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LEGISLATIVE ACTION

Senate	.	House
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Senator Latvala moved the following:

1 **Senate Amendment to Amendment (302038) (with title**
2 **amendment)**

3
4 Between lines 3612 and 3613
5 insert:

6 Section 115. Subsection (1) of section 320.13, Florida
7 Statutes, is amended to read:

8 320.13 Dealer and manufacturer license plates and
9 alternative method of registration.—

10 (1) (a) Any licensed motor vehicle dealer and any licensed
11 mobile home dealer may, upon payment of the license tax imposed
12 by s. 320.08(12), secure one or more dealer license plates,
13 which are valid for use on motor vehicles or mobile homes owned



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14 by the dealer to whom such plates are issued while the motor
15 vehicles are in inventory and for sale, or while being operated
16 in connection with such dealer's business, but are not valid for
17 use for hire. Dealer license plates may not be used on any tow
18 truck or wrecker unless the tow truck or wrecker is being
19 demonstrated for sale, and the dealer license plates may not be
20 used on a vehicle used to transport another motor vehicle for
21 the motor vehicle dealer.

22 (b)1. Marine boat trailer dealers and manufacturers may,
23 upon payment of the license taxes imposed by s. 320.08(12),
24 secure one or more dealer plates, which are valid for use on
25 boat trailers owned by the dealer to whom such plates are issued
26 while being used in connection with such dealer's business, but
27 are not valid for use for hire.

28 2. It is the intent of the Legislature that the method
29 currently used to license marine boat trailer dealers to do
30 business in the state, that is, by an occupational license
31 issued by the city or county, not be changed. The department
32 shall not interpret this act to mean that it is empowered to
33 license such dealers to do business. An occupational license tax
34 certificate shall be sufficient proof upon which the department
35 may issue dealer license plates.

36 (c) Dealers of heavy trucks as defined in s. 320.01(10)
37 may, upon payment of the license tax imposed by s. 320.08(12),
38 secure one or more dealer license plates, which are valid for
39 use on vehicles owned by the dealer to whom such plates are
40 issued while the heavy trucks are in inventory and for sale and
41 are being used, only in Florida, for demonstration purposes.
42 Such plates may be used for demonstration purposes for a period



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43 not to exceed 24 hours and must be validated on a form
44 prescribed by the department and retained in the vehicle being
45 operated.

46 Section 116. Subsection (1) of section 320.771, Florida
47 Statutes, is amended to read:

48 320.771 License required of recreational vehicle dealers.-

49 (1) DEFINITIONS.-As used in this section:

50 (a) "Dealer" means any person engaged in the business of
51 buying, selling, or dealing in recreational vehicles or offering
52 or displaying recreational vehicles for sale. The term "dealer"
53 includes a recreational vehicle broker. Any person who buys,
54 sells, deals in, or offers or displays for sale, or who acts as
55 the agent for the sale of, one or more recreational vehicles in
56 any 12-month period shall be prima facie presumed to be a
57 dealer. The terms "selling" and "sale" include lease-purchase
58 transactions. The term "dealer" does not include banks, credit
59 unions, and finance companies that acquire recreational vehicles
60 as an incident to their regular business and does not include
61 mobile home rental and leasing companies that sell recreational
62 vehicles to dealers licensed under this section. A licensed
63 dealer may transact business in recreational vehicles with a
64 motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a
65 licensed dealer may, at retail or wholesale, sell a motor
66 vehicle, as described in s. 320.01(1)(a), acquired in exchange
67 for the sale of a recreational vehicle, if such acquisition is
68 incidental to the principal business of being a recreational
69 vehicle dealer. However, a recreational vehicle dealer may not
70 buy a motor vehicle for the purpose of resale unless licensed as
71 a motor vehicle dealer pursuant to s. 320.27.



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72 (b) "Recreational vehicle broker" means any person who is
73 engaged in the business of offering to procure or procuring used
74 recreational vehicles for the general public; who holds himself
75 or herself out through solicitation, advertisement, or otherwise
76 as one who offers to procure or procures used recreational
77 vehicles for the general public; or who acts as the agent or
78 intermediary on behalf of the owner or seller of a used
79 recreational vehicle which is for sale or who assists or
80 represents the seller in finding a buyer for the recreational
81 vehicle.

82 (c) For the purposes of this section, the term
83 "recreational vehicle" does not include any camping trailer, as
84 defined in s. 320.01(1)(b)2.

85 (d) A dealer may apply for a certificate of title to a
86 recreational vehicle required to be registered under s.
87 320.08(9) using a manufacturer's statement of origin as
88 permitted by s. 319.23(1) only if such dealer is authorized by a
89 manufacturer/dealer agreement as defined in s. 320.3202(8) on
90 file with the department to buy, sell, or deal in that
91 particular line-make of recreational vehicle and is authorized
92 by such agreement to perform delivery and preparation
93 obligations and warranty defect adjustments on that line-make.

94 Section 117. Paragraph (a) of subsection (1) of section
95 322.051, Florida Statutes, is amended, and subsection (9) is
96 added to that section, to read:

97 322.051 Identification cards.—

98 (1) Any person who is 5 years of age or older, or any
99 person who has a disability, regardless of age, who applies for
100 a disabled parking permit under s. 320.0848, may be issued an



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101 identification card by the department upon completion of an
102 application and payment of an application fee.

103 (a) Each such application shall include the following
104 information regarding the applicant:

105 1. Full name (first, middle or maiden, and last), gender,
106 proof of social security card number satisfactory to the
107 department, county of residence, mailing address, proof of
108 residential address satisfactory to the department, country of
109 birth, and a brief description.

110 2. Proof of birth date satisfactory to the department.

111 3. Proof of identity satisfactory to the department. Such
112 proof must include one of the following documents issued to the
113 applicant:

114 a. A driver's license record or identification card record
115 from another jurisdiction that required the applicant to submit
116 a document for identification which is substantially similar to
117 a document required under sub-subparagraph b., sub-subparagraph
118 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
119 f., sub-subparagraph g., or sub-subparagraph h.;

120 b. A certified copy of a United States birth certificate;

121 c. A valid, unexpired United States passport;

122 d. A naturalization certificate issued by the United States
123 Department of Homeland Security;

124 e. A valid, unexpired alien registration receipt card
125 (green card);

126 f. A Consular Report of Birth Abroad provided by the United
127 States Department of State;

128 g. An unexpired employment authorization card issued by the
129 United States Department of Homeland Security; or



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130 h. Proof of nonimmigrant classification provided by the
131 United States Department of Homeland Security, for an original
132 identification card. In order to prove such nonimmigrant
133 classification, applicants must provide at least one of ~~may~~
134 ~~produce but are not limited to~~ the following documents, and, in
135 addition, the department may require applicants to produce
136 United States Department of Homeland Security documents for the
137 sole purpose of establishing the maintenance of or efforts to
138 maintain continuous lawful presence:

139 (I) A notice of hearing from an immigration court
140 scheduling a hearing on any proceeding.

141 (II) A notice from the Board of Immigration Appeals
142 acknowledging pendency of an appeal.

143 (III) Notice of the approval of an application for
144 adjustment of status issued by the United States Bureau of
145 Citizenship and Immigration Services.

146 (IV) Any official documentation confirming the filing of a
147 petition for asylum or refugee status or any other relief issued
148 by the United States Bureau of Citizenship and Immigration
149 Services.

150 (V) Notice of action transferring any pending matter from
151 another jurisdiction to Florida, issued by the United States
152 Bureau of Citizenship and Immigration Services.

153 (VI) Order of an immigration judge or immigration officer
154 granting any relief that authorizes the alien to live and work
155 in the United States including, but not limited to asylum.

156 (VII) Evidence that an application is pending for
157 adjustment of status to that of an alien lawfully admitted for
158 permanent residence in the United States or conditional



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159 permanent resident status in the United States, if a visa number
160 is available having a current priority date for processing by
161 the United States Bureau of Citizenship and Immigration
162 Services.

163 (VIII) On or after January 1, 2010, an unexpired foreign
164 passport with an unexpired United States Visa affixed,
165 accompanied by an approved I-94, documenting the most recent
166 admittance into the United States.

167
168 An identification card issued based on documents required
169 ~~Presentation of any of the documents described in sub-~~
170 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
171 ~~applicant to an identification card~~ for a period not to exceed
172 the expiration date of the document presented or 1 year,
173 whichever first occurs.

174 (9) Notwithstanding any other provision of this section or
175 s. 322.21 to the contrary, the department shall issue or renew a
176 card at no charge to a person who presents good cause for a fee
177 waiver.

178 Section 118. Subsection (2) of section 322.08, Florida
179 Statutes, is amended to read:

180 322.08 Application for license; requirements for license
181 and identification card forms.—

182 (2) Each such application shall include the following
183 information regarding the applicant:

184 (a) Full name (first, middle or maiden, and last), gender,
185 proof of social security card number satisfactory to the
186 department, county of residence, mailing address, proof of
187 residential address satisfactory to the department, country of



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188 birth, and a brief description.

189 (b) Proof of birth date satisfactory to the department.

190 (c) Proof of identity satisfactory to the department. Such
191 proof must include one of the following documents issued to the
192 applicant:

193 1. A driver's license record or identification card record
194 from another jurisdiction that required the applicant to submit
195 a document for identification which is substantially similar to
196 a document required under subparagraph 2., subparagraph 3.,
197 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
198 7., or subparagraph 8.;

199 2. A certified copy of a United States birth certificate;

200 3. A valid, unexpired United States passport;

201 4. A naturalization certificate issued by the United States
202 Department of Homeland Security;

203 5. A valid, unexpired alien registration receipt card
204 (green card);

205 6. A Consular Report of Birth Abroad provided by the United
206 States Department of State;

207 7. An unexpired employment authorization card issued by the
208 United States Department of Homeland Security; or

209 8. Proof of nonimmigrant classification provided by the
210 United States Department of Homeland Security, for an original
211 driver's license. In order to prove nonimmigrant classification,
212 an applicant must provide at least one of the following
213 documents, and, in addition, the department may require
214 applicants to produce United States Department of Homeland
215 Security documents for the sole purpose of establishing the
216 maintenance of or efforts to maintain continuous lawful presence



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217 ~~may produce the following documents, including, but not limited~~
218 ~~to:~~

219 a. A notice of hearing from an immigration court scheduling
220 a hearing on any proceeding.

221 b. A notice from the Board of Immigration Appeals
222 acknowledging pendency of an appeal.

223 c. A notice of the approval of an application for
224 adjustment of status issued by the United States Bureau of
225 Citizenship and Immigration Services.

226 d. Any official documentation confirming the filing of a
227 petition for asylum or refugee status or any other relief issued
228 by the United States Bureau of Citizenship and Immigration
229 Services.

230 e. A notice of action transferring any pending matter from
231 another jurisdiction to this state issued by the United States
232 Bureau of Citizenship and Immigration Services.

233 f. An order of an immigration judge or immigration officer
234 granting any relief that authorizes the alien to live and work
235 in the United States, including, but not limited to, asylum.

236 g. Evidence that an application is pending for adjustment
237 of status to that of an alien lawfully admitted for permanent
238 residence in the United States or conditional permanent resident
239 status in the United States, if a visa number is available
240 having a current priority date for processing by the United
241 States Bureau of Citizenship and Immigration Services.

242 h. On or after January 1, 2010, an unexpired foreign
243 passport with an unexpired United States Visa affixed,
244 accompanied by an approved I-94, documenting the most recent
245 admittance into the United States.



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246
247 A driver's license or temporary permit issued based on documents
248 required ~~Presentation of any of the documents~~ in subparagraph 7.
249 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
250 ~~license or temporary permit~~ for a period not to exceed the
251 expiration date of the document presented or 1 year, whichever
252 occurs first.

253 (d) Whether the applicant has previously been licensed to
254 drive, and, if so, when and by what state, and whether any such
255 license or driving privilege has ever been disqualified,
256 revoked, or suspended, or whether an application has ever been
257 refused, and, if so, the date of and reason for such
258 disqualification, suspension, revocation, or refusal.

259 (e) Each such application may include fingerprints and
260 other unique biometric means of identity.

261
262 ===== T I T L E A M E N D M E N T =====

263 And the title is amended as follows:

264 Delete line 3970

265 and insert:

266 Transportation to erect suitable markers; amending s.
267 320.13, F.S.; authorizing dealers of certain heavy
268 trucks, upon payment, to secure dealer license plates
269 for demonstration purposes; providing criteria
270 regarding use of such plates; amending s. 320.771,
271 F.S.; specifying circumstances under which certain
272 dealers may apply for a certificate of title to a
273 recreational vehicle using a manufacturer's statement
274 of origin; amending s. 322.051, F.S.; revising the



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275 means by which an applicant for an identification card
276 may prove nonimmigrant classification; clarifying the
277 validity of an identification card based on specified
278 documents; providing for the department to waive the
279 fees for issuing or renewing an identification card to
280 persons who present good cause for such waiver;
281 amending s. 322.08, F.S.; revising requirements by
282 which an applicant for a driver's license may prove
283 nonimmigrant classification; clarifying the validity
284 of a license based on specified documents; providing
285 an