Democratic Party license
12 plate. The word "Florida" must appear at the top of the plates,
13 and the words "I VOTE" must appear at the bottom of the plates.
14 The plates must bear the colors and designs approved by the
15 department. The official logo of the Republican Party of Florida
16 or the Florida Democratic Party, as provided by the respective
17 political party, must appear in the center of the plates, as
18 applicable.

19 (b) Upon application, the department shall issue a
20 Republican Party of Florida or Florida Democratic Party license
21 plate, as applicable, to a person who meets all of the following
22 requirements:

23 1. The person is the owner or lessee of a motor vehicle
24 that is not used for hire or commercial use.

25 2. The person provides payment of the applicable license
26 tax and fees with his or her personal funds.

27 3. The person certifies to the department that he or she
28 is:

- a. A United States citizen;
- b. A registered voter in this state; and
- c. Not a Federal Government contractor.

32 (c) The annual use fees from the sale of the Republican
33 Party of Florida license plate shall be distributed to the
34 Republican Party of Florida, and the annual use fees from the
35 sale of the Florida Democratic Party license plate shall be
36 distributed to the Florida Democratic Party.

37 (d) A political party receiving annual use fees under this
38 subsection:

1. Must create a separate account for the deposit of such



40 fees, but may transfer funds from that account to other accounts
41 of the political party in accordance with state and federal law.

42 2. May use up to 25 percent of such fees for administrative
43 and compliance costs associated with the plate and for marketing
44 and promotion of the plate, which may not identify any candidate
45 for federal, state, district, county, or municipal office. The
46 balance of such fees may be used for any of the following
47 purposes:

48 a. To defray political party administrative costs,
49 including, but not limited to, building maintenance, staff
50 salaries, legal fees, accounting and compliance costs, office
51 equipment and supplies, postage, and the purchase, lease, or
52 maintenance of computer hardware and software.

53 b. Voter registration activity.

54 c. Voter identification activity.

55 d. Get-out-the-vote activity.

56 e. Generic campaign activity that promotes or opposes a
57 political party but does not promote or oppose a clearly
58 identified candidate for public office.

59 3. May not use such fees to make an allocable contribution
60 to any candidate for federal, state, district, county, or
61 municipal office; another political party; or any political
62 committee.

63 (e) Annual use fees provided to a political party under
64 this subsection are not a contribution to the political party
65 under chapter 106.

66 Section 2. This act shall take effect upon becoming a law.

67 ===== T I T L E A M E N D M E N T =====



69 And the title is amended as follows:
70 Delete line 7
71 and insert:
72 from the sale of the plate; directing the department
73 to develop Republican Party of Florida and Florida
74 Democratic Party license plates; specifying design
75 requirements for the plates; requiring the department
76 to issue such plates to persons who meet certain
77 requirements, upon application; providing for
78 distribution of fees collected from the sale of the
79 plates; requiring certain political parties to create
80 a separate account for deposit of such annual use
81 fees; authorizing certain uses for such annual use
82 fees; prohibiting certain uses for such annual use
83 fees; providing construction; providing an effective

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 356

INTRODUCER: Senator Wright

SUBJECT: Utility Terrain Vehicles

DATE: January 20, 2025 **REVISED:** _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2. <u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 356 creates a definition for “utility terrain vehicle” (UTV) and authorizes the operation of such vehicles on certain roadways. Specifically, the bill defines a UTV as a vehicle less than 70 inches in width which has at least two seats allowing passengers to sit in a side-by-side manner, is operated by foot controls and a steering wheel, and is equipped with headlamps, stop lamps, turn signals, tail lamps, rearview mirrors, a windshield, seat belts, and a horn. A UTV must comply with specified insurance and registration requirements.

The bill authorizes a UTV to legally operate on two-lane county roads and two-lane municipal streets in which the posted speed limit is less than 55 miles per hour. A UTV may only be operated on a part of the State Highway System necessary to cross the highway at an angle of approximately 90 degrees to the direction of the roadway and at a place where a quick and safe crossing can be made. The bill allows the operator to drive the UTV during all hours, however, a UTV may only be operated by a licensed driver or a person possessing a learner’s driver license who is under the direct supervision of a licensed driver.

A county or municipality may enact an ordinance regulating UTV operation and equipment that is more restrictive than statutory requirements. A county or municipality is authorized to prohibit the operation of a UTV on any road under its jurisdiction if the governing body determines that such prohibition is necessary in the interest of safety.

The bill establishes penalties associated with the unlawful operation of a UTV. A violation is a noncriminal traffic infraction, punishable as a nonmoving violation, as provided in ch. 318, F.S.

The bill will likely have both positive and negative fiscal impacts on private and governmental sectors. *See Section V., Fiscal Impact Statement.*

The bill takes effect January 1, 2027.

II. Present Situation:

Florida law establishes various regulations governing golf carts, all terrain vehicles and low speed vehicles, among others. These regulations generally address applicable traffic laws, equipment, registration, titling, and insurance. Currently, Florida law does not define a utility terrain vehicle or authorize their operation on public roads.

Golf Carts

A golf cart is defined as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.¹ Section 316.212, F.S., provides for the operation of golf carts on certain roadways. Except as provided in statute, the operation of a golf cart upon public roads or streets is prohibited.

A golf cart may be operated upon a county road designated by the county, a municipal street designated by the municipality, or a two-lane county road located within the jurisdiction of a municipality designated by that municipality, for use by golf carts. Prior to making a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity must post appropriate signs to indicate that such operation is allowed.²

A golf cart may be operated on a part of the State Highway System³ under the following conditions:⁴

- To cross a portion of the State Highway System which intersects a county road or municipal street that has been designated for use by golf carts if the Florida Department of Transportation (FDOT) has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.
- To cross, at midblock, a part of the State Highway System where a golf course is constructed on both sides of the highway if the FDOT has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

Upon its determination that golf carts may be operated on a given road, the FDOT must post appropriate signs on the road to indicate that such operation is allowed.⁵

A golf cart may only be operated during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours

¹ Section 320.01(22), F.S.

² Section 316.212(1), F.S.

³ Section 334.03(24), F.S., defines the term “State Highway System” to mean the interstate system and all other roads within the state which were under the jurisdiction of the state on June 10, 1995, and roads constructed by an agency of the state for the State Highway System, plus roads transferred to the state's jurisdiction after that date by mutual consent with another governmental entity, but not including roads so transferred from the state's jurisdiction. These facilities shall be facilities to which access is regulated.

⁴ Section 316.212(2), F.S.

⁵ *Id.*

between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.⁶

A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.⁷

A golf cart may not be operated on public roads or streets by a person:

- Who is under 18 unless that person has a valid learner's driver license or driver license.
- Who is 18 or older unless that person possesses a valid government-issued photographic identification.⁸

A local governmental entity may enact an ordinance relating to golf cart operation and equipment that is more restrictive than those enumerated in s. 316.212, F.S. However, such an ordinance must apply only to an unlicensed driver. Upon enactment of such ordinance, the local governmental entity must post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory.⁹

A violation of age or equipment requirements regarding the use of a golf cart is a noncriminal traffic infraction punishable as a nonmoving violation.¹⁰ A violation of the permissible operation of a golf cart on public roads or a violation of the hours of permissible operation of a golf cart is a noncriminal traffic infraction punishable as a moving violation.¹¹

All Terrain Vehicles (ATVs)

An ATV is defined as any motorized off-highway or all-terrain vehicle 55 inches or less in width which has a dry weight of 1,500 pounds or less, is designed to travel on three or more nonhighway tires, and is manufactured for recreational use by one or more persons.¹²

Section 316.2123, F.S., provides for the operation of an ATV on certain roadways. An ATV is prohibited upon public roads or streets of Florida, except that an ATV may be operated during the daytime on an unpaved roadway where a posted speed limit is less than 35 miles per hour.¹³

A county is exempt from s. 316.2123, F.S., (specifically, the authorization for ATV operation on specified roadways) if the governing body of the county, by a majority vote, following a noticed public hearing, votes to exempt the county from this provision. Alternatively, a county may, by majority vote after such hearing, designate certain unpaved roadways where an ATV may be

⁶ Section 316.212(5), F.S.

⁷ Section 316.212(6), F.S.

⁸ Section 316.212(7), F.S.

⁹ Section 316.212(8)(a), F.S.

¹⁰ Section 316.212(9), F.S. Section 318.18, F.S., provides the statutory base fine for a nonmoving violation is \$30 plus court costs and fees, which can increase the total penalty up to \$108.

¹¹ Section 316.212(9), F.S. Section 318.18, F.S., provides the statutory base fine for a moving violation is \$60 plus court costs and fees, which can increase the total penalty up to \$158.

¹² Section 317.0003(1), F.S.

¹³ Section 316.2123(1), F.S.

operated during the daytime as long as each such designated roadway has a posted speed limit of 35 miles per hour or less, and appropriately marked to indicate permissible ATV use.¹⁴

Any ATV operation that is permitted under s. 316.2123, F.S., may be undertaken only by a licensed driver or a minor, who may be unlicensed, who is under the direct supervision of licensed driver. The operator must provide proof of ownership under ch. 317, F.S., upon the request of a law enforcement officer.¹⁵

ATVs are titled pursuant to ch. 317, F.S.,¹⁶ but not registered nor provided with a license plate. The manufacturing, distribution, and sale of ATVs is not regulated under ch. 320, F.S., as a motor vehicle and therefore are not required to meet Florida's motor vehicle franchise laws.

Low-speed Vehicles and Mini Trucks

A low-speed vehicle is defined as any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122, F.S.¹⁷ A mini-truck is defined as any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. 316.2122, F.S.¹⁸

A low-speed vehicle or mini truck may be operated only on streets where the posted speed limit is 35 miles per hour or less. This does not prohibit a low-speed vehicle or mini truck from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour. A low-speed vehicle must be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers.¹⁹

A low-speed vehicle or mini truck must be registered and insured in accordance with s. 320.02, F.S., and titled pursuant to ch. 319, F.S. Any person operating a low-speed vehicle or mini truck must have in his or her possession a valid driver license.²⁰

¹⁴ Section 316.2123(2), F.S.

¹⁵ Section 316.2123(3), F.S.

¹⁶ Chapter 317, F.S., provides that the administration of off-highway vehicle titling laws is under the DHSMV, which shall provide for the issuing, handling, and recording of all off-highway vehicle titling applications and certificates, including the receipt and accounting of off-highway vehicle titling fees. Section 317.0002, F.S., states that it is the intent of the Legislature that all off-highway vehicles operated on public lands be titled and issued a certificate of title to allow for easy determination of ownership.

¹⁷ Section 320.01(41), F.S. 49 CFR Part 571 is a set of Federal Motor Vehicle Safety Standards that establish minimum performance requirements for motor vehicles and motor vehicle equipment in the United States. This standard specifies requirements for low-speed vehicles.

¹⁸ Section 320.01(41), F.S.

¹⁹ Section 316.2122(1), F.S.

²⁰ *Id.*

Low-speed vehicles and mini trucks are regulated under ch. 320, F.S., and fall under the manufacturing, distribution, and sales requirements, which are included in Florida's motor vehicle franchise dealer laws.

Utility Terrain Vehicles (UTVs)

As previously noted, current Florida law does not define a UTV (sometimes referred to as Recreational Off-Highway Vehicles (ROVs)²¹ or “side-by-sides”), nor does it allow for UTVs to be operated on public roads or streets. Section 317.0003(6), F.S., defines “OHM” or “Off-highway vehicles” to mean any ATV, two-rider ATV, ROV, or OHM that is used off the roads or highways of this state and that is not registered and licensed for highway use pursuant to ch. 320, F.S.

While there are various definitions used in connection with UTVs, the Recreational Off-Highway Vehicle Association²² provides the following definition:

- Designed to travel on four or more non-highway tires;
- Intended by the manufacturer for use by one or more persons and having the following characteristics:
 - A steering wheel for steering control;
 - Non-straddle seating;
 - Seatbelts;
 - An occupant protective structure;
 - Engine displacement of up to 1,000 cc;
 - Maximum speed capability greater than 30 miles per hour; and
 - Less than 80 inches in overall width, exclusive of accessories.²³

Currently, 20 states allow for UTVs (variously defined) to be operated on public roadways, but regulations vary widely from state to state in terms of the requirements for making a UTV street-legal.²⁴ “Street-legal UTVs are universally required to have brake lights, turn signals, headlights, and hazard lights. Some states require additional equipment before they deem a UTV to be street-legal. Just as each state has different regulations for the equipment that street-legal UTVs must have, each state also has varying regulations for how these vehicles can be operated on public roads. Most states only allow UTVs to be operated on county roads. UTVs are not allowed on interstate highways.”²⁵

²¹ Section 317.0003, F.S., provides the following definition for the term “ROV”: any motorized recreational off-highway vehicle 80 inches or less in width which has a dry weight of 3,500 pounds or less, is designed to travel on four or more nonhighway tires, and is manufactured for recreational use by one or more persons. The term does not include a golf cart as defined in ss. 316.003 and 320.01, F.S., or a low-speed vehicle as defined in s. 320.01, F.S.

²² The Recreational Off-Highway Vehicle Association is a national, not-for-profit trade association formed to promote the safe and responsible use of recreational off-highway vehicles manufactured or distributed in the United States. Recreational Off-Highway Vehicle Association, <https://rohva.org/about-us/> (last visited January 15, 2026).

²³ The Recreational Off-Highway Vehicle Association, *What is an ROV?*, <https://rohva.org/what-is-an-rov/> (last visited January 15, 2026)

²⁴ World Population Review, *UTV Street Legal States 2025*, [UTV Street Legal States 2025](https://worldpopulationreview.com/utv-street-legal-states-2025/), (last visited January 15, 2026)

²⁵ *Id.*

III. Effect of Proposed Changes:

The bill creates s. 316.21275, F.S., to define the term “utility terrain vehicle” or “UTV” to mean a vehicle less than 70 inches in width which has at least two seats allowing passengers to sit in a side-by-side manner, operated by foot controls and a steering wheel and which is equipped with headlamps, stop lamps, turn signals, tail lamps, rearview mirrors, a windshield, seat belts, and a horn. The bill defines the term “direct supervision” to mean a person who is in the adjacent front passenger seat of the UTV being operated.

A UTV may only be operated on designated two-lane county roads or two-lane municipal streets in which the posted speed limit is less than 55 miles per hour. Before making such designation, the responsible county or municipality must first determine that a UTV may safely travel on or cross the public road or street, considering factors including speed, volume, and character of motor vehicle traffic using the road or street.

A UTV may be operated only on a part of the State Highway System necessary to cross the highway at an angle of approximately 90 degrees to the direction of the roadway and at a place where a quick and safe crossing can be made. The Department of Transportation may prohibit the operation of UTVs on any road in its jurisdiction if it determines that such prohibition is necessary in the interest of safety.

A UTV may only be operated by a licensed driver pursuant to s. 322.18, F.S., or a person possessing a learner’s driver license pursuant to s. 322.1615, F.S., who is under the direct supervision of a licensed driver. The bill allows the operator to drive the UTV during all hours.

The owner or operator of a UTV must comply with all of the following requirements and regulations:

- Obey traffic regulations enumerated in ch. 316, F.S., and operate his or her UTV with due care.
- Provide proof of ownership under ch. 317, F.S., upon the request of a law enforcement officer.
- Fulfill all insurance requirements pursuant to ss. 324.022 and 627.736, F.S.
- Ensure that the UTV has the proper license plate pursuant to s. 320.0847, F.S.
- Maintain registration certificate or copy thereof in the UTV pursuant to s. 320.0605, F.S.

The bill allows a county or municipality to enact an ordinance regarding UTV operation and equipment which is more restrictive than those requirements enumerated in statute. A county or municipality may also prohibit the use of UTVs on any road under its jurisdiction if the governing body of such county or municipality determines that such prohibition is necessary in the interest of safety.

The bill establishes penalties associated with the unlawful operation of a UTV. A violation is a noncriminal traffic infraction, punishable as a nonmoving violation, as provided in ch. 318, F.S.

In order to implement the bill, the DHSMV would issue a title to the UTV owner and the operator of a UTV would be required to provide proof of ownership under ch. 317, F.S., upon the request of a law enforcement officer. As a result, UTVs would be titled as an Off-Highway

Vehicle, but unlike ATVs that are not registered, UTVs would be registered as an on-highway vehicle (like low-speed vehicles and mini-trucks).²⁶

The bill takes effect January 1, 2027.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

According to the DHSMV, the reclassification of UTVs will subject owners of such vehicles to existing motor vehicle registration fees. The DHSMV may charge the following registration and related fees:

- Advanced Replacement Fee - \$2.80
- Original License Plate - \$28.00
- Reflectorizing - \$.50
- Air Pollution - \$.10
- Decal on Demand - \$1.00
- Service Fee - \$2.50
- Base Tax – Undetermined
- Emergency Medical Services - \$.10
- Juvenile Justice - \$1.00
- Law Enforcement Radio Trust Fund - \$1.00
- Surcharge State Transportation - \$1.20

²⁶ Department of Highway Safety and Motor Vehicles, Agency Analysis of 2025 Senate Bill 88, p. 3, January 28, 2025. (On file with the Senate Committee on Transportation)

- FRVIS - \$.50
- State Transportation Fund – if over 10,000 lbs. gross vehicle weight
- Transfer Fee - \$4.50
- Delinquent Fee – based on license tax charged from, s. 320.08, F.S.²⁷

B. Private Sector Impact:

Manufacturers and dealers of UTVs may be subject to regulation under the state's motor vehicle manufacturer and franchise dealer laws (ss. 320.60-320.70, F.S.)²⁸

C. Government Sector Impact:

The DHSMV estimates that the bill will have an indeterminate positive fiscal impact on state government revenue associated with the resulting increase in motor vehicle titling and registration fees.²⁹

The DHSMV anticipates the bill will have an indeterminate negative fiscal impact associated with additional expenditures on title stock, registration stock, license plates, and decal inventory.³⁰

The DHSMV estimates a negative fiscal impact of \$59,310 associated with new information technology-related programming and implementation of the bill.³¹ These costs can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 316.21275 of the Florida Statutes.

This bill substantially amends section 320.0847 of the Florida Statutes.

²⁷ *Id* at 7.

²⁸ Section 320.27, F.S., requires the licensure of any person engaged in the business of buying, selling, or dealing in motor vehicles or offering or displaying motor vehicles for sale at wholesale or retail. Section 320.61, F.S., requires licensure of any manufacturer factory branch, distributor, or importer of motor vehicles. Pursuant to s. 320.01(1)(a), F.S., a "motor vehicle" is defined as "An automobile, motorcycle, truck, trailer, semitrailer, truck tractor, and semitrailer combination, or any other vehicle operated on the roads of this state."

²⁹ DHSMV, *supra* note 26, at 7.

³⁰ *Id*.

³¹ *Id*.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Wright

8-00442-26

2026356

A bill to be entitled

An act relating to utility terrain vehicles; creating s. 316.21275, F.S.; defining terms; authorizing the operation of a utility terrain vehicle (UTV) during all hours; authorizing the operation of UTVs on certain roadways; authorizing the operation of UTVs on certain parts of the State Highway System; authorizing the Department of Transportation to prohibit the operation of UTVs under certain circumstances; authorizing persons possessing certain licenses to operate a UTV; requiring owners or operators of a UTV to comply with certain requirements and regulations; authorizing a county or municipality to restrict or prohibit the operation of UTVs under certain circumstances; providing civil penalties; amending s. 320.0847, F.S.; requiring the Department of Highway Safety and Motor Vehicles to issue a license plate to the owner or lessee of a vehicle registered as a UTV upon payment of certain taxes and fees; requiring that license plates for UTVs comply with specified provisions; providing an effective date.

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

Section 1. Section 316.21275, Florida Statutes, is created to read:

316.21275 Operation of a UTV on certain roadways.-

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

(a) "Direct supervision" means a person is in the adjacent

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30 front passenger seat of the UTV being operated.

31 (b) "Utility terrain vehicle" or "UTV" means a vehicle less
32 than 70 inches in width which has at least two seats allowing
33 passengers to sit in a side-by-side manner, is operated by foot
34 controls and a steering wheel, and is equipped with headlamps,
35 stop lamps, turn signals, tail lamps, rearview mirrors, a
36 windshield, seat belts, and a horn.

37 (2) A UTV may be operated during all hours.

38 (3) A UTV may be operated only upon:

39 (a) A two-lane county road with a posted speed limit of
40 less than 55 miles per hour which has been designated for UTV
41 use by a county; or

42 (b) A two-lane municipal street with a posted speed limit
43 of less than 55 miles per hour which has been designated for UTV
44 use by a municipality.

45

46 Before making such designation, the responsible county or
47 municipality must first determine that a UTV may safely travel
48 on or cross the public road or street, considering factors
49 including the speed, volume, and character of motor vehicle
50 traffic using the road or street.

51 (4) A person may operate a UTV on the State Highway System
52 only when necessary to cross the highway at an angle of
53 approximately 90 degrees to the direction of the roadway and at
54 a place where a quick and safe crossing can be made. The
55 Department of Transportation may prohibit the operation of UTVs
56 on any road in its jurisdiction if it determines that such
57 prohibition is necessary in the interest of safety.

58 (5) A person may operate a UTV only if he or she possesses

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59 a driver license pursuant to s. 322.18, or if he or she
60 possesses a learner's driver license pursuant to s. 322.1615 and
61 is under the direct supervision of a licensed driver.

62 (6) The owner or operator of a UTV must comply with all of
63 the following requirements and regulations:

64 (a) Obey traffic regulations enumerated in this chapter and
65 operate the UTV with due care.

66 (b) Provide proof of ownership under chapter 317 upon
67 request of a law enforcement officer.

68 (c) Fulfill all insurance requirements pursuant to ss.
69 324.022 and 627.736.

70 (d) Ensure that the UTV has the proper license plate
71 pursuant to s. 320.0847.

72 (e) Maintain the registration certificate or a copy thereof
73 in the UTV pursuant to s. 320.0605.

74 (7) A county or municipality may enact an ordinance
75 regarding UTV operation and equipment which is more restrictive
76 than the requirements enumerated in this section.

77 (8) A county or municipality may prohibit the operation of
78 a UTV on any road or street under its jurisdiction if the
79 governing body of such county or municipality determines that
80 such prohibition is necessary in the interest of safety.

81 (9) A violation of this section is a noncriminal traffic
82 infraction, punishable as a nonmoving violation, as provided in
83 chapter 318.

84 Section 2. Section 320.0847, Florida Statutes, is amended
85 to read:

86 320.0847 Mini truck, utility terrain vehicle, and low-speed
87 vehicle license plates.—

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88 (1) The department shall issue a license plate to the owner
89 or lessee of any vehicle registered as a low-speed vehicle as
90 defined in s. 320.01, ~~or~~ a mini truck as defined in s. 320.01,
91 or a utility terrain vehicle as defined in s. 316.21275 upon
92 payment of the appropriate license taxes and fees prescribed in
93 s. 320.08.

94 (2) The license plate for a low-speed vehicle, ~~or~~ mini
95 truck, or utility terrain vehicle must ~~shall~~ comply with ~~the~~
96 ~~provisions of~~ s. 320.06.

97 Section 3. This act shall take effect January 1, 2027.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 388

INTRODUCER: Senator Arrington

SUBJECT: Specialty License Plates/Florida Wildflower

DATE: January 20, 2026 **REVISED:** _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Wells	Nortelus	ATD	Pre-meeting
3. _____	_____	FP	_____

I. Summary:

SB 388 increases the annual use fee for the existing Florida Wildflower specialty license plate from \$15 to \$25, consistent with the annual use fee amount applicable to all new specialty license plates. The bill provides that for a vehicle owner purchasing the Florida Wildflower specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains \$15 per plate.

The bill will likely have an indeterminate positive fiscal impact on the private sector. See **Section V., Fiscal Impact Statement.**

The bill takes effect October 1, 2026.

II. Present Situation:

According to the Department of Highway Safety and Motor Vehicles (DHSMV), as of October 2025, there are 132 specialty license plates authorized by the Legislature. Of these plates, 118 are available for immediate purchase and 14 are in the presale process.¹ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.² The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.³

¹ Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: Specialty License Plates, regarding specialty license plate sales (November 25, 2025).

² Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), F.S., the annual use fee for a specialty license plate is \$25.

³ Section 320.08058, F.S.

Use of Specialty License Plate Fees

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.⁴ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.⁵

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.⁶ Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.⁷

Florida Wildflower Specialty License Plate

Current law provides that the \$15 annual use fee from the sale of the Florida Wildflower specialty license plate shall be distributed to the Florida Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.⁸

According to the DHSMV, as of December 2025 there were 37,885 total sales of the Florida Wildflower specialty license plate.⁹

III. Effect of Proposed Changes:

The bill amends s. 320.08056, F.S., to increase the annual use fee of the Florida Wildflower specialty license plate from \$15 to \$25, except for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains at \$15 per plate.

The \$25 annual use fee is consistent with the amount established in s. 320.08056(3)(d), F.S., which is applicable to all new specialty license plates.

The bill takes effect October 1, 2026.

⁴ Section 320.08056(10)(a), F.S.

⁵ Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

⁶ Section 320.08056(10)(a), F.S.

⁷ Section 320.08056(11), F.S.

⁸ Section 320.0858(27)(b), F.S.

⁹ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited January 15, 2026).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

If the annual use fee increases from \$15 to \$25, the Florida Wildflowers Foundation, Inc., will experience an indeterminate positive fiscal impact associated with increased revenues available to the foundation.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 320.08056 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Arrington

25-00015-26

2026388

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08056, F.S.; increasing the annual use fee for the Florida Wildflower license plate and providing a discount for owners purchasing the plate for more than a specified number of vehicles; providing an effective date.

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

Section 1. Paragraph (p) of subsection (4) of section 08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

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

(p) Florida Wildflower license plate, \$25, except that for an owner purchasing the specialty plate for more than 10 vehicles registered to that owner, the annual use fee shall be \$15 per plate.

Section 2. This act shall take effect October 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: **SB 470**

INTRODUCER: Senator Wright

SUBJECT: Fraternal Order of Police License Plate

DATE: January 20, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Wells	Nortelus	ATD	Pre-meeting
3. _____	_____	FP	_____

I. Summary:

SB 470 deletes the restriction on who may be issued the Fraternal Order of Police specialty license plate which will expand the eligibility for the purchase of the specialty plate. The bill also redirects the funds associated with the sale of the plate to the Florida State Lodge Fraternal Order of Police Memorial Foundation, Inc., a nonprofit organization.

The bill will likely have an indeterminate positive and negative fiscal impacts on the private sector. The Department of Highway Safety and Motor Vehicles (DHSMV) can absorb the costs associated with the changes to license plate eligibility within existing resources. **See Section V., Fiscal Impact Statement.**

The bill will take effect October 1, 2026.

II. Present Situation:

The Fraternal Order of Police specialty license plate was established in 2009 and has a \$25 annual use fee. The DHSMV may issue the plate only to an applicant who submits a notarized letter from the Florida State Lodge of the Fraternal Order of Police stating that the applicant is a member of the lodge in good standing or a member of a lodge member's family, together with other fees and documents required for a specialty license plate.¹

The annual use fees from the sale of the plate are distributed to the Florida State Lodge of the Fraternal Order of the Police. A maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the state Fraternal Order of Police Law Enforcement Memorial. The

¹ Section 320.08058(67)(a), F.S.

remaining funds are to be used by the foundation to fund projects, programs, events related to the memorial or to fund improvements, maintenance, or other support of the memorial.²

According to the Florida State Fraternal Order of Police website, the “Fraternal Order of Police is the world’s largest organization of sworn law enforcement officers, with more than 373,000 members and more than 3,100 lodges.”³ The Fraternal Order of Police Memorial Foundation (a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code) honors those who died in the line of duty and are added to the Florida State Fraternal Order of Police Law Enforcement Memorial located at the State Capitol.⁴ The Memorial Foundation also provides a state scholarship program that consists of a variety of scholarships that range anywhere from \$500 to a four-year renewable scholarship of \$2,000.⁵

According to the DHSMV, as of December 2025 there were 4,756 total sales of the Fraternal Order of Police specialty license plate.⁶

III. Effect of Proposed Changes:

The bill amends s. 320.08058(67), F.S., to delete the requirement that applicants provide a notarized membership verification letter from the Fraternal Order of Police in order to purchase the Fraternal Order of Police specialty license plate. The elimination of the membership verification will significantly expand the eligibility for the purchase of the specialty plate.

The bill redistributes the funds from the sale of the specialty license plate to the Florida State Lodge Fraternal Order of Police Memorial Foundation, Inc., and specifies that those funds must be used in accordance with the foundation’s articles of incorporation. The bill also eliminates the stipulation that a maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the Fraternal Order of Police Law Enforcement Memorial.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

² Section 320.08058(67)(b), F.S.

³ Florida Fraternal Order of Police, *Our History*, [Our History | Florida State Lodge FOP](#) (last visited January 15, 2026).

⁴ Florida Fraternal Order of Police, *Memorial Service*, [Memorial Service | Florida State Lodge FOP](#) (last visited January 15, 2026).

⁵ Florida Fraternal Order of Police, *Scholarships*, [Scholarships | Florida State Lodge FOP](#) (last visited January 15, 2026).

⁶ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited January 15, 2026).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will significantly expand the number of persons eligible to purchase the Fraternal Order of Police specialty license plate, which will have an indeterminate, positive fiscal impact on the recipient organization.

C. Government Sector Impact:

The bill will have an insignificant fiscal impact on the DHSMV.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 320.08058 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Wright

8-00441-26

2026470

A bill to be entitled

An act relating to the Fraternal Order of Police license plate; amending s. 320.08058, F.S.; deleting a restriction on who may be issued the Fraternal Order of Police license plate; revising the distribution and use of annual use fees collected from sales of the Fraternal Order of Police license plate; providing an effective date.

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

Section 1. Subsection (67) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.-

(67) FRATERNAL ORDER OF POLICE LICENSE PLATES.-

(a)1. The department shall develop a Fraternal Order of Police license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Fraternal Order of Police" must appear at the bottom of the plate.

2. The department may issue the plate only to an applicant who submits a notarized letter from the Florida State Lodge of the Fraternal Order of Police stating that the applicant is a member of the lodge in good standing or a member of a lodge member's family, together with other fees and documents required for a specialty plate.

(b) The annual use fees shall be distributed to the Florida State Lodge ~~of~~ the Fraternal Order of Police Memorial

8-00441-26

2026470

30 Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of
31 the Internal Revenue Code. The ~~which shall retain all proceeds~~
32 ~~until the startup costs to develop and establish the plate have~~
33 ~~been recovered. Thereafter, the proceeds shall be distributed to~~
34 ~~the Florida State Lodge Memorial foundation~~ shall distribute the
35 proceeds for use according to the foundation's articles of
36 incorporation of the Fraternal Order of Police and used as
37 follows:

38 1. ~~A maximum of 10 percent of the proceeds may be used to~~
39 ~~promote and market the plate, to administer the license plate~~
40 ~~program, and to pay administrative costs directly associated~~
41 ~~with the state Fraternal Order of Police Law Enforcement~~
42 ~~Memorial.~~

43 2. ~~The remaining proceeds shall be used by the foundation~~
44 ~~to fund projects, programs, or events related to the memorial or~~
45 ~~to fund improvements, maintenance, or other support for the~~
46 ~~memorial.~~

47 Section 2. This act shall take effect October 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: **SB 488**

INTRODUCER: Senator Massullo

SUBJECT: Department of Highway Safety and Motor Vehicles

DATE: January 20, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Wells	Nortelus	ATD	Pre-meeting
3. _____	_____	FP	_____

I. Summary:

SB 488 amends various provisions related to the Department of Highway Safety and Motor Vehicles (DHSMV), including motor vehicle registration, licensing, and tax-related requirements. Specifically, the bill:

- Revises the short title of s. 207.001, F.S., to the “Florida Motor Fuel Use Tax Act.”
- Specifies the requirements for calculating and reporting the motor fuel use tax and updates other definitions and requirements under the Florida Motor Fuel Use Tax Act.
- Creates penalties for counterfeiting or illegally altering fuel tax licenses and the related permits.
- Amends the required procedures for due dates, electronic submissions, and methods of communications related to motor carriers and fuel taxes.
- Revises penalties and interest calculations for delinquent tax payments and revises the provisions related to the inspection and discontinuation of business operations for motor carriers.
- Provides penalties for specific offenses related to the misuse of motor fuel-tax related documents and establishes detailed requirements for recordkeeping by motor carriers.
- Increases the amount of estimated damage resulting from a crash that is required to be reported to law enforcement from \$500 to \$2,000.
- Amends requirements related to the application process for motor vehicle registrations.
- Expands the types of transactions and circumstances in which the DHSMV may use email in lieu of the United States Postal Service to communicate with customers.
- Updates the definition of a “tank vehicle” to place Florida in compliance with the Federal Motor Carrier Safety Regulations.

The bill may have an indeterminate positive fiscal impact on the DHSMV’s expenditures through the use of electronic mail. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

II. Present Situation:

Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981

In 1981, the Florida Legislature passed Chapter 207, F.S., as the “Florida Diesel and Fuel Motor Use Tax Act of 1981,” which levied taxes for the privilege of operating any commercial motor vehicle upon the public highways of this state. In 1987, responsibility was moved from the Department of Revenue to the Department of Highway Safety and Motor Vehicles (DHSMV) and authority to enter into a cooperative reciprocal agreement with other states was enacted. In 1991, the International Fuel Tax Agreement (IFTA) was formed.

In 1992, Florida joined IFTA, and in 1996, Congress enacted 49 USC 31701-31707, requiring all states (except Alaska and Hawaii) to join IFTA. The legislation provided authority to each state to establish, maintain, or enforce a law or regulation requirement, including any tax reporting form, only if the requirement conforms with IFTA. It also detailed how payment, collection, and proportional sharing of fuel use taxes would work among member states. Chapter 207, F.S.,¹ contains language that no longer conforms with the federal IFTA Articles of Agreement.¹

International Fuel Tax Agreement (IFTA)

The IFTA simplifies fuel tax reporting for interstate carriers, such as commercial motor vehicles. Commercial motor vehicles qualify for IFTA if they are used, designed, or maintained for the interstate transportation of persons or property and:

- Have two axles and a gross vehicle weight (GVW) or registered GVW exceeding 26,000 pounds; or
- Have three or more axles, regardless of weight; or
- Are used in combination with a trailer, for a combined GVW or registered GVW in excess of 26,000 pounds.²

The IFTA is a reciprocal agreement, meaning that an IFTA license issued by the jurisdiction where the motor carrier is based, is valid in all the other IFTA member jurisdictions. Additionally, the licensee reports and pays all motor fuel taxes to the base jurisdiction, which handles distribution to all the other member jurisdictions in which the licensee travelled and incurred motor fuel use tax liability. The IFTA member jurisdictions are the lower 48 states and the 10 Canadian provinces.³

IFTA Credentials

Each calendar year, Florida will issue an IFTA license and a set of two IFTA decals per each qualified vehicle. The original IFTA license is kept with the carrier’s records, and copies of the original must be kept in each vehicle, and IFTA decals must be affixed to the outside of each of

¹ DHSMV, 2026 Legislative Bill Analysis: SB 488 (October 3, 2025) at p. 3 (on file with the Senate Transportation Committee).

² Department of Highway Safety and Motor Vehicles, *International Fuel Tax Agreement*, <https://www.flhsmv.gov/Driver-Licenses-ID-Cards/Commercial-Motor-Vehicle-Drivers/International-Fuel-Tax-Agreement/> (last visited December 30, 2025).

³ *Id* at 2.

those vehicles. By having copies of the licenses, and the decals affixed to the outside of the vehicles, it qualifies them to be operational in all other IFTA jurisdictions without the need for obtaining additional licenses from those jurisdictions.⁴ The IFTA licenses and decals are valid for one calendar year (January 1 – December 31), and reporting for motor fuel taxes is divided into four reporting periods. There is no annual fee associated with the IFTA license, and IFTA decals are \$4.00 per set.⁵

Crash Reporting – Damage Thresholds

A driver of a vehicle involved in a crash that results in injury or death of any person, or results in damage to any vehicle or other property in an apparent amount of at least \$500, must give immediate notification to local law enforcement whether a municipality, county, or Florida Highway Patrol. A violation of this provision is a non-criminal traffic infraction, punishable as a nonmoving violation. The statutory base fine is \$30, but with additional fees and court costs, the total fine may be up to \$108.⁶

In 1989, the amount of property damage necessary to require notification to law enforcement was increased from \$100 to \$500.⁷ Currently, the normal amount for a deductible for vehicle insurance contracts within the insurance industry is between \$500 and \$1,500.⁸ From 2021 to the present, the typical vehicle crash damage repair cost ranged between \$1,000 to \$1,499. The second highest percentage was \$2,000 to \$2,499. Within the same period 60 percent of the vehicle crashes resulted in more than \$2,500 in damage.⁹

Application and Issuance for Certificate of Title

If a certificate of title has not previously been issued for a motor vehicle or mobile home in this state, the application, unless otherwise provided, must be accompanied by a proper bill of sale or sworn statement of ownership, or a duly certified copy thereof, or by a certificate of title, bill of sale, or other evidence of ownership required by the state or county from which the motor vehicle or mobile home was brought into this state.¹⁰ The application must also be accompanied by:

- A sworn affidavit from the seller and purchaser verifying that the vehicle identification number shown on the affidavit is identical to the vehicle identification number shown on the motor vehicle; or
- An appropriate DHSMV form evidencing that a physical examination has been made of the motor vehicle by the owner and by a duly constituted law enforcement officer in any state, a licensed motor vehicle dealer, a license inspector as provided by s. 320.58, F.S., or a notary

⁴ *Id.*

⁵ *Id.*

⁶ Florida Association of Clerks of Court, *2023 Distribution Schedule*, p. 39.

https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf (last visited December 30, 2025).

⁷ Section 1, Chapter 89-271, Laws of Florida.

⁸ Insurance, L. M. (n.d.). Car Insurance Deductibles: Frequently Asked Questions, *Liberty Mutual*.

<https://www.libertymutual.com/insurance-resources/auto/car-insurance-deductibles-faqs> (last visited December 30, 2025).

⁹ *Id* at 2.

¹⁰ Section 319.23(3), F.S.

public commissioned by this state, and that the vehicle identification number shown on such form is identical to the vehicle identification number shown on the motor vehicle; and

- If the vehicle is a used car original, a sworn affidavit from the owner verifying that the odometer reading shown on the affidavit is identical to the odometer reading shown on the motor vehicle in accordance with the requirements of certain federal regulations.

Verification of the vehicle identification number is not required for any new motor vehicle; any mobile home; any trailer or semitrailer with a net weight of less than 2,000 pounds; or any travel trailer, camping trailer, truck camper, or fifth-wheel recreation trailer.¹¹

Vehicle Registration Requirements – Permanent Address

With limited exceptions, every owner or person in charge of a motor vehicle that is operated or driven on the roads must register the vehicle in this state. The owner or person in charge must apply to the DHSMV or to its authorized agent for registration of each vehicle on a form prescribed by the DHSMV. A registration is not required for any motor vehicle that is not operated on the roads of this state during the registration period.¹²

The application for registration must include the street address of the owner's permanent residence or the address of his or her permanent place of business and be accompanied by personal or business identification information. An individual applicant must provide a valid driver license or identification card issued by Florida or another state or a valid passport. A business applicant must provide a federal employer identification number, if applicable, or verification that the business is authorized to conduct business in the state, or a Florida municipal or county business license or number.¹³

If the owner does not have a permanent residence or permanent place of business, or if the owner's permanent residence or permanent place of business cannot be identified by a street address, the application must include:

- If the vehicle is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position.
- If the vehicle is registered to an individual, the name and street address of the permanent residence of a close relative or friend who is a resident of this state.¹⁴

If the vehicle is registered to an active-duty member of the Armed Forces of the United States who is a Florida resident, the active-duty member is exempt from the requirement to provide the street address of a permanent residence.¹⁵

¹¹ *Id.*

¹² Section 320.02(1), F.S.

¹³ Section 320.02(2)(a), F.S.

¹⁴ *Id.*

¹⁵ *Id.*

Electronic Notification to Customers – Use of Email

Notices related to the cancellation, suspension, revocation, or disqualification issued under the provisions of chs. 318, 320, 322, 324, or ss. 627.732-627.734, F.S.,¹⁶ must be given via personal delivery to the customer via the United States Postal Service at which it is placed in an envelope, first class, postage prepaid and addressed to the customer at his or her last known mailing address that has been furnished to the DHSMV.

Currently, the DHSMV is authorized to collect and utilize email addresses for the limited purpose of providing certain motor vehicle registration and driver's license renewal notices.

Definition of Tank Vehicles

Section 322.01(44), F.S. defines a "tank vehicle" as a vehicle that is designed to transport any liquid or any liquid gaseous material within a tank either permanently or temporarily attached to the vehicle, if such tank has a designed capacity of 1,000 gallons or more.

According to the DHSMV, this definition is not currently aligned with the Federal Motor Carrier Safety Administration (FMSCA) definition.¹⁷ The FMSCA has the power to withhold federal funding from the state should they find that the DHSMV is not in compliance with the applicable federal legal requirements.¹⁸

III. Effect of Proposed Changes:

International Fuel Tax Agreement

The bill amends various sections of ch. 207, F.S., to update Florida law to reflect the changes in federal regulations pertaining to IFTA so that Florida remains compliant with those federal regulations. For example, the bill:

- Specifies the requirements for calculating and reporting the motor fuel use tax and updates other definitions and requirements under the Florida Motor Fuel Use Tax Act.
- Establishes a licensing system for motor carriers in lieu of registration and mandates electronic submission for tax and licensing documents.
- Creates penalties for counterfeiting or illegally altering fuel tax licenses and the related permits.
- Amends the required procedures for due dates, electronic submissions, and methods of communications related to motor vehicles and fuel taxes.

¹⁶ These chapters govern the disposition of traffic infractions, motor vehicle registration, driver licensing, financial responsibility, and motor vehicle insurance.

¹⁷ 49 CFR 383.5, provides that a "tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

¹⁸ DHSMV, 2025 Legislative Bill Analysis: SB 1290 (February 26, 2025) at p. 5 (on file with the Senate Transportation Committee).

- Revises penalties and interest calculations for delinquent tax payments and revises the provisions related to the inspection and discontinuation of business operations for motor carriers.
- Provides penalties for specific offenses related to the misuse of motor fuel-tax related documents and establishes detailed requirements for recordkeeping by motor carriers.
- Incorporates numerous conforming provisions throughout ch. 207, F.S.

Crash Reporting – Damage Thresholds

The bill amends s. 316.065, F.S., to require the driver of a vehicle that is involved in a crash that results in injury or death of any person, or results in damage to any vehicle or other property in an apparent amount of at least \$2,000 (currently \$500), to give immediate notification to local law enforcement or the Florida Highway Patrol.

Motor Vehicle Registration – Permanent Address

The bill amends s. 320.02, F.S., to provide that an application for registration of a motor vehicle must include the street address of the owner's Florida residence or the address of his or her permanent place of business in Florida and be accompanied by specified personal or business identification. The bill repeals the current authorization for a vehicle owner who does not have a permanent address or place of business in Florida to register a vehicle under certain conditions.

Specifically, the bill provides that an applicant for a motor vehicle registration is required to have a valid, REAL ID compliant driver's license or identification card issued by Florida or another state, a valid unexpired United States passport, or a valid, unexpired passport issued by another country and an unexpired Form I-94 issued by the United States Bureau of Customs and Border Protection. According to the DHSMV, there are currently 262,167 driver licenses in Florida that are not yet REAL-ID compliant, even though the federal REAL-ID deadline was May 7, 2025.¹⁹

The bill also stipulates that if a vehicle is registered to a service member of the U.S. Armed Forces as defined in s. 322.57(4)(a), F.S., who is a Florida resident, the registrant is exempt from the requirement to provide a street address for a permanent Florida residence.

Electronic Notification of Customers Via Email

The bill amends ss. 320.95, 322.08, 322.18, 322.21, 322.251, 322.2616, 322.64, 324.091, and 328.30, F.S., to expand the types of transactions and circumstances in which DHSMV may use email in lieu of the United States Postal Service to communicate with customers. Specifically, the bill authorizes email to be used as a method of general notification for various notices and orders issued by DHSMV, including, but not limited to, notices related to driver licenses, identification cards, motor vehicle registrations, motor vehicle insurance, and vessel registrations.

SB 490, which is linked to this bill, expands provisions related to current public record exemptions for email addresses held by the DHSMV used in connection with:

¹⁹ *Id* at p. 6

- Motor vehicle title transactions.
- Motor vehicle registration renewal notices.
- Driver license renewal notices.
- Vessel title transactions and liens.

Definition of Tank Vehicles

The bill amends s. 322.01(44), F.S., to change the definition of a “tank vehicle” to a vehicle designed to transport any liquid or gaseous material within one or more tanks, each with a capacity above 119 gallons and an aggregate rated capacity of 1,000 gallons or more. A commercial motor vehicle transporting an empty storage container that is not designed for transportation but that is temporarily attached to a flatbed trailer is not a tank vehicle. This change places Florida in substantial compliance with Parts 383 and 384 of the FMCSA.

The bill includes various conforming provisions and corrects several cross-references.

This bill takes effect July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Not applicable. The bill does not impose or raise a state tax or fee nor repeal a state credit or exemption.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill may have an indeterminate positive fiscal impact on state government as DHSMV's expenditures could decrease as a result of notices and orders being provided via electronic mail and not through the United States Postal Service.

According to the DHSMV, FHP and tax collector training will be required to implement several provisions of the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 207.001, 207.002, 207.003, 207.004, 207.005, 207.007, 207.008, 207.011, 207.013, 207.014, 207.019, 207.023, 207.0281, 212.08, 316.065, 316.545, 318.15, 319.35, 320.02, 320.95, 322.01, 322.08, 322.18, 322.21, 322.251, 322.2616, 322.64, 324.091, 324.171, 328.30, and 627.7415.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Massullo

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A bill to be entitled

An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 207.001, F.S.; revising a short title; reordering and amending s. 207.002, F.S.; defining terms and revising definitions; amending s. 207.003, F.S.; conforming provisions to changes made by the act; amending s. 207.004, F.S.; requiring licensure in lieu of registration of motor carriers operating certain qualified motor vehicles; requiring motor carriers to obtain fuel use decals in lieu of identifying devices; requiring that qualified motor vehicles carry a copy of the license or make the license available electronically; requiring that fuel tax decals be conspicuously displayed on qualified motor vehicles while the vehicles are operated on public highways; requiring the department or its authorized agent to issue licenses and fuel tax decals; requiring that fuel tax decal renewal orders be submitted electronically through an online system beginning on a certain date; providing an exception; revising required contents of temporary fuel-use permits; deleting provisions for driveaway permits; amending s. 207.005, F.S.; revising due dates for motor fuel use tax returns submitted by licensed motor carriers; requiring that tax returns be submitted electronically through an online system beginning on a certain date; providing an exception; amending s. 207.007, F.S.; revising the method of calculating interest due for

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30 certain delinquent taxes; prohibiting a person from
31 knowingly making, or assisting any other person in
32 making, a false statement in connection with an audit;
33 prohibiting a person from counterfeiting, altering,
34 manufacturing, or selling fuel tax licenses, fuel tax
35 decals, or temporary fuel-use permits except under
36 certain circumstances; providing penalties; amending
37 s. 207.008, F.S.; conforming provisions to changes
38 made by the act; amending s. 207.011, F.S.;
39 authorizing the department to inspect records
40 necessary to verify the tax returns of motor carriers,
41 motor fuel retail dealers, and motor fuel wholesale
42 distributors; amending ss. 207.013 and 207.014, F.S.;
43 conforming provisions to changes made by the act;
44 amending s. 207.019, F.S.; requiring motor carriers to
45 destroy fuel tax decals and notify the department upon
46 the discontinuance, sale, or transfer of the business;
47 amending ss. 207.023, 207.0281, and 212.08, F.S.;
48 conforming provisions to changes made by the act;
49 amending s. 316.065, F.S.; revising the apparent
50 amount of property damage which requires the driver of
51 a vehicle involved in a crash to notify law
52 enforcement of the crash; amending s. 318.15, F.S.;
53 conforming a provision to changes made by the act;
54 amending s. 320.02, F.S.; requiring vehicle
55 registration applicants to provide a Florida address;
56 providing an exception; requiring an applicant to
57 provide satisfactory proof of address and certain
58 documentation; defining the term "REAL ID driver's

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59 license or identification card"; amending s. 320.95,
60 F.S.; revising the purpose for which the department
61 may use e-mail; amending s. 322.01, F.S.; revising the
62 definition of the term "tank vehicle"; amending s.
63 322.08, F.S.; revising the purpose for which the
64 department may use e-mail; amending ss. 322.18,
65 322.21, and 322.251, F.S.; authorizing the department
66 to provide certain orders and notices by e-mail
67 notification; amending ss. 322.2616, 322.64, 324.091,
68 and 324.171, F.S.; conforming provisions to changes
69 made by the act; amending s. 328.30, F.S.; revising
70 the purpose for which the department may use e-mail;
71 amending s. 627.7415, F.S.; conforming a provision to
72 changes made by the act; amending ss. 316.545 and
73 319.35, F.S.; conforming cross-references; making a
74 technical change; providing an effective date.
75

76 Be It Enacted by the Legislature of the State of Florida:

77
78 Section 1. Section 207.001, Florida Statutes, is amended to
79 read:

80 207.001 Short title.—This chapter shall be known as the
81 "Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981," and
82 the taxes levied under this chapter shall be in addition to all
83 other taxes imposed by law.

84 Section 2. Section 207.002, Florida Statutes, is reordered
85 and amended to read:

86 207.002 Definitions.—As used in this chapter, the term:
87 (11)(1) "Qualified Commercial motor vehicle" means any

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88 vehicle not owned or operated by a governmental entity which
89 uses ~~diesel fuel or~~ motor fuel on the public highways; and which
90 has two axles and a gross vehicle weight or registered gross
91 vehicle weight in excess of 26,000 pounds, or has three or more
92 axles regardless of weight, or is used in combination when the
93 weight of such combination exceeds 26,000 pounds gross vehicle
94 weight or registered gross vehicle weight. The term excludes any
95 recreational vehicle or vehicle owned or operated by a community
96 transportation coordinator as defined in s. 427.011 or by a
97 private operator that provides public transit services under
98 contract with such a provider.

99 (1) ~~(2)~~ "Department" means the Department of Highway Safety
100 and Motor Vehicles.

101 (2) "International Fuel Tax Agreement" means a reciprocal
102 agreement among states of the United States, provinces of
103 Canada, and other such member jurisdictions to provide for the
104 administration, collection, and enforcement of taxes on the
105 basis of fuel consumed, distance accrued, or both, in member
106 jurisdictions.

107 (3) "~~Diesel fuel~~" means any liquid product or gas product
108 or combination thereof, including, but not limited to, all forms
109 of fuel known or sold as ~~diesel fuel, kerosene, butane gas, or~~
110 ~~propane gas and all other forms of liquefied petroleum gases,~~
111 ~~except those defined as "motor fuel," used to propel a motor~~
112 ~~vehicle.~~

113 (4) "~~International Registration Plan~~" means a registration
114 reciprocity agreement among states of the United States and
115 provinces of Canada providing for payment of license fees or
116 license taxes on the basis of fleet miles operated in various

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117 ~~jurisdictions.~~118 (3)-(5) "Interstate" means vehicle movement between or
119 through two or more member jurisdictions states.120 (4)-(6) "Intrastate" means vehicle movement from one point
121 within a member jurisdiction state to another point within the
122 same member jurisdiction state.123 (5) "Member jurisdiction" means a state of the United
124 States, a province of Canada, or any other such jurisdiction
125 that is a member of the International Fuel Tax Agreement.126 (6)-(7) "Motor carrier" means any person owning,
127 controlling, operating, or managing any motor vehicle used to
128 transport persons or property over any public highway.129 (7)-(8) "Motor fuel" means any fuel placed in the fuel
130 supply storage unit of a qualified motor vehicle, including an
131 alternative fuel, such as pure methanol, ethanol, or other
132 alcohol; a blend of 85 percent or more alcohol with gasoline;
133 natural gas and liquified fuel produced from natural gas;
134 propane; coal-derived liquified fuel; hydrogen; electricity;
135 pure biodiesel (B100) fuel, other than alcohol, derived from
136 biological materials; P-series fuel; or any other type of fuel
137 or energy used to propel a qualified motor vehicle what is
138 commonly known and sold as gasoline and fuels containing a
139 mixture of gasoline and other products.140 (8)-(9) "Operate," "operated," "operation," or "operating"
141 means and includes the utilization in any form of any qualified
142 commercial motor vehicle, whether loaded or empty, whether
143 utilized for compensation or not for compensation, and whether
144 owned by or leased to the motor carrier who uses it or causes it
145 to be used.

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146 (9) ~~(10)~~ "Person" means and includes natural persons,
147 corporations, copartnerships, firms, companies, agencies, or
148 associations, singular or plural.

149 (10) ~~(11)~~ "Public highway" means any public street, road, or
150 highway in this state.

151 ~~(12) "Registrant" means a person in whose name or names a~~
152 ~~vehicle is properly registered.~~

153 (12) ~~(13)~~ "Use," "uses," or "used" means the consumption of
154 ~~diesel fuel or~~ motor fuel in a qualified commercial motor
155 vehicle for the propulsion thereof.

156 Section 3. Section 207.003, Florida Statutes, is amended to
157 read:

158 207.003 Privilege tax levied.—A tax for the privilege of
159 operating any qualified commercial motor vehicle upon the public
160 highways of this state shall be levied upon every motor carrier
161 at a rate which includes the minimum rates provided in parts I-
162 III of chapter 206 on each gallon of ~~diesel fuel or~~ motor fuel
163 used for the propulsion of a qualified commercial motor vehicle
164 by such motor carrier within this the state.

165 Section 4. Section 207.004, Florida Statutes, is amended to
166 read:

167 207.004 Licensing Registration of motor carriers; fuel tax
168 ~~decals identifying devices; fees; renewals; temporary fuel-use~~
169 ~~permits and driveaway permits.~~—

170 (1) (a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause to
171 be operated in this state any qualified commercial motor
172 vehicle, other than a Florida-based qualified commercial motor
173 vehicle that travels Florida intrastate mileage only, which ~~that~~
174 uses ~~diesel fuel or~~ motor fuel until such carrier is licensed

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175 under the International Fuel Tax Agreement and issued fuel tax
176 decals has registered with the department or has registered
177 under a cooperative reciprocal agreement as described in s.
178 207.0281, after such time as this state enters into such
179 agreement, and has been issued an identifying device or such
180 carrier is has been issued a temporary fuel-use permit as
181 authorized under subsection (5) subsections (4) and (5) for each
182 vehicle operated. The fee for each set of fuel tax decals is
183 There shall be a fee of \$4 per year or any fraction thereof. A
184 copy of the license must be carried in each vehicle or made
185 available electronically. The fuel tax decals for each such
186 identifying device issued. The identifying device shall be
187 provided by the department and must be conspicuously displayed
188 on the qualified commercial motor vehicle as prescribed by the
189 instructions on the reverse side of the decal department while
190 the vehicle it is being operated on the public highways of this
191 state. The transfer of fuel tax decals an identifying device
192 from one vehicle to another vehicle or from one motor carrier to
193 another motor carrier is prohibited. The department or its
194 authorized agent shall issue the licenses and fuel tax decals.

195 (b) The motor carrier to whom fuel tax decals have been
196 issued is an identifying device has been issued shall be solely
197 responsible for the proper use of the fuel tax decals
198 identifying device by its employees, consignees, or lessees.

199 (2) Fuel tax decals Identifying devices shall be issued
200 each year for the period January 1 through December 31, or any
201 portion thereof, if tax returns and tax payments, when
202 applicable, have been submitted to the department for all prior
203 reporting periods. Fuel tax decals Identifying devices may be

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204 displayed for the next succeeding indicia period beginning
205 December 1 of each year. Beginning October 1, 2026, except as
206 otherwise authorized by the department, all fuel tax decal
207 renewal orders must be electronically submitted through an
208 online system prescribed by the department.

209 (3) If a motor carrier licensed in this state no longer
210 operates or causes to be operated in this state a qualified
211 ~~commercial~~ motor vehicle, the fuel tax decals must ~~identifying~~
212 ~~device shall~~ be destroyed and the motor carrier to whom the fuel
213 ~~tax decals were~~ ~~device was~~ must ~~shall~~ notify the
214 department immediately by letter of such removal and of the
215 number of fuel tax decals ~~the identifying device that has been~~
216 destroyed.

217 (4) A motor carrier must, before operating a qualified
218 ~~commercial~~ motor vehicle on the public highways of this state,
219 must display fuel tax decals ~~an identifying device~~ as required
220 under subsections (1) and (2) or must obtain a temporary fuel-
221 use permit for that vehicle as provided in subsection (5). A
222 ~~temporary fuel-use permit shall expire within 10 days after date~~
223 ~~of issuance. The cost of a temporary fuel-use permit is \$45, and~~
224 ~~the permit exempts the vehicle from the payment of the motor~~
225 ~~fuel or diesel fuel tax imposed under this chapter during the~~
226 ~~term for which the permit is valid. However, the vehicle is not~~
227 ~~exempt from paying the fuel tax at the pump.~~

228 (5) (a) A ~~registered~~ motor carrier holding a valid
229 certificate ~~of registration~~ may, upon payment of the \$45 fee per
230 permit, secure from the department, or any wire service
231 authorized by the department, a temporary fuel-use permit.

232 (b) The fee for a temporary fuel-use permit is \$45. A

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233 temporary fuel-use permit expires 10 days after the date of
234 issuance and exempts the vehicle from payment of the motor fuel
235 tax imposed under this chapter during the period for which the
236 permit is valid. However, this paragraph does not exempt the
237 vehicle from payment at the pump of the fuel tax imposed under
238 chapter 206.

239 (c) A ~~blank~~ temporary fuel-use permit ~~must, before its use,~~
240 ~~must be executed by the motor carrier, in ink or type, so as to~~
241 ~~identify the carrier, the vehicle to which the permit is~~
242 ~~assigned, and the permit's effective date and expiration date~~
243 ~~that the vehicle is placed in and removed from service. The~~
244 ~~temporary fuel-use permit shall also show a complete~~
245 ~~identification of the vehicle on which the permit is to be used,~~
246 ~~together with the name and address of the owner or lessee of the~~
247 ~~vehicle. The endorsed temporary fuel-use permit ~~must~~ shall then~~
248 ~~be carried on the vehicle that it identifies and ~~must~~ shall be~~
249 ~~exhibited on demand to any authorized personnel. Temporary fuel-~~
250 ~~use permits may be transmitted to the motor carrier by~~
251 ~~electronic means and shall be completed as outlined by~~
252 ~~department personnel prior to transmittal.~~

253 (d) The motor carrier to whom a temporary fuel-use permit
254 is issued ~~is~~ ~~shall~~ be solely responsible for the proper use of
255 the permit by its employees, consignees, or lessees. Any
256 erasure, alteration, or unauthorized use of a temporary fuel-use
257 permit ~~renders~~ ~~shall render~~ it invalid and of no effect. A motor
258 carrier to whom a temporary fuel-use permit is issued may not
259 knowingly allow the permit to be used by any other person or
260 organization.

261 (b) An unregistered motor carrier may, upon payment of the

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262 ~~\$45 fee, secure from any wire service authorized by the~~
263 ~~department, by electronic means, a temporary fuel-use permit~~
264 ~~that shall be valid for a period of 10 days. Such permit must~~
265 ~~show the name and address of the unregistered motor carrier to~~
266 ~~whom it is issued, the date the vehicle is placed in and removed~~
267 ~~from service, a complete identification of the vehicle on which~~
268 ~~the permit is to be used, and the name and address of the owner~~
269 ~~or lessee of the vehicle. The temporary fuel-use permit shall~~
270 ~~then be carried on the vehicle that it identifies and shall be~~
271 ~~exhibited on demand to any authorized personnel. The~~
272 ~~unregistered motor carrier to whom a temporary fuel-use permit~~
273 ~~is issued shall be solely responsible for the proper use of the~~
274 ~~permit by its employees, consignees, or lessees. Any erasure,~~
275 ~~alteration, or unauthorized use of a temporary fuel-use permit~~
276 ~~shall render it invalid and of no effect. The unregistered motor~~
277 ~~carrier to whom a temporary fuel-use permit is issued may not~~
278 ~~knowingly allow the permit to be used by any other person or~~
279 ~~organization.~~

280 (e) ~~A registered motor carrier engaged in driveaway~~
281 ~~transportation, in which the cargo is the vehicle itself and is~~
282 ~~in transit to stock inventory and the ownership of the vehicle~~
283 ~~is not vested in the motor carrier, may, upon payment of the \$4~~
284 ~~fee, secure from the department a driveaway permit. The~~
285 ~~driveaway permits shall be issued for the period January 1~~
286 ~~through December 31. An original permit must be in the~~
287 ~~possession of the operator of each vehicle and shall be~~
288 ~~exhibited on demand to any authorized personnel. Vehicle mileage~~
289 ~~reports must be submitted by the motor carrier, and the road~~
290 ~~privilege tax must be paid on all miles operated within this~~

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291 state during the reporting period. All other provisions of this
292 chapter shall apply to the holder of a driveway permit.

293 Section 5. Section 207.005, Florida Statutes, is amended to
294 read:

295 207.005 Returns and payment of tax; delinquencies;
296 calculation of fuel used during operations in the state; credit;
297 bond.—

298 (1) The taxes levied under this chapter are shall be due
299 and payable on the first day of the month following the last
300 month of the reporting period. The department may adopt
301 promulgate rules for requiring and establishing procedures for
302 annual, semiannual, or quarterly filing. The reporting period is
303 shall be the 12 months beginning January 1 July 1 and ending
304 December 31 June 30. It shall be the duty of Each motor carrier
305 licensed registered or required to be registered under the
306 provisions of this chapter must to submit a return by the
307 following due dates, except that each due date is extended until
308 the last day of the month of the due date, and, if the last day
309 of the month falls on a Saturday, Sunday, or legal holiday, the
310 due date is further extended until the next day that is not a
311 Saturday, Sunday, or legal holiday within 30 days after the due
312 date. The due date shall be as follows:

313 (a) If annual filing, the due date is January 31. shall be
314 July 1;

315 (b) If semiannual filing, the due dates are shall be
316 January 31 1 and July 31 1; or

317 (c) If quarterly filing, the due dates are shall be January
31 1, April 30 1, July 31 1, and October 31 1.

319 (2) The amount of fuel used in the propulsion of any

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320 qualified commercial motor vehicle within this state may be
321 calculated, if the motor carrier maintains adequate records, by
322 applying total interstate vehicular consumption of all ~~diesel~~
323 ~~fuel and~~ motor fuel used as related to total miles traveled and
324 applying such rate to total miles traveled within this state. In
325 the absence of adequate documentation by the motor carrier, the
326 department may adopt ~~is authorized to promulgate~~ rules
327 converting miles driven to gallons used.

328 (3) For the purpose of computing the carrier's liability
329 for the fuel road privilege tax, the total gallons of fuel used
330 in the propulsion of any qualified commercial motor vehicle in
331 this state shall be multiplied by the rates provided in parts I-
332 III of chapter 206. From the sum determined by this calculation,
333 there shall be allowed a credit equal to the amount of the tax
334 per gallon under parts I-III of chapter 206 for each gallon of
335 fuel purchased in this state during the reporting period when
336 the diesel fuel or motor fuel tax was paid at the time of
337 purchase. If the tax paid under parts I-III of chapter 206
338 exceeds the total tax due under this chapter, the excess may be
339 allowed as a credit against future tax payments, until the
340 credit is fully offset or until eight calendar quarters ~~shall~~
341 have passed since the end of the calendar quarter in which the
342 credit accrued, whichever occurs first. A refund may be made for
343 this credit provided it exceeds \$10.

344 (4) The department may adopt ~~is authorized to promulgate~~
345 the necessary rules to provide for an adequate bond from each
346 motor carrier to ensure payment of taxes required under this
347 chapter.

348 (5) Beginning October 1, 2026, except as otherwise

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349 authorized by the department, all returns must be submitted
350 electronically through an online system prescribed by the
351 department.

352 Section 6. Section 207.007, Florida Statutes, is amended to
353 read:

354 207.007 Offenses; penalties and interest.—

355 (1) If any motor carrier licensed registered under this
356 chapter fails to file a return or and pay any tax liability
357 under this chapter within the time required hereunder, the
358 department may impose a delinquency penalty of \$50 or 10 percent
359 of the delinquent taxes due, whichever is greater, if the
360 failure is for not more than 30 days, with an additional 10
361 percent penalty for each additional 30 days, or fraction
362 thereof, during the time which the failure continues, not to
363 exceed a total penalty of 100 percent in the aggregate. However,
364 the penalty may not be less than \$50.

365 (2) In addition to any other penalties, any delinquent tax
366 shall bear interest in accordance with the International Fuel
367 Tax Agreement at the rate of 1 percent per month, or fraction
368 thereof, calculated from the date the tax was due. If the
369 department enters into a cooperative reciprocal agreement under
370 the provisions of s. 207.0281, the department shall collect and
371 distribute all interest due to other jurisdictions at the same
372 rate as if such interest were due to the state.

373 (3) A Any person who:

374 (a) Willfully refuses or neglects to make any statement,
375 report, or return required by the provisions of this chapter;

376 (b) Knowingly makes, or assists any other person in making,
377 a false statement in a return or report, or in connection with

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378 an application for licensure ~~registration~~ under this chapter, or
379 in connection with an audit; or

380 (c) Counterfeits, alters, manufactures, or sells fuel tax
381 licenses, fuel tax decals, or temporary fuel-use permits without
382 first having obtained the department's permission in writing; or

383 (d) Violates any of the provisions of this chapter, a
384 penalty for which is not otherwise provided,

385
386 commits is guilty of a felony of the third degree, punishable as
387 provided in s. 775.082, s. 775.083, or s. 775.084. In addition,
388 the department may revoke or suspend the licensure and
389 registration privileges under ss. 207.004 and 320.02 of the
390 violator. Each day or part thereof during which a person
391 operates or causes to be operated a qualified commercial motor
392 vehicle without being the holder of fuel tax decals ~~an~~
393 ~~identifying device~~ or having a valid temporary fuel-use ~~or~~
394 ~~driveaway~~ permit as required by this chapter constitutes a
395 separate offense within the meaning of this section. In addition
396 to the penalty imposed by this section, the defendant is shall
397 ~~be~~ required to pay all taxes, interest, and penalties due to the
398 state.

399 Section 7. Section 207.008, Florida Statutes, is amended to
400 read:

401 207.008 Retention of records by motor carrier.—Each
402 licensed registered motor carrier shall maintain and keep
403 pertinent records and papers as may be required by the
404 department for the reasonable administration of this chapter and
405 shall preserve the records upon which each quarterly tax return
406 is based for 4 years following the due date or filing date of

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407 the return, whichever is later.

408 Section 8. Subsection (3) of section 207.011, Florida
409 Statutes, is amended to read:

410 207.011 Inspection of records; hearings; forms; rules.—

411 (3) The department, or any authorized agent thereof, is
412 authorized to examine the records, books, papers, and equipment
413 of any motor carrier, any retail dealer of motor diesel fuels,
414 and any wholesale distributor of ~~diesel~~ fuels or motor fuels
415 which ~~that~~ are deemed necessary to verify the truth and accuracy
416 of any statement, ~~or~~ report, or return and ascertain whether the
417 tax imposed by this chapter has been paid.

418 Section 9. Section 207.013, Florida Statutes, is amended to
419 read:

420 207.013 Suits for collection of unpaid taxes, penalties,
421 and interest.—Upon demand of the department, the Department of
422 Legal Affairs or the state attorney for a judicial circuit shall
423 bring appropriate actions, in the name of the state or in the
424 name of the Department of Highway Safety and Motor Vehicles in
425 the capacity of its office, for the recovery of taxes,
426 penalties, and interest due under this chapter; and judgment
427 shall be rendered for the amount so found to be due together
428 with costs. However, if it is ~~shall~~ be found as a fact that such
429 claim for, or grant of, an exemption or credit was willful on
430 the part of any motor carrier, retail dealer, or distributor of
431 ~~diesel fuel~~ ~~or~~ motor fuel, judgment must ~~shall~~ be rendered for
432 double the amount of the tax found to be due with costs. The
433 department may employ an attorney at law to institute and
434 prosecute proper proceedings to enforce payment of the taxes,
435 penalties, and interest provided for by this chapter and may fix

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436 the compensation for the services of such attorney at law.

437 Section 10. Subsection (3) of section 207.014, Florida
438 Statutes, is amended to read:

439 207.014 Departmental warrant for collection of unpaid
440 taxes.—

441 (3) In the event there is a contest or claim of any kind
442 with reference to the property levied upon or the amount of
443 taxes, costs, or penalties due, such contest or claim must ~~shall~~
444 be tried in the circuit court in and for the county in which the
445 warrant was executed, as nearly as may be in the same manner and
446 means as such contest or claim would have been tried in such
447 court had the warrant originally issued upon a judgment rendered
448 by such court. The warrant issued as provided in this section
449 constitutes ~~shall constitute~~ prima facie evidence of the amount
450 of taxes, interest, and penalties due to the state by the motor
451 carrier; and the burden of proof is ~~shall be~~ upon the motor
452 carrier, retail dealer, or distributor of ~~diesel fuel or~~ motor
453 fuel to show that the amounts or penalties were incorrect.

454 Section 11. Subsection (1) of section 207.019, Florida
455 Statutes, is amended to read:

456 207.019 Discontinuance or transfer of business; change of
457 address.—

458 (1) Whenever a person ceases to engage in business as a
459 motor carrier within this ~~the~~ state by reason of the
460 discontinuance, sale, or transfer of the business of such
461 person, he or she shall notify the department in writing at
462 least 10 days before ~~prior to~~ the time the discontinuance, sale,
463 or transfer takes effect. Such notice must ~~shall~~ give the date
464 of discontinuance and, in the event of a sale or transfer of the

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465 business, the date thereof and the name and address of the
466 purchaser or transferee. All ~~diesel fuel or~~ motor fuel use taxes
467 shall become due and payable concurrently with such
468 discontinuance, sale, or transfer; and any such person shall,
469 concurrently with such discontinuance, sale, or transfer, make a
470 report and, pay all such taxes, interest, and penalties. The
471 person shall immediately destroy the fuel tax decals and notify
472 the department by letter of such destruction and of the number
473 of the fuel tax decals that have been destroyed, and surrender
474 to the department the registration issued to such person.

475 Section 12. Subsections (1) and (3) of section 207.023,
476 Florida Statutes, are amended to read:

477 207.023 Authority to inspect vehicles, make arrests, seize
478 property, and execute warrants.—

479 (1) As a part of their responsibility when inspecting
480 qualified motor commercial vehicles, the Department of Highway
481 Safety and Motor Vehicles, the Department of Agriculture and
482 Consumer Services, and the Department of Transportation shall
483 ensure that all vehicles are properly qualified under the
484 provisions of this chapter.

485 (3) Qualified commercial motor vehicles owned or operated
486 by any motor carrier who refuses to comply with this chapter may
487 be seized by authorized agents or employees of the Department of
488 Highway Safety and Motor Vehicles, the Department of Agriculture
489 and Consumer Services, or the Department of Transportation; or
490 authorized agents and employees of any of these departments also
491 may seize property as set out in ss. 206.205, 206.21, and
492 206.215. Upon such seizure, the property must ~~shall~~ be
493 surrendered without delay to the sheriff of the county where the

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494 property was seized for further proceedings.

495 Section 13. Subsections (1) and (6) of section 207.0281,
496 Florida Statutes, are amended to read:

497 207.0281 Registration; cooperative reciprocal agreements
498 between states.—

499 (1) The Department of Highway Safety and Motor Vehicles may
500 enter into a cooperative reciprocal agreement, including, but
501 not limited to, the International Fuel Tax ~~fuel-tax~~ Agreement,
502 with another state or group of states for the administration of
503 the tax imposed by this chapter. An agreement arrangement,
504 declaration, or amendment is not effective until stated in
505 writing and filed with the Department of Highway Safety and
506 Motor Vehicles.

507 (6) This section and the contents of any reciprocal
508 agreement entered into under this section supersede all other
509 fuel-tax requirements of this chapter for qualified commercial
510 motor vehicles.

511 Section 14. Paragraph (aa) of subsection (7) of section
512 212.08, Florida Statutes, is amended to read:

513 212.08 Sales, rental, use, consumption, distribution, and
514 storage tax; specified exemptions.—The sale at retail, the
515 rental, the use, the consumption, the distribution, and the
516 storage to be used or consumed in this state of the following
517 are hereby specifically exempt from the tax imposed by this
518 chapter.

519 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any
520 entity by this chapter do not inure to any transaction that is
521 otherwise taxable under this chapter when payment is made by a
522 representative or employee of the entity by any means,

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523 including, but not limited to, cash, check, or credit card, even
524 when that representative or employee is subsequently reimbursed
525 by the entity. In addition, exemptions provided to any entity by
526 this subsection do not inure to any transaction that is
527 otherwise taxable under this chapter unless the entity has
528 obtained a sales tax exemption certificate from the department
529 or the entity obtains or provides other documentation as
530 required by the department. Eligible purchases or leases made
531 with such a certificate must be in strict compliance with this
532 subsection and departmental rules, and any person who makes an
533 exempt purchase with a certificate that is not in strict
534 compliance with this subsection and the rules is liable for and
535 shall pay the tax. The department may adopt rules to administer
536 this subsection.

537 (aa) *Certain commercial vehicles.*—Also exempt is the sale,
538 lease, or rental of a qualified commercial motor vehicle as
539 defined in s. 207.002, when the following conditions are met:

- 540 1. The sale, lease, or rental occurs between two commonly
541 owned and controlled corporations;
- 542 2. Such vehicle was titled and registered in this state at
543 the time of the sale, lease, or rental; and
- 544 3. Florida sales tax was paid on the acquisition of such
545 vehicle by the seller, lessor, or renter.

546 Section 15. Subsection (1) of section 316.065, Florida
547 Statutes, is amended to read:

548 316.065 Crashes; reports; penalties.—

549 (1) The driver of a vehicle involved in a crash resulting
550 in injury to or death of any persons or damage to any vehicle or
551 other property in an apparent amount of at least \$2,000 must

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552 \$500 shall immediately by the quickest means of communication
553 give notice of the crash to the local police department, if such
554 crash occurs within a municipality; otherwise, to the office of
555 the county sheriff or the nearest office or station of the
556 Florida Highway Patrol. A violation of this subsection is a
557 noncriminal traffic infraction, punishable as a nonmoving
558 violation as provided in chapter 318.

559 Section 16. Paragraph (a) of subsection (1) of section
560 318.15, Florida Statutes, is amended to read:

561 318.15 Failure to comply with civil penalty or to appear;
562 penalty.—

563 (1) (a) If a person fails to comply with the civil penalties
564 provided in s. 318.18 within the time period specified in s.
565 318.14(4), fails to enter into or comply with the terms of a
566 penalty payment plan with the clerk of the court in accordance
567 with ss. 318.14 and 28.246, fails to attend driver improvement
568 school, or fails to appear at a scheduled hearing, the clerk of
569 the court must notify the Department of Highway Safety and Motor
570 Vehicles of such failure within 10 days after such failure. Upon
571 receipt of such notice, the department must immediately issue an
572 order suspending the driver license and privilege to drive of
573 such person effective 20 days after the date the order of
574 suspension is provided ~~mailed~~ in accordance with s. 322.251(1),
575 (2), and (6). The order also must inform the person that he or
576 she may contact the clerk of the court to establish a payment
577 plan pursuant to s. 28.246(4) to make partial payments for
578 court-related fines, fees, service charges, and court costs. Any
579 such suspension of the driving privilege which has not been
580 reinstated, including a similar suspension imposed outside of

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581 this state, must remain on the records of the department for a
582 period of 7 years from the date imposed and must be removed from
583 the records after the expiration of 7 years from the date it is
584 imposed. The department may not accept the resubmission of such
585 suspension.

586 Section 17. Subsection (2) and paragraph (e) of subsection
587 (5) of section 320.02, Florida Statutes, are amended to read:

588 320.02 Registration required; application for registration;
589 forms.—

590 (2) (a) The application for registration must include the
591 street address of the owner's permanent Florida residence or the
592 address of his or her permanent place of business in this state
593 and be accompanied by personal or business identification
594 information. If the vehicle is registered to a servicemember, as
595 defined in s. 322.57(4)(a), of the United States Armed Forces
596 who is a Florida resident, the servicemember is not required to
597 provide the street address of a permanent Florida residence.

598 (b) An individual applicant must provide proof of address
599 satisfactory to the department and:

600 1. A valid REAL ID driver's ~~driver~~ license or
601 identification card issued by this state or another state; ~~or~~
602 2. A valid, unexpired United States passport; or
603 3. A valid, unexpired passport issued by another country
604 and an unexpired Form I-94 issued by United States Customs and
605 Border Protection.

606
607 For purposes of this paragraph, the term "REAL ID driver's
608 license or identification card" has the same meaning as provided
609 in 6 C.F.R. s. 37.3.

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610 (c) A business applicant must provide a federal employer
611 identification number, if applicable, or verification that the
612 business is authorized to conduct business in this the state, or
613 a Florida municipal or county business license or number.

614 1. ~~If the owner does not have a permanent residence or~~
615 ~~permanent place of business or if the owner's permanent~~
616 ~~residence or permanent place of business cannot be identified by~~
617 ~~a street address, the application must include:~~

618 a. ~~If the vehicle is registered to a business, the name and~~
619 ~~street address of the permanent residence of an owner of the~~
620 ~~business, an officer of the corporation, or an employee who is~~
621 ~~in a supervisory position.~~

622 b. ~~If the vehicle is registered to an individual, the name~~
623 ~~and street address of the permanent residence of a close~~
624 ~~relative or friend who is a resident of this state.~~

625 2. ~~If the vehicle is registered to an active duty member of~~
626 ~~the Armed Forces of the United States who is a Florida resident,~~
627 ~~the active duty member is exempt from the requirement to provide~~
628 ~~the street address of a permanent residence.~~

629 (d) ~~(b)~~ The department shall prescribe a form upon which
630 motor vehicle owners may record odometer readings when
631 registering their motor vehicles.

632 (5)

633 (e) Upon the expiration date noted in the cancellation
634 notice that the department receives from the insurer, the
635 department shall suspend the registration, issued under this
636 chapter, or the license issued under s. 207.004(1), of a motor
637 carrier who operates a commercial motor vehicle or who permits
638 it to be operated in this state during the registration or

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639 license period without having in full force liability insurance,
640 a surety bond, or a valid self-insurance certificate that
641 complies with this section. The insurer shall provide notice to
642 the department at the same time the cancellation notice is
643 provided to the insured pursuant to s. 627.7281. The department
644 may adopt rules regarding the electronic submission of the
645 cancellation notice.

646 Section 18. Subsection (2) of section 320.95, Florida
647 Statutes, is amended to read:

648 320.95 Transactions by electronic or telephonic means.—

649 (2) The department may collect e-mail ~~electronic mail~~
650 addresses and use e-mail ~~electronic mail~~ in lieu of the United
651 States Postal Service as a method of notification for the
652 ~~purpose of providing renewal notices~~.

653 Section 19. Subsection (44) of section 322.01, Florida
654 Statutes, is amended to read:

655 322.01 Definitions.—As used in this chapter:

656 (44) "Tank vehicle" means a vehicle ~~that is~~ designed to
657 transport any liquid or gaseous material within one or more
658 tanks that have an individual rated capacity that exceeds 119
659 gallons and an aggregate rated capacity of 1,000 gallons or more
660 and that are ~~a tank~~ either permanently or temporarily attached
661 to the vehicle or chassis. A commercial motor vehicle
662 transporting an empty tank that is not designed for
663 transportation, but that is temporarily attached to a flatbed
664 trailer, is not a tank vehicle, if such tank has a designed
665 ~~capacity of 1,000 gallons or more~~.

666 Section 20. Subsection (10) of section 322.08, Florida
667 Statutes, is amended to read:

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668 322.08 Application for license; requirements for license
669 and identification card forms.—

670 (10) The department may collect e-mail ~~electronic mail~~
671 addresses and use e-mail ~~electronic mail~~ in lieu of the United
672 States Postal Service as a method of notification ~~for the~~
673 ~~purpose of providing renewal notices.~~

674 Section 21. Paragraph (a) of subsection (8) of section
675 322.18, Florida Statutes, is amended to read:

676 322.18 Original applications, licenses, and renewals;
677 expiration of licenses; delinquent licenses.—

678 (8) The department shall issue 8-year renewals using a
679 convenience service without reexamination to drivers who have
680 not attained 80 years of age. The department shall issue 6-year
681 renewals using a convenience service when the applicant has
682 satisfied the requirements of subsection (5).

683 (a) If the department determines from its records that the
684 holder of a license about to expire is eligible for renewal, the
685 department must ~~shall~~ mail a renewal notice to the licensee at
686 his or her last known address or provide a renewal notice to the
687 licensee by e-mail notification, not less than 30 days before
688 ~~prior to~~ the licensee's birthday. The renewal notice must ~~shall~~
689 direct the licensee to appear at a driver license office for in-
690 person renewal or to transmit the completed renewal notice and
691 the fees required by s. 322.21 to the department using a
692 convenience service.

693 Section 22. Subsection (4) of section 322.21, Florida
694 Statutes, is amended to read:

695 322.21 License fees; procedure for handling and collecting
696 fees.—

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697 (4) If the department determines from its records or is
698 otherwise satisfied that the holder of a license about to expire
699 is entitled to have it renewed, the department must shall mail a
700 renewal notice to the licensee at his or her last known address
701 or provide a renewal notice to the licensee by e-mail
702 notification, within 30 days before the licensee's birthday. The
703 licensee must shall be issued a renewal license, after
704 reexamination, if required, during the 30 days immediately
705 preceding his or her birthday upon presenting a renewal notice,
706 his or her current license, and the fee for renewal to the
707 department at any driver license examining office.

708 Section 23. Subsections (1), (2), (3), and (6) of section
709 322.251, Florida Statutes, are amended to read:

710 322.251 Notice of cancellation, suspension, revocation, or
711 disqualification of license.—

712 (1) All orders of cancellation, suspension, revocation, or
713 disqualification issued under ~~the provisions of~~ this chapter,
714 chapter 318, chapter 324, or ss. 627.732-627.734 must shall be
715 given ~~either~~ by personal delivery thereof to the licensee whose
716 license is being canceled, suspended, revoked, or disqualified;
717 or by deposit in the United States mail in an envelope, first
718 class, postage prepaid, addressed to the licensee at his or her
719 last known mailing address furnished to the department; or by e-
720 mail notification authorized by the licensee. Such methods of
721 notification mailing by the department constitute notice
722 ~~constitutes notification~~, and any failure by the person to
723 receive the ~~mailed~~ order does will not affect or stay the
724 effective date or term of the cancellation, suspension,
725 revocation, or disqualification of the licensee's driving

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726 privilege.

727 (2) The giving of notice and an order of cancellation,
728 suspension, revocation, or disqualification ~~by mail~~ is complete
729 upon expiration of 20 days after e-mail notification or, if
730 mailed, 20 days after deposit in the United States mail for all
731 notices except those issued under chapter 324 or ss. 627.732-
732 627.734, which are complete 15 days after e-mail notification
733 or, if mailed, 15 days after deposit in the United States mail.
734 Proof of the giving of notice and an order of cancellation,
735 suspension, revocation, or disqualification in such either
736 manner must shall be made by entry in the records of the
737 department that such notice was given. The entry is admissible
738 in the courts of this state and constitutes sufficient proof
739 that such notice was given.

740 (3) Whenever the driving privilege is suspended, revoked,
741 or disqualified under ~~the provisions of~~ this chapter, the period
742 of such suspension, revocation, or disqualification must shall
743 be indicated on the order of suspension, revocation, or
744 disqualification, and the department shall require the licensee
745 whose driving privilege is suspended, revoked, or disqualified
746 to surrender all licenses then held by him or her to the
747 department. However, if should the person fails fail to
748 surrender such licenses, the suspension, revocation, or
749 disqualification period does shall not expire until a period
750 identical to the period for which the driving privilege was
751 suspended, revoked, or disqualified has expired after the date
752 of surrender of the licenses, or the date an affidavit swearing
753 such licenses are lost has been filed with the department. In
754 any instance where notice of the suspension, revocation, or

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755 disqualification order is given mailed as provided herein, and
756 the license is not surrendered to the department, and such
757 license thereafter expires, the department may shall not renew
758 that license until a period of time identical to the period of
759 such suspension, revocation, or disqualification imposed has
760 expired.

761 (6) Whenever a cancellation, suspension, revocation, or
762 disqualification occurs, the department shall enter the
763 cancellation, suspension, revocation, or disqualification order
764 on the licensee's driver file 20 days after e-mail notification
765 or, if mailed, 20 days after the notice was actually placed in
766 the mail. Any inquiry into the file after the 20-day period must
767 shall reveal whether that the license is canceled, suspended,
768 revoked, or disqualified and whether the license has been
769 received by the department.

770 Section 24. Subsection (4) of section 322.2616, Florida
771 Statutes, is amended to read:

772 322.2616 Suspension of license; persons under 21 years of
773 age; right to review.—

774 (4) If the department finds that the license of the person
775 should be suspended under this section and if the notice of
776 suspension has not already been served upon the person by a law
777 enforcement officer or correctional officer as provided in
778 subsection (2), the department must shall issue a notice of
779 suspension and, unless the notice is provided mailed under s.
780 322.251, a temporary driving permit that expires 10 days after
781 the date of issuance if the driver is otherwise eligible.

782 Section 25. Subsection (3) of section 322.64, Florida
783 Statutes, is amended to read:

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784 322.64 Holder of commercial driver license; persons
785 operating a commercial motor vehicle; driving with unlawful
786 blood-alcohol level; refusal to submit to breath, urine, or
787 blood test.—

788 (3) If the department determines that the person arrested
789 should be disqualified from operating a commercial motor vehicle
790 pursuant to this section and if the notice of disqualification
791 has not already been served upon the person by a law enforcement
792 officer or correctional officer as provided in subsection (1),
793 the department must ~~shall~~ issue a notice of disqualification
794 and, unless the notice is provided ~~mailed~~ pursuant to s.
795 322.251, a temporary permit which expires 10 days after the date
796 of issuance if the driver is otherwise eligible.

797 Section 26. Subsection (1) of section 324.091, Florida
798 Statutes, is amended to read:

799 324.091 Notice to department; notice to insurer.—

800 (1) Each owner and operator involved in a crash or
801 conviction case within the purview of this chapter shall furnish
802 evidence of automobile liability insurance or motor vehicle
803 liability insurance within 14 days after the date of providing
804 ~~the mailing of~~ notice of crash by the department in the form and
805 manner as it may designate. Upon receipt of evidence that an
806 automobile liability policy or motor vehicle liability policy
807 was in effect at the time of the crash or conviction case, the
808 department shall forward to the insurer such information for
809 verification in a method as determined by the department. The
810 insurer shall respond to the department within 20 days after the
811 notice whether or not such information is valid. If the
812 department determines that an automobile liability policy or

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813 motor vehicle liability policy was not in effect and did not
814 provide coverage for both the owner and the operator, it must
815 shall take action as it is authorized to do under this chapter.

816 Section 27. Paragraph (c) of subsection (1) of section
817 324.171, Florida Statutes, is amended to read:

818 324.171 Self-insurer.—

819 (1) Any person may qualify as a self-insurer by obtaining a
820 certificate of self-insurance from the department which may, in
821 its discretion and upon application of such a person, issue said
822 certificate of self-insurance when such person has satisfied the
823 requirements of this section to qualify as a self-insurer under
824 this section:

825 (c) The owner of a commercial motor vehicle, as defined in
826 s. 207.002 or s. 320.01, or a qualified motor vehicle, as
827 defined in s. 207.002, may qualify as a self-insurer subject to
828 the standards provided for in subparagraph (b)2.

829 Section 28. Subsection (3) of section 328.30, Florida
830 Statutes, is amended to read:

831 328.30 Transactions by electronic or telephonic means.—

832 (3) The department may collect e-mail electronic mail
833 addresses and use e-mail electronic mail in lieu of the United
834 States Postal Service as a method of notification for the
835 purpose of providing renewal notices.

836 Section 29. Section 627.7415, Florida Statutes, is amended
837 to read:

838 627.7415 Commercial or qualified motor vehicles; additional
839 liability insurance coverage.—Commercial motor vehicles, as
840 defined in s. 207.002 or s. 320.01, and qualified motor
841 vehicles, as defined in s. 207.002, operated upon the roads and

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842 highways of this state must shall be insured with the following
843 minimum levels of combined bodily liability insurance and
844 property damage liability insurance in addition to any other
845 insurance requirements:

846 (1) Fifty thousand dollars per occurrence for a commercial
847 motor vehicle or qualified motor vehicle with a gross vehicle
848 weight of 26,000 pounds or more, but less than 35,000 pounds.

849 (2) One hundred thousand dollars per occurrence for a
850 commercial motor vehicle or qualified motor vehicle with a gross
851 vehicle weight of 35,000 pounds or more, but less than 44,000
852 pounds.

853 (3) Three hundred thousand dollars per occurrence for a
854 commercial motor vehicle or qualified motor vehicle with a gross
855 vehicle weight of 44,000 pounds or more.

856 (4) All commercial motor vehicles and qualified motor
857 vehicles subject to regulations of the United States Department
858 of Transportation, 49 C.F.R. part 387, subparts A and B, and as
859 may be hereinafter amended, must shall be insured in an amount
860 equivalent to the minimum levels of financial responsibility as
861 set forth in such regulations.

862
863 A violation of this section is a noncriminal traffic infraction,
864 punishable as a nonmoving violation as provided in chapter 318.

865 Section 30. Paragraph (b) of subsection (4) of section
866 316.545, Florida Statutes, is amended to read:

867 316.545 Weight and load unlawful; special fuel and motor
868 fuel tax enforcement; inspection; penalty; review.—

869 (4)

870 (b) In addition to the penalty provided for in paragraph

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871 (a), the vehicle may be detained until the owner or operator of
872 the vehicle furnishes evidence that the vehicle has been
873 properly registered pursuant to s. 207.004. Any officer of the
874 Florida Highway Patrol or agent of the Department of
875 Transportation may issue a temporary fuel-use ~~fuel-use~~ permit
876 and collect the appropriate fee as provided for in s. 207.004(5)
877 ~~s. 207.004(4)~~. Notwithstanding the provisions of subsection (6),
878 all permit fees collected pursuant to this paragraph shall be
879 transferred to the Department of Highway Safety and Motor
880 Vehicles to be allocated pursuant to s. 207.026.

881 Section 31. Paragraph (b) of subsection (1) of section
882 319.35, Florida Statutes, is amended to read:

883 319.35 Unlawful acts in connection with motor vehicle
884 odometer readings; penalties.—

885 (1)

886 (b) It is unlawful for any person to knowingly provide
887 false information on the odometer readings required pursuant to
888 ss. 319.23(3) and 320.02(2)(d) ~~ss. 319.23(3) and 320.02(2)(b)~~.

889 Section 32. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: **SB 490**

INTRODUCER: Senator Massullo

SUBJECT: Public Records/E-mail Addresses Collected by the Department of Highway Safety for Providing Renewal Notices

DATE: January 20, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	Favorable
2. Wells	Nortelus	ATD	Pre-meeting
3. _____	_____	FP	_____

I. Summary:

SB 490 expands the exemption from public records for email addresses collected by the Department of Highway Safety and Motor Vehicles (DHSMV) to include email addresses to be used as a method of general notification to customers. The bill also creates a public record exemption for email addresses collected by the DHSMV and used for purposes of renewal notices for vessel titles and liens.

A public necessity statement is included in the bill as required by the Florida Constitution.

The bill is subject to the Open Government Sunset Review Act and the new exemption will be repealed on October 2, 2031, unless reviewed and reenacted by the Legislature.

Because this bill creates a new public records exemption, a two-thirds vote of the members present and voting in each chamber of the Legislature is required for passage.

The bill takes effect on the same date that SB 488 or similar legislation takes effect (July 1, 2026), if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

The bill has no fiscal impact on state resources or expenditures. **See Section V. Fiscal Impact Statement.**

II. Present Situation:

Access to Public Records - Generally

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.¹ The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.²

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and the statutory provisions are adopted in the rules of each chamber of the legislature.³ Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.⁴ Lastly, ch. 119, F.S., provides requirements for public records held by executive agencies.

Executive Agency Records – The Public Records Act

Chapter 119, F.S., known as the Public Records Act, provides that all state, county, and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.⁵

A public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.⁶ The Florida Supreme Court has interpreted the statutory definition of “public record” to include “material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type.”⁷

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the

¹ FLA. CONST. art. I, s. 24(a).

² *Id.*

³ See Rule 1.48, *Rules and Manual of the Florida Senate* (2020-2022) and Rule 14.1, *Rules of the Florida House of Representatives* (2020-2022).

⁴ *State v. Wooten*, 260 So. 3d 1060 (Fla. 4th DCA 2018).

⁵ Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

⁶ Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

⁷ *Shevin v. Byron, Harless, Schaffer, Reid, and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

custodian of the public record.⁸ A violation of the Public Records Act may result in civil or criminal liability.⁹

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.¹⁰ The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.¹¹

General exemptions from the public records requirements are contained in the Public Records Act.¹² Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.¹³

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” Custodians of records designated as “exempt” are not prohibited from disclosing the record; rather, the exemption means that the custodian cannot be compelled to disclose the record.¹⁴ Custodians of records designated as “confidential and exempt” may not disclose the record except under circumstances specifically defined by the Legislature.¹⁵

Open Government Sunset Review Act

The Open Government Sunset Review Act¹⁶ (the Act) prescribes a legislative review process for newly created or substantially amended¹⁷ public records or open meetings exemptions, with specified exceptions.¹⁸ It requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.¹⁹

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.²⁰

⁸ Section 119.07(1)(a), F.S.

⁹ Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

¹⁰ FLA. CONST. art. I, s. 24(c).

¹¹ *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

¹² *See, e.g.*, s. 119.071(1)(a), F.S. (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

¹³ *See, e.g.*, s. 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

¹⁴ *See Williams v. City of Minneola*, 575 So. 2d 683, 687 (Fla. 5th DCA 1991).

¹⁵ *WFTV, Inc. v. The School Board of Seminole*, 874 So. 2d 48 (Fla. 5th DCA 2004).

¹⁶ Section 119.15, F.S.

¹⁷ An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

¹⁸ Section 119.15(2)(a) and (b), F.S., provide that exemptions that are required by federal law or are applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

¹⁹ Section 119.15(3), F.S.

²⁰ Section 119.15(6)(b), F.S.

An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;²¹
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;²² or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.²³

The Act also requires specified questions to be considered during the review process.²⁴ In examining an exemption, the Act directs the Legislature to carefully question the purpose and necessity of the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.²⁵ If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.²⁶

Existing Public Record Exemptions for DHSMV-Related Email Addresses

Section 119.0712(2)(c), F.S., provides that email addresses collected by the DHSMV pursuant to specified provisions of law are exempt from public disclosure. Specifically, email addresses associated with the following types of transactions are exempt:

- Motor vehicle title notifications.²⁷
- Motor vehicle registration renewals.²⁸
- Driver license renewal notices.²⁹

²¹ Section 119.15(6)(b)1., F.S.

²² Section 119.15(6)(b)2., F.S.

²³ Section 119.15(6)(b)3., F.S.

²⁴ Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

²⁵ See generally s. 119.15, F.S.

²⁶ Section 119.15(7), F.S.

²⁷ Section 319.40(3), F.S.

²⁸ Section 320.95(2), F.S.

²⁹ Section 322.08(10), F.S.

SB 488 – Department of Highway Safety and Motor Vehicles

SB 488 expands the circumstances in which email may be used in lieu of the United States Postal Service (currently limited to certain renewal notices) by authorizing email to be used as method of notification for various notices and orders issued by the DHSMV, including but not limited to, notices and orders related to driver licenses, identification cards, motor vehicle registrations, motor vehicle insurance and vessel titles.

III. Effect of Proposed Changes:

The bill amends s. 119.0712, F.S., to expand the exemption from public records for email addresses collected by the DHSMV to include email addresses to be used as a method of general notification, and not just renewal notices. The bill also creates a public records exemption for email addresses collected by the DHSMV and used for the purpose of providing renewal notices for vessel titles.

The bill is subject to the Open Government Sunset Review Act and the exemptions will be repealed on October 2, 2031, unless reviewed and reenacted by the Legislature. Because this bill creates a new public records exemption, a two-thirds vote of the members present and voting in each chamber of the Legislature is required for passage.

The bill contains a public necessity statement as required by the Florida Constitution. It provides that the Legislature finds that:

- It is a public necessity that e-mail addresses collected by the Department of Highway Safety and Motor Vehicles for the use of e-mail in lieu of the United States Postal Service as a method of notification be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Sections 320.95(2) and 322.08(10), Florida Statutes, authorize the department to collect e-mail addresses and use e-mail in lieu of the United States Postal Service to provide renewal notices related to motor vehicle license plates, driver licenses, and identification cards. The department is also authorized to collect e-mail addresses and use e-mail to provide renewal notices related to vessel registrations pursuant to s. 328.30(3), Florida Statutes.
- SB 488 expands the circumstances in which e-mail may be used in lieu of the United States Postal Service by authorizing e-mail to be used as a method of general notification for various notices and orders issued by the department in addition to renewal notices, including, but not limited to, notices related to driver licenses, identification cards, motor vehicle registrations, vessel registrations, and orders to revoke, cancel, or suspend driver licenses.
- The department's use of e-mail as a method for corresponding with customers has steadily increased in recent decades. E-mail addresses are unique to each individual and, when combined with other personal identifying information, can be used for identity theft, consumer scams, unwanted solicitations, or other invasive contacts. The public availability of personal e-mail addresses puts the department's customers at increased risk of these problems. Such risks may be significantly limited by permitting the department to keep customer e-mail addresses exempt. The Legislature finds that these risks to consumers outweigh the state's public policy favoring open government.

The bill is effective on the same date that SB 488 or similar legislation takes effect (July 1, 2026), if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

Not applicable. The bill does not require counties or municipalities to take action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

Vote Requirement

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill expands the exemption from public records for email addresses collected by the DHSMV for providing renewal notices to include email addresses to be used as a method of general notification. The bill also creates a public records exemption for email addresses collected by the DHSMV and used for the purpose of providing renewal notices for vessel titles. Thus, the bill requires a two-thirds vote to be enacted.

Public Necessity Statement

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

Breadth of Exemption

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law.

The purpose of the law is to protect email addresses held by the DHSMV for purposes of providing various general notifications, notices, orders and instructions to customers. This bill exempts only that specific information. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Not applicable.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 119.0712 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Massullo

39-00993-26

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A bill to be entitled
An act relating to public records; amending s. 119.0712, F.S.; expanding an exemption from public records requirements for e-mail addresses collected by the Department of Highway Safety and Motor Vehicles for providing renewal notices to include e-mail addresses collected for use as a method of notification generally and not only for the purpose of providing renewal notices; expanding the exemption to include e-mail addresses collected for use as a method of notification related to vessel registrations; providing retroactive applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Paragraph (c) of subsection (2) of section 119.0712, Florida Statutes, is amended to read:

119.0712 Executive branch agency-specific exemptions from inspection or copying of public records.—

(2) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—

(c) E-mail addresses collected by the Department of Highway Safety and Motor Vehicles pursuant to s. 319.40(3), s. 320.95(2), ~~or~~ s. 322.08(10), or s. 328.30 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption applies retroactively. This paragraph is subject to the Open Government Sunset Review Act in accordance with s.

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30 119.15 and shall stand repealed on October 2, 2031, unless
31 reviewed and saved from repeal through reenactment by the
32 Legislature.

33 Section 2. The Legislature finds that it is a public
34 necessity that e-mail addresses collected by the Department of
35 Highway Safety and Motor Vehicles for the use of e-mail in lieu
36 of the United States Postal Service as a method of notification
37 be made exempt from s. 119.07(1), Florida Statutes, and s.
38 24(a), Article I of the State Constitution. Sections 320.95(2)
39 and 322.08(10), Florida Statutes, authorize the department to
40 collect e-mail addresses and use e-mail in lieu of the United
41 States Postal Service to provide renewal notices related to
42 motor vehicle license plates, driver licenses, and
43 identification cards. The department is also authorized to
44 collect e-mail addresses and use e-mail to provide renewal
45 notices related to vessel registrations pursuant to s.
46 328.30(3), Florida Statutes. SB 488 expands the circumstances in
47 which e-mail may be used in lieu of the United States Postal
48 Service by authorizing e-mail to be used as a method of
49 notification for various notices and orders issued by the
50 department in addition to renewal notices, including, but not
51 limited to, notices related to driver licenses, identification
52 cards, motor vehicle registrations, vessel registrations, and
53 orders to revoke, cancel, or suspend driver licenses. The
54 department's use of e-mail as a method for corresponding with
55 customers has steadily increased in recent decades. E-mail
56 addresses are unique to each individual and, when combined with
57 other personal identifying information, can be used for identity
58 theft, consumer scams, unwanted solicitations, or other invasive

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59 contacts. The public availability of personal e-mail addresses
60 puts the department's customers at increased risk of these
61 problems. Such risks may be significantly limited by permitting
62 the department to keep customer e-mail addresses exempt. The
63 Legislature finds that these risks to consumers outweigh the
64 state's public policy favoring open government.

65 Section 3. This act shall take effect on the same date that
66 SB 488 or similar legislation takes effect, if such legislation
67 is adopted in the same legislative session or an extension
68 thereof and becomes a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 528

INTRODUCER: Senator Truenow

SUBJECT: Manufacturing

DATE: January 20, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Renner</u>	<u>McKay</u>	<u>CM</u>	<u>Favorable</u>
2. <u>Griffin</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>AP</u>	_____

I. Summary:

SB 528 designates a Chief Manufacturing Officer (CMO) among the Department of Commerce (department) senior leadership to support, promote, and coordinate manufacturing statewide. Duties include serving as subject-matter expert for manufacturing, promoting and coordinating manufacturing efforts statewide, working with state and federal agencies to support manufacturing, and collaborating with education/training entities to promote manufacturing career paths.

The bill creates the Florida Manufacturers' Workforce Development Grant Program (program) within the department to fund proposed projects, subject to appropriation by the Legislature, that support small manufacturers in Florida in deploying new technologies or cybersecurity infrastructure, and to strengthen the manufacturing workforce pipeline from elementary education through postsecondary training and workforce reentry.

The bill establishes the voluntary Florida Manufacturing Promotional Campaign (campaign) within the department to increase consumer awareness of manufacturing activities in Florida and expand exposure for products and goods manufactured in Florida.

The bill authorizes the department to adopt rules to administer the program and campaign.

The bill may have an indeterminate impact on state expenditures. It does not appear to impact local government revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect July 1, 2026.

II. Present Situation:

Manufacturing

According to the Department of Commerce, Florida has more than 430,000 manufacturing jobs, and experienced the highest growth in manufacturing employment among large states from 2014-2022. In 2024, Florida's manufacturing output grew to \$80.7 billion. Manufacturing jobs generally pay higher wages than those in other industries and are economically resilient against downturns. Manufacturing jobs also create seven jobs for every one manufacturing job.¹

The North American Industry Classification System (NAICS) is the standard used by federal statistical agencies to classify businesses by industry for statistical data collection and analysis on the U.S. economy.² NAICS Sector Codes 311-339 include unique manufacturing industries in Florida that have outpaced the nation in job growth, which include, but are not limited to, all of the following:

- Food manufacturing.
- Beverage and tobacco product manufacturing.
- Textile mills and textile product mills.
- Apparel manufacturing.
- Leather and allied product manufacturing.
- Wood product and paper manufacturing.
- Printing and related support activities.
- Petroleum and coal products manufacturing.
- Chemical manufacturing.
- Plastics and rubber products manufacturing.
- Nonmetallic mineral product manufacturing.
- Primary metal manufacturing.
- Fabricated metal product manufacturing.
- Machinery manufacturing.
- Computer and electronic product manufacturing.
- Electrical equipment and appliances.
- Transportation equipment manufacturing.
- Furniture and related product manufacturing.
- Miscellaneous manufacturing.³

Additionally, manufacturing sectors with a high value-added component, such as aviation and aerospace, defense, microelectronics, medical devices and equipment, marine, fabricated metal products, and industrial machinery, have helped Florida's small and mid-size manufacturers grow quickly.⁴

¹ Department of Commerce analysis for SB 528 (2026). On file with Senate Commerce and Tourism Committee.

² United States Census Bureau, *North American Industry Classification System (NAICS)*, available at <https://www.census.gov/naics/>, (last visited Jan. 12, 2026).

³ Department of Commerce, 2023 Florida Manufacturing, 114, available at <https://www.floridajobs.org/docs/default-source/communicationsfiles/2023-florida-manufacturing-report.pdf> (last visited Jan. 12, 2026).

⁴ *Id.* at 47

Under the Local Manufacturing Development Program, a local government may adopt an ordinance establishing a local manufacturing development program through which the local government may grant master development approval for developing or expanding sites operated by manufacturers.⁵ Local governments may establish a manufacturing master development plan review process that allows new or expanding manufacturing businesses to go through a single local-level master development plan process and, upon approval, proceed to development without requiring additional approvals or permits, except for building permits.⁶ The approval process must be coordinated with the department.⁷ Additionally, the department has developed a model local manufacturing development program ordinance to guide local governments that intend to establish a local manufacturing development program.⁸ Currently, only Manatee and Volusia County have adopted an ordinance.⁹

Workforce Training Programs

CareerSource Florida, a not-for-profit corporation administratively housed within the department,¹⁰ is the statewide workforce policy and investment board comprised of business and government leaders that helps Floridians enter, remain in, and advance in the workplace so that they may become more highly skilled and successful. The program also connects employers with qualified and skilled employees.¹¹ Workforce training is administered through the 21 local workforce development boards.

The Florida Job Growth Grant Fund is an economic development program that promotes public infrastructure and workforce training across the state. Proposals are reviewed by the department and selected by the Governor to meet workforce or infrastructure needs in the communities to which they are awarded.¹²

Manufacturing Extension Partnership (MEP)

The MEP National Network is a public-private partnership that delivers comprehensive solutions to U.S. manufacturers, fueling growth and advancing the U.S. manufacturing sector.¹³ MEP is part of the U.S. Department of Commerce's National Institute of Standards and Technology (NIST).¹⁴ The MEP National Network, the mission of which is to strengthen and empower U.S. manufacturers, is comprised of NIST's Manufacturing Extension Partnership (NIST MEP), the 51 MEP Centers located in all 50 states and Puerto Rico, the MEP Advisory Board, MEP Center boards, and the Foundation for Manufacturing Excellence, as well as over 1,440 trusted advisors

⁵ Section 163.3252, F.S.

⁶ *Id.*

⁷ Section 163.3253, F.S.

⁸ Section 163.3252, F.S.

⁹ Department of Commerce, *Manufacturing Competitiveness Act Development Approval Program*, available at <https://floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/manufacturing-competitiveness-act-development-approval-program> (last visited Jan. 12, 2026).

¹⁰ Section 445.004(1), F.S.

¹¹ See CareerSource Florida, *About Us*, available at <https://careersourceflorida.com/> (last visited Jan. 12, 2026).

¹² See s. 288.101, F.S.

¹³ National Institute of Standards and Technology (NIST), *MEP National Network*, available at <https://www.nist.gov/mep/mep-national-network> (last visited Jan. 12, 2026).

¹⁴ *Id.*

and experts at approximately 460 MEP service locations, providing any U.S. manufacturer with access to resources they need to succeed.¹⁵ FloridaMakes is the official representative of the MEP National Network and NIST MEP in the state of Florida.¹⁶

The department collaborates with FloridaMakes to promote and support the growth of Florida's manufacturing sector by providing resources, data, and partnership opportunities to manufacturers, often highlighting the industry's economic impact through initiatives like the "Florida Manufacturing Report," which is developed jointly by both entities.¹⁷

III. Effect of Proposed Changes:

Chief Manufacturing Officer

Section 1 amends s. 20.60, F.S., to expand the Department of Commerce's (department) responsibilities to encourage and oversee manufacturing in the state in coordination with the newly created Chief Manufacturing Officer (CMO) within the department.

Section 2 creates s. 20.602, F.S., to designate a CMO among the department's senior leadership to promote manufacturing statewide. Duties of the CMO include:

- Serving as the subject-matter expert on manufacturing;
- Promoting and coordinating manufacturing efforts in the state and identifying gaps across state-supported activities;
- Providing strategic direction for interagency and cross-disciplinary initiatives to promote and support manufacturing in the state;
- Working with federal, state, regional, and local governmental entities and nongovernmental entities to align manufacturing priorities;
- Engaging with state agencies and water management districts to create processes, programs, decision frameworks, and reporting mechanisms intended to support manufacturing in the state; and
- Collaborating with the Department of Education, elementary, middle, and high schools, technical colleges, and workforce boards to promote manufacturing career paths through career development initiatives and funding manufacturing training centers.

The bill requires the department to submit a report by December 15, 2027, and every two years thereafter, on the strength and economic importance of Florida's manufacturing industry.

Florida Manufacturers' Workforce Development Grant Program

Section 3 creates s. 288.103, F.S., to establish the Manufacturers' Workforce Development Grant Program (program) within the department, under the direction of the CMO in consultation with the state's National Institute of Standards and Technology Manufacturing Extension Partnership organization. The purpose of the program is to support small manufacturers in Florida in deploying new technologies or cybersecurity infrastructure, and to strengthen the

¹⁵ *Id.*

¹⁶ FloridaMakes, *About Us*, available at <https://www.floridamakes.com/about-us/how-we-help> (last visited Jan. 12, 2026).

¹⁷ FloridaMakes, *News, Blogs & Events*, available at <https://www.floridamakes.com/blogs/frances-nevill/2024/06/04/spotlight-on-floridas-inaugural-manufacturing-report> (last visited Jan. 12, 2026).

manufacturing workforce pipeline from elementary education through postsecondary training and workforce reentry. Grants may be used for workforce and development operations, subject to appropriations.

The bill establishes ranking metrics for the program, including the number of employees, applicants' matching funds, and expected benefits from the grant awards. Priority must be given to projects with innovative plans, advanced technologies, development strategies focusing on workforce development for small manufacturers, and must include one or more of the following:

- Regional manufacturing training center establishment or expansion;
- Partnerships with school districts, technical and state colleges to support manufacturing curricula, dual enrollment, and industry certification programs;
- Development of career awareness programs in elementary and middle schools;
- Outreach and training programs targeting underrepresented populations, including reentry populations; and
- Marketing and promotion of manufacturing careers.

The department must include project grant awards and each project's status in its annual incentives report.

The department may adopt rules to implement the grant program.

Florida Manufacturing Promotional Campaign

Section 4 creates s. 288.1031, F.S., to establish the Florida Manufacturing Promotional Campaign to:

- Increase consumer awareness of manufacturing;
- Expand market exposure for manufactured products and goods; and
- Inspire future generations of entrepreneurs, fabricators, and skilled workers to build and grow domestic businesses and manufacturing operations.

The campaign is voluntary, managed by the department, and coordinated with the National Institute of Standards and Technology Manufacturing Extension Partnership. The department must develop logos, promotional materials, register participants, create in-kind advertising, and contract with the media. The department must prepare an annual report on campaign performance (submitted as part of the department's annual report) that includes performance measures and outcomes, sources of in-kind advertising, contracts, participant names, and other relevant information.

The bill defines a "manufactured product" as any durable or non-durable tangible personal property or consumer good that has been processed, fabricated, or produced through industrial or mechanical processes. This includes items sold or leased to consumers.

The department may adopt rules to implement and administer the campaign, establish logos or product identifiers used in the campaign, ensure compliance with the campaign, and govern participant registration.

Section 5 provides an effective date of July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Manufacturing businesses may see increased demand due to receiving a Florida Manufacturers' Workforce Development Grant or participating in the voluntary Manufacturing Promotional Campaign.

C. Government Sector Impact:

The bill has an indeterminate fiscal impact on the department because the Florida Manufacturers' Workforce Development Grant Program is subject to legislative appropriation. The department anticipates absorbing the costs to operate the Florida Manufacturing Promotional Campaign within existing resources.

The bill does not appear to impact local government revenues and expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 20.60 of the Florida Statutes.

This bill creates the following sections: 20.602, 288.103, and 288.1031 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Truenow

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requiring the department, in coordination with the Chief Manufacturing Officer and the National Institute of Standards and Technology Manufacturing Extension Partnership organization in this state, to establish and publish ranking metrics for reviewing and awarding grants; providing guidelines for such metrics; requiring that priority be given to projects that meet certain criteria; authorizing applicants to seek funding for a specified purpose; prohibiting such funding from being used for certain expenses; requiring the department to administer the grant awards from the Economic Development Trust Fund; requiring the department to annually provide a list to the public of specific information regarding the grant program; requiring the department to include certain information in its annual incentives report; authorizing the department to adopt rules; creating s. 288.1031, F.S.; providing legislative findings; defining terms; creating the Florida Manufacturing Promotional Campaign within the department; requiring the Chief Manufacturing Officer to administer the campaign in coordination with the National Institute of Standards and Technology Manufacturing Extension Partnership organization in this state; providing the purpose of the campaign; requiring the department to take certain actions to promote the campaign; requiring persons who participate in the campaign to register annually with the department; requiring the department to establish by rule the form and manner of

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59 registration; requiring the department to adopt rules
60 to implement and administer the campaign; requiring
61 the department annually to create a specified report
62 and submit it to the Governor and the Legislature as
63 part of its annual report; providing an effective
64 date.

65

66 Be It Enacted by the Legislature of the State of Florida:

67

68 Section 1. Paragraph (m) is added to subsection (4) of
69 section 20.60, Florida Statutes, to read:

70 20.60 Department of Commerce; creation; powers and duties.—
71 (4) The purpose of the department is to assist the Governor
72 in working with the Legislature, state agencies, business
73 leaders, and economic development professionals to formulate and
74 implement coherent and consistent policies and strategies
75 designed to promote economic opportunities for all Floridians.
76 The department is the state's chief agency for business
77 recruitment and expansion and economic development. To
78 accomplish such purposes, the department shall:

79 (m) Encourage and oversee manufacturing in this state in
80 coordination with the Chief Manufacturing Officer.

81 Section 2. Section 20.602, Florida Statutes, is created to
82 read:

83 20.602 Chief Manufacturing Officer.—

84 (1) There is designated among the senior leadership of the
85 Department of Commerce a Chief Manufacturing Officer for the
86 purpose of supporting the manufacturing ecosystem statewide. The
87 Chief Manufacturing Officer is appointed by and serves at the

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88 pleasure of the Secretary of Commerce.

89 (2) The Chief Manufacturing Officer shall do all of the
90 following:

91 (a) Serve as a subject-matter expert for the state on
92 issues related to manufacturing.

93 (b) Promote and coordinate manufacturing efforts in this
94 state and identify gaps across state-supported activities.

95 (c) Provide strategic direction for interagency and cross-
96 disciplinary initiatives to promote and support manufacturing in
97 this state.

98 (d) Work with federal, state, regional, and local
99 governmental entities and nongovernmental entities to align
100 manufacturing priorities.

101 (e) Engage with state agencies and water management
102 districts to create processes, programs, decision frameworks,
103 and reporting mechanisms intended to support manufacturing in
104 this state.

105 (f) Collaborate with the Department of Education, school
106 districts, charter schools, technical colleges, state colleges,
107 and regional workforce development boards to promote
108 manufacturing as a career path. Such collaboration must include
109 all of the following:

110 1. Supporting curriculum development and career awareness
111 initiatives in elementary and middle schools, including
112 classroom resources, career fairs, and outreach activities
113 designed to inspire interest in manufacturing.

114 2. Establishing technology demonstration centers, work-
115 based learning opportunities, and exposure to manufacturing
116 careers through partnerships with guidance counselors and

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117 recognized career exploration programs, including Project Lead
118 The Way.

119 3. Preserving and expanding manufacturing programs in high
120 schools, promoting dual enrollment and industry certifications,
121 and ensuring that course selection and grade point average
122 weighting policies encourage students to pursue, rather than
123 discourage them from pursuing, manufacturing tracks.

124 4. Funding and supporting regional manufacturing training
125 centers to provide multiple entry points for careers in
126 manufacturing, including awareness initiatives for
127 underrepresented populations and individuals reentering the
128 workforce.

129 5. Reenergizing the marketing and promotion of
130 manufacturing careers in coordination with the Florida
131 Manufacturing Promotional Campaign created in s. 288.1031, using
132 messaging tailored to the interests and language of today's
133 youth.

134 (3) All state and local governmental entities shall assist
135 the Chief Manufacturing Officer to the extent such assistance is
136 consistent with law and with budgetary constraints.

137 (4) The department shall prepare a report, in consultation
138 with the Chief Manufacturing Officer and the National Institute
139 of Standards and Technology Manufacturing Extension Partnership
140 organization in this state, regarding manufacturing efforts in
141 this state. The department shall submit the report to the
142 Governor, the President of the Senate, and the Speaker of the
143 House of Representatives by December 15, 2027, and every 2 years
144 thereafter. The report must include information regarding the
145 strength and economic importance of the manufacturing industry

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146 in this state.147 Section 3. Section 288.103, Florida Statutes, is created to
148 read:149 288.103 Florida Manufacturers' Workforce Development Grant
150 Program.—151 (1) The Florida Manufacturers' Workforce Development Grant
152 Program is created within the Department of Commerce, under the
153 direction of the Chief Manufacturing Officer in consultation
154 with the National Institute of Standards and Technology
155 Manufacturing Extension Partnership organization in this state,
156 to fund proposed projects, subject to appropriation by the
157 Legislature, which support small manufacturers in this state
158 with the deployment of new technologies or cybersecurity
159 infrastructure and to strengthen the manufacturing workforce
160 pipeline from elementary education through postsecondary
161 training and workforce reentry.162 (2) The department, in coordination with the Chief
163 Manufacturing Officer and the National Institute of Standards
164 and Technology Manufacturing Extension Partnership organization
165 in this state, shall review submitted applications and select
166 projects for awards which create strategic investments in
167 workforce training and education partnerships to facilitate the
168 deployment of new technologies or cybersecurity infrastructure
169 and to expand career awareness and preparation for manufacturing
170 occupations across the K-12, postsecondary, and workforce
171 training systems. Final grant awards are made at the sole
172 discretion of the department.173 (3) The department, in coordination with the Chief
174 Manufacturing Officer and the National Institute of Standards

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175 and Technology Manufacturing Extension Partnership organization
176 in this state, shall establish and publish ranking metrics for
177 reviewing grants and awarding them to applicants on a
178 competitive basis. Metrics may include the number of employees,
179 matching funds pledged by the applicant, and expected benefits
180 from the grant award. Priority must be given to projects with
181 innovative plans, advanced technologies, and development
182 strategies that focus on workforce development for small
183 manufacturers across this state and that include one or more of
184 the following:

185 (a) Establishment or expansion of regional manufacturing
186 training centers.

187 (b) Partnerships with the Department of Education, school
188 districts, charter schools, technical colleges, and state
189 colleges to support manufacturing curricula, dual enrollment,
190 and industry certification programs.

191 (c) Development of elementary and middle school career
192 awareness programs, including technology demonstration centers
193 and guidance counselor resources.

194 (d) Outreach and training programs targeting
195 underrepresented populations, including reentry populations.

196 (e) Marketing and promotion of manufacturing careers
197 consistent with s. 288.1031.

198 (4) Applicants may seek funding for workforce development
199 and operations; however, grant funding awarded under this
200 section may not be used to pay salary and benefits or general
201 business or office expenses. Grants awarded under the program
202 shall be administered by the department from the Economic
203 Development Trust Fund established in s. 288.095.

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204 (5) The department shall annually provide a list to the
205 public of each project awarded a grant, the benefit of each
206 project in meeting the goals and objectives of the program, and
207 the current status of each project. The department shall include
208 such information in the annual incentives report required under
209 s. 288.0065.

210 (6) The department may adopt rules to implement this
211 section.

212 Section 4. Section 288.1031, Florida Statutes, is created
213 to read:

214 288.1031 Florida Manufacturing Promotional Campaign.—

215 (1) The Legislature finds that there is a need for a
216 campaign to increase consumer awareness of manufacturing
217 activities in this state, to expand market exposure for
218 manufactured products and goods in this state, and to inspire
219 future generations of entrepreneurs, fabricators, and skilled
220 workers to build and grow domestic businesses and manufacturing
221 operations in this state. The Legislature further finds that a
222 campaign that creates a partnership between the state and
223 manufacturers in this state is necessary to promote and
224 advertise manufactured products efficiently.

225 (2) As used in this section, the term:

226 (a) "Manufactured product" means any tangible personal
227 property or consumer good, whether a durable or nondurable good,
228 that has been processed, fabricated, or produced, often through
229 industrial or mechanical processes. The term includes items sold
230 or leased to consumers.

231 (b) "Person" means an individual, a firm, a partnership, a
232 corporation, an association, a business, a trust, a legal

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233 representative, or any other business unit.

234 (3) The Florida Manufacturing Promotional Campaign is
235 created within the department. The Chief Manufacturing Officer
236 shall administer the campaign in coordination with the National
237 Institute of Standards and Technology Manufacturing Extension
238 Partnership organization in this state. The purpose of the
239 campaign is to serve as a voluntary marketing program to promote
240 manufacturing products and businesses in this state.

241 (4) The department shall do all of the following:

242 (a) Develop logos for the campaign and authorize the use of
243 such logos by rule.

244 (b) Create promotional materials for the campaign.

245 (c) Register campaign participants.

246 (d) Develop in-kind advertising programs.

247 (e) Contract with media representatives for the purpose of
248 dispersing promotional materials.

249 (5) A person who produces manufactured products may
250 participate in the campaign only by registering annually with
251 the department. The department shall establish by rule the form
252 and manner of registration.

253 (6) The department shall adopt rules to implement and
254 administer the campaign. By rule, the department shall establish
255 the logos or product identifiers to be depicted for use in the
256 campaign for advertising, publicizing, and promoting the sale of
257 manufactured products in this state. The department shall also
258 adopt rules necessary to ensure compliance with the campaign and
259 to govern participant registration.

260 (7) The department shall annually create a report on the
261 success of the campaign, including detailed performance measures

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262 and outcomes, sources of in-kind advertising, contracts related
263 to disbursement of promotional materials, the names of persons
264 participating in the campaign, and other information for the
265 campaign. The department shall submit the report as part of the
266 annual report required in s. 20.602(4).

267 Section 5. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: SB 584

INTRODUCER: Senator Avila

SUBJECT: Commercial Driving Schools

DATE: January 20, 2026 **REVISED:** _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Favorable</u>
2. <u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 584 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) and county tax collectors to enter into interagency agreements authorizing county tax collectors to enforce statutory provisions related to commercial driving schools. The interagency agreement may include, but is not limited to, grants of authority to the county tax collector, or his or her agent, to do any of the following:

- Prohibit licensees operating commercial driving schools, and their agents, from entering upon the tax collector's premises except under specified circumstances.
- Prohibit conduct by licensees operating commercial driving schools, and their agents, which operates or would operate as a fraud or deceit.
- Prohibit any transaction, practice, or course of business related to a commercial driving school which undermines the driver license issuance process.
- Require persons licensed to operate commercial driving schools, and their agents, to present certain documents upon the demand of a law enforcement officer, a DHSMV employee, or an employee of the tax collector.
- Enter the premises of a commercial driving school to ensure compliance with laws regulating commercial driving schools.

The DHSMV may experience a reduction in costs associated with entering into these interagency agreements. County tax collectors entering into such agreements may incur indeterminate costs associated with enforcing commercial driving school regulations. See Section V., Fiscal Impact Statement for details.

This bill takes effect July 1, 2026.

II. Present Situation:

Commercial Driving Schools

Commercial driving schools provide education about driving skills, traffic laws, road safety, and substance abuse. Commercial driving schools also teach behind-the-wheel skills for driving non-commercial vehicles to prepare drivers to take the Class E skills test.^{1,2}

Except for truck driving schools,³ the Department of Highway Safety and Motor Vehicles (DHSMV) oversees and licenses all commercial driving schools. A person or other entity may not operate a commercial driving school without first obtaining a license from DHSMV.⁴

An application for a license to become a commercial driving school is submitted to the DHSMV. If the DHSMV approves the application, and the license fee is paid, the DHSMV issues the appropriate license. A license for a commercial driving school is valid for one year from the date of issuance and is not transferable.⁵

Commercial Driving School Instructors and Agents

A person may not be compensated for giving instructions on operating motor vehicles or act as a driving school instructor without first obtaining an instructor's certificate from the DHSMV.⁶ An instructor's certificate is only valid in connection with the driving school or schools listed on the certificate or in connection with a driver education course offered by a district school board.⁷

Agents of Commercial Driving Schools – Identification Cards

A person may not serve as an agent for a commercial driving school without first obtaining an agent identification card from the DHSMV. An agent identification card is only valid in connection with the commercial driving school or schools listed on the card.⁸

Certification of Motor Vehicles Used by Commercial Driving Schools

A motor vehicle owned or controlled by a commercial driving school may not be used to give driving instructions until the licensee has obtained a school vehicle identification certificate from the DHSMV. Such vehicles must also meet the DHSMV's safety requirements.⁹

¹ Department of Highway Safety and Motor Vehicles (DHSMV), *Commercial Driving School Overview*, <https://www.flhsmv.gov/driver-licenses-id-cards/education-courses/commercial-driving-schools/> (last visited January 5, 2026).

² A Class E driver license authorizes a person to drive non-commercial vehicles with a Gross Vehicle Weight Rating of less than 26,001 pounds. DHSMV, *Driver License & ID Cards, General Information*, <https://www.flhsmv.gov/driver-licenses-id-cards/general-information/> (last visited January 5, 2026).

³ Truck driving schools are licensed by the Commission for Independent Education pursuant to ch. 1005, F.S.

⁴ Section 488.01, F.S. Section 488.02, F.S., provides DHSMV's rulemaking authority regarding commercial driving schools.

⁵ Section 488.03, F.S.

⁶ Section 488.04(1), F.S.

⁷ *Id.* An applicant for an instructor's certificate must take special eye tests, written tests, and road tests and provides DHSMV proof of his or her qualifications and ability as a driving instructor.

⁸ Section 488.045, F.S.

⁹ Section 488.05, F.S. Vehicle requirements for commercial driving schools are codified in Rule 15A-11.010(1), F.A.C.

Revocation or Suspension of License or Certificate Related to Commercial Driving Schools

The DHSMV may suspend or revoke any license or certificate related to commercial driving schools, if the holder of the license or certificate or an instructor, agent, or employee of the commercial driving school has:

- Violated statutory provisions relating to commercial driving schools;
- Been convicted of, pled no contest to, or had adjudication withheld for any felony offense or misdemeanor offense, as shown by a fingerprint-based criminal background check;¹⁰
- Committed any fraud or willful misrepresentation in applying for or obtaining a license; or
- Solicited business on any premises, including parking areas, used by the DHSMV or a tax collector for the purpose of licensing drivers.¹¹

Commercial Driving School Fees and Distribution

All fees the DHSMV receives related to commercial driving schools are deposited in the General Revenue Fund.¹² The statutory fees are as follows:

- Commercial Driving School Fees:
 - License application fee: \$50.
 - Initial license fee: \$200.
 - Annual license renewal fee: \$100.
- Instructor or Agent Fees:
 - Instructor or agent application fee: \$25.
 - Annual instructor or agent renewal fee: \$10.
 - Duplicate instructor certificate fee: \$2.
- Vehicle-Related Fees:
 - Vehicle identification certificate application fee: \$15.
 - Annual vehicle renewal fee: \$10.¹³

Penalties

A violation related to commercial driving or any of its implementing rules or regulations¹⁴ is a misdemeanor of the first degree, punishable by a term of imprisonment not exceeding one year¹⁵ or a fine of up to \$1,000.^{16,17}

Application for a Class E Driver License

Florida law requires the DHSMV to examine every applicant for a driver's license. For a Class E driver license, the examination must include:

- A test of the applicant's eyesight;
- A test of the applicant's hearing;

¹⁰ The cost of the criminal background check borne by the applicant, instructor, agent, or employee.

¹¹ Section 488.06, F.S.

¹² Section 488.08, F.S.

¹³ These fees are codified in various provision of ch. 488, F.S.

¹⁴ DHSMV's rules for driver training schools are codified in ch. 15A-11, F.A.C.

¹⁵ Section 775.082(4)(a), F.S.

¹⁶ Section 775.083(1)(d), F.S.

¹⁷ Section 488.07, F.S.

- A test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state; and
- An actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle.¹⁸

Duties of County Tax Collectors

Among their statutorily prescribed duties, county tax collectors serve as the DHSMV's agents for purposes of motor vehicle and vessel registrations and title applications and for this issuance of driver licenses. County tax collectors are funded from fees or commissions from services rendered.¹⁹ For example, the county tax collector charges a \$6.25 service fee for providing driver license and identification card services.²⁰

III. Effect of Proposed Changes:

Section 1 creates s. 488.09, F.S., authorizing the DHSMV to enter into interagency agreements with county tax collectors regarding the enforcement of statutory provisions related to commercial driving school. Such agreements will allow county tax collectors to enforce statutes related to commercial driving schools.

The interagency agreement may include, but is not limited to, grants of authority to the county tax collector, or his or her agent, to do any of the following:

- Prohibit licensees operating commercial driving schools, and their agents, from entering upon the tax collector's premises, including its parking areas, unless such licensees and agents are seeking tax collector services in their personal capacities.
- Prohibit any course of conduct by licensees operating commercial driving schools, and their agents, which operates or would operate as a fraud or deceit upon a person, the DHSMV, or the tax collector.
- Prohibit any transaction, practice, or course of business related to a commercial driving school which undermines the integrity of the driver license issuance process.
- Require persons licensed to operate commercial driving schools, and their agents, to present their licenses, agent identification cards, and certificates upon the demand of a law enforcement officer, a the DHSMV employee, or an employee of the tax collector.
- Enter the premises of a commercial driving school to ensure compliance with state and local laws regulating commercial driving schools.

Section 2 provides that this bill takes effect July 1, 2026.

¹⁸ Section 322.12(3), F.S. Beginning July 1, 2026, an applicant who is found to have cheated during, or to have otherwise circumvented, any portion of the examination must retake the examination. See s. 7 of 2025-125, Laws of Fla.

¹⁹ Alachua County Tax Collector, *Tax Collector Duties and Responsibilities*, <https://www.alachuacollector.com/tax-collector-duties-and-responsibilities/#:~:text=The%20Tax%20Collector%20is%20responsible,an%20tangible%20personal%20property%20taxes>. (Last visited January 5, 2026). Section 322.135, F.S., provides that tax collectors are DHSMV's agents for the purpose of issuing driver license.

²⁰ Section 322.135(1)(a), F.S.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DSHMV may experience a reduction in costs associated with enforcing commercial driving school regulation; however, this reduction may be dependent upon how many interagency agreements it enters into, and the number of commercial driving schools impacted by such agreements.

County tax collectors that enter into interagency agreements with the DHSMV may incur indeterminate cost associated with enforcing regulations related to commercial driving schools.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 488.09 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Avila

39-00544-26

2026584

13 Be It Enacted by the Legislature of the State of Florida:

15 Section 1. Section 488.09, Florida Statutes, is created to
16 read:

17 488.09 Interagency agreements with tax collectors.—The
18 Department of Highway Safety and Motor Vehicles may enter into
19 interagency agreements with tax collectors authorizing such tax
20 collectors to enforce this chapter. An interagency agreement
21 entered into under this section is a delegation of the authority
22 of the department to the tax collector. Such an interagency
23 agreement may include, but need not be limited to, grants of
24 authority to the tax collector, or his or her agent, to do any
25 of the following:

26 (1) Prohibit licensees operating commercial driving
27 schools, and their agents, from entering upon the tax
28 collector's premises, including its parking areas, unless such
29 licensees and agents are seeking tax collector services in their

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30 personal capacities.31 (2) Prohibit any course of conduct by licensees operating
32 commercial driving schools, and their agents, which operates or
33 would operate as a fraud or deceit upon a person, the
34 department, or the tax collector.35 (3) Prohibit any transaction, practice, or course of
36 business related to a commercial driving school which undermines
37 the integrity of the driver license issuance process.38 (4) Require persons licensed to operate commercial driving
39 schools, and their agents, to present pertinent licenses, agent
40 identification cards, and certificates issued under this chapter
41 upon demand of a law enforcement officer, a department employee,
42 or an employee of the tax collector.43 (5) Enter the premises where a commercial driving school is
44 located to ensure compliance with state and local laws
45 regulating the business of commercial driving schools.

46 Section 2. This act shall take effect July 1, 2026.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: **SB 594**

INTRODUCER: Senator Burton

SUBJECT: Local Housing Assistance Plans

DATE: January 20, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Tolmich	Fleming	CA	Favorable
2. Griffin	Nortelus	ATD	Pre-meeting
3. _____	_____	RC	_____

I. Summary:

SB 594 provides that a county's or municipality's local housing assistance plan under the State Housing Initiatives Partnership (SHIP) Program must include a strategy for providing program funds to mobile home owners, including lot rental assistance. The bill specifies that lot rental assistance is considered home ownership activity for purposes of allocating program funds, while rehabilitation and emergency repairs for mobile homes is considered construction, rehabilitation, or emergency repair of affordable, eligible housing.

The bill allows local governments to expend funds from their local housing distribution on lot rental assistance for mobile home owners not to exceed 6 months' rent.

The bill does not have a fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Affordable Housing

Affordable housing is defined in terms of household income. Housing is considered affordable when monthly rent or mortgage payments, including taxes and insurance, do not exceed 30 percent of the household income.¹ Resident eligibility for Florida's state and federally funded housing programs is typically determined by area median income levels, which are published annually by the U.S. Department of Housing and Urban Development for each county and metropolitan area.

¹ Section 420.9071(2), F.S.

The two primary state housing assistance programs are the State Housing Initiatives Partnership (SHIP)² and the State Apartment Incentive Loan (SAIL)³ programs. SHIP provides funds to eligible local governments, allocated using a population-based formula, to address local housing needs as identified by the local government. SAIL provides low interest loans on a competitive basis as gap financing for the construction or substantial rehabilitation⁴ of multifamily affordable housing developments.⁵

State Housing Initiatives Partnership (SHIP) Program

The SHIP Program was created in 1992⁶ to provide funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing.⁷ SHIP provides funds to all 67 counties and 55 Community Development Block Grant⁸ entitlement municipalities on a population-based formula to finance and preserve affordable housing based on locally adopted housing plans.⁹ The program is administered by the Florida Housing Finance Corporation (FHFC) and serves very-low,¹⁰ low,¹¹ and moderate¹² income families.¹³

A dedicated funding source for SHIP was established by the passage of the 1992 William E. Sadowski Affordable Housing Act.¹⁴ SHIP is funded through a statutory distribution of documentary stamp tax revenues, which are deposited into the Local Government Housing Trust Fund. Subject to specific appropriation, funds are distributed quarterly to local governments participating in the program under an established formula.¹⁵ A county or eligible municipality seeking funds from SHIP must adopt an ordinance that:

- Creates a local housing assistance trust fund;
- Adopts a local housing assistance plan (LHAP)¹⁶ to be implemented through a local housing partnership;
- Designates responsibility for administering the local housing assistance plan; and
- Creates an affordable housing advisory committee.¹⁷

² Sections 420.907-9079, F.S.

³ Section 420.5087, F.S.

⁴ “Substantial rehabilitation” means repair or restoration of a dwelling unit where the value of such repair or restoration exceeds 40 percent of the value of the dwelling. Section 420.503(45), F.S.

⁵ *Supra* note 3.

⁶ Chapter 92-317, Laws of Fla.

⁷ Section 420.9072, F.S.

⁸ The Community Development Block Grant Program is a federal program created in 1974 that provides funding for housing and community development activities.

⁹ See sections 420.907-420.9089, F.S.

¹⁰ See section 420.9071(30), F.S., for the definition of “very-low-income person” and “very-low-income household.”

¹¹ See section 420.9071(20), F.S., for the definition of “low-income person” and “low-income household.”

¹² See section 420.9071(21), F.S., for the definition of “moderate-income person” and “moderate-income household.”

¹³ Section 420.9072(1)(a), F.S.

¹⁴ See chapter 92-317, Laws of Fla.

¹⁵ Section 420.9073, F.S.

¹⁶ “Local housing assistance plan” means a concise description of the local housing assistance strategies and local housing incentive strategies adopted by local government resolution with an explanation of the way in which the program meets specified requirements and corporation rule. Section 420.9071(15), F.S.

¹⁷ Section 420.9072(2)(b), F.S.

Funds are expended per each local government's adopted LHAP, which details the housing strategies it will use.¹⁸ Local governments must submit their LHAPs to the FHFC for review to ensure that they meet the broad statutory guidelines and the requirements of the program rules. The FHFC must approve an LHAP before a local government may receive SHIP funding.

A local government may not use SHIP funds to provide ongoing rent subsidies, except for:

- Security and utility deposit assistance;
- Eviction prevention not to exceed 6 months' rent; or
- A rent subsidy program for very-low-income households with at least one adult who is a person with special needs¹⁹ or is homeless,²⁰ not to exceed 12 months' rental assistance.²¹

A local government's use of SHIP funds is subject to certain restrictions (excluding amounts set aside for administrative costs):

- At least 75 percent of SHIP funds *must* be reserved for construction, rehabilitation, or emergency repair of affordable, eligible housing;²² and
- Up to 25 percent of SHIP funds *may* be reserved for allowed rental services.²³,²⁴

Within those specified distributions by local governments, additional requirements must be met:

- At least 65 percent of SHIP funds must be reserved for home ownership for eligible persons;²⁵
- At least 20 percent of SHIP funds must serve persons with special needs;
- Up to 20 percent of SHIP funds may be used for manufactured housing; and
- At least 30 percent of SHIP funds must be used for awards to very-low-income persons or eligible sponsors²⁶ serving very-low-income persons, and another 30 percent must be used for awards for low-income-persons or eligible sponsors serving low-income persons.²⁷

¹⁸ Section 420.9075, F.S. Section 420.9075(3), F.S., provides a list of strategies LHAPs are encouraged to develop, such as helping those impacted by mobile home park closures, encouraging innovative housing design to reduce long-term housing costs, preserving assisted housing, and reducing homelessness.

¹⁹ "Person with special needs" means an adult person requiring independent living services in order to maintain housing or develop independent living skills and who has a disabling condition; a young adult formerly in foster care who is eligible for services under circumstances; a survivor of domestic violence as defined by law; or a person receiving benefits under the Social Security Disability Insurance (SSDI) Program or the Supplemental Security Income (SSI) program or from veterans' disability benefits. Section 420.0004(13), F.S.

²⁰ "Homeless" means an individual or family who lacks or will imminently lose access to a fixed, regular, and adequate nighttime residence. Section 420.621(5), F.S.

²¹ Section 420.9072(7)(b), F.S.

²² "Eligible housing" means any real and personal property located within the county or the eligible municipality which is designed and intended for the primary purpose of providing decent, safe, and sanitary residential units, or manufactured housing constructed after June 1994, for homeownership or rental for eligible persons as designated by each county or eligible municipality participating in SHIP. Section 420.9071(9), F.S.

²³ See section 420.9072(7)(b), F.S.

²⁴ Section 420.9075(5), F.S.

²⁵ "Eligible person" or "eligible household" means one or more natural persons or a family determined by the county or eligible municipality to be of very low income, low income, or moderate income based upon the annual gross income of the household. Section 420.9071(11), F.S.

²⁶ "Eligible sponsor" means a person or a private or public for-profit or not-for-profit entity that applies for an award under the local housing assistance plan for the purpose of providing housing for eligible persons. Section 420.9071(12), F.S.

²⁷ Section 420.9075(5), F.S.

Mobile Homes

As of June 2024, there were about 3,500 mobile home parks in the state.²⁸ Current law defines a mobile home as a residential structure, transportable in one or more sections, which is 8 body feet or more in width, over 35 body feet in length with the hitch, built on an integral chassis, designed to be used as a dwelling when connected to the required utilities, and not originally sold as a recreational vehicle, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.²⁹

A mobile home park is land in which lots or spaces are offered for rent or lease for the placement of mobile homes and in which the primary use of the park is residential.³⁰ Owners of mobile home parks typically charge mobile home owners³¹ a monthly fee for the rental of a lot.

III. Effect of Proposed Changes:

Section 1 amends s. 420.9072, F.S., to allow local governments to expend funds from their local housing distribution on lot rental assistance for mobile home owners not to exceed 6 months' rent.

Section 2 amends s. 420.9075, F.S., to provide that a local housing assistance plan must include a strategy for providing funds to mobile home owners, including lot rental assistance. The bill specifies that lot rental assistance is considered home ownership activity for purposes of allocating program funds, while the rehabilitation and emergency repairs for mobile homes is considered construction, rehabilitation, or emergency repair of affordable, eligible housing.

Section 3 makes a conforming change to amend a cross-reference in another statutory provision.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The bill does not appear to require counties and municipalities to expend funds or further limit their authority to raise revenue or receive state-shared revenues as specified by Art. VII, s. 18 of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

²⁸ WKMG, 'Not going to take that in our state:' Corporations buying Florida mobile home parks, raising rates, June 20, 2024, available at: <https://www.clickorlando.com/news/investigators/2024/06/20/not-going-to-take-that-in-our-state-corporations-buying-florida-mobile-home-parks-raising-rates/> (last visited January 7, 2026).

²⁹ Section 723.003(8), F.S.

³⁰ Section 723.003(12), F.S.

³¹ A "mobile home owner" means a person who owns a mobile home and rents or leases a lot within a mobile home park for residential use. Section 723.003(11), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill does not affect the amount of funds to be distributed to counties and eligible municipalities under the SHIP Program, but alters how such funds may be expended to include lot rental assistance for mobile home owners.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 420.9071, 420.9072, and 420.9075.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Burton

12-00041-26

2026594

A bill to be entitled

An act relating to local housing assistance plans; amending s. 420.9072, F.S.; authorizing counties and eligible municipalities to expend certain funds on lot rental assistance for mobile home owners for a specified time period; amending s. 420.9075, F.S.; requiring each county and eligible municipality to include in its local housing assistance plan certain strategies; providing that lot rental assistance for eligible mobile home owners is an approved home ownership activity for certain purposes; authorizing counties and eligible municipalities to provide certain funds to mobile home owners for rehabilitation and emergency repairs; deleting a provision limiting to a specified percentage the amount of certain funds that may be used for manufactured housing; amending s. 420.9071, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Paragraph (b) of subsection (7) of section 420.9072, Florida Statutes, is amended to read:

420.9072 State Housing Initiatives Partnership Program.—The State Housing Initiatives Partnership Program is created for the purpose of providing funds to counties and eligible municipalities as an incentive for the creation of local housing partnerships, to expand production of and preserve affordable housing, to further the housing element of the local government

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30 comprehensive plan specific to affordable housing, and to
31 increase housing-related employment.

32 (7)

33 (b) A county or an eligible municipality may not expend its
34 portion of the local housing distribution to provide ongoing
35 rent subsidies, except for:

36 1. Security and utility deposit assistance.

37 2. Eviction prevention not to exceed 6 months' rent.

38 3. Lot rental assistance for mobile home owners as defined
39 in s. 723.003, not to exceed 6 months' rent.

40 4. A rent subsidy program for very-low-income households
41 with at least one adult who is a person with special needs as
42 defined in s. 420.0004 or homeless as defined in s. 420.621. The
43 period of rental assistance may not exceed 12 months for any
44 eligible household.

45 Section 2. Present paragraphs (d) through (g) of subsection
46 (3) of section 420.9075, Florida Statutes, are redesignated as
47 paragraphs (e) through (h), respectively, a new paragraph (d)
48 and paragraph (i) are added to that subsection, and paragraph
49 (c) of subsection (3) and paragraphs (a), (c), (e), and (n) of
50 subsection (5) of that section are amended, to read:

51 420.9075 Local housing assistance plans; partnerships.—

52 (3)

53 (c) Each county and each eligible municipality is
54 encouraged to develop a strategy within its local housing
55 assistance plan that addresses the needs of persons who are
56 deprived of affordable housing due to the ~~closure of a mobile~~
57 ~~home park or the~~ conversion of affordable rental units to
58 condominiums.

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59 (d) Each county and each eligible municipality shall
60 include in its local housing assistance plan a strategy that
61 addresses the needs of persons who are deprived of affordable
62 housing due to the closure of a mobile home park.

63 (i) Each county and each eligible municipality shall
64 include in its local housing assistance plan a strategy for
65 providing program funds to mobile home owners, as defined in s.
66 723.003, which must include lot rental assistance.

67 (5) The following criteria apply to awards made to eligible
68 sponsors or eligible persons for the purpose of providing
69 eligible housing:

70 (a) At least 65 percent of the funds made available in each
71 county and eligible municipality from the local housing
72 distribution must be reserved for home ownership for eligible
73 persons. For purposes of this paragraph, lot rental assistance
74 for eligible mobile home owners as defined in s. 723.003 is an
75 approved home ownership activity.

76 (c) At least 75 percent of the funds made available in each
77 county and eligible municipality from the local housing
78 distribution must be reserved for construction, rehabilitation,
79 or emergency repair of affordable, eligible housing. Funds may
80 be provided to mobile home owners as defined in s. 723.003 for
81 rehabilitation and emergency repairs under this paragraph.

82 ~~(e) Not more than 20 percent of the funds made available in~~
83 ~~each county and eligible municipality from the local housing~~
84 ~~distribution may be used for manufactured housing.~~

85 ~~(m) (n)~~ Funds from the local housing distribution not used
86 to meet the criteria established in paragraph (a) or paragraph
87 (c) or not used for the administration of a local housing

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88 assistance plan must be used for housing production and finance
89 activities, including, but not limited to, financing
90 preconstruction activities or the purchase of existing units,
91 providing rental housing, and providing home ownership training
92 to prospective home buyers and owners of homes assisted through
93 the local housing assistance plan.

94 1. Notwithstanding ~~the provisions of~~ paragraphs (a) and
95 (c), program income as defined in s. 420.9071(26) may also be
96 used to fund activities described in this paragraph.

97 2. When preconstruction due-diligence activities conducted
98 as part of a preservation strategy show that preservation of the
99 units is not feasible and will not result in the production of
100 an eligible unit, such costs shall be deemed a program expense
101 rather than an administrative expense if such program expenses
102 do not exceed 3 percent of the annual local housing
103 distribution.

104 3. If both an award under the local housing assistance plan
105 and federal low-income housing tax credits are used to assist a
106 project and there is a conflict between the criteria prescribed
107 in this subsection and the requirements of s. 42 of the Internal
108 Revenue Code of 1986, as amended, the county or eligible
109 municipality may resolve the conflict by giving precedence to
110 the requirements of s. 42 of the Internal Revenue Code of 1986,
111 as amended, in lieu of following the criteria prescribed in this
112 subsection with the exception of paragraphs (a) and (f) (g) of
113 this subsection.

114 4. Each county and each eligible municipality may award
115 funds as a grant for construction, rehabilitation, or repair as
116 part of disaster recovery or emergency repairs or to remedy

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117 accessibility or health and safety deficiencies. Any other
118 grants must be approved as part of the local housing assistance
119 plan.

120 Section 3. Subsection (27) of section 420.9071, Florida
121 Statutes, is amended to read:

122 420.9071 Definitions.—As used in ss. 420.907-420.9079, the
123 term:

124 (27) "Recaptured funds" means funds that are recouped by a
125 county or eligible municipality in accordance with the recapture
126 provisions of its local housing assistance plan pursuant to s.
127 420.9075(5)(i) ~~s. 420.9075(5)(j)~~ from eligible persons or
128 eligible sponsors, which funds were not used for assistance to
129 an eligible household for an eligible activity, when there is a
130 default on the terms of a grant award or loan award.

131 Section 4. This act shall take effect July 1, 2026.