

The Florida Senate  
**HOUSE MESSAGE SUMMARY**

---

Prepared By: The Professional Staff of the Transportation Committee

---

[2008s1992.hms]

BILL: CS/CS/CS/SB 1992, 1<sup>st</sup> Eng.

INTRODUCER: Transportation and Economic Development Appropriations Committee; Criminal Justice Committee; Transportation Committee and Senator Baker

SUBJECT: Department of Highway Safety and Motor Vehicles

DATE: April 25, 2008

---

**I. Amendments Contained in Message:**

**House Amendment 1 - 031427** (body with title)

**II. Summary of Amendments Contained in Message:**

**House Amendment 1** is a delete all amendment. The following is a section by section analysis of the effects of the amendment:

**Section 1** amends s. 316.0741, F.S., to redefine the term “hybrid vehicle”; to require all hybrid and other low-emission and energy-efficient vehicles that do not meet the minimum occupancy requirement and are driven in an High Occupancy Vehicle (HOV) lane to comply with federally mandated minimum fuel economy standards; to require Department of Transportation (DOT) to review and its recommendations to the Legislature of any statutory changes necessary to comply with the Environmental Protection Agency’s final rule related to the eligibility of hybrid and other low-emission energy-efficient vehicles that may operate in an HOV lane regardless of occupancy; to provide for determination of continued eligibility of hybrid and other low-emission and energy-efficient vehicles for operation in an HOV lane; to authorize the limitation or discontinuance of vehicle decals for use of an HOV lane if the facilities are degraded due to congestion; to provide vehicles eligible to be driven in an HOV lane re-designated as a HOT lane may continue to be driven in the HOT lane without payment of a toll; and to transfer rulemaking responsibility with regard to HOV lanes from the department to the DOT.

The DOT noted, these changes are expected to enable DOT to comply with the monitoring and enforcement provisions of federal law relating to the use of HOV lanes by hybrid and other low-emission and energy-efficient vehicles and to submit the required annual certification to the USDOT Secretary. In addition, avoidance of a potentially severe impact on the receipt of federal funds as a result of noncompliance with federal law is accomplished.

**Section 2** amends s. 316.1575, F.S., to require persons to stop for a railroad crossing if a law enforcement officer signals the approach or passage of a railroad train.

**Section 3** amends s. 316.1895, F.S., to require beginning July 1, 2008, for any newly established school zone or any school zone in which the signing has been replaced, a sign stating “speeding

fines doubled” shall be installed within the school zone. By adding notification as a requirement for new and replacement school zone signs, the DOT would mirror the current practice in other areas where speeding fines are doubled.

**Section 4** amends s. 316.191, F.S., to provide a “spectator” is defined to mean any person who is knowingly present at and views a drag race when such presence is the result of an affirmative choice to attend or participate in the race or exhibition. For purposes of determining whether or not an individual is a spectator, finders of fact shall consider the relationship between the racer and the individual, evidence of gambling or betting on the outcome of the race, and any other factor that would tend to show knowing attendance or participation. A person may not be a spectator at any prohibited drag race. A violation is a noncriminal traffic infraction, punishable as a moving violation.

**Section 5** amends s. 316.193, F.S., to lower the BAL for purposes of triggering DUI enhanced penalties from 0.20 or more to 0.15 or more. According to DOT, this change is needed to facilitate continued receipt of federal safety grant funds (approximately \$5 million received last year) under SAFETEA-LU. With regard to DOT’s receipt of federal safety grant funds, SAFETEA-LU amended 23 USC 410 to revise eligibility requirements for states’ receipt of grants, setting up a set of eight criteria, five of which must be met by fiscal years 2008 and 2009. The DOT received just under \$5 million in grant funds last year. However, the DOT’s continued eligibility is in question, as Florida law currently meets only four of the eight criteria specified in the new SAFETEA-LU eligibility requirements.

This section is amended to delete an obsolete provision and provide the court may require the use of an approved ignition interlock device for a period of not less than 6 continuous months for a first DUI offense and for not less 2 continuous years for a second offense.

**Section 6** amends s. 316.1937, F.S., to provide the court may require the use of an approved ignition interlock device for a period of not less than 6 continuous months.

**Section 7** amends s. 316.251, F.S., to correct a conforming cross-reference.

**Section 8** amends s. 316.302, F.S., to authorize the DOT to enforce the most current regulations applicable to owners and operators of commercial motor vehicles, thereby ensuring safety within the state. Also, it corrects two misnomers in the same section.

**Section 9** amends s. 316.613(2)(d), F.S., to redefine the term “motor vehicle” to exclude a truck having a gross vehicle weight rating of more than 26,000 pounds from the requirement to use a child restraint. As a result, child restraint usage would be required on additional vehicles, those weighing between 5,000 and 26,000 pounds.

**Section 10** amends s. 316.614(3)(a), F.S., to redefine the term “motor vehicle” to exclude a truck having a gross vehicle weight rating of more than 26,000 pounds from the requirement to use a safety belt. As a result, seat belt usage would be required on additional vehicles, those weighing between 5,000 and 26,000 pounds.

**Section 11** amends s. 316.645, F.S., to authorize a police officer to make an arrest upon probable cause of a violation of laws governing the registration of motor vehicles in ch. 320, F.S.

**Section 12** amends s. 316.650, F.S., to revise requirements for traffic citation forms and provides for the electronic transmission of citation data.

**Section 13** amends s. 316.656(2)(a), F.S., to modify the threshold for enhanced penalties for DUI from 0.20 percent or more to 0.15 percent or more. Specifically, this section is amended to provide no trial judge may accept a plea of guilty to a lesser offense from a person charged who has been given a breath or blood test to determine blood or breath alcohol content, the results of which show a blood or breath alcohol content by weight of 0.15 percent or more.

According to DOT, this change is needed to facilitate continued receipt of federal safety grant funds under SAFETEA-LU. With regard to DOT's receipt of federal safety grant funds, SAFETEA-LU amended 23 USC 410 to revise eligibility requirements for states' receipt of grants, setting up a set of eight criteria, five of which must be met by fiscal years 2008 and 2009. The DOT received just under \$5 million in grant funds last year. However, the DOT's continued eligibility is in question, as Florida law currently meets only four of the eight criteria specified in the new SAFETEA-LU eligibility requirements.

**Section 14** amends s. 318.14(9), F.S., to allow certain persons to attend a basic driver improvement course approved by the department up to five times within 10 years.

**Section 15** amends s. 319.001, F.S., to create a new definition for electronic titles. The term "Certificate of Title" is defined to mean the record that is evidence of ownership of a vehicle, whether a paper certificate authorized by the department or certificate consisting of information that is stored in an electronic form in the department's database.

**Section 16** amends s. 320.01, F.S., to modify the definition of "motorcycle" to exclude vehicles where the operator is enclosed by a cabin.

**Section 17** amends s. 320.02, F.S., to delete the requirement that an original motorcycle, motor-driven cycle, or moped registration only be issued to a driver with a motorcycle endorsement.

**Section 18** repeals s. 320.02(13), F.S., to remove the voluntary contribution option on motor vehicle registrations and renewals for the Election Campaign Financing Trust Fund, which is expired.

**Section 19** amends s. 320.0706, F.S., to provide a violation of requirements for displaying a truck license plate is a moving violation punishable as provided in ch. 318, F.S.

**Section 20** amends s. 320.0715, F.S., to require the department to withhold the registration and license plate for a commercial motor vehicle unless the identifying number issued by the federal agency responsible for motor carrier safety is provided for the motor carrier and the entity responsible for motor carrier safety for each motor vehicle as part of the application process.

This section also provides the department may not issue a commercial motor vehicle registration or license plate to, and may not transfer the commercial motor vehicle registration or license plate for, a motor carrier or vehicle owner who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

Additionally, with notice, the department shall suspend a motor vehicle registration or license plate if a federal or state agency responsible for motor carrier safety prohibits that commercial motor vehicle from operating.

According to the department, this proposed change provides authority for the department to participate in the Performance and Registration Information System Management Program, whereby carriers under an out-of-service order will have his or her vehicle registration withheld. Participation in this program will allow the department in conjunction with other partners in highway safety, to assist in removing unsafe motor carriers from state roadways by suspending his or her vehicle registration. A federal grant request for \$750,000 has been approved for programmatic changes pending enactment of this proposal.

**Section 21** streamlines the design process by removing paragraph (3) from section 316.08053, F.S., containing some of the agency's rulemaking authority, in favor of existing statutory design standards.

**Section 22** amends s. 320.0894, F.S., to allow a family member of a service member killed while serving, the opportunity to obtain a Gold Star license plate even if the service member was not a resident of Florida.

**Section 23** amends s. 320.131(4)(a), F.S., to remove the option to display a temporary tag on the inside of the rear window of a vehicle. The result is that temporary tags may only be displayed in the rear license plate bracket, or on the front where the metal license plate would normally be, for vehicles requiring front display of license plates.

Section 320.131(4)(b), F.S., is created to require the department to designate specifications for the media upon which the temporary tag is printed. Such media must be either nonpermeable or subject to weatherproofing so that it maintains its structural integrity, including graphic and data adhesion, in all weather conditions after being placed on a vehicle.

Section 320.131(8), F.S., is amended to correct a reference from temporary license plate to temporary tag to be consistent throughout this section. Also, this section is amended to require the department to administer an electronic system for licensed motor vehicle dealers to use for issuing temporary tags. Administering such a system is optional for the department, currently.

Section 320.131(9), F.S., is created to:

- revise the provisions for required implementation of a secure, electronic, print-on-demand, temporary tag issuance and record retention system;
- remove the criteria determining what secure print-on-demand means; and
- authorize licensed motor vehicle dealers to charge a fee.

Specifically, s. 320.131(9), F.S., is created to provide the department is required to implement a secure print-on-demand, electronic temporary tag registration, record retention, and issue system for use by every department-authorized issuer of temporary tags by the end of fiscal year 2007-2008. The system allows the department to issue, on demand, a temporary tag number in response to a request from the issuer via a secure electronic exchange of data and then allow the issuer to print the temporary tag with all required information. In order to ensure the continuation of operations for issuers should a system outage occur, the department is authorized to allow limited use of a backup manual issuance which requires recordkeeping of information as determined by the department and the timely electronic reporting of that information to the department. The department, also, is authorized to adopt the necessary rules to administer this specified program. The rules may include exemptions for issuers who do not require a dealer license, under this section, due to the type or size of vehicle being sold. In addition, motor vehicle dealers licensed under ch. 320, F.S., are authorized to charge a fee to comply with this section.

**Section 24** amends s. 320.27, F.S., to further clarify the types of insurance motor vehicle dealers would be required to have under the motor vehicle dealer licensing requirements. Specifically, franchise dealers must obtain a garage liability insurance policy, and all other motor vehicle dealers must submit either a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy.

Also, s. 320.027(9)(b), F.S., is amended to correct a conforming cross-reference.

**Section 25** repeals s. 320.96, F.S. Most of the requirements from this section are moved to s. 320.131(9), F.S.

**Section 26** amends s. 322.01, F.S., to define “convenience service”; and to redefine “conviction,” “hazardous materials,” and “out-of-service order.” Specifically, the definition:

- “Convenience service” is created to mean any means whereby an individual conducts a transaction with the department other than in person.
- “Conviction” is modified to apply to offenses committed in a commercial motor vehicle or by a person holding a commercial driver license.
- “Hazardous materials” is redefined to mean any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73.
- “Out-of-service order” is modified to mean a prohibition issued by an authorized local, state, or Federal Government official which precludes a person from driving a commercial motor vehicle.

**Section 27** amends s. 322.051, F.S., to modify the acceptable documents for the issuance of an ID card and to require proof of a residence address. This section also removes the permanent ID card for seniors and changes the term of the ID card from 6 years to 8 years. References to respective fees are moved to s. 322.21, F.S. These changes are necessary to comply with the requirements of the REAL ID Act.

Specifically, s. 322.051(1), F.S., is amended to provide an applicant must submit the following information:

- 1) Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence, mailing address, *proof of residential address satisfactory to the department*, country of birth, and a brief description.
- 2) Proof of birth date satisfactory to the department.
- 3) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:
  - a) A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., sub-subparagraph g.; or sub-subparagraph h;
  - b) A certified copy of a United States birth certificate;
  - c) A *valid, unexpired* United States passport;
  - d) A naturalization certificate issued by the United States Department of Homeland Security;
  - e) A *valid, unexpired* alien registration receipt card (green card);
  - f) *Consular Report of Birth Abroad provided by the United States Department of State*;
  - g) An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or
  - h) Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants may produce but are not limited to certain documents, which includes *on or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.*

Subsection (2) of s. 322.051, F.S., is amended to provide every identification card:

- Issued to a person 5 years of age to 14 years of age shall expire, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue.
- Issued to a person 15 years of age and older shall expire, unless canceled earlier, on the eighth birthday of the applicant following the date of original issue.

**Section 28** amends s. 322.08, F.S., to modify the acceptable documents for the issuance of a driver's license and authorize the use of additional documents to prove identity. These changes are necessary to comply with the requirements of the REAL ID Act.

Specifically, s. 322.08(2), F.S., is amended to provide an applicant must submit the following information:

- 1) Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence, mailing address, *proof of residential address satisfactory to the department*, country of birth, and a brief description.
- 2) Proof of birth date satisfactory to the department.

- 3) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:
- a) A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph 2., sub-subparagraph 3., sub-subparagraph 4., sub-subparagraph 5, sub-subparagraph 6., sub-subparagraph 7.; or sub-subparagraph 8;
  - b) A certified copy of a United States birth certificate;
  - c) A *valid, unexpired* United States passport;
  - d) A naturalization certificate issued by the United States Department of Homeland Security;
  - e) A *valid, unexpired* alien registration receipt card (green card);
  - f) *Consular Report of Birth Abroad provided by the united States Department of State;*
  - g) An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or
  - h) Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants may produce but are not limited to certain documents, which includes *on or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.*

In addition, this section of the amendment repeals s. 322.08(6)(a), F.S., to remove the voluntary contribution option on driver's license applications for the Election Campaign Financing Trust Fund, which is expired.

**Section 29** amends s. 322.14, F.S., to require the residence address to be displayed on the face of the driver's license, which is a requirement of the REAL ID Act.

**Section 30** amends s. 322.15, F.S., to authorize a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically when issuing a citation.

**Section 31** amends s. 322.17, F.S., to revise the requirements for obtaining a replacement driver's license; to delete provisions authorizing the department to issue address stickers; reference to respective fees are moved to s. 322.21, F.S., and to correct a cross-reference in s. 322.08, F.S., which will change as a result of the amendment.

**Section 32** amends s. 322.18, F.S., modifying length of drivers' license issuance; modifying terms of renewal; limiting 'convenience service' renewals to one renewal. Specifically, the term of a driver license for those under 80 years of age to 8 years is modified. Drivers 80 years old and over would continue to be issued 6 year licenses. In addition, licensees are limited to one consecutive convenience renewal. These changes are necessary to comply with the requirements of the REAL ID Act. A reduction in revenue collections in years seven and eight will occur as a result of these changes in the renewal cycle.

Section 322.18(2)(a), F.S., requires an applicant who has not attained 80 years of age applying for an original driver's license to be issued a driver's license that expires at midnight on the licensee's birthday which next occurs on or after the eighth anniversary of the date of issue. An applicant who is at least 80 years of age applying for an original issuance shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs on or after the sixth anniversary of the date of issue.

Section 322.18(2)(d), F.S., corrects a cross-reference, which will change as a result of the amendment. In addition, this subsection is amended to bring Florida into compliance with Federal law, which allows persons to have not more than a 1 year license when they have proven their ID by an unexpired employment authorization card issued by the United States Department of Homeland Security or a non-immigrant classification provided by the United States Department of Homeland Security based on certain documents.

Section 322.18(4), F.S., provides all licenses shall be renewable every eight years, excluding licenses of applicants who are at least 80 years of age, which would continue to be issued six year licenses.

Section 322.18(8), F.S., requires the department to issue 8 year renewals using a convenience service without reexamination to drivers who have not attained 80 years of age. The department is required to issue 6 year renewals using a convenience service when the applicant has satisfied the vision test requirement.

Section 322.18(8)(c), F.S., specifies the department shall issue one renewal using a convenience service.

**Section 33** repeals subsection (4) of s. 322.181, F.S., to abolish the Florida At-Risk Driver Council.

**Section 34** amends s. 322.19, F.S., to delete provisions authorizing the use of a change-of-address sticker on a driver's license and correct a cross-reference in s. 322.08, F.S., which will change as a result of the amendment.

**Section 35** amends s. 322.21, F.S., to increase the fees charged for obtaining a new or renewal driver's license or identification card, and specifies all of the fees be deposited into the General Revenue Fund unless specifically noted below.

The amendment raises the fees contained in 322.21, F.S., as follows:

- The commercial license is increased from \$50 to \$67.
- A Class E license is raised from \$20 to \$27.
- A renewal is raised from \$15 to \$20.
- The replacement fee (moved from s. 322.17, F.S.) remains \$10, but shall apply in all cases where a change of address is required, as the sticker-replacement method in s. 322.17, F.S. is removed (as discussed above). Of the \$10 replacement fee, \$7 is directed to the Highway Safety Operating Trust Fund (HSOTF).
- Fees for identification cards issued pursuant to s. 322.051, F.S., are:



- \$10 for an original ID card.
- \$10 for a renewal ID card, with \$6 of the \$10 deposited in the HSOTF.
- \$10 for a replacement ID card, with \$9 of the \$10 deposited in the HSOTF.
- Each endorsement required by s. 322.57, F.S., is raised from \$5 to \$7.

According to the department, the changes prescribed in Sections 32 and 35 of this amendment will result in estimated revenue of over \$15.2 million in the first year assuming an October 1, 2008, implementation. The revenue stream for the subsequent five fiscal years is estimated at \$22.5 million for fiscal year 2009-2010, \$22.4 million for fiscal year 2010-2011, \$23.3 million, for fiscal year 2011-2012, \$22.7 million for fiscal year 2012-2013, and \$21.6 million for fiscal year 2013-2014. A projected decline in revenue, resulting from the change in renewal cycles, is anticipated beginning in fiscal year 2014-2015. The decrease in revenue for fiscal years 2014-2015 and 2015-2016 is projected to be (\$15.1million) and (\$20.9 million), respectively.

**Section 36** amends s. 322.2715, F.S., to clarify an ignition interlock device is to be installed “continuously” for the required term established in current law. Section 322.2715, F.S., contains provisions for administratively-required IID placement which are amended as follows:

DUI Conviction	IID Requirement
	S.322.2715, F.S.
1st Conviction	Not required
1st Conviction if 0.20 BAL or w/Minor in Car	Not less than 6 continuous months
2nd Conviction	Not less than 1 continuous year
2nd Conviction if 0.20 BAL or w/Minor in Car	Not less than 2 continuous years
3rdConviction w/in 10 years of conviction	Not less than 2 continuous years
3rdConviction more than 10 years after previous	Not less than 2 continuous years

**Section 37** amends s. 322.291, F.S., to provide for a third or subsequent violation involving the required use of an IID, the person is required to complete treatment as determined by a licensed treatment agency following a referral by a DUI program and have the duration of the requirement to use an IID extended for a least 1 month up to the time required to complete treatment.

**Section 38** amends s. 322.36, F.S., to require a 1 year suspension of a person’s driver’s license, if that person knowingly loans their vehicle to someone whose driver’s license is suspended and that vehicle is involved in an accident resulting in bodily injury or death.

**Section 39** repeals s. 322.60, F.S., to delete duplicative language.

**Section 40** amends s. 322.61, F.S., to mirror the FMCSA regulations, remedy inconsistencies, and remove the limitation on disqualifications for specified major offenses to those committed in a commercial motor vehicle. Specifically, s. 322.61(3)(b), F.S., is amended to provided any holder of a commercial driver’s license who is convicted of one of the following offenses while operating a noncommercial motor vehicle shall, in addition to any other applicable penalties, be disqualified form operating a commercial motor vehicle for a period of one year:

- Driving a motor vehicle under the influence;
- Driving a commercial motor vehicle with a BAC of .04 percent or higher;
- Leaving the scene of a crash involving a motor vehicle driven by such person;
- Using the commercial motor vehicle in the commission of a felony;
- Driving a commercial motor vehicle while in possession of a controlled substance;
- Refusing to submit to test of alcohol concentration while driving a motor vehicle;
- Driving a commercial motor vehicle while the commercial driver's license is suspended, revoked, cancelled or while the driver is disqualified from driving a commercial motor vehicle; or
- Causing a fatality through the negligent operation of a commercial motor vehicle.

Section 322.61(5), F.S., specifies any holder of a commercial driver's license who is convicted of two of the violations listed above, which were committed while operating a noncommercial motor vehicle, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle.

Section 322.61(6), F.S., specifies any holder of a commercial driver's license who uses a noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, including possession with intent to manufacture, distribute, or dispense a controlled substance, shall, upon conviction of such felony, be permanently disqualified from operating a commercial motor vehicle.

**Section 41** amends s. 322.64, F.S., to mirror the FMCSA regulations, remedy inconsistencies, and remove the limitation on disqualifications for specified major offenses to those committed in a commercial motor vehicle. This section is amended to include law enforcement officers or correctional officers shall disqualify commercial vehicle operators who have been arrested for a violation of driving of a motor vehicle (not just a violation committed in a commercial motor vehicle) with an unlawful blood alcohol level or have refused to submit to a breath, urine, or blood test from operating a commercial motor vehicle. Basically, if a person holds a commercial driver's license and is arrested for a violation of s. 316.193, F.S., a disqualification of the commercial driver's license applies whether the violation was committed while operating a commercial motor vehicle or any motor vehicle.

Also, s. 322.64(8), F.S., is amended to provide the department must sustain the disqualification:

- For a period of 1 year if the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful BAL of 0.08 percent or higher; or
- Permanently if the person has been previously disqualified from operating a commercial motor vehicle or his or her driving privilege has been previously suspended for driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful BAL of 0.08 percent or higher.

**Section 42** amends s. 324.021, F.S., to modify the definition of “judgment” as “any judgment becoming final by expiration ... of the time within which an appeal might have been perfected....”

**Section 43** amends s. 501.976(19), to correct a cross-reference.

**Section 44** creates an undesignated section of law to create the Automobile Lenders Industry Task Force (task force) within the department. The task force is to be composed of 12 appointed members representing lending institutions, law enforcement, state attorney, state regulatory agencies, automotive repair, towing and motor vehicle dealers. The task force shall make recommendations on proposed legislation and proposed department rules, present issues concerning the motor vehicle lending industry, consider any matters relating to the motor vehicle lending industry which are presented to it by the department, and submit a final report, including legislative proposal to the Governor, the President of the Senate, the Speaker of the House of Representatives and appropriate committees with the Legislature by June 30, 2009, when the task force shall cease to exist.

The task force is required to elect a chair and vice chair at its initial meeting, which shall be held by July 15, 2008. In addition, the task force is required to meet at least four times in different areas of the state, including one meeting in Tallahassee. Meetings may be called by the chair or by a simple majority of the members. The task force is required to conduct all meetings pursuant to general law and must keep minutes of its meetings. The department must provide administrative support to the task force.

Members from the private sector are not entitled to per diem or reimbursement for travel expenses. However, members from the public sector are entitled to reimbursement, if any, from their respective agency. The task force may request assistance from the department as necessary.

**Section 45** creates a moratorium on the creation of new specialty license plates between July 1, 2008 and July 1, 2011 and provides exceptions to the prohibition.

**Section 46** provides the Regional Transportation Management Center in Fort Myers is designated the “Joseph P. Bertrand Building” and the department is directed to erect suitable markers for such designation. Corporal Bertrand was shot by a traffic violator he suspected was under the influence, on State Road 80 in Fort Myers. He had served the citizens of Florida, with the Florida Highway Patrol, for 16 years. His career with FHP began August 26, 1951. He was stationed in Pahokee, Homestead, Miami, Pinellas Park, and Fort Myers. At the time of his death, he was 46.

**Section 47** provides except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2008.