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LEGISLATIVE ACTION

Senate

House

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03/09/2012 10:18 AM

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Senator Latvala moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (3) of section 20.24, Florida  
Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—  
There is created a Department of Highway Safety and Motor  
Vehicles.

(3) The Office of Commercial Vehicle Enforcement ~~Motor  
Carrier Compliance~~ is established within the Division of the  
Florida Highway Patrol.

Section 2. Subsection (21) of section 316.003, Florida



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14 Statutes, is amended, and subsection (89) is added to that  
15 section, to read:

16 316.003 Definitions.—The following words and phrases, when  
17 used in this chapter, shall have the meanings respectively  
18 ascribed to them in this section, except where the context  
19 otherwise requires:

20 (21) MOTOR VEHICLE.—A Any self-propelled vehicle not  
21 operated upon rails or guideway, but not including any bicycle,  
22 motorized scooter, electric personal assistive mobility device,  
23 swamp buggy, or moped.

24 (89) SWAMP BUGGY.—A motorized off-road vehicle that is  
25 designed or modified to travel over swampy or varied terrain and  
26 that may use large tires or tracks operated from an elevated  
27 platform. The term does not include any vehicle defined in  
28 chapter 261 or otherwise defined or classified in this chapter.

29 Section 3. Paragraph (d) of subsection (1) of section  
30 316.0083, Florida Statutes, is amended to read:

31 316.0083 Mark Wandall Traffic Safety Program;  
32 administration; report.—

33 (1)

34 (d)1. The owner of the motor vehicle involved in the  
35 violation is responsible and liable for paying the uniform  
36 traffic citation issued for a violation of s. 316.074(1) or s.  
37 316.075(1)(c)1. when the driver failed to stop at a traffic  
38 signal, unless the owner can establish that:

39 a. The motor vehicle passed through the intersection in  
40 order to yield right-of-way to an emergency vehicle or as part  
41 of a funeral procession;

42 b. The motor vehicle passed through the intersection at the



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43 direction of a law enforcement officer;

44 c. The motor vehicle was, at the time of the violation, in  
45 the care, custody, or control of another person; or

46 d. A uniform traffic citation was issued by a law  
47 enforcement officer to the driver of the motor vehicle for the  
48 alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.

49 e. The motor vehicle's owner was deceased on or before the  
50 date that the uniformed traffic citation was issued, as  
51 established by an affidavit submitted by the representative of  
52 the motor vehicle owner's estate or other designated person or  
53 family member.

54 2. In order to establish such facts, the owner of the motor  
55 vehicle shall, within 30 days after the date of issuance of the  
56 traffic citation, furnish to the appropriate governmental entity  
57 an affidavit setting forth detailed information supporting an  
58 exemption as provided in this paragraph.

59 a. An affidavit supporting an exemption under sub-  
60 subparagraph 1.c. must include the name, address, date of birth,  
61 and, if known, the driver ~~driver's~~ license number of the person  
62 who leased, rented, or otherwise had care, custody, or control  
63 of the motor vehicle at the time of the alleged violation. If  
64 the vehicle was stolen at the time of the alleged offense, the  
65 affidavit must include the police report indicating that the  
66 vehicle was stolen.

67 b. If a traffic citation for a violation of s. 316.074(1)  
68 or s. 316.075(1)(c)1. was issued at the location of the  
69 violation by a law enforcement officer, the affidavit must  
70 include the serial number of the uniform traffic citation.

71 c. If the motor vehicle's owner to whom a traffic citation



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72 has been issued is deceased, the affidavit must include a  
73 certified copy of the owner's death certificate showing that the  
74 date of death occurred on or before the issuance of the uniform  
75 traffic citation and one of the following:

76 (I) A bill of sale or other document showing that the  
77 deceased owner's motor vehicle was sold or transferred after his  
78 or her death, but on or before the date of the alleged  
79 violation;

80 (II) Documentary proof that the registered license plate  
81 belonging to the deceased owner's vehicle was turned into the  
82 department or agent of the department, but on or before the date  
83 of the alleged violation; or

84 (III) A copy of a police report showing that the deceased  
85 owner's registered license plate or motor vehicle was stolen  
86 after the owner's death, but on or before the date of the  
87 alleged violation.

88  
89 Upon receipt of the affidavit and documentation required under  
90 this sub-subparagraph, the governmental entity must dismiss the  
91 citation and provide proof of the dismissal to the person that  
92 submitted the affidavit.

93 3. Upon receipt of an affidavit, the person designated as  
94 having care, custody, and control of the motor vehicle at the  
95 time of the violation may be issued a traffic citation for a  
96 violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver  
97 failed to stop at a traffic signal. The affidavit is admissible  
98 in a proceeding pursuant to this section for the purpose of  
99 providing proof that the person identified in the affidavit was  
100 in actual care, custody, or control of the motor vehicle. The



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101 owner of a leased vehicle for which a traffic citation is issued  
102 for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the  
103 driver failed to stop at a traffic signal is not responsible for  
104 paying the traffic citation and is not required to submit an  
105 affidavit as specified in this subsection if the motor vehicle  
106 involved in the violation is registered in the name of the  
107 lessee of such motor vehicle.

108 4. The submission of a false affidavit is a misdemeanor of  
109 the second degree, punishable as provided in s. 775.082 or s.  
110 775.083.

111 Section 4. Section 316.1303, Florida Statutes, is amended  
112 to read:

113 316.1303 Traffic regulations to assist mobility-impaired  
114 persons.—

115 (1) Whenever a pedestrian who is mobility impaired is in  
116 the process of crossing a public street or highway with the  
117 assistance of and the pedestrian is mobility-impaired (using a  
118 guide dog or service animal designated as such with a visible  
119 means of identification, a walker, a crutch, an orthopedic cane,  
120 or a wheelchair), the driver of a every vehicle approaching the  
121 intersection, as defined in s. 316.003(17), shall bring his or  
122 her vehicle to a full stop before arriving at the such  
123 intersection and, before proceeding, shall take such precautions  
124 as may be necessary to avoid injuring the such pedestrian.

125 (2) A person who is mobility impaired and who is using a  
126 motorized wheelchair on a sidewalk may temporarily leave the  
127 sidewalk and use the roadway to avoid a potential conflict, if  
128 no alternative route exists. A law enforcement officer may issue  
129 only a verbal warning to such person.



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130           (3) A person who is convicted of a violation of subsection  
131 (1) this section shall be punished as provided in s. 318.18(3).

132           Section 5. Subsection (3) of section 316.183, Florida  
133 Statutes, is amended to read:

134           316.183 Unlawful speed.—

135           (3) A No school bus may not ~~shall~~ exceed the posted speed  
136 limits, ~~not to exceed 55 miles per hour~~ at any time.

137           Section 6. Effective October 1, 2012, paragraph (d) of  
138 subsection (3) and subsections (5) and (8) of section 316.2065,  
139 Florida Statutes, are amended to read:

140           316.2065 Bicycle regulations.—

141           (3)

142           (d) A bicycle rider or passenger who is under 16 years of  
143 age must wear a bicycle helmet that is properly fitted and is  
144 fastened securely upon the passenger's head by a strap, and that  
145 meets the federal safety standard for bicycle helmets, final  
146 rule, 16 C.F.R. part 1203. A helmet purchased before October 1,  
147 2012, which meets the standards of the American National  
148 Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the  
149 standards of the Snell Memorial Foundation (1984 Standard for  
150 Protective Headgear for Use in Bicycling), or any other  
151 nationally recognized standards for bicycle helmets adopted by  
152 the department may continue to be worn by a bicycle rider or  
153 passenger until January 1, 2016. As used in this subsection, the  
154 term "passenger" includes a child who is riding in a trailer or  
155 semitrailer attached to a bicycle.

156           (5) (a) Any person operating a bicycle upon a roadway at  
157 less than the normal speed of traffic at the time and place and  
158 under the conditions then existing shall ride in the lane marked



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159 for bicycle use or, if no lane is marked for bicycle use, as  
160 close as practicable to the right-hand curb or edge of the  
161 roadway except under any of the following situations:

162 1. When overtaking and passing another bicycle or vehicle  
163 proceeding in the same direction.

164 2. When preparing for a left turn at an intersection or  
165 into a private road or driveway.

166 3. When reasonably necessary to avoid any condition or  
167 potential conflict, including, but not limited to, a fixed or  
168 moving object, parked or moving vehicle, bicycle, pedestrian,  
169 animal, surface hazard, turn lane, or substandard-width lane,  
170 which ~~that~~ makes it unsafe to continue along the right-hand curb  
171 or edge or within a bicycle lane. For the purposes of this  
172 subsection, a "substandard-width lane" is a lane that is too  
173 narrow for a bicycle and another vehicle to travel safely side  
174 by side within the lane.

175 (b) Any person operating a bicycle upon a one-way highway  
176 with two or more marked traffic lanes may ride as near the left-  
177 hand curb or edge of such roadway as practicable.

178 (8) Every bicycle in use between sunset and sunrise shall  
179 be equipped with a lamp on the front exhibiting a white light  
180 visible from a distance of at least 500 feet to the front and a  
181 lamp and reflector on the rear each exhibiting a red light  
182 visible from a distance of 600 feet to the rear. A bicycle or  
183 its rider may be equipped with lights or reflectors in addition  
184 to those required by this section. A law enforcement officer may  
185 issue a bicycle safety brochure and a verbal warning to a  
186 bicycle rider who violates this subsection or may issue a  
187 citation and assess a fine for a pedestrian violation as



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188 provided in s. 318.18. The court shall dismiss the charge  
189 against a bicycle rider for a first violation of this subsection  
190 upon proof of purchase and installation of the proper lighting  
191 equipment.

192 Section 7. Subsection (3) of section 316.2085, Florida  
193 Statutes, is amended, and subsection (7) of that section is  
194 republished, to read:

195 316.2085 Riding on motorcycles or mopeds.—

196 (3) The license tag of a motorcycle or moped must be  
197 permanently affixed to the vehicle and remain clearly visible  
198 from the rear at all times ~~may not be adjusted or capable of~~  
199 ~~being flipped up. Any deliberate act to conceal or obscure No~~  
200 ~~device for or method of concealing or obscuring~~ the legibility  
201 of the license tag of a motorcycle is prohibited ~~shall be~~  
202 ~~installed or used.~~ The license tag of a motorcycle or moped may  
203 be affixed horizontally to the ground so that the numbers and  
204 letters read from left to right. Alternatively, a license tag  
205 for a motorcycle or moped for which the numbers and letters read  
206 from top to bottom may be affixed perpendicularly to the ground,  
207 ~~provided that the registered owner of the motorcycle or moped~~  
208 ~~maintains a prepaid toll account in good standing and a~~  
209 ~~transponder associated with the prepaid toll account is affixed~~  
210 ~~to the motorcycle or moped.~~ Notwithstanding the authorization to  
211 affix the license tag of a motorcycle or moped perpendicularly  
212 to the ground, the owner or operator of a motorcycle or moped  
213 shall pay any required toll pursuant to s. 316.1001 by whatever  
214 means available.

215 (7) A violation of this section is a noncriminal traffic  
216 infraction, punishable as a moving violation as provided in





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217 chapter 318.

218 Section 8. Subsection (1) of section 316.2126, Florida  
219 Statutes, is amended to read:

220 316.2126 Authorized use of golf carts, low-speed vehicles,  
221 and utility vehicles.—

222 (1) In addition to the powers granted by ss. 316.212 and  
223 316.2125, municipalities are authorized to use ~~utilize~~ golf  
224 carts and utility vehicles, as defined in s. 320.01, upon any  
225 state, county, or municipal roads located within the corporate  
226 limits of such municipalities, subject to the following  
227 conditions:

228 (a) Golf carts and utility vehicles must comply with the  
229 operational and safety requirements in ss. 316.212 and 316.2125,  
230 and with any more restrictive ordinances enacted by the local  
231 governmental entity pursuant to s. 316.212(8), and shall be  
232 operated only by municipal employees for municipal purposes,  
233 including, but not limited to, police patrol, traffic  
234 enforcement, and inspection of public facilities.

235 (b) In addition to the safety equipment required in s.  
236 316.212(6) and any more restrictive safety equipment required by  
237 the local governmental entity pursuant to s. 316.212(8), such  
238 golf carts and utility vehicles must be equipped with sufficient  
239 lighting and turn signal equipment.

240 (c) Golf carts and utility vehicles may be operated only on  
241 state roads that have a posted speed limit of 30 miles per hour  
242 or less.

243 (d) Golf carts and utility vehicles may cross a portion of  
244 the State Highway System which has a posted speed limit of 45  
245 miles per hour or less only at an intersection with an official



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246 traffic control device.

247 (e) Golf carts and utility vehicles may operate on  
248 sidewalks adjacent to state highways only if such golf carts and  
249 utility vehicles yield to pedestrians and if the sidewalks are  
250 at least 5 feet wide.

251 Section 9. Section 316.2129, Florida Statutes, is created  
252 to read:

253 316.2129 Operation of swamp buggies on public roads,  
254 streets, or highways authorized.—

255 (1) A swamp buggy may be operated on a public road, street,  
256 or highway if the local governmental entity, as defined in s.  
257 334.03, having jurisdiction over the public road, street, or  
258 highway, has designated it for use by swamp buggies. Upon  
259 determining that swamp buggies may safely operate on or cross  
260 such public road, street, or highway, the local governmental  
261 entity shall post appropriate signs or otherwise inform the  
262 public that the operation of swamp buggies is allowed. This  
263 authorization does not apply to the State Highway System, as  
264 defined in s. 334.03. However, a swamp buggy may be operated on  
265 a part of the State Highway System only to cross that portion of  
266 the State Highway System which intersects a county road or  
267 municipal street that has been designated for use by swamp  
268 buggies if the Department of Transportation has reviewed and  
269 approved the location and design of the crossing and any traffic  
270 control devices needed for safety purposes.

271 (2) A swamp buggy may be operated on land managed, owned,  
272 or leased by a state or federal agency if the state or federal  
273 agency allows the operation of swamp buggies on such land,  
274 including any public road, street, or highway running through or



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275 located within the state or federal land. Upon determining that  
276 swamp buggies may safely operate on or cross a public road,  
277 street, or highway running through or located within such land,  
278 the state or federal agency shall post appropriate signs or  
279 otherwise inform the public that the operation of swamp buggies  
280 is allowed.

281 Section 10. Subsection (7) of section 316.2397, Florida  
282 Statutes, is amended to read:

283 316.2397 Certain lights prohibited; exceptions.—

284 (7) Flashing lights are prohibited on vehicles except:

285 (a) As a means of indicating a right or left turn, to  
286 change lanes, or to indicate that the vehicle is lawfully  
287 stopped or disabled upon the highway;

288 (b) When a motorist intermittently flashes his or her  
289 vehicle's headlamps at an oncoming vehicle notwithstanding the  
290 motorist's intent for doing so; and ~~or except that~~

291 (c) For the lamps authorized under ~~in~~ subsections (1), (2),  
292 (3), (4), and (9), s. 316.2065, or ~~and~~ s. 316.235(5) which may  
293 are ~~permitted to~~ flash.

294 Section 11. Effective July 1, 2012, paragraph (b) of  
295 subsection (1) and paragraph (c) of subsection (2) of section  
296 316.302, Florida Statutes, are amended to read:

297 316.302 Commercial motor vehicles; safety regulations;  
298 transporters and shippers of hazardous materials; enforcement.—

299 (1)

300 (b) Except as otherwise provided in this section, all  
301 owners or drivers of commercial motor vehicles that are engaged  
302 in intrastate commerce are subject to the rules and regulations  
303 contained in 49 C.F.R. parts 382, 385, and 390-397, with the



304 exception of 49 C.F.R. s. 390.5 as it relates to the definition  
305 of bus, as such rules and regulations existed on October 1, 2011  
306 ~~2009~~.

307 (2)

308 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
309 operates a commercial motor vehicle solely in intrastate  
310 commerce not transporting any hazardous material in amounts that  
311 require placarding pursuant to 49 C.F.R. part 172 may not drive  
312 after having been on duty more than 70 hours in any period of 7  
313 consecutive days or more than 80 hours in any period of 8  
314 consecutive days if the motor carrier operates every day of the  
315 week. Thirty-four consecutive hours off duty shall constitute  
316 the end of any such period of 7 or 8 consecutive days. This  
317 weekly limit does not apply to a person who operates a  
318 commercial motor vehicle solely within this state while  
319 transporting, during harvest periods, any unprocessed  
320 agricultural products or unprocessed food or fiber that is  
321 subject to seasonal harvesting from place of harvest to the  
322 first place of processing or storage or from place of harvest  
323 directly to market or while transporting livestock, livestock  
324 feed, or farm supplies directly related to growing or harvesting  
325 agricultural products. Upon request of the Department of Highway  
326 Safety and Motor Vehicles ~~Department of Transportation~~, motor  
327 carriers shall furnish time records or other written  
328 verification to that department so that the Department of  
329 Highway Safety and Motor Vehicles ~~Department of Transportation~~  
330 can determine compliance with this subsection. These time  
331 records must be furnished to the Department of Highway Safety  
332 and Motor Vehicles ~~Department of Transportation~~ within 2 days



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333 after receipt of that department's request. Falsification of  
334 such information is subject to a civil penalty not to exceed  
335 \$100. The provisions of this paragraph do not apply to operators  
336 of farm labor vehicles operated during a state of emergency  
337 declared by the Governor or operated pursuant to s. 570.07(21),  
338 and do not apply to drivers of utility service vehicles as  
339 defined in 49 C.F.R. s. 395.2.

340 Section 12. Subsection (1) of section 316.3026, Florida  
341 Statutes, is amended to read:

342 316.3026 Unlawful operation of motor carriers.—

343 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~  
344 ~~Carrier Compliance~~ may issue out-of-service orders to motor  
345 carriers, as defined in s. 320.01(33), who, after proper notice,  
346 have failed to pay any penalty or fine assessed by the  
347 department, or its agent, against any owner or motor carrier for  
348 violations of state law, refused to submit to a compliance  
349 review and provide records pursuant to s. 316.302(5) or s.  
350 316.70, or violated safety regulations pursuant to s. 316.302 or  
351 insurance requirements in s. 627.7415. Such out-of-service  
352 orders have the effect of prohibiting the operations of any  
353 motor vehicles owned, leased, or otherwise operated by the motor  
354 carrier upon the roadways of this state, until the violations  
355 have been corrected or penalties have been paid. Out-of-service  
356 orders must be approved by the director of the Division of the  
357 Florida Highway Patrol or his or her designee. An administrative  
358 hearing pursuant to s. 120.569 shall be afforded to motor  
359 carriers subject to such orders.

360 Section 13. Section 316.613, Florida Statutes, is amended  
361 to read:



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362 316.613 Child restraint requirements.-

363 (1) (a) Every operator of a motor vehicle as defined in this  
364 section herein, while transporting a child in a motor vehicle  
365 operated on the roadways, streets, or highways of this state,  
366 shall, if the child is 5 years of age or younger, provide for  
367 protection of the child by properly using a crash-tested,  
368 federally approved child restraint device. For children aged  
369 through 3 years, such restraint device must be a separate  
370 carrier or a vehicle manufacturer's integrated child seat. For  
371 children aged 4 through 5 years, a separate carrier, an  
372 integrated child seat, or a seat belt may be used.

373 (b) The department shall provide notice of the requirement  
374 for child restraint devices, which notice shall accompany the  
375 delivery of each motor vehicle license tag.

376 (2) As used in this section, the term "motor vehicle" means  
377 a motor vehicle as defined in s. 316.003 that is operated on the  
378 roadways, streets, and highways of the state. The term does not  
379 include:

380 (a) A school bus as defined in s. 316.003(45).

381 (b) A bus used for the transportation of persons for  
382 compensation, other than a bus regularly used to transport  
383 children to or from school, as defined in s. 316.615(1)(b), or  
384 in conjunction with school activities.

385 (c) A farm tractor or implement of husbandry.

386 (d) A truck having a gross vehicle weight rating of more  
387 than 26,000 pounds.

388 (e) A motorcycle, moped, or bicycle.

389 (3) The failure to provide and use a child passenger  
390 restraint shall not be considered comparative negligence, nor



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391 shall such failure be admissible as evidence in the trial of any  
392 civil action with regard to negligence.

393 (4) It is the legislative intent that all state, county,  
394 and local law enforcement agencies, and safety councils, in  
395 recognition of the problems with child death and injury from  
396 unrestrained occupancy in motor vehicles, conduct a continuing  
397 safety and public awareness campaign as to the magnitude of the  
398 problem.

399 (5) Any person who violates ~~the provisions of~~ this section  
400 commits a moving violation, punishable as provided in chapter  
401 318 and shall have 3 points assessed against his or her driver  
402 ~~driver's~~ license as set forth in s. 322.27. In lieu of the  
403 penalty specified in s. 318.18 and the assessment of points, a  
404 person who violates ~~the provisions of~~ this section may elect,  
405 with the court's approval, to participate in a child restraint  
406 safety program approved by the chief judge of the circuit in  
407 which the violation occurs, and, upon completing such program,  
408 the penalty specified in chapter 318 and associated costs may be  
409 waived at the court's discretion and the assessment of points  
410 shall be waived. The child restraint safety program must use a  
411 course approved by the Department of Highway Safety and Motor  
412 Vehicles, and the fee for the course must bear a reasonable  
413 relationship to the cost of providing the course.

414 (6) The child restraint requirements imposed by this  
415 section do not apply to a chauffeur-driven taxi, limousine,  
416 sedan, van, bus, motor coach, or other passenger vehicle if the  
417 operator and the motor vehicle are hired and used for the  
418 transportation of persons for compensation. It is the obligation  
419 and responsibility of the parent, guardian, or other person



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420 responsible for a child's welfare, as defined in s. 39.01(47),  
421 to comply with the requirements of this section.

422 Section 14. Section 316.6135, Florida Statutes, is amended  
423 to read:

424 316.6135 Leaving children unattended or unsupervised in  
425 motor vehicles; penalty; authority of law enforcement officer.-

426 (1) A parent, legal guardian, or other person responsible  
427 for a child younger than 6 years of age may not leave the such  
428 child unattended or unsupervised in a motor vehicle:

429 (a) For a period in excess of 15 minutes;

430 (b) For any period of time if the motor of the vehicle is  
431 running, ~~or~~ the health of the child is in danger, or the child  
432 appears to be in distress.

433 (2) Any person who violates the provisions of paragraph  
434 (1)(a) commits a misdemeanor of the second degree punishable as  
435 provided in s. 775.082 or s. 775.083.

436 (3) Any person who violates the provisions of paragraph  
437 (1)(b) is guilty of a noncriminal traffic infraction, punishable  
438 by a fine not less than \$50 and not more than \$500.

439 (4) Any person who violates subsection (1) and in so doing  
440 causes great bodily harm, permanent disability, or permanent  
441 disfigurement to a child commits a felony of the third degree,  
442 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

443 (5) Any law enforcement officer who observes a child left  
444 unattended or unsupervised in a motor vehicle in violation of  
445 subsection (1) may use whatever means are reasonably necessary  
446 to protect the minor child and to remove the child from the  
447 vehicle.

448 (6) If the child is removed from the immediate area,





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449 notification should be placed on the vehicle.

450 (7) The child shall be remanded to the custody of the  
451 Department of Children and Family Services pursuant to chapter  
452 39, unless the law enforcement officer is able to locate the  
453 parents or legal guardian or other person responsible for the  
454 child.

455 Section 15. Subsection (2) of section 316.655, Florida  
456 Statutes, is amended to read:

457 316.655 Penalties.—

458 (2) A driver ~~Drivers~~ convicted of a violation of any  
459 offense prohibited by this chapter or any other law of this  
460 state regulating motor vehicles, which resulted in an accident,  
461 may have his or her ~~their~~ driving privileges revoked or  
462 suspended by the court if the court finds such revocation or  
463 suspension warranted by the totality of the circumstances  
464 resulting in the conviction and the need to provide for the  
465 maximum safety for all persons who travel on or who are  
466 otherwise affected by the use of the highways of the state. In  
467 determining whether suspension or revocation is appropriate, the  
468 court shall consider all pertinent factors, including, but not  
469 limited to, such factors as the extent and nature of the  
470 driver's violation of this chapter, the number of persons killed  
471 or injured as the result of the driver's violation of this  
472 chapter, and the extent of any property damage resulting from  
473 the driver's violation of this chapter.

474 Section 16. Subsections (9) and (10) of section 318.14,  
475 Florida Statutes, are amended to read:

476 318.14 Noncriminal traffic infractions; exception;  
477 procedures.—



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478 (9) Any person who does not hold a commercial driver  
479 ~~driver's~~ license and who is cited while driving a noncommercial  
480 motor vehicle for an infraction under this section other than a  
481 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the  
482 driver exceeds the posted limit by 30 miles per hour or more, s.  
483 320.0605, s. 320.07(3) (a) or (b), s. 322.065, s. 322.15(1), s.  
484 322.61, or s. 322.62 may, in lieu of a court appearance, elect  
485 to attend in the location of his or her choice within this state  
486 a basic driver improvement course approved by the Department of  
487 Highway Safety and Motor Vehicles. In such a case, adjudication  
488 must be withheld and points, as provided by s. 322.27, may not  
489 be assessed. However, a person may not make an election under  
490 this subsection if the person has made an election under this  
491 subsection in the preceding 12 months. A person may not make ~~no~~  
492 more than five elections within his or her lifetime under this  
493 subsection. The requirement for community service under s.  
494 318.18(8) is not waived by a plea of nolo contendere or by the  
495 withholding of adjudication of guilt by a court. If a person  
496 makes an election to attend a basic driver improvement course  
497 under this subsection, 18 percent of the civil penalty imposed  
498 under s. 318.18(3) shall be deposited in the State Courts  
499 Revenue Trust Fund; however, that portion is not revenue for  
500 purposes of s. 28.36 and may not be used in establishing the  
501 budget of the clerk of the court under that section or s. 28.35.

502 (10) (a) Any person who does not hold a commercial driver  
503 ~~driver's~~ license and who is cited while driving a noncommercial  
504 motor vehicle for an offense listed under this subsection may,  
505 in lieu of payment of fine or court appearance, elect to enter a  
506 plea of nolo contendere and provide proof of compliance to the



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507 clerk of the court, designated official, or authorized operator  
508 of a traffic violations bureau. In such case, adjudication shall  
509 be withheld; however, a person may not make an ~~no~~ election ~~shall~~  
510 ~~be made~~ under this subsection if the ~~such~~ person has made an  
511 election under this subsection in the preceding 12 months  
512 ~~preceding election hereunder~~. A ~~No~~ person may not make more than  
513 three elections under this subsection. This subsection applies  
514 to the following offenses:

515 1. Operating a motor vehicle without a valid driver  
516 ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s.  
517 322.065, or s. 322.15(1), or operating a motor vehicle with a  
518 license that has been suspended for failure to appear, failure  
519 to pay civil penalty, or failure to attend a driver improvement  
520 course pursuant to s. 322.291.

521 2. Operating a motor vehicle without a valid registration  
522 in violation of s. 320.0605, s. 320.07, or s. 320.131.

523 3. Operating a motor vehicle in violation of s. 316.646.

524 4. Operating a motor vehicle with a license that has been  
525 suspended under s. 61.13016 or s. 322.245 for failure to pay  
526 child support or for failure to pay any other financial  
527 obligation as provided in s. 322.245; however, this subparagraph  
528 does not apply if the license has been suspended pursuant to s.  
529 322.245(1).

530 5. Operating a motor vehicle with a license that has been  
531 suspended under s. 322.091 for failure to meet school attendance  
532 requirements.

533 (b) Any person cited for an offense listed in this  
534 subsection shall present proof of compliance before ~~prior to~~ the  
535 scheduled court appearance date. For the purposes of this



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536 subsection, proof of compliance shall consist of a valid,  
537 renewed, or reinstated driver ~~driver's~~ license or registration  
538 certificate and proper proof of maintenance of security as  
539 required by s. 316.646. Notwithstanding waiver of fine, any  
540 person establishing proof of compliance shall be assessed court  
541 costs of \$25, except that a person charged with violation of s.  
542 316.646(1)-(3) may be assessed court costs of \$8. One dollar of  
543 such costs shall be remitted to the Department of Revenue for  
544 deposit into the Child Welfare Training Trust Fund of the  
545 Department of Children and Family Services. One dollar of such  
546 costs shall be distributed to the Department of Juvenile Justice  
547 for deposit into the Juvenile Justice Training Trust Fund.  
548 Fourteen dollars of such costs shall be distributed to the  
549 municipality and \$9 shall be deposited by the clerk of the court  
550 into the fine and forfeiture fund established pursuant to s.  
551 142.01, if the offense was committed within the municipality. If  
552 the offense was committed in an unincorporated area of a county  
553 or if the citation was for a violation of s. 316.646(1)-(3), the  
554 entire amount shall be deposited by the clerk of the court into  
555 the fine and forfeiture fund established pursuant to s. 142.01,  
556 except for the moneys to be deposited into the Child Welfare  
557 Training Trust Fund and the Juvenile Justice Training Trust  
558 Fund. This subsection does ~~shall~~ not ~~be construed to~~ authorize  
559 the operation of a vehicle without a valid driver ~~driver's~~  
560 license, without a valid vehicle tag and registration, or  
561 without the maintenance of required security.

562 Section 17. Paragraph (c) is added to subsection (1) of  
563 section 318.15, Florida Statutes, to read:

564 318.15 Failure to comply with civil penalty or to appear;



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565 penalty.-

566 (1)

567 (c) A person who is charged with a traffic infraction may  
568 request a hearing within 180 days after the date upon which the  
569 violation occurred, regardless of any action taken by the court  
570 or the department to suspend the person's driving privilege,  
571 and, upon request, the clerk must set the case for hearing. The  
572 person shall be given a form for requesting that his or her  
573 driving privilege be reinstated. If the 180th day after the date  
574 upon which the violation occurred is a Saturday, Sunday, or a  
575 legal holiday, the person who is charged must request a hearing  
576 within 177 days after the date upon which the violation  
577 occurred; however, the court may grant a request for a hearing  
578 made more than 180 days after the date upon which the violation  
579 occurred. This paragraph does not affect the assessment of late  
580 fees as otherwise provided in this chapter.

581 Section 18. Paragraph (f) of subsection (3) of section  
582 318.18, Florida Statutes, is amended to read:

583 318.18 Amount of penalties.—The penalties required for a  
584 noncriminal disposition pursuant to s. 318.14 or a criminal  
585 offense listed in s. 318.17 are as follows:

586 (3)

587 (f) If a violation of s. 316.1301 or s. 316.1303(1) ~~s.~~  
588 ~~316.1303~~ results in an injury to the pedestrian or damage to the  
589 property of the pedestrian, an additional fine of up to \$250  
590 shall be paid. This amount must be distributed pursuant to s.  
591 318.21.

592 Section 19. Subsection (5) of section 318.21, Florida  
593 Statutes, is amended to read:



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594           318.21 Disposition of civil penalties by county courts.—All  
595 civil penalties received by a county court pursuant to the  
596 provisions of this chapter shall be distributed and paid monthly  
597 as follows:

598           (5) Of the additional fine assessed under s. 318.18(3)(f)  
599 for a violation of s. 316.1303(1) ~~s. 316.1303~~, 60 percent must  
600 be remitted to the Department of Revenue and transmitted monthly  
601 to the Florida Endowment Foundation for Vocational  
602 Rehabilitation, and 40 percent must be distributed pursuant to  
603 subsections (1) and (2).

604           Section 20. Section 319.14, Florida Statutes, is amended to  
605 read:

606           319.14 Sale of motor vehicles registered or used as  
607 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,  
608 ~~and~~ nonconforming vehicles, custom vehicles, or street rod  
609 vehicles.—

610           (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,  
611 sell, or exchange any vehicle that has been licensed,  
612 registered, or used as a taxicab, police vehicle, or short-term-  
613 lease vehicle, or a vehicle that has been repurchased by a  
614 manufacturer pursuant to a settlement, determination, or  
615 decision under chapter 681, until the department has stamped in  
616 a conspicuous place on the certificate of title of the vehicle,  
617 or its duplicate, words stating the nature of the previous use  
618 of the vehicle or the title has been stamped "Manufacturer's Buy  
619 Back" to reflect that the vehicle is a nonconforming vehicle. If  
620 the certificate of title or duplicate was not so stamped upon  
621 initial issuance thereof or if, subsequent to initial issuance  
622 of the title, the use of the vehicle is changed to a use



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623 requiring the notation provided for in this section, the owner  
624 or lienholder of the vehicle shall surrender the certificate of  
625 title or duplicate to the department prior to offering the  
626 vehicle for sale, and the department shall stamp the certificate  
627 or duplicate as required herein. When a vehicle has been  
628 repurchased by a manufacturer pursuant to a settlement,  
629 determination, or decision under chapter 681, the title shall be  
630 stamped "Manufacturer's Buy Back" to reflect that the vehicle is  
631 a nonconforming vehicle.

632 (b) A ~~No~~ person may not shall knowingly offer for sale,  
633 sell, or exchange a rebuilt vehicle until the department has  
634 stamped in a conspicuous place on the certificate of title for  
635 the vehicle words stating that the vehicle has been rebuilt or  
636 assembled from parts, or is a kit car, glider kit, replica, ~~or~~  
637 flood vehicle, custom vehicle, or street rod vehicle unless  
638 proper application for a certificate of title for a vehicle that  
639 is rebuilt or assembled from parts, or is a kit car, glider kit,  
640 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle  
641 has been made to the department in accordance with this chapter  
642 and the department has conducted the physical examination of the  
643 vehicle to assure the identity of the vehicle and all major  
644 component parts, as defined in s. 319.30(1), which have been  
645 repaired or replaced. Thereafter, the department shall affix a  
646 decal to the vehicle, in the manner prescribed by the  
647 department, showing the vehicle to be rebuilt.

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

649 1. "Police vehicle" means a motor vehicle owned or leased  
650 by the state or a county or municipality and used in law  
651 enforcement.



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652           2.a. "Short-term-lease vehicle" means a motor vehicle  
653 leased without a driver and under a written agreement to one or  
654 more persons from time to time for a period of less than 12  
655 months.

656           b. "Long-term-lease vehicle" means a motor vehicle leased  
657 without a driver and under a written agreement to one person for  
658 a period of 12 months or longer.

659           c. "Lease vehicle" includes both short-term-lease vehicles  
660 and long-term-lease vehicles.

661           3. "Rebuilt vehicle" means a motor vehicle or mobile home  
662 built from salvage or junk, as defined in s. 319.30(1).

663           4. "Assembled from parts" means a motor vehicle or mobile  
664 home assembled from parts or combined from parts of motor  
665 vehicles or mobile homes, new or used. "Assembled from parts"  
666 does not mean a motor vehicle defined as a "rebuilt vehicle" in  
667 subparagraph 3., which has been declared a total loss pursuant  
668 to s. 319.30.

669           5. "Kit car" means a motor vehicle assembled with a kit  
670 supplied by a manufacturer to rebuild a wrecked or outdated  
671 motor vehicle with a new body kit.

672           6. "Glider kit" means a vehicle assembled with a kit  
673 supplied by a manufacturer to rebuild a wrecked or outdated  
674 truck or truck tractor.

675           7. "Replica" means a complete new motor vehicle  
676 manufactured to look like an old vehicle.

677           8. "Flood vehicle" means a motor vehicle or mobile home  
678 that has been declared to be a total loss pursuant to s.  
679 319.30(3)(a) resulting from damage caused by water.

680           9. "Nonconforming vehicle" means a motor vehicle which has





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681 been purchased by a manufacturer pursuant to a settlement,  
682 determination, or decision under chapter 681.

683 10. "Settlement" means an agreement entered into between a  
684 manufacturer and a consumer that occurs after a dispute is  
685 submitted to a program, or an informal dispute settlement  
686 procedure established by a manufacturer or is approved for  
687 arbitration before the New Motor Vehicle Arbitration Board as  
688 defined in s. 681.102.

689 11. "Custom vehicle" means a motor vehicle that:

690 a. Is 25 years of age or older and of a model year after  
691 1948 or was manufactured to resemble a vehicle that is 25 years  
692 of age or older and of a model year after 1948; and

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

695  
696 The model year and year of manufacture that the body of a custom  
697 vehicle resembles is the model year and year of manufacture  
698 listed on the certificate of title, regardless of when the  
699 vehicle was actually manufactured.

700 12. "Street rod" means a motor vehicle that:

701 a. Is of a model year of 1948 or older or was manufactured  
702 after 1948 to resemble a vehicle of a model year of 1948 or  
703 older; and

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

706  
707 The model year and year of manufacture that the body of a street  
708 rod resembles is the model year and year of manufacture listed  
709 on the certificate of title, regardless of when the vehicle was



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710 actually manufactured.

711 (2) A ~~No~~ person may not shall knowingly sell, exchange, or  
712 transfer a vehicle referred to in subsection (1) without, before  
713 ~~prior to~~ consummating the sale, exchange, or transfer,  
714 disclosing in writing to the purchaser, customer, or transferee  
715 the fact that the vehicle has previously been titled,  
716 registered, or used as a taxicab, police vehicle, or short-term-  
717 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from  
718 parts, ~~or~~ is a kit car, glider kit, replica, or flood vehicle,  
719 or is a nonconforming vehicle, custom vehicle, or street rod  
720 vehicle, as the case may be.

721 (3) Any person who, with intent to offer for sale or  
722 exchange any vehicle referred to in subsection (1), knowingly or  
723 intentionally advertises, publishes, disseminates, circulates,  
724 or places before the public in any communications medium,  
725 whether directly or indirectly, any offer to sell or exchange  
726 the vehicle shall clearly and precisely state in each such offer  
727 that the vehicle has previously been titled, registered, or used  
728 as a taxicab, police vehicle, or short-term-lease vehicle or  
729 that the vehicle or mobile home is a vehicle that is rebuilt or  
730 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or  
731 flood vehicle, or is a nonconforming vehicle, custom vehicle, or  
732 street rod vehicle, as the case may be. A ~~Any~~ person who  
733 violates this subsection commits a misdemeanor of the second  
734 degree, punishable as provided in s. 775.082 or s. 775.083.

735 (4) If ~~When~~ a certificate of title, including a foreign  
736 certificate, is branded to reflect a condition or prior use of  
737 the titled vehicle, the brand must be noted on the registration  
738 certificate of the vehicle and such brand shall be carried



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739 forward on all subsequent certificates of title and registration  
740 certificates issued for the life of the vehicle.

741 (5) A ~~Any~~ person who knowingly sells, exchanges, or offers  
742 to sell or exchange a motor vehicle or mobile home contrary to  
743 ~~the provisions of~~ this section or any officer, agent, or  
744 employee of a person who knowingly authorizes, directs, aids in,  
745 or consents to the sale, exchange, or offer to sell or exchange  
746 a motor vehicle or mobile home contrary to ~~the provisions of~~  
747 this section commits a misdemeanor of the second degree,  
748 punishable as provided in s. 775.082 or s. 775.083.

749 (6) A ~~Any~~ person who removes a rebuilt decal from a rebuilt  
750 vehicle with the intent to conceal the rebuilt status of the  
751 vehicle commits a felony of the third degree, punishable as  
752 provided in s. 775.082, s. 775.083, or s. 775.084.

753 (7) This section applies to a mobile home, travel trailer,  
754 camping trailer, truck camper, or fifth-wheel recreation trailer  
755 only when the ~~such~~ mobile home or vehicle is a rebuilt vehicle  
756 or is assembled from parts.

757 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in  
758 any civil action arising out of a violation of this section if  
759 the designation of the previous use or condition of the motor  
760 vehicle is not noted on the certificate of title and  
761 registration certificate of the vehicle which was received by,  
762 or delivered to, such person, unless the ~~such~~ person has  
763 actively concealed the prior use or condition of the vehicle  
764 from the purchaser.

765 (9) Subsections (1), (2), and (3) do not apply to the  
766 transfer of ownership of a motor vehicle after the motor vehicle  
767 has ceased to be used as a lease vehicle and the ownership has



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768 been transferred to an owner for private use or to the transfer  
769 of ownership of a nonconforming vehicle with 36,000 or more  
770 miles on its odometer, or 34 months whichever is later and the  
771 ownership has been transferred to an owner for private use. Such  
772 owner, as shown on the title certificate, may request the  
773 department to issue a corrected certificate of title that does  
774 not contain the statement of the previous use of the vehicle as  
775 a lease vehicle or condition as a nonconforming vehicle.

776 Section 21. Subsection (6) of section 319.23, Florida  
777 Statutes, is amended, present subsections (7) through (11) of  
778 that section are redesignated as subsections (8) through (12),  
779 respectively, and a new subsection (7) is added to that section,  
780 to read:

781 319.23 Application for, and issuance of, certificate of  
782 title.—

783 (6) (a) In the case of the sale of a motor vehicle or mobile  
784 home by a licensed dealer to a general purchaser, the  
785 certificate of title must be obtained in the name of the  
786 purchaser by the dealer upon application signed by the  
787 purchaser, and in each other case the ~~such~~ certificate must be  
788 obtained by the purchaser. In each case of transfer of a motor  
789 vehicle or mobile home, the application for a certificate of  
790 title, a corrected certificate, or an assignment or reassignment  
791 must be filed within 30 days after the delivery of the motor  
792 vehicle or after consummation of the sale of the mobile home to  
793 the purchaser. An applicant must pay a fee of \$20, in addition  
794 to all other fees and penalties required by law, for failing to  
795 file such application within the specified time. In the case of  
796 the sale of a motor vehicle by a licensed motor vehicle dealer



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797 to a general purchaser who resides in another state or country,  
798 the dealer is not required to apply for a certificate of title  
799 for the motor vehicle; however, the dealer must transfer  
800 ownership and reassign the certificate of title or  
801 manufacturer's certificate of origin to the purchaser, and the  
802 purchaser must sign an affidavit, as approved by the department,  
803 that the purchaser will title and register the motor vehicle in  
804 another state or country.

805 (b) If a licensed dealer acquires a motor vehicle or mobile  
806 home as a trade-in, the dealer must file with the department,  
807 within 30 days, a notice of sale signed by the seller. The  
808 department shall update its database for that title record to  
809 indicate "sold." A licensed dealer need not apply for a  
810 certificate of title for any motor vehicle or mobile home in  
811 stock acquired for stock purposes except as provided in s.  
812 319.225.

813 (7) If an applicant for a certificate of title is unable to  
814 provide the department with a certificate of title that assigns  
815 the prior owner's interest in the motor vehicle, the department  
816 may accept a bond in the form prescribed by the department,  
817 along with an affidavit in a form prescribed by the department,  
818 which includes verification of the vehicle identification number  
819 and an application for title.

820 (a) The bond must be:

821 1. In a form prescribed by the department;

822 2. Executed by the applicant;

823 3. Issued by a person authorized to conduct a surety  
824 business in this state;

825 4. In an amount equal to two times the value of the vehicle



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826 as determined by the department; and  
827 5. Conditioned to indemnify all prior owners and  
828 lienholders and all subsequent purchasers of the vehicle or  
829 persons who acquire a security interest in the vehicle, and  
830 their successors in interest, against any expense, loss, or  
831 damage, including reasonable attorney fees, occurring because of  
832 the issuance of the certificate of title for the vehicle or for  
833 a defect in or undisclosed security interest on the right,  
834 title, or interest of the applicant to the vehicle.

835 (b) An interested person has a right to recover on the bond  
836 for a breach of the bond's condition. The aggregate liability of  
837 the surety to all persons may not exceed the amount of the bond.

838 (c) A bond under this subsection expires on the third  
839 anniversary of the date the bond became effective.

840 (d) The affidavit must:

841 1. Be in a form prescribed by the department;

842 2. Include the facts and circumstances under which the  
843 applicant acquired ownership and possession of the motor  
844 vehicle;

845 3. Disclose that no security interests, liens, or  
846 encumbrances against the motor vehicle are known to the  
847 applicant against the motor vehicle; and

848 4. State that the applicant has the right to have a  
849 certificate of title issued.

850 Section 22. Subsection (8) of section 319.24, Florida  
851 Statutes, is amended to read:

852 319.24 Issuance in duplicate; delivery; liens and  
853 encumbrances.—

854 (8) Notwithstanding any requirements in this section or in



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855 s. 319.27 indicating that a lien on a motor vehicle or mobile  
856 home shall be noted on the face of the Florida certificate of  
857 title, if there are one or more liens or encumbrances on the  
858 motor vehicle or mobile home, the department shall ~~may~~  
859 electronically transmit the lien to the first lienholder and  
860 notify the first lienholder of any additional liens. Subsequent  
861 lien satisfactions shall ~~may~~ be electronically transmitted to  
862 the department and must ~~shall~~ include the name and address of  
863 the person or entity satisfying the lien. When electronic  
864 transmission of liens and lien satisfactions is ~~are~~ used, the  
865 issuance of a certificate of title may be waived until the last  
866 lien is satisfied and a clear certificate of title is issued to  
867 the owner of the vehicle. In subsequent transfer of ownership of  
868 the motor vehicle, it shall be presumed that the motor vehicle  
869 title is subject to a lien as set forth in s. 319.225(6)(a)  
870 until the title to be issued pursuant to this subsection is  
871 received by the person or entity satisfying the lien.

872 Section 23. Subsection (7) is added to section 319.27,  
873 Florida Statutes, to read:

874 319.27 Notice of lien on motor vehicles or mobile homes;  
875 notation on certificate; recording of lien.-

876 (7) The department shall establish and administer an  
877 electronic titling program that requires the electronic  
878 recording of vehicle title information for new, transferred, and  
879 corrected certificates of title. Lienholders shall  
880 electronically transmit liens and lien satisfactions to the  
881 department in a format determined by the department. Individuals  
882 and lienholders who the department determines are not normally  
883 engaged in the business or practice of financing vehicles are



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884 exempt from the electronic titling requirement.

885 Section 24. Subsection (3) is added to section 319.28,  
886 Florida Statutes, to read:

887 319.28 Transfer of ownership by operation of law.—

888 (3) A dealer of industrial equipment who conducts a  
889 repossession, as defined in s. 493.6101(22), of such equipment  
890 is not subject to licensure as a recovery agent or recovery  
891 agency if the dealer is regularly engaged in the sale of the  
892 equipment for a particular manufacturer, the lender is  
893 affiliated with that manufacturer, and the dealer uses his or  
894 her own employees to make such repossessions.

895 Section 25. Present subsection (10) of section 319.30,  
896 Florida Statutes, is renumbered as subsection (11), and new  
897 subsection (10) is added to that section to read:

898 319.30 Definitions; dismantling, destruction, change of  
899 identity of motor vehicle or mobile home; salvage.—

900 (10) The department may adopt rules to implement an  
901 electronic system for issuing salvage certificates of title and  
902 certificates of destruction.

903 Section 26. Section 319.40, Florida Statutes, is amended to  
904 read:

905 319.40 Transactions by electronic or telephonic means.—

906 (1) The department may ~~is authorized to~~ accept any  
907 application provided for under this chapter by electronic or  
908 telephonic means.

909 (2) The department may issue an electronic certificate of  
910 title in lieu of printing a paper title.

911 (3) The department may collect electronic mail addresses  
912 and use electronic mail in lieu of the United States Postal





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913 Service as a method of notification. However, any notice  
914 regarding the potential forfeiture or foreclosure of an interest  
915 in property must be sent via the United States Postal Service.

916 Section 27. Paragraph (a) of subsection (1) of section  
917 320.01, Florida Statutes, is amended, and subsection (46) is  
918 added to that section, to read:

919 320.01 Definitions, general.—As used in the Florida  
920 Statutes, except as otherwise provided, the term:

921 (1) "Motor vehicle" means:

922 (a) An automobile, motorcycle, truck, trailer, semitrailer,  
923 truck tractor and semitrailer combination, or any other vehicle  
924 operated on the roads of this state, used to transport persons  
925 or property, and propelled by power other than muscular power,  
926 but the term does not include traction engines, road rollers,  
927 special mobile equipment as defined in s. 316.003(48), such  
928 vehicles that ~~as~~ run only upon a track, bicycles, swamp buggies,  
929 or mopeds.

930 (46) "Swamp buggy" means a motorized off-road vehicle that  
931 is designed or modified to travel over swampy or varied terrain  
932 and that may use large tires or tracks operated from an elevated  
933 platform. The term does not include any vehicle defined in  
934 chapter 261 or otherwise defined or classified in this chapter.

935 Section 28. Subsection (2) and paragraph (e) of subsection  
936 (5) of section 320.02, Florida Statutes, are amended, paragraphs  
937 (o), (p), (q), and (r) are added to subsection (15), and  
938 subsection (18) is added to that section, to read:

939 320.02 Registration required; application for registration;  
940 forms.—

941 (2) (a) The application for registration shall include the



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942 street address of the owner's permanent residence or the address  
943 of his or her permanent place of business and shall be  
944 accompanied by personal or business identification information  
945 which may include, but need not be limited to, a driver ~~driver's~~  
946 license number, Florida identification card number, or federal  
947 employer identification number. If the owner does not have a  
948 permanent residence or permanent place of business or if the  
949 owner's permanent residence or permanent place of business  
950 cannot be identified by a street address, the application shall  
951 include:

952 1. If the vehicle is registered to a business, the name and  
953 street address of the permanent residence of an owner of the  
954 business, an officer of the corporation, or an employee who is  
955 in a supervisory position.

956 2. If the vehicle is registered to an individual, the name  
957 and street address of the permanent residence of a close  
958 relative or friend who is a resident of this state.

959  
960 If the vehicle is registered to an active duty member of the  
961 Armed Forces of the United States who is a Florida resident, the  
962 active duty member is exempt from the requirement to provide the  
963 street address of a permanent residence.

964 (b) The department shall prescribe a form upon which motor  
965 vehicle owners may record odometer readings when registering  
966 their motor vehicles.

967 (5)

968 (e) Upon the expiration date noted in the cancellation  
969 notice that the department receives from the insurer, the  
970 department shall suspend the registration, issued under this



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971 chapter or s. 207.004(1), of a motor carrier who operates a  
972 commercial motor vehicle or who permits it to be operated in  
973 this state during the registration period without having in full  
974 force ~~and effect~~ liability insurance, a surety bond, or a valid  
975 self-insurance certificate that complies with ~~the provisions of~~  
976 this section. The insurer shall provide notice to the department  
977 at the same time the cancellation notice is provided to the  
978 insured pursuant to s. 627.7281. The department may adopt rules  
979 regarding the electronic submission of the cancellation notice  
980 ~~liability insurance policy or surety bond may not be canceled on~~  
981 ~~less than 30 days' written notice by the insurer to the~~  
982 ~~department, such 30 days' notice to commence from the date~~  
983 ~~notice is received by the department.~~

984 (15)

985 (o) The application form for motor vehicle registration and  
986 renewal registration must include language permitting a  
987 voluntary contribution of \$1 to the Florida Association of Food  
988 Banks, Inc. The proceeds shall be distributed by the department  
989 each month to Florida Association of Food Banks, Inc., to be  
990 used by that organization for the purpose of ending hunger in  
991 this state.

992 (p) The application form for motor vehicle registration and  
993 renewal of registration must include language permitting a  
994 voluntary contribution of \$1 per applicant for Autism Services  
995 and Supports. Such contributions must be transferred by the  
996 department to the Achievement and Rehabilitation Centers, Inc.,  
997 Autism Services Fund.

998 (q) The application form for motor vehicle registration and  
999 renewal of registration must include language permitting a



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1000 voluntary contribution of \$1 per applicant to Support Our  
1001 Troops, which shall be distributed to Support Our Troops, Inc.,  
1002 a Florida not-for-profit organization.

1003 (r) The application form for motor vehicle registration and  
1004 renewal of registration must include language permitting a  
1005 voluntary contribution of \$1 to Take Stock In Children. Such  
1006 contributions shall be transferred by the department to Take  
1007 Stock In Children, Inc.

1008  
1009 For the purpose of applying the service charge provided in s.  
1010 215.20, contributions received under this subsection are not  
1011 income of a revenue nature.

1012 (18) The department shall retain all electronic  
1013 registration records for at least 10 years.

1014 Section 29. Subsection (8) of section 320.03, Florida  
1015 Statutes, is amended to read:

1016 320.03 Registration; duties of tax collectors;  
1017 International Registration Plan.—

1018 (8) If the applicant's name appears on the list referred to  
1019 in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a license  
1020 plate or revalidation sticker may not be issued until that  
1021 person's name no longer appears on the list or until the person  
1022 presents a receipt from the governmental entity or the clerk of  
1023 court that provided the data showing that the fines outstanding  
1024 have been paid. This subsection does not apply to the owner of a  
1025 leased vehicle if the vehicle is registered in the name of the  
1026 lessee of the vehicle. The tax collector and the clerk of the  
1027 court are each entitled to receive monthly, as costs for  
1028 implementing and administering this subsection, 10 percent of



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1029 the civil penalties and fines recovered from such persons. As  
1030 used in this subsection, the term "civil penalties and fines"  
1031 does not include a wrecker operator's lien as described in s.  
1032 713.78(13). If the tax collector has private tag agents, such  
1033 tag agents are entitled to receive a pro rata share of the  
1034 amount paid to the tax collector, based upon the percentage of  
1035 license plates and revalidation stickers issued by the tag agent  
1036 compared to the total issued within the county. The authority of  
1037 any private agent to issue license plates shall be revoked,  
1038 after notice and a hearing as provided in chapter 120, if he or  
1039 she issues any license plate or revalidation sticker contrary to  
1040 the provisions of this subsection. This section applies only to  
1041 the annual renewal in the owner's birth month of a motor vehicle  
1042 registration and does not apply to the transfer of a  
1043 registration of a motor vehicle sold by a motor vehicle dealer  
1044 licensed under this chapter, except for the transfer of  
1045 registrations which includes ~~is inclusive of~~ the annual  
1046 renewals. This section does not affect the issuance of the title  
1047 to a motor vehicle, notwithstanding s. 319.23(8)(b)  
1048 ~~319.23(7)(b)~~.

1049 Section 30. Subsections (5) and (6) are added to section  
1050 320.06, Florida Statutes, to read:

1051 320.06 Registration certificates, license plates, and  
1052 validation stickers generally.—

1053 (5) The department may conduct a pilot program to evaluate  
1054 the designs, concepts, and technologies for alternative license  
1055 plates. For purposes of the pilot program, the department shall  
1056 investigate the feasibility and use of alternative license plate  
1057 technologies and the long-term cost impact to the consumer. The



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1058 pilot program shall be limited to license plates that are used  
1059 on government-owned motor vehicles as described in s. 320.0655.  
1060 Such license plates are exempt from the requirements in  
1061 paragraph (3)(a).

1062 (6) All license plates issued pursuant to this chapter are  
1063 the property of the state.

1064 Section 31. Section 320.0605, Florida Statutes, is amended  
1065 to read:

1066 320.0605 Certificate of registration; possession required;  
1067 exception.—

1068 (1) The registration certificate or an official copy  
1069 thereof, a true copy of a rental or lease documentation  
1070 ~~agreement~~ issued for a motor vehicle or issued for a replacement  
1071 vehicle in the same registration period, a temporary receipt  
1072 printed upon self-initiated electronic renewal of a registration  
1073 via the Internet, or a cab card issued for a vehicle registered  
1074 under the International Registration Plan shall, at all times  
1075 while the vehicle is being used or operated on the roads of this  
1076 state, be in the possession of the operator thereof or be  
1077 carried in the vehicle for which issued and shall be exhibited  
1078 upon demand of any authorized law enforcement officer or any  
1079 agent of the department, except for a vehicle registered under  
1080 s. 320.0657. The provisions of this section do not apply during  
1081 the first 30 days after purchase of a replacement vehicle. A  
1082 violation of this section is a noncriminal traffic infraction,  
1083 punishable as a nonmoving violation as provided in chapter 318.

1084 (2) Rental or lease documentation that is sufficient to  
1085 satisfy the requirement in subsection (1) includes the  
1086 following:



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- 1087        (a) Date of rental and time of exit from rental facility;
- 1088        (b) Rental station identification;
- 1089        (c) Rental agreement number;
- 1090        (d) Rental vehicle identification number;
- 1091        (e) Rental vehicle license plate number and state of
- 1092 registration;
- 1093        (f) Vehicle's make, model, and color;
- 1094        (g) Vehicle's mileage; and
- 1095        (h) Authorized renter's name.

1096        Section 32. Section 320.061, Florida Statutes, is amended  
1097 to read:

1098        320.061 Unlawful to alter motor vehicle registration  
1099 certificates, license plates, temporary license plates, mobile  
1100 home stickers, or validation stickers or to obscure license  
1101 plates; penalty.—~~A No~~ person may not shall alter the original  
1102 appearance of a vehicle registration certificate, any  
1103 ~~registration~~ license plate, temporary license plate, mobile home  
1104 sticker, or validation sticker, ~~or vehicle registration~~  
1105 ~~certificate~~ issued for and assigned to a any motor vehicle or  
1106 mobile home, whether by mutilation, alteration, defacement, or  
1107 change of color or in any other manner. ~~A No~~ person may not  
1108 ~~shall~~ apply or attach a any substance, reflective matter,  
1109 illuminated device, spray, coating, covering, or other material  
1110 onto or around any license plate which that interferes with the  
1111 legibility, angular visibility, or detectability of any feature  
1112 or detail on the license plate or interferes with the ability to  
1113 record any feature or detail on the license plate. ~~A Any~~ person  
1114 who violates this section commits a noncriminal traffic  
1115 infraction, punishable as a moving violation as provided in



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1116 chapter 318.

1117 Section 33. Subsection (1) of section 320.07, Florida  
1118 Statutes, is amended to read:

1119 320.07 Expiration of registration; renewal required;  
1120 penalties.—

1121 (1) The registration of a motor vehicle or mobile home  
1122 expires at midnight on the last day of the registration or  
1123 extended registration period, or for a motor vehicle or mobile  
1124 home owner who is a natural person, at midnight on the owner's  
1125 birthday. A vehicle may ~~shall~~ not be operated on the roads of  
1126 this state after expiration of the renewal period unless the  
1127 registration has been renewed according to law.

1128 Section 34. Subsection (11) of section 320.08056, Florida  
1129 Statutes, is amended to read:

1130 320.08056 Specialty license plates.—

1131 (11) The annual use fee from the sale of specialty license  
1132 plates, the interest earned from those fees, or any fees  
1133 received by an agency as a result of the sale of specialty  
1134 license plates may not be used for the purpose of marketing to,  
1135 or lobbying, entertaining, or rewarding, an employee of a  
1136 governmental agency that is responsible for the sale and  
1137 distribution of specialty license plates, or an elected member  
1138 or employee of the Legislature.

1139 Section 35. Paragraph (b) of subsection (35) of section  
1140 320.08058, Florida Statutes, is amended to read:

1141 320.08058 Specialty license plates.—

1142 (35) Florida Golf License Plates.—

1143 (b) The department shall distribute the Florida Golf  
1144 license plate annual use fee to the Dade Amateur Golf





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1145 Association, a nonprofit organization under s. 501(c)(3) of the  
1146 Internal Revenue Code. The license plate annual use fees are to  
1147 be annually allocated as follows:

1148 1. Up to 15 ~~10~~ percent of the proceeds from the annual use  
1149 fees may be used by the Dade Amateur Golf Association for the  
1150 administration of the Florida Junior Golf Program.

1151 2. The Dade Amateur Golf Association shall receive the  
1152 first \$80,000 in proceeds from the annual use fees for the  
1153 operation of youth golf programs in Miami-Dade County.  
1154 Thereafter, 15 percent of the proceeds from the annual use fees  
1155 shall be provided to the Dade Amateur Golf Association for the  
1156 operation of youth golf programs in Miami-Dade County.

1157 3. The remaining proceeds from the annual use fees shall be  
1158 available for grants to nonprofit organizations to operate youth  
1159 golf programs and for marketing the Florida Golf license plates.  
1160 All grant recipients shall be required to provide to the Dade  
1161 Amateur Golf Association an annual program and financial report  
1162 regarding the use of grant funds. Such reports shall be made  
1163 available to the public.

1164 Section 36. Paragraph (e) of subsection (4) of section  
1165 320.08068, Florida Statutes, is amended to read:

1166 320.08068 Motorcycle specialty license plates.—

1167 (4) A license plate annual use fee of \$20 shall be  
1168 collected for each motorcycle specialty license plate. Annual  
1169 use fees shall be distributed to The Able Trust as custodial  
1170 agent. The Able Trust may retain a maximum of 10 percent of the  
1171 proceeds from the sale of the license plate for administrative  
1172 costs. The Able Trust shall distribute the remaining funds as  
1173 follows:



1174 (e) Twenty percent to the Florida Association of Centers  
1175 for Independent Living ~~to be used to leverage additional funding~~  
1176 ~~and new sources of revenue for the centers for independent~~  
1177 ~~living in this state.~~

1178 Section 37. Section 320.0807, Florida Statutes, is amended  
1179 to read:

1180 320.0807 Special license plates for Governor and federal  
1181 and state legislators.—

1182 (1) Upon application by any member of the House of  
1183 Representatives of Congress and payment of the fees prescribed  
1184 by s. 320.0805, the department may ~~is authorized to~~ issue to  
1185 such member of Congress a license plate stamped "Official Member  
1186 ~~of~~ Congress" followed by the number of the appropriate  
1187 congressional district and the letters "MC," or any other  
1188 configuration chosen by the member which is not already in use.  
1189 Upon application by a United States Senator and payment of the  
1190 fees prescribed by s. 320.0805, the department may ~~is authorized~~  
1191 ~~to~~ issue a license plate stamped "USS," followed by the numeral  
1192 II in the case of the junior senator.

1193 (2) Upon application by any member of the state House of  
1194 Representatives and payment of the fees prescribed by s.  
1195 320.0805, the department may ~~is authorized to~~ issue the ~~such~~  
1196 state representative license plates stamped ~~in bold letters~~  
1197 "Official House State Legislator," followed by the number of the  
1198 appropriate House of Representatives district and the letters  
1199 "HR," or any other configuration chosen by the member which is  
1200 not already in use. Upon application by a state senator and  
1201 payment of the fees prescribed by s. 320.0805, the department  
1202 may ~~is authorized to~~ issue license plates stamped ~~in bold~~



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1203 ~~letters~~ "Official Senate State Senator," followed by the number  
1204 of the appropriate Senate district and the letters "SN," or any  
1205 other configuration chosen by the member which is not already in  
1206 use.

1207 (3) Upon application by the Governor and payment of the  
1208 appropriate fees, the department may ~~is authorized to~~ issue to  
1209 the Governor two license plates stamped ~~in bold letters~~ "Florida  
1210 1" and "Florida 2."

1211 (4) License plates purchased under subsection (1),  
1212 subsection (2), or subsection (3) shall be replaced by the  
1213 department at no cost, other than the fees required by ss.  
1214 320.04 and 320.06(3)(b), when the person to whom the ~~such~~ plates  
1215 have been issued leaves the elective office with respect to  
1216 which the ~~such~~ license plates were issued. Within 30 days after  
1217 leaving office, the person to whom the ~~such~~ license plates have  
1218 been issued shall make application to the department for a  
1219 replacement license plate. The ~~Such~~ person may return the  
1220 prestige license plates to the department or may retain the ~~such~~  
1221 plates as souvenirs. Upon receipt of the replacement license  
1222 plate, the ~~such~~ person may ~~shall~~ not continue to display on any  
1223 vehicle the prestige license plate or plates issued with respect  
1224 to his or her former office.

1225 (5) Upon application by any current or former President of  
1226 the Senate and payment of the fees prescribed by s. 320.0805,  
1227 the department may ~~is authorized to~~ issue a license plate  
1228 stamped ~~in bold letters~~ "Senate President" followed by the  
1229 number assigned by the department or chosen by the applicant if  
1230 it is not already in use. Upon application by any current or  
1231 former Speaker of the House of Representatives and payment of



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1232 the fees prescribed by s. 320.0805, the department may is  
1233 ~~authorized to~~ issue a license plate stamped ~~in bold letters~~  
1234 "House Speaker" followed by the number assigned by the  
1235 department or chosen by the applicant if it is not already in  
1236 use.

1237 (6) (a) Upon application by any former member of Congress or  
1238 former member of the state Legislature, payment of the fees  
1239 prescribed by s. 320.0805, and payment of a one-time fee of  
1240 \$500, the department may issue a former member of Congress,  
1241 state senator, or state representative a license plate stamped  
1242 "Retired Congress," "Retired Senate," or "Retired House," as  
1243 appropriate, for a vehicle owned by the former member.

1244 (b) To qualify for a Retired Congress, Retired Senate, or  
1245 Retired House prestige license plate, a former member must have  
1246 served at least 4 years as a member of Congress, state senator,  
1247 or state representative, respectively.

1248 (c) Four hundred fifty dollars of the one-time fee  
1249 collected under paragraph (a) shall be distributed to the  
1250 account of the citizen support organization established pursuant  
1251 to s. 272.129 and used for the benefit of the Legislative  
1252 Research Center and Museum at the Historic Capitol, and the  
1253 remaining \$50 shall be deposited into the Highway Safety  
1254 Operating Trust Fund.

1255 (7) The department may create a unique plate design for  
1256 plates to be used by members or former members of the  
1257 Legislature or Congress as provided in subsections (2), (5), and  
1258 (6).

1259 (8) ~~(6)~~ Any person who does not make application for a  
1260 replacement license plate as required by subsection (4), or who,



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1261 after receipt of the replacement license plate, continues to  
1262 display on any vehicle the prestige license plate or plates  
1263 issued with respect to his or her former office, is guilty of a  
1264 misdemeanor of the second degree, punishable as provided in s.  
1265 775.082 or s. 775.083.

1266 Section 38. Subsection (4) of section 320.0848, Florida  
1267 Statutes, is amended to read:

1268 320.0848 Persons who have disabilities; issuance of  
1269 disabled parking permits; temporary permits; permits for certain  
1270 providers of transportation services to persons who have  
1271 disabilities.-

1272 (4) From the proceeds of the temporary disabled parking  
1273 permit fees:

1274 (a) The Department of Highway Safety and Motor Vehicles  
1275 must receive \$3.50 for each temporary permit, to be deposited  
1276 into the Highway Safety Operating Trust Fund and used for  
1277 implementing the real-time disabled parking permit database and  
1278 for administering the disabled parking permit program.

1279 (b) The tax collector, for processing, must receive \$2.50  
1280 for each temporary permit.

1281 (c) The remainder must be distributed monthly as follows:

1282 1. To the Florida Endowment Foundation for Vocational  
1283 Rehabilitation, known as "The Able Trust," ~~Governor's Alliance~~  
1284 ~~for the Employment of Disabled Citizens~~ for the purpose of  
1285 improving employment and training opportunities for persons who  
1286 have disabilities, with special emphasis on removing  
1287 transportation barriers, \$4. These fees must be directly  
1288 deposited into the Florida Endowment Foundation for Vocational  
1289 Rehabilitation as established in s. 413.615 ~~Transportation~~



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1290 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~  
1291 ~~Alliance for Employment of Disabled Citizens.~~

1292 2. To the Transportation Disadvantaged Trust Fund to be  
1293 used for funding matching grants to counties for the purpose of  
1294 improving transportation of persons who have disabilities, \$5.

1295 Section 39. Paragraph (a) of subsection (1) of section  
1296 320.089, Florida Statutes, is amended, and subsection (5) is  
1297 added to that section, to read:

1298 320.089 Members of National Guard and active United States  
1299 Armed Forces reservists; former prisoners of war; survivors of  
1300 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi  
1301 Freedom and Operation Enduring Freedom Veterans; Vietnam War  
1302 Veterans; Combat Infantry Badge recipients; special license  
1303 plates; fee.-

1304 (1) (a) Each owner or lessee of an automobile or truck for  
1305 private use or recreational vehicle as specified in s.  
1306 320.08(9) (c) or (d), which is not used for hire or commercial  
1307 use, who is a resident of the state and an active or retired  
1308 member of the Florida National Guard, a survivor of the attack  
1309 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an  
1310 active or retired member of any branch of the United States  
1311 Armed Forces Reserve, or a recipient of the Combat Infantry  
1312 Badge shall, upon application to the department, accompanied by  
1313 proof of active membership or retired status in the Florida  
1314 National Guard, proof of membership in the Pearl Harbor  
1315 Survivors Association or proof of active military duty in Pearl  
1316 Harbor on December 7, 1941, proof of being a Purple Heart medal  
1317 recipient, ~~or~~ proof of active or retired membership in any  
1318 branch of the Armed Forces Reserve, or proof of membership in



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1319 the Combat Infantrymen's Association, Inc., or other proof of  
1320 being a recipient of the Combat Infantry Badge, and upon payment  
1321 of the license tax for the vehicle as provided in s. 320.08, be  
1322 issued a license plate as provided by s. 320.06, upon which, in  
1323 lieu of the serial numbers prescribed by s. 320.06, shall be  
1324 stamped the words "National Guard," "Pearl Harbor Survivor,"  
1325 "Combat-wounded veteran," or "U.S. Reserve," or "Combat Infantry  
1326 Badge," as appropriate, followed by the serial number of the  
1327 license plate. Additionally, the Purple Heart plate may have the  
1328 words "Purple Heart" stamped on the plate and the likeness of  
1329 the Purple Heart medal appearing on the plate.

1330 (5) The owner or lessee of an automobile or truck for  
1331 private use, a truck weighing not more than 7,999 pounds, or a  
1332 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
1333 which automobile, truck, or recreational vehicle is not used for  
1334 hire or commercial use who is a resident of the state and a  
1335 current or former member of the United States military who was  
1336 deployed and served in Vietnam during United States military  
1337 deployment in Indochina shall, upon application to the  
1338 department, accompanied by proof of active membership or former  
1339 active duty status during these operations, and, upon payment of  
1340 the license tax for the vehicle as provided in s. 320.08, be  
1341 issued a license plate as provided by s. 320.06 upon which, in  
1342 lieu of the registration license number prescribed by s. 320.06,  
1343 shall be stamped the words "Vietnam War Veteran," followed by  
1344 the registration license number of the plate.

1345 Section 40. Paragraph (c) is added to subsection (1) of  
1346 section 320.13, Florida Statutes, to read:

1347 320.13 Dealer and manufacturer license plates and



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1348 alternative method of registration.-

1349 (1)

1350 (c) A dealer of heavy trucks as defined in s. 320.01(10),  
1351 upon payment of the license tax imposed by s. 320.08(12), may  
1352 secure one or more dealer license plates that are valid for use  
1353 on vehicles owned by the dealer to whom such plates are issued  
1354 while the heavy trucks are in inventory and for sale and are  
1355 being used only in the state for demonstration purposes. The  
1356 license plates may be used for demonstration purposes for a  
1357 period not to exceed 24 hours. The license plates must be  
1358 validated on a form prescribed by the department and must be  
1359 retained in the vehicle being operated.

1360 Section 41. Section 320.15, Florida Statutes, is amended to  
1361 read:

1362 320.15 Refund of license tax.—Any resident owner of a motor  
1363 vehicle or mobile home that has been destroyed or permanently  
1364 removed from the state shall, upon application to the department  
1365 and surrender of the license plate or mobile home sticker issued  
1366 for such vehicle, be entitled to a credit to apply to  
1367 registration of any other vehicle in the name of the owner, if  
1368 the amount is \$3 or more, for the unexpired period of the  
1369 license. However, if the license plate surrendered is a “for-  
1370 hire” license plate, the amount of credit may not be more than  
1371 one-half of the annual license tax amount. A credit ~~is will~~ not  
1372 ~~be~~ valid after the expiration date of the license plate which is  
1373 current on the date of the credit, as provided in s. 320.07. A  
1374 motor vehicle or mobile home owner who renews a registration  
1375 during the advanced renewal period as provided in s. 320.071 and  
1376 who surrenders the motor vehicle or mobile home license plate





1377 before the end of the renewal period may apply for a refund of  
1378 the license taxes assessed pursuant to s. 320.08.

1379 Section 42. Subsection (3) of section 320.27, Florida  
1380 Statutes, is amended to read:

1381 320.27 Motor vehicle dealers.—

1382 (3) APPLICATION AND FEE.—The application for the license  
1383 shall be in such form as may be prescribed by the department and  
1384 shall be subject to such rules with respect thereto as may be so  
1385 prescribed by it. Such application shall be verified by oath or  
1386 affirmation and shall contain a full statement of the name and  
1387 birth date of the person or persons applying therefor; the name  
1388 of the firm or copartnership, with the names and places of  
1389 residence of all members thereof, if such applicant is a firm or  
1390 copartnership; the names and places of residence of the  
1391 principal officers, if the applicant is a body corporate or  
1392 other artificial body; the name of the state under whose laws  
1393 the corporation is organized; the present and former place or  
1394 places of residence of the applicant; and prior business in  
1395 which the applicant has been engaged and the location thereof.  
1396 Such application shall describe the exact location of the place  
1397 of business and shall state whether the place of business is  
1398 owned by the applicant and when acquired, or, if leased, a true  
1399 copy of the lease shall be attached to the application. The  
1400 applicant shall certify that the location provides an adequately  
1401 equipped office and is not a residence; that the location  
1402 affords sufficient unoccupied space upon and within which  
1403 adequately to store all motor vehicles offered and displayed for  
1404 sale; and that the location is a suitable place where the  
1405 applicant can in good faith carry on such business and keep and



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1406 maintain books, records, and files necessary to conduct such  
1407 business, which shall ~~will~~ be available at all reasonable hours  
1408 to inspection by the department or any of its inspectors or  
1409 other employees. The applicant shall certify that the business  
1410 of a motor vehicle dealer is the principal business which shall  
1411 be conducted at that location. The ~~Such~~ application shall  
1412 contain a statement that the applicant is either franchised by a  
1413 manufacturer of motor vehicles, in which case the name of each  
1414 motor vehicle that the applicant is franchised to sell shall be  
1415 included, or an independent (nonfranchised) motor vehicle  
1416 dealer. The ~~Such~~ application shall contain ~~such~~ other relevant  
1417 information as may be required by the department, including  
1418 evidence that the applicant is insured under a garage liability  
1419 insurance policy or a general liability insurance policy coupled  
1420 with a business automobile policy, which shall include, at a  
1421 minimum, \$25,000 combined single-limit liability coverage  
1422 including bodily injury and property damage protection and  
1423 \$10,000 personal injury protection. However, a salvage motor  
1424 vehicle dealer as defined in subparagraph (1)(c)5. is exempt  
1425 from the requirements for garage liability insurance and  
1426 personal injury protection insurance on those vehicles that  
1427 cannot be legally operated on roads, highways, or streets in  
1428 this state. Franchise dealers must submit a garage liability  
1429 insurance policy, and all other dealers must submit a garage  
1430 liability insurance policy or a general liability insurance  
1431 policy coupled with a business automobile policy. Such policy  
1432 shall be for the license period, and evidence of a new or  
1433 continued policy shall be delivered to the department at the  
1434 beginning of each license period. Upon making initial



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1435 application, the applicant shall pay to the department a fee of  
1436 \$300 in addition to any other fees now required by law.~~7~~ Upon  
1437 making a subsequent renewal application, the applicant shall pay  
1438 to the department a fee of \$75 in addition to any other fees now  
1439 required by law. Upon making an application for a change of  
1440 location, the person shall pay a fee of \$50 in addition to any  
1441 other fees now required by law. The department shall, in the  
1442 case of every application for initial licensure, verify whether  
1443 certain facts set forth in the application are true. Each  
1444 applicant, general partner in the case of a partnership, or  
1445 corporate officer and director in the case of a corporate  
1446 applicant, must file a set of fingerprints with the department  
1447 for the purpose of determining any prior criminal record or any  
1448 outstanding warrants. The department shall submit the  
1449 fingerprints to the Department of Law Enforcement for state  
1450 processing and forwarding to the Federal Bureau of Investigation  
1451 for federal processing. The actual cost of state and federal  
1452 processing shall be borne by the applicant and is in addition to  
1453 the fee for licensure. The department may issue a license to an  
1454 applicant pending the results of the fingerprint investigation,  
1455 which license is fully revocable if the department subsequently  
1456 determines that any facts set forth in the application are not  
1457 true or correctly represented.

1458 Section 43. Subsection (1) of section 320.771, Florida  
1459 Statutes, is amended to read:

1460 320.771 License required of recreational vehicle dealers.—

1461 (1) DEFINITIONS.—As used in this section, the term:

1462 (a) 1. "Dealer" means any person engaged in the business of  
1463 buying, selling, or dealing in recreational vehicles or offering



1464 or displaying recreational vehicles for sale. The term "dealer"  
1465 includes a recreational vehicle broker. Any person who buys,  
1466 sells, deals in, or offers or displays for sale, or who acts as  
1467 the agent for the sale of, one or more recreational vehicles in  
1468 any 12-month period shall be prima facie presumed to be a  
1469 dealer. The terms "selling" and "sale" include lease-purchase  
1470 transactions. The term "dealer" does not include banks, credit  
1471 unions, and finance companies that acquire recreational vehicles  
1472 as an incident to their regular business and does not include  
1473 mobile home rental and leasing companies that sell recreational  
1474 vehicles to dealers licensed under this section.

1475 2. A licensed dealer may transact business in recreational  
1476 vehicles with a motor vehicle auction as defined in s.  
1477 320.27(1)(c)4. Further, a licensed dealer may, at retail or  
1478 wholesale, sell a motor vehicle, as described in s.  
1479 320.01(1)(a), acquired in exchange for the sale of a  
1480 recreational vehicle, if the ~~such~~ acquisition is incidental to  
1481 the principal business of being a recreational vehicle dealer.  
1482 However, a recreational vehicle dealer may not buy a motor  
1483 vehicle for the purpose of resale unless licensed as a motor  
1484 vehicle dealer pursuant to s. 320.27. A dealer may apply for a  
1485 certificate of title to a recreational vehicle required to be  
1486 registered under s. 320.08(9), using a manufacturer's statement  
1487 of origin as permitted by s. 319.23(1), only if the dealer is  
1488 authorized by a manufacturer/dealer agreement, as defined in s.  
1489 320.3202, on file with the department, to buy, sell, or deal in  
1490 that particular line-make of recreational vehicle, and the  
1491 dealer is authorized by the manufacturer/dealer agreement to  
1492 perform delivery and preparation obligations and warranty defect



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1493 adjustments on that line-make.

1494 (b) "Recreational vehicle broker" means any person who is  
1495 engaged in the business of offering to procure or procuring used  
1496 recreational vehicles for the general public; who holds himself  
1497 or herself out through solicitation, advertisement, or otherwise  
1498 as one who offers to procure or procures used recreational  
1499 vehicles for the general public; or who acts as the agent or  
1500 intermediary on behalf of the owner or seller of a used  
1501 recreational vehicle which is for sale or who assists or  
1502 represents the seller in finding a buyer for the recreational  
1503 vehicle.

1504 (c) ~~For the purposes of this section, the term~~  
1505 "Recreational vehicle" does not include any camping trailer, as  
1506 defined in s. 320.01(1)(b)2.

1507 Section 44. Section 320.95, Florida Statutes, is amended to  
1508 read:

1509 320.95 Transactions by electronic or telephonic means.—

1510 (1) The department may ~~is authorized to~~ accept an ~~any~~  
1511 application provided for under this chapter by electronic or  
1512 telephonic means.

1513 (2) The department may collect electronic mail addresses  
1514 and use electronic mail in lieu of the United States Postal  
1515 Service for the purpose of providing renewal notices.

1516 Section 45. Section 322.04, Florida Statutes, is amended to  
1517 read:

1518 322.04 Persons exempt from obtaining driver ~~driver's~~  
1519 license.—

1520 (1) The following persons are exempt from obtaining a  
1521 driver ~~driver's~~ license:



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1522 (a) Any employee of the United States Government, while  
1523 operating a noncommercial motor vehicle owned by or leased to  
1524 the United States Government and being operated on official  
1525 business.

1526 (b) Any person while driving or operating any road machine,  
1527 farm tractor, or implement of husbandry temporarily operated or  
1528 moved on a highway.

1529 (c) A nonresident who is at least 16 years of age operating  
1530 ~~and who has in his or her immediate possession a valid~~  
1531 ~~noncommercial driver's license issued to the nonresident in his~~  
1532 ~~or her home state or country, may operate a motor vehicle of the~~  
1533 type for which a Class E driver ~~driver's~~ license is required in  
1534 this state if the nonresident has in his or her immediate  
1535 possession:

1536 1. A valid noncommercial driver license issued in his or  
1537 her name from another state or territory of the United States;  
1538 or

1539 2. An International Driving Permit issued in his or her  
1540 name in his or her country of residence and a valid license  
1541 issued in that country.

1542 ~~(d) A nonresident who is at least 18 years of age and who~~  
1543 ~~has in his or her immediate possession a valid noncommercial~~  
1544 ~~driver's license issued to the nonresident in his or her home~~  
1545 ~~state or country may operate a motor vehicle, other than a~~  
1546 ~~commercial motor vehicle, in this state.~~

1547 ~~(d)~~ ~~(e)~~ Any person operating a golf cart, as defined in s.  
1548 320.01, which is operated in accordance with the provisions of  
1549 s. 316.212.

1550 (2) ~~The provisions of This section~~ does ~~de~~ not apply to any



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1551 person to whom s. 322.031 applies.

1552 (3) Any person working for a firm under contract to the  
1553 United States Government, whose residence is outside ~~without~~  
1554 this state and whose main point of employment is outside ~~without~~  
1555 this state may drive a noncommercial vehicle on the public roads  
1556 of this state for periods up to 60 days while in this state on  
1557 temporary duty, if the ~~provided such~~ person has a valid driver  
1558 ~~driver's~~ license from the state of the ~~such~~ person's residence.

1559 Section 46. Paragraph (a) of subsection (1) of section  
1560 322.051, Florida Statutes, is amended, and subsection (9) is  
1561 added to that section, to read::

1562 322.051 Identification cards.—

1563 (1) Any person who is 5 years of age or older, or any  
1564 person who has a disability, regardless of age, who applies for  
1565 a disabled parking permit under s. 320.0848, may be issued an  
1566 identification card by the department upon completion of an  
1567 application and payment of an application fee.

1568 (a) The ~~Each such~~ application must ~~shall~~ include the  
1569 following information regarding the applicant:

1570 1. Full name (first, middle or maiden, and last), gender,  
1571 proof of social security card number satisfactory to the  
1572 department, county of residence, mailing address, proof of  
1573 residential address satisfactory to the department, country of  
1574 birth, and a brief description.

1575 2. Proof of birth date satisfactory to the department.

1576 3. Proof of identity satisfactory to the department. Such  
1577 proof must include one of the following documents issued to the  
1578 applicant:

1579 a. A driver ~~driver's~~ license record or identification card



1580 record from another jurisdiction that required the applicant to  
1581 submit a document for identification which is substantially  
1582 similar to a document required under sub-subparagraph b., sub-  
1583 subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-  
1584 subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

- 1585 b. A certified copy of a United States birth certificate;
- 1586 c. A valid, unexpired United States passport;
- 1587 d. A naturalization certificate issued by the United States  
1588 Department of Homeland Security;
- 1589 e. A valid, unexpired alien registration receipt card  
1590 (green card);
- 1591 f. A Consular Report of Birth Abroad provided by the United  
1592 States Department of State;
- 1593 g. An unexpired employment authorization card issued by the  
1594 United States Department of Homeland Security; or
- 1595 h. Proof of nonimmigrant classification provided by the  
1596 United States Department of Homeland Security, for an original  
1597 identification card. In order to prove ~~such~~ nonimmigrant  
1598 classification, an applicant must provide at least one of  
1599 ~~applicants may produce but are not limited to~~ the following  
1600 documents. In addition, the department may require applicants to  
1601 produce United States Department of Homeland Security documents  
1602 for the sole purpose of establishing the maintenance of, or  
1603 efforts to maintain, continuous lawful presence:

- 1604 (I) A notice of hearing from an immigration court  
1605 scheduling a hearing on any proceeding.
- 1606 (II) A notice from the Board of Immigration Appeals  
1607 acknowledging pendency of an appeal.
- 1608 (III) A notice of the approval of an application for





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1609 adjustment of status issued by the United States Bureau of  
1610 Citizenship and Immigration Services.

1611 (IV) An ~~Any~~ official documentation confirming the filing of  
1612 a petition for asylum or refugee status or any other relief  
1613 issued by the United States Bureau of Citizenship and  
1614 Immigration Services.

1615 (V) A notice of action transferring any pending matter from  
1616 another jurisdiction to Florida, issued by the United States  
1617 Bureau of Citizenship and Immigration Services.

1618 (VI) An order of an immigration judge or immigration  
1619 officer granting ~~any~~ relief that authorizes the alien to live  
1620 and work in the United States, including, but not limited to, a  
1621 asylum.

1622 (VII) Evidence that an application is pending for  
1623 adjustment of status to that of an alien lawfully admitted for  
1624 permanent residence in the United States or conditional  
1625 permanent resident status in the United States, if a visa number  
1626 is available having a current priority date for processing by  
1627 the United States Bureau of Citizenship and Immigration  
1628 Services.

1629 (VIII) On or after January 1, 2010, an unexpired foreign  
1630 passport with an unexpired United States Visa affixed,  
1631 accompanied by an approved I-94, documenting the most recent  
1632 admittance into the United States.

1633  
1634 An identification card issued based on documents required  
1635 ~~Presentation of any of the documents described in sub-~~  
1636 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~  
1637 ~~applicant to an identification card~~ for a period not to exceed



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1638 the expiration date of the document presented or 1 year,  
1639 whichever ~~first~~ occurs first.

1640 (9) Notwithstanding any other provision of this section or  
1641 s. 322.21 to the contrary, the department shall issue or renew a  
1642 card at no charge to a person who presents evidence satisfactory  
1643 to the department that he or she is homeless as defined in s.  
1644 414.0252(7).

1645 Section 47. Subsection (4) of section 322.058, Florida  
1646 Statutes, is amended to read:

1647 322.058 Suspension of driving privileges due to support  
1648 delinquency; reinstatement.-

1649 (4) This section applies only to the annual renewal in the  
1650 owner's birth month of a motor vehicle registration and does not  
1651 apply to the transfer of a registration of a motor vehicle sold  
1652 by a motor vehicle dealer licensed under chapter 320, except for  
1653 the transfer of registrations which includes ~~is inclusive of~~ the  
1654 annual renewals. This section does not affect the issuance of  
1655 the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~s.~~  
1656 ~~319.23(7)(b)~~.

1657 Section 48. Section 322.065, Florida Statutes, is amended  
1658 to read:

1659 322.065 Driver ~~Driver's~~ license expired for 6 ~~4~~ months or  
1660 less; penalties.-A ~~Any~~ person whose driver ~~driver's~~ license has  
1661 been expired for 6 ~~4~~ months or less and who drives a motor  
1662 vehicle upon the highways of this state commits ~~is guilty of~~ an  
1663 infraction and is subject to the penalty provided in s. 318.18.

1664 Section 49. Subsection (3) of section 322.07, Florida  
1665 Statutes, is amended to read:

1666 322.07 Instruction permits and temporary licenses.-



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1667 (3) Any person who, except for his or her lack of  
1668 instruction in operating a commercial motor vehicle, would  
1669 otherwise be qualified to obtain a commercial driver ~~driver's~~  
1670 license under this chapter, may apply for a temporary commercial  
1671 instruction permit. The department shall issue such a permit  
1672 entitling the applicant, while having the permit in his or her  
1673 immediate possession, to drive a commercial motor vehicle on the  
1674 highways, if provided that:

1675 (a) The applicant possesses a valid Florida driver ~~driver's~~  
1676 license ~~issued in any state~~; and

1677 (b) The applicant, while operating a commercial motor  
1678 vehicle, is accompanied by a licensed driver who is 21 years of  
1679 age or older, who is licensed to operate the class of vehicle  
1680 being operated, and who is ~~actually~~ occupying the closest seat  
1681 to the right of the driver.

1682 Section 50. Paragraph (c) of subsection (2) and subsection  
1683 (7) of section 322.08, Florida Statutes, are amended, and  
1684 subsection (8) is added to that section, to read:

1685 322.08 Application for license; requirements for license  
1686 and identification card forms.—

1687 (2) Each such application shall include the following  
1688 information regarding the applicant:

1689 (c) Proof of identity satisfactory to the department. Such  
1690 proof must include one of the following documents issued to the  
1691 applicant:

1692 1. A driver ~~driver's~~ license record or identification card  
1693 record from another jurisdiction that required the applicant to  
1694 submit a document for identification which is substantially  
1695 similar to a document required under subparagraph 2.,



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1696 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
1697 6., subparagraph 7., or subparagraph 8.;

1698       2. A certified copy of a United States birth certificate;

1699       3. A valid, unexpired United States passport;

1700       4. A naturalization certificate issued by the United States  
1701 Department of Homeland Security;

1702       5. A valid, unexpired alien registration receipt card  
1703 (green card);

1704       6. A Consular Report of Birth Abroad provided by the United  
1705 States Department of State;

1706       7. An unexpired employment authorization card issued by the  
1707 United States Department of Homeland Security; or

1708       8. Proof of nonimmigrant classification provided by the  
1709 United States Department of Homeland Security, for an original  
1710 driver ~~driver's~~ license. In order to prove nonimmigrant  
1711 classification, an applicant must provide at least one of the  
1712 following documents. In addition, the department may require  
1713 applicants to produce United States Department of Homeland  
1714 Security documents for the sole purpose of establishing the  
1715 maintenance of, or efforts to maintain, continuous lawful  
1716 presence may produce the following documents, including, but not  
1717 limited to:

1718       a. A notice of hearing from an immigration court scheduling  
1719 a hearing on any proceeding.

1720       b. A notice from the Board of Immigration Appeals  
1721 acknowledging pendency of an appeal.

1722       c. A notice of the approval of an application for  
1723 adjustment of status issued by the United States Bureau of  
1724 Citizenship and Immigration Services.



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1725 d. ~~An Any~~ official documentation confirming the filing of a  
1726 petition for asylum or refugee status or any other relief issued  
1727 by the United States Bureau of Citizenship and Immigration  
1728 Services.

1729 e. A notice of action transferring any pending matter from  
1730 another jurisdiction to this state issued by the United States  
1731 Bureau of Citizenship and Immigration Services.

1732 f. An order of an immigration judge or immigration officer  
1733 granting ~~any~~ relief that authorizes the alien to live and work  
1734 in the United States, including, but not limited to, asylum.

1735 g. Evidence that an application is pending for adjustment  
1736 of status to that of an alien lawfully admitted for permanent  
1737 residence in the United States or conditional permanent resident  
1738 status in the United States, if a visa number is available  
1739 having a current priority date for processing by the United  
1740 States Bureau of Citizenship and Immigration Services.

1741 h. On or after January 1, 2010, an unexpired foreign  
1742 passport with an unexpired United States Visa affixed,  
1743 accompanied by an approved I-94, documenting the most recent  
1744 admittance into the United States.

1745  
1746 A driver license or temporary permit issued based on documents  
1747 required ~~Presentation of any of the documents~~ in subparagraph 7.  
1748 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~  
1749 ~~license or temporary permit~~ for a period not to exceed the  
1750 expiration date of the document presented or 1 year, ~~whichever~~  
1751 ~~occurs first.~~

1752 (7) The application form for an original, renewal, or  
1753 replacement driver ~~driver's~~ license or identification card shall



1754 include language permitting the following:

1755 (a) A voluntary contribution of \$1 per applicant, which  
1756 contribution shall be deposited into the Health Care Trust Fund  
1757 for organ and tissue donor education and for maintaining the  
1758 organ and tissue donor registry.

1759 (b) A voluntary contribution of \$1 per applicant, which  
1760 contribution shall be distributed to the Florida Council of the  
1761 Blind.

1762 (c) A voluntary contribution of \$2 per applicant, which  
1763 shall be distributed to the Hearing Research Institute,  
1764 Incorporated.

1765 (d) A voluntary contribution of \$1 per applicant, which  
1766 shall be distributed to the Juvenile Diabetes Foundation  
1767 International.

1768 (e) A voluntary contribution of \$1 per applicant, which  
1769 shall be distributed to the Children's Hearing Help Fund.

1770 (f) A voluntary contribution of \$1 per applicant, which  
1771 shall be distributed to Family First, a nonprofit organization.

1772 (g) A voluntary contribution of \$1 per applicant to Stop  
1773 Heart Disease, which shall be distributed to the Florida Heart  
1774 Research Institute, a nonprofit organization.

1775 (h) A voluntary contribution of \$1 per applicant to Senior  
1776 Vision Services, which shall be distributed to the Florida  
1777 Association of Agencies Serving the Blind, Inc., a not-for-  
1778 profit organization.

1779 (i) A voluntary contribution of \$1 per applicant for  
1780 services for persons with developmental disabilities, which  
1781 shall be distributed to The Arc of Florida.

1782 (j) A voluntary contribution of \$1 to the Ronald McDonald



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1783 House, which shall be distributed each month to Ronald McDonald  
1784 House Charities of Tampa Bay, Inc.

1785 (k) Notwithstanding s. 322.081, a voluntary contribution of  
1786 \$1 per applicant, which shall be distributed to the League  
1787 Against Cancer/La Liga Contra el Cancer, a not-for-profit  
1788 organization.

1789 (l) A voluntary contribution of \$1 per applicant to Prevent  
1790 Child Sexual Abuse, which shall be distributed to Lauren's Kids,  
1791 Inc., a nonprofit organization.

1792 (m) A voluntary contribution of \$1 per applicant, which  
1793 shall be distributed to Prevent Blindness Florida, a not-for-  
1794 profit organization, to prevent blindness and preserve the sight  
1795 of the residents of this state.

1796 (n) Notwithstanding s. 322.081, a voluntary contribution of  
1797 \$1 per applicant to the state homes for veterans, to be  
1798 distributed on a quarterly basis by the department to the State  
1799 Homes for Veterans Trust Fund, which is administered by the  
1800 Department of Veterans' Affairs.

1801 (o) A voluntary contribution of \$1 per applicant to the  
1802 Disabled American Veterans, Department of Florida, which shall  
1803 be distributed quarterly to Disabled American Veterans,  
1804 Department of Florida, a nonprofit organization.

1805 (p) A voluntary contribution of \$1 per applicant for Autism  
1806 Services and Supports. Such contributions must be transferred by  
1807 the department to the Achievement and Rehabilitation Centers,  
1808 Inc., Autism Services Fund.

1809 (q) A voluntary contribution of \$1 per applicant to Support  
1810 Our Troops, which shall be distributed to Support Our Troops,  
1811 Inc., a Florida not-for-profit organization.



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1812  
1813 A statement providing an explanation of the purpose of the trust  
1814 funds shall also be included. For the purpose of applying the  
1815 service charge provided in s. 215.20, contributions received  
1816 under paragraphs (b)-(q) ~~(b)-(e)~~ are not income of a revenue  
1817 nature.

1818 (8) The department may collect electronic mail addresses  
1819 and use electronic mail in lieu of the United States Postal  
1820 Service for the purpose of providing renewal notices.

1821 Section 51. Paragraph (c) of subsection (2) and subsection  
1822 (5) of section 322.121, Florida Statutes, are amended to read:

1823 322.121 Periodic reexamination of all drivers.—

1824 (2) For each licensee whose driving record does not show  
1825 any revocations, disqualifications, or suspensions for the  
1826 preceding 7 years or any convictions for the preceding 3 years  
1827 except for convictions of the following nonmoving violations:

1828 (c) Operating a motor vehicle with an expired license that  
1829 has been expired for 6 4 months or less pursuant to s. 322.065;

1830  
1831 the department shall cause such licensee's license to be  
1832 prominently marked with the notation "Safe Driver."

1833 (5) Members of the Armed Forces, or their dependents  
1834 residing with them, shall be granted an automatic extension for  
1835 the expiration of their Class E licenses without reexamination  
1836 while serving on active duty outside this state. This extension  
1837 is valid for 90 days after the member of the Armed Forces is  
1838 either discharged or returns to this state to live.

1839 Section 52. Paragraph (a) of subsection (1) of section  
1840 322.14, Florida Statutes, is amended to read:





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1841           322.14 Licenses issued to drivers.-  
1842           (1) (a) The department shall, upon successful completion of  
1843 all required examinations and payment of the required fee, issue  
1844 to every qualified applicant ~~qualifying therefor,~~ a driver  
1845 ~~driver's~~ license that must as applied for, ~~which license shall~~  
1846 bear ~~thereon~~ a color photograph or digital image of the  
1847 licensee; the name of the state; a distinguishing number  
1848 assigned to the licensee; and the licensee's full name, date of  
1849 birth, and residence address; a brief description of the  
1850 licensee, including, but not limited to, the licensee's gender  
1851 and height; and the dates of issuance and expiration of the  
1852 license. A space shall be provided upon which the licensee shall  
1853 affix his or her usual signature. A ~~No~~ license is invalid shall  
1854 ~~be valid~~ until it has been ~~so~~ signed by the licensee except that  
1855 the signature of the said licensee is not ~~shall not be~~ required  
1856 if it appears thereon in facsimile or if the licensee is not  
1857 present within the state at the time of issuance. ~~Applicants~~  
1858 ~~qualifying to receive a Class A, Class B, or Class C driver's~~  
1859 ~~license must appear in person within the state for issuance of a~~  
1860 ~~color photographic or digital imaged driver's license pursuant~~  
1861 ~~to s. 322.142.~~

1862           Section 53. Section 322.1415, Florida Statutes, is created  
1863 to read:

1864           322.1415 Specialty driver license and identification card  
1865 program.-

1866           (1) The department may issue to any applicant qualified  
1867 pursuant to s. 322.14 a specialty driver license or  
1868 identification card upon payment of the appropriate fee pursuant  
1869 to s. 322.21.



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1870           (2) Any specialty driver license or identification card  
1871 approved by the department shall, at a minimum, be available for  
1872 state and independent universities domiciled in this state, all  
1873 Florida professional sports teams designated pursuant to s.  
1874 320.08058(9) (a), and all branches of the United States Armed  
1875 Forces.

1876           (3) The design and use of each specialty driver license and  
1877 identification card must be approved by the department and the  
1878 organization that is recognized by the driver license or card.

1879           (4) Organizations receiving funds from this program shall  
1880 attest, under penalties of perjury, pursuant to s. 320.08062  
1881 that the funds have been expended in the same manner as provided  
1882 in s. 320.08058. On December 1 of each year, the department  
1883 shall deliver an annual report to the President of the Senate  
1884 and the Speaker of the House of Representatives which addresses  
1885 the viability of the program and details the amounts distributed  
1886 to each entity.

1887           (5) This section is repealed August 31, 2016.

1888           Section 54. Subsection (4) of section 322.142, Florida  
1889 Statutes, is amended to read:

1890           322.142 Color photographic or digital imaged licenses.—

1891           (4) The department may maintain a film negative or print  
1892 file. The department shall maintain a record of the digital  
1893 image and signature of the licensees, together with other data  
1894 required by the department for identification and retrieval.  
1895 Reproductions from the file or digital record are exempt from  
1896 the provisions of s. 119.07(1) and shall be made and issued only  
1897 for departmental administrative purposes; for the issuance of  
1898 duplicate licenses; in response to law enforcement agency



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1899 requests; to the Department of Business and Professional  
1900 Regulation pursuant to an interagency agreement for the purpose  
1901 of accessing digital images for reproduction of licenses issued  
1902 by the Department of Business and Professional Regulation; to  
1903 the Department of State pursuant to an interagency agreement to  
1904 facilitate determinations of eligibility of voter registration  
1905 applicants and registered voters in accordance with ss. 98.045  
1906 and 98.075; to the Department of Revenue pursuant to an  
1907 interagency agreement for use in establishing paternity and  
1908 establishing, modifying, or enforcing support obligations in  
1909 Title IV-D cases; to the Department of Children and Family  
1910 Services pursuant to an interagency agreement to conduct  
1911 protective investigations under part III of chapter 39 and  
1912 chapter 415; to the Department of Children and Family Services  
1913 pursuant to an interagency agreement specifying the number of  
1914 employees in each of that department's regions to be granted  
1915 access to the records for use as verification of identity to  
1916 expedite the determination of eligibility for public assistance  
1917 and for use in public assistance fraud investigations; ~~or~~ to the  
1918 Department of Financial Services pursuant to an interagency  
1919 agreement to facilitate the location of owners of unclaimed  
1920 property, the validation of unclaimed property claims, and the  
1921 identification of fraudulent or false claims; or to district  
1922 medical examiners pursuant to an interagency agreement for the  
1923 purpose of identifying a deceased individual, determining cause  
1924 of death, and notifying next of kin of any investigations,  
1925 including autopsies and other laboratory examinations,  
1926 authorized in s. 406.011.

1927 Section 55. Subsection (2) of section 322.19, Florida



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1928 Statutes, is amended to read:

1929 322.19 Change of address or name.—

1930 (2) Whenever any person, after applying for or receiving a  
1931 driver ~~driver's~~ license, changes the legal residence or mailing  
1932 address in the application or license, the person must, within  
1933 10 calendar days after making the change, obtain a replacement  
1934 license that reflects the change. A written request to the  
1935 department must include the old and new addresses and the driver  
1936 ~~driver's~~ license number. Any person who has a valid, current  
1937 student identification card issued by an educational institution  
1938 in this state is presumed not to have changed his or her legal  
1939 residence or mailing address. This subsection does not affect  
1940 any person required to register a permanent or temporary address  
1941 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.  
1942 943.0435.

1943 Section 56. Paragraph (i) is added to subsection (1) of  
1944 section 322.21, Florida Statutes, to read:

1945 322.21 License fees; procedure for handling and collecting  
1946 fees.—

1947 (1) Except as otherwise provided herein, the fee for:

1948 (i) The specialty driver license or identification card  
1949 issued pursuant to s. 322.1415 is \$25, which is in addition to  
1950 other fees required in this section. The fee shall be  
1951 distributed as follows:

1952 1. Fifty percent shall be distributed as provided in s.  
1953 320.08058 to the appropriate state or independent university,  
1954 professional sports team, or branch of the United States Armed  
1955 Forces.

1956 2. Fifty percent shall be distributed to the department for



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1957 costs directly related to the specialty driver license and  
1958 identification card program and to defray the costs associated  
1959 with production enhancements and distribution.

1960 Section 57. Subsection (2) of section 322.251, Florida  
1961 Statutes, is amended to read:

1962 322.251 Notice of cancellation, suspension, revocation, or  
1963 disqualification of license.-

1964 (2) The giving of notice and an order of cancellation,  
1965 suspension, revocation, or disqualification by mail is complete  
1966 upon expiration of 20 days after deposit in the United States  
1967 mail for all notices except those issued under chapter 324 or  
1968 ss. 627.732-627.734, which are complete 15 days after deposit in  
1969 the United States mail. Proof of the giving of notice and an  
1970 order of cancellation, suspension, revocation, or  
1971 disqualification in either ~~such~~ manner shall be made by entry in  
1972 the records of the department that such notice was given. The  
1973 ~~Such~~ entry is ~~shall be~~ admissible in the courts of this state  
1974 and constitutes ~~shall constitute~~ sufficient proof that such  
1975 notice was given.

1976 Section 58. Section 322.27, Florida Statutes, is amended to  
1977 read:

1978 322.27 Authority of department to suspend or revoke driver  
1979 license or identification card.-

1980 (1) Notwithstanding any provisions to the contrary in  
1981 chapter 120, the department may ~~is hereby authorized to~~ suspend  
1982 the license or identification card of any person without  
1983 preliminary hearing upon a showing of its records or other  
1984 sufficient evidence that the licensee or cardholder:

1985 (a) Has committed an offense for which mandatory revocation



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1986 of license is required upon conviction. A law enforcement agency  
1987 must provide information to the department within 24 hours after  
1988 any traffic fatality or when the law enforcement agency  
1989 initiates action pursuant to s. 316.1933;

1990 (b) Has been convicted of a violation of any traffic law  
1991 which resulted in a crash that caused the death or personal  
1992 injury of another or property damage in excess of \$500;

1993 (c) Is incompetent to drive a motor vehicle;

1994 (d) Has permitted an unlawful or fraudulent use of the such  
1995 license or identification card or has knowingly been a party to  
1996 the obtaining of a license or identification card by fraud or  
1997 misrepresentation or to the display, or representation represent  
1998 as one's own, of a driver any driver's license or identification  
1999 card not issued to him or her. Provided, however, no provision  
2000 of This section does not shall be construed to include the  
2001 provisions of s. 322.32(1);

2002 (e) Has committed an offense in another state which, if  
2003 committed in this state, would be grounds for suspension or  
2004 revocation; or

2005 (f) Has committed a second or subsequent violation of s.  
2006 316.172(1) within a 5-year period of any previous violation.

2007 (2) The department shall suspend the license of any person  
2008 without preliminary hearing upon a showing of its records that  
2009 the licensee has been convicted in any court having jurisdiction  
2010 over offenses committed under this chapter or any other law of  
2011 this state regulating the operation of a motor vehicle on the  
2012 highways, upon direction of the court, when the court feels that  
2013 the seriousness of the offense and the circumstances surrounding  
2014 the conviction warrant the suspension of the licensee's driving



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2015 privilege.

2016 (3) There is established a point system for evaluation of  
2017 convictions of violations of motor vehicle laws or ordinances,  
2018 and violations of applicable provisions of s. 403.413(6)(b) when  
2019 such violations involve the use of motor vehicles, for the  
2020 determination of the continuing qualification of any person to  
2021 operate a motor vehicle. The department is authorized to suspend  
2022 the license of any person upon showing of its records or other  
2023 good and sufficient evidence that the licensee has been  
2024 convicted of violation of motor vehicle laws or ordinances, or  
2025 applicable provisions of s. 403.413(6)(b), amounting to 12 or  
2026 more points as determined by the point system. The suspension  
2027 shall be for a period of not more than 1 year.

2028 (a) When a licensee accumulates 12 points within a 12-month  
2029 period, the period of suspension shall be for not more than 30  
2030 days.

2031 (b) When a licensee accumulates 18 points, including points  
2032 upon which suspension action is taken under paragraph (a),  
2033 within an 18-month period, the suspension shall be for a period  
2034 of not more than 3 months.

2035 (c) When a licensee accumulates 24 points, including points  
2036 upon which suspension action is taken under paragraphs (a) and  
2037 (b), within a 36-month period, the suspension shall be for a  
2038 period of not more than 1 year.

2039 (d) The point system shall have as its basic element a  
2040 graduated scale of points assigning relative values to  
2041 convictions of the following violations:

- 2042 1. Reckless driving, willful and wanton—4 points.  
2043 2. Leaving the scene of a crash resulting in property



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2044 damage of more than \$50-6 points.  
2045       3. Unlawful speed resulting in a crash-6 points.  
2046       4. Passing a stopped school bus-4 points.  
2047       5. Unlawful speed:  
2048       a. Not in excess of 15 miles per hour of lawful or posted  
2049 speed-3 points.  
2050       b. In excess of 15 miles per hour of lawful or posted  
2051 speed-4 points.  
2052       6. A violation of a traffic control signal device as  
2053 provided in s. 316.074(1) or s. 316.075(1)(c)1.-4 points.  
2054 However, no points shall be imposed for a violation of s.  
2055 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
2056 stop at a traffic signal and when enforced by a traffic  
2057 infraction enforcement officer. In addition, a violation of s.  
2058 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
2059 stop at a traffic signal and when enforced by a traffic  
2060 infraction enforcement officer may not be used for purposes of  
2061 setting motor vehicle insurance rates.  
2062       7. All other moving violations (including parking on a  
2063 highway outside the limits of a municipality)-3 points. However,  
2064 no points shall be imposed for a violation of s. 316.0741 or s.  
2065 316.2065(12); and points shall be imposed for a violation of s.  
2066 316.1001 only when imposed by the court after a hearing pursuant  
2067 to s. 318.14(5).  
2068       8. Any moving violation covered above, excluding unlawful  
2069 speed, resulting in a crash-4 points.  
2070       9. Any conviction under s. 403.413(6)(b)-3 points.  
2071       10. Any conviction under s. 316.0775(2)-4 points.  
2072       (e) A conviction in another state of a violation therein





2073 which, if committed in this state, would be a violation of the  
2074 traffic laws of this state, or a conviction of an offense under  
2075 any federal law substantially conforming to the traffic laws of  
2076 this state, except a violation of s. 322.26, may be recorded  
2077 against a driver on the basis of the same number of points  
2078 received had the conviction been made in a court of this state.

2079 (f) In computing the total number of points, when the  
2080 licensee reaches the danger zone, the department is authorized  
2081 to send the licensee a warning letter advising that any further  
2082 convictions may result in suspension of his or her driving  
2083 privilege.

2084 (g) The department shall administer and enforce the  
2085 provisions of this law and may make rules and regulations  
2086 necessary for its administration.

2087 (h) Three points shall be deducted from the driver history  
2088 record of any person whose driving privilege has been suspended  
2089 only once pursuant to this subsection and has been reinstated,  
2090 if such person has complied with all other requirements of this  
2091 chapter.

2092 (i) This subsection does ~~shall~~ not apply to persons  
2093 operating a nonmotorized vehicle for which a driver ~~driver's~~  
2094 license is not required.

2095 (4) The department, in computing the points and period of  
2096 time for suspensions under this section, shall use the offense  
2097 date of all convictions.

2098 (5) The department shall revoke the license of any person  
2099 designated a habitual offender, as set forth in s. 322.264, and  
2100 such person is ~~shall~~ not ~~be~~ eligible to be relicensed for a  
2101 minimum of 5 years from the date of revocation, except as



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2102 provided for in s. 322.271. Any person whose license is revoked  
2103 may, by petition to the department, show cause why his or her  
2104 license should not be revoked.

2105 (6) The department shall revoke the driving privilege of  
2106 any person who is convicted of a felony for the possession of a  
2107 controlled substance if, at the time of such possession, the  
2108 person was driving or in actual physical control of a motor  
2109 vehicle. A person whose driving privilege has been revoked  
2110 pursuant to this subsection is ~~shall~~ not ~~be~~ eligible to receive  
2111 a limited business or employment purpose license during the term  
2112 of such revocation.

2113 (7) Review of an order of suspension or revocation shall be  
2114 by writ of certiorari as provided in s. 322.31.

2115 Section 59. Subsection (5) of section 322.292, Florida  
2116 Statutes, is repealed.

2117 Section 60. Subsection (2) of section 322.53, Florida  
2118 Statutes, is amended to read:

2119 322.53 License required; exemptions.—

2120 (2) The following persons are exempt from the requirement  
2121 to obtain a commercial driver ~~driver's~~ license:

2122 (a) Drivers of authorized emergency vehicles.

2123 (b) Military personnel driving vehicles operated for  
2124 military purposes.

2125 (c) Farmers transporting agricultural products, farm  
2126 supplies, or farm machinery to or from their farms and within  
2127 150 miles of their farms farm, if the vehicle operated under  
2128 this exemption is not used in the operations of a common or  
2129 contract motor carrier ~~or transporting agricultural products to~~  
2130 ~~or from the first place of storage or processing or directly to~~



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2131 ~~or from market, within 150 miles of their farm.~~

2132 (d) Drivers of recreational vehicles, as defined in s.  
2133 320.01.

2134 (e) Drivers who operate straight trucks, as defined in s.  
2135 316.003, and who ~~that~~ are ~~exclusively~~ transporting exclusively  
2136 their own tangible personal property, which is not for sale.

2137 (f) Employees ~~An employee~~ of a publicly owned transit  
2138 system who are ~~is~~ limited to moving vehicles for maintenance or  
2139 parking purposes exclusively within the restricted-access  
2140 confines of a transit system's property.

2141 Section 61. Subsection (2) of section 322.54, Florida  
2142 Statutes, is amended to read:

2143 322.54 Classification.—

2144 (2) The department shall issue, pursuant to the  
2145 requirements of this chapter, driver ~~drivers'~~ licenses in  
2146 accordance with the following classifications:

2147 (a) Any person who drives a motor vehicle combination  
2148 having a gross vehicle weight rating or gross vehicle weight of  
2149 26,001 pounds or more must possess a valid Class A driver  
2150 ~~driver's~~ license, if provided the gross vehicle weight rating or  
2151 gross vehicle weight of the vehicle being towed is more than  
2152 10,000 pounds. Any person who possesses a valid Class A driver  
2153 ~~driver's~~ license may, subject to the appropriate restrictions  
2154 and endorsements, drive any class of motor vehicle within this  
2155 state.

2156 (b) Any person, except a person who possesses a valid Class  
2157 A driver ~~driver's~~ license, who drives a motor vehicle having a  
2158 gross vehicle weight rating or gross vehicle weight of 26,001  
2159 pounds or more must possess a valid Class B driver ~~driver's~~



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2160 license. Any person, except a person who possesses a valid Class  
2161 A driver ~~driver's~~ license, who drives such vehicle towing a  
2162 vehicle having a gross vehicle weight rating of 10,000 pounds or  
2163 less must possess a valid Class B driver ~~driver's~~ license. Any  
2164 person who possesses a valid Class B driver ~~driver's~~ license  
2165 may, subject to the appropriate restrictions and endorsements,  
2166 drive any class of motor vehicle, other than the type of motor  
2167 vehicle for which a Class A driver ~~driver's~~ license is required,  
2168 within this state.

2169 (c) Any person, except a person who possesses a valid Class  
2170 A or a valid Class B driver ~~driver's~~ license, who drives a motor  
2171 vehicle having a gross vehicle weight rating of less than 26,001  
2172 pounds and who is required to obtain an endorsement pursuant to  
2173 paragraph (1)(b), paragraph (1)(c), or paragraph (1)(e) of s.  
2174 322.57, must possess a valid Class C driver ~~driver's~~ license.  
2175 Any person who possesses a valid Class C driver ~~driver's~~ license  
2176 may, subject to the appropriate restrictions and endorsements,  
2177 drive any class of motor vehicle, other than the type of motor  
2178 vehicle for which a Class A or a Class B driver ~~driver's~~ license  
2179 is required, within this state.

2180 (d) Any person, except a person who possesses a valid Class  
2181 A, valid Class B, or valid Class C driver ~~driver's~~ license, who  
2182 drives a motor vehicle must possess a valid Class E driver  
2183 ~~driver's~~ license. Any person who possesses a valid Class E  
2184 driver ~~driver's~~ license may, subject to the appropriate  
2185 restrictions and endorsements, drive any type of motor vehicle,  
2186 other than the type of motor vehicle for which a Class A, Class  
2187 B, or Class C driver ~~driver's~~ license is required, within this  
2188 state.



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2189 Section 62. Section 322.58, Florida Statutes, is repealed.

2190 Section 63. Section 322.59, Florida Statutes, is amended to  
2191 read:

2192 322.59 Possession of medical examiner's certificate.—

2193 (1) The department may ~~shall~~ not issue a commercial driver  
2194 ~~driver's~~ license to a any person who is required by the laws of  
2195 this state or by federal law to possess a medical examiner's  
2196 certificate, unless the ~~such~~ person presents a valid  
2197 certificate, as described in 49 C.F.R. s. 383.71, before ~~prior~~  
2198 ~~to~~ licensure.

2199 (2) The department shall disqualify a driver from operating  
2200 a commercial motor vehicle if the driver holds a commercial  
2201 driver license and fails to comply with the medical  
2202 certification requirements in 49 C.F.R. s. 383.71 ~~This section~~  
2203 ~~does not expand the requirements as to who must possess a~~  
2204 ~~medical examiner's certificate.~~

2205 (3) A person who is disqualified from operating a  
2206 commercial motor vehicle under this section may, if otherwise  
2207 qualified, be issued a Class E driver license pursuant to s.  
2208 322.251.

2209 Section 64. Subsections (3) and (5) of section 322.61,  
2210 Florida Statutes, are amended to read:

2211 322.61 Disqualification from operating a commercial motor  
2212 vehicle.—

2213 (3) (a) Except as provided in subsection (4), any person who  
2214 is convicted of one of the offenses listed in paragraph (b)  
2215 while operating a commercial motor vehicle shall, in addition to  
2216 any other applicable penalties, be disqualified from operating a  
2217 commercial motor vehicle for a period of 1 year.÷



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2218 (b) Except as provided in subsection (4), any holder of a  
2219 commercial driver ~~driver's~~ license who is convicted of one of  
2220 the offenses listed in this paragraph while operating a  
2221 noncommercial motor vehicle shall, in addition to any other  
2222 applicable penalties, be disqualified from operating a  
2223 commercial motor vehicle for a period of 1 year:

2224 1. Driving a motor vehicle while he or she is under the  
2225 influence of alcohol or a controlled substance;

2226 2. Driving a commercial motor vehicle while the alcohol  
2227 concentration of his or her blood, breath, or urine is .04  
2228 percent or higher;

2229 3. Leaving the scene of a crash involving a motor vehicle  
2230 driven by such person;

2231 4. Using a motor vehicle in the commission of a felony;

2232 5. Driving a commercial motor vehicle while in possession  
2233 of a controlled substance;

2234 6. Refusing to submit to a test to determine his or her  
2235 alcohol concentration while driving a motor vehicle;

2236 7. Driving a commercial vehicle while the licenseholder's  
2237 commercial driver ~~driver's~~ license is suspended, revoked, or  
2238 canceled or while the licenseholder is disqualified from driving  
2239 a commercial vehicle; or

2240 8. Causing a fatality through the negligent operation of a  
2241 commercial motor vehicle.

2242 (5) A ~~Any~~ person who is convicted of two violations  
2243 specified in subsection (3) which were committed while operating  
2244 a commercial motor vehicle, or any combination thereof, arising  
2245 in separate incidents shall be permanently disqualified from  
2246 operating a commercial motor vehicle. A ~~Any~~ holder of a



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2247 commercial driver ~~driver's~~ license who is convicted of two  
2248 violations specified in subsection (3) which were committed  
2249 while operating any ~~a noncommercial~~ motor vehicle, ~~or any~~  
2250 ~~combination thereof~~, arising in separate incidents shall be  
2251 permanently disqualified from operating a commercial motor  
2252 vehicle. The penalty provided in this subsection is in addition  
2253 to any other applicable penalty.

2254 Section 65. Subsection (1) of section 324.072, Florida  
2255 Statutes, is amended to read:

2256 324.072 Proof required upon certain convictions.—

2257 (1) Upon the suspension or revocation of a license pursuant  
2258 to ~~the provisions of~~ s. 322.26 or s. 322.27, the department  
2259 shall suspend the registration for all motor vehicles registered  
2260 in the name of the licensee ~~such person~~, either individually or  
2261 jointly with another. However, the department may, except that  
2262 ~~it shall~~ not suspend the ~~such~~ registration, unless otherwise  
2263 required by law, if the ~~such~~ person had insurance coverage  
2264 limits required under s. 324.031 on the date of the latest  
2265 offense that caused the suspension or revocation, or has  
2266 previously given or shall immediately give, and thereafter  
2267 maintain, proof of financial responsibility with respect to all  
2268 motor vehicles registered by the ~~such~~ person, in accordance with  
2269 this chapter.

2270 Section 66. Subsection (1) of section 324.091, Florida  
2271 Statutes, is amended to read:

2272 324.091 Notice to department; notice to insurer.—

2273 (1) Each owner and operator involved in a crash or  
2274 conviction case within the purview of this chapter shall furnish  
2275 evidence of automobile liability insurance, motor vehicle



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2276 liability insurance, or a surety bond within 14 ~~30~~ days after  
2277 ~~from~~ the date of the mailing of notice of crash by the  
2278 department in the ~~such~~ form and manner as it may designate. Upon  
2279 receipt of evidence that an automobile liability policy, motor  
2280 vehicle liability policy, or surety bond was in effect at the  
2281 time of the crash or conviction case, the department shall  
2282 forward by United States mail, postage prepaid, to the insurer  
2283 or surety insurer a copy of such information and shall assume  
2284 that the ~~such~~ policy or bond was in effect, unless the insurer  
2285 or surety insurer notifies ~~shall notify~~ the department otherwise  
2286 within 20 days after ~~from~~ the mailing of the notice to the  
2287 insurer or surety insurer. However, ~~provided that~~ if the  
2288 department ~~shall~~ later determines ~~ascertain~~ that an automobile  
2289 liability policy, motor vehicle liability policy, or surety bond  
2290 was not in effect and did not provide coverage for both the  
2291 owner and the operator, it shall ~~at such time~~ take ~~such~~ action  
2292 as it is otherwise authorized to do under this chapter. Proof of  
2293 mailing to the insurer or surety insurer may be made by the  
2294 department by naming the insurer or surety insurer to whom the  
2295 ~~such~~ mailing was made and by specifying the time, place, and  
2296 manner of mailing.

2297 Section 67. Subsection (5) of section 328.15, Florida  
2298 Statutes, is amended to read:

2299 328.15 Notice of lien on vessel; recording.—

2300 (5) (a) The Department of Highway Safety and Motor Vehicles  
2301 shall adopt ~~make such~~ rules to administer ~~and regulations as it~~  
2302 ~~deems necessary or proper for the effective administration of~~  
2303 this section ~~law~~. The department may by rule require that a  
2304 notice of satisfaction of a lien be notarized. The department





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2305 shall prepare the forms of the notice of lien and the  
2306 satisfaction of lien to be supplied, at a charge not to exceed  
2307 50 percent more than cost, to applicants for recording the liens  
2308 or satisfactions and shall keep a record of such notices of lien  
2309 and satisfactions available for inspection by the public at all  
2310 reasonable times. The division may ~~is authorized to~~ furnish  
2311 certified copies of such satisfactions for a fee of \$1, which  
2312 are certified copies ~~shall be~~ admissible in evidence in all  
2313 courts of this state under the same conditions and to the same  
2314 effect as certified copies of other public records.

2315 (b) The department shall establish and administer an  
2316 electronic titling program that requires the recording of vessel  
2317 title information for new, transferred, and corrected  
2318 certificates of title. Lienholders shall electronically transmit  
2319 liens and lien satisfactions to the department in a format  
2320 determined by the department. Individuals and lienholders who  
2321 the department determines are not normally engaged in the  
2322 business or practice of financing vessels are not required to  
2323 participate in the electronic titling program.

2324 Section 68. Subsection (4) of section 328.16, Florida  
2325 Statutes, is amended to read:

2326 328.16 Issuance in duplicate; delivery; liens and  
2327 encumbrances.—

2328 (4) Notwithstanding any requirements in this section or in  
2329 s. 328.15 indicating that a lien on a vessel shall be noted on  
2330 the face of the Florida certificate of title, if there are one  
2331 or more liens or encumbrances on a vessel, the department shall  
2332 ~~may~~ electronically transmit the lien to the first lienholder and  
2333 notify the first lienholder of any additional liens. Subsequent



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2334 lien satisfactions shall ~~may~~ be electronically transmitted to  
2335 the department and must ~~shall~~ include the name and address of  
2336 the person or entity satisfying the lien. When electronic  
2337 transmission of liens and lien satisfactions are used, the  
2338 issuance of a certificate of title may be waived until the last  
2339 lien is satisfied and a clear certificate of title is issued to  
2340 the owner of the vessel.

2341 Section 69. Section 328.30, Florida Statutes, is amended to  
2342 read:

2343 328.30 Transactions by electronic or telephonic means.—

2344 (1) The department may ~~is authorized to~~ accept any  
2345 application provided for under this chapter by electronic or  
2346 telephonic means.

2347 (2) The department may issue an electronic certificate of  
2348 title in lieu of printing a paper title.

2349 (3) The department may collect electronic mail addresses  
2350 and use electronic mail in lieu of the United States Postal  
2351 Service for the purpose of providing renewal notices.

2352 Section 70. Subsection (1) of section 520.32, Florida  
2353 Statutes, is amended to read:

2354 520.32 Licenses.—

2355 (1) A person may not engage in or transact the business of  
2356 a retail seller engaging in retail installment transactions as  
2357 defined in this part or operate a branch of such business  
2358 without a license, except that a license is not required for:

2359 (a) A retail seller whose retail installment transactions  
2360 are limited to the honoring of credit cards issued by dealers in  
2361 oil and petroleum products licensed to do business in this  
2362 state.



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2363           (b) A person licensed by the office under part I. This  
2364 paragraph exempts only a person licensed under part I from the  
2365 licensure requirements of this section. This paragraph does not  
2366 exempt the licensee from the other sections of this part, and  
2367 any violations of those sections may subject the licensee to  
2368 disciplinary action.

2369           Section 71. Paragraph (f) of subsection (13) of section  
2370 713.78, Florida Statutes, is amended to read:

2371           713.78 Liens for recovering, towing, or storing vehicles  
2372 and vessels.—

2373           (13)

2374           (f) This subsection applies only to the annual renewal in  
2375 the registered owner's birth month of a motor vehicle  
2376 registration and does not apply to the transfer of a  
2377 registration of a motor vehicle sold by a motor vehicle dealer  
2378 licensed under chapter 320, except for the transfer of  
2379 registrations which includes ~~is inclusive of~~ the annual  
2380 renewals. This subsection does not apply to any vehicle  
2381 registered in the name of the lessor. This subsection does not  
2382 affect the issuance of the title to a motor vehicle,  
2383 notwithstanding s. 319.23(8)(b) ~~s. 319.23(7)(b)~~.

2384           Section 72. Subsection (3) of section 316.271, Florida  
2385 Statutes, is amended to read:

2386           316.271 Horns and warning devices.—

2387           (3) The driver of a motor vehicle shall, when reasonably  
2388 necessary to ensure safe operation, give audible warning with  
2389 his or her horn, ~~but shall not otherwise use such horn when upon~~  
2390 ~~a highway.~~

2391           Section 73. Paragraph (c) of subsection (2) of section



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2392 323.002, Florida Statutes, is amended to read:

2393 323.002 County and municipal wrecker operator systems;  
2394 penalties for operation outside of system.—

2395 (2) In any county or municipality that operates a wrecker  
2396 operator system:

2397 (c) When an unauthorized wrecker operator drives by the  
2398 scene of a wrecked or disabled vehicle and the owner or operator  
2399 initiates contact by signaling the wrecker operator to stop and  
2400 provide towing services, the unauthorized wrecker operator must  
2401 disclose to the owner or operator of the vehicle that he or she  
2402 is not the authorized wrecker operator who has been designated  
2403 as part of the wrecker operator system and must disclose, in  
2404 writing, a fee schedule that includes what charges for towing  
2405 and storage will apply before the vehicle is connected to or  
2406 disconnected from the towing apparatus, the fee charged per mile  
2407 to and from the storage facility, the fee charged per 24 hours  
2408 of storage, and, prominently displayed, the consumer hotline for  
2409 the Department of Agriculture and Consumer Services. Any person  
2410 who violates this paragraph is guilty of a misdemeanor of the  
2411 second degree, punishable as provided in s. 775.082 or s.  
2412 775.083.

2413 Section 74. Paragraph (b) of subsection (1) of section  
2414 316.0083, Florida Statutes, is amended to read:

2415 316.0083 Mark Wandall Traffic Safety Program;  
2416 administration; report.—

2417 (1)

2418 (b)1.a. Within 30 days after a violation, notification must  
2419 be sent to the registered owner of the motor vehicle involved in  
2420 the violation specifying the remedies available under s. 318.14



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2421 and that the violator must pay the penalty of \$158 to the  
2422 department, county, or municipality, or furnish an affidavit in  
2423 accordance with paragraph (d), within 30 days following the date  
2424 of the notification in order to avoid court fees, costs, and the  
2425 issuance of a traffic citation. The notification shall be sent  
2426 by first-class mail.

2427       b. Included with the notification to the registered owner  
2428 of the motor vehicle involved in the infraction must be a notice  
2429 that the owner has the right to review the photographic or  
2430 electronic images or the streaming video evidence that  
2431 constitutes a rebuttable presumption against the owner of the  
2432 vehicle. The notice must state the time and place or Internet  
2433 location where the evidence may be examined and observed.

2434       2. Penalties assessed and collected by the department,  
2435 county, or municipality authorized to collect the funds provided  
2436 for in this paragraph, less the amount retained by the county or  
2437 municipality pursuant to subparagraph 3., shall be paid to the  
2438 Department of Revenue weekly. Payment by the department, county,  
2439 or municipality to the state shall be made by means of  
2440 electronic funds transfers. In addition to the payment, summary  
2441 detail of the penalties remitted shall be reported to the  
2442 Department of Revenue.

2443       3. Penalties to be assessed and collected by the  
2444 department, county, or municipality are as follows:

2445       a. One hundred fifty-eight dollars for a violation of s.  
2446 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
2447 stop at a traffic signal if enforcement is by the department's  
2448 traffic infraction enforcement officer. One hundred dollars  
2449 shall be remitted to the Department of Revenue for deposit into



2450 the General Revenue Fund, \$10 shall be remitted to the  
2451 Department of Revenue for deposit into the Department of Health  
2452 Emergency Medical Services ~~Administrative~~ Trust Fund, \$3 shall  
2453 be remitted to the Department of Revenue for deposit into the  
2454 Brain and Spinal Cord Injury Trust Fund, and \$45 shall be  
2455 distributed to the municipality in which the violation occurred,  
2456 or, if the violation occurred in an unincorporated area, to the  
2457 county in which the violation occurred. Funds deposited into the  
2458 Department of Health Emergency Medical Services ~~Administrative~~  
2459 Trust Fund under this sub-subparagraph shall be distributed as  
2460 provided in s. 395.4036(1). Proceeds of the infractions in the  
2461 Brain and Spinal Cord Injury Trust Fund shall be distributed  
2462 quarterly to the Miami Project to Cure Paralysis and shall be  
2463 used for brain and spinal cord research.

2464 b. One hundred fifty-eight dollars for a violation of s.  
2465 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
2466 stop at a traffic signal if enforcement is by a county or  
2467 municipal traffic infraction enforcement officer. Seventy  
2468 dollars shall be remitted by the county or municipality to the  
2469 Department of Revenue for deposit into the General Revenue Fund,  
2470 \$10 shall be remitted to the Department of Revenue for deposit  
2471 into the Department of Health Emergency Medical Services  
2472 ~~Administrative~~ Trust Fund, \$3 shall be remitted to the  
2473 Department of Revenue for deposit into the Brain and Spinal Cord  
2474 Injury Trust Fund, and \$75 shall be retained by the county or  
2475 municipality enforcing the ordinance enacted pursuant to this  
2476 section. Funds deposited into the Department of Health Emergency  
2477 Medical Services ~~Administrative~~ Trust Fund under this sub-  
2478 subparagraph shall be distributed as provided in s. 395.4036(1).



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2479 Proceeds of the infractions in the Brain and Spinal Cord Injury  
2480 Trust Fund shall be distributed quarterly to the Miami Project  
2481 to Cure Paralysis and shall be used for brain and spinal cord  
2482 research.

2483 4. An individual may not receive a commission from any  
2484 revenue collected from violations detected through the use of a  
2485 traffic infraction detector. A manufacturer or vendor may not  
2486 receive a fee or remuneration based upon the number of  
2487 violations detected through the use of a traffic infraction  
2488 detector.

2489 Section 75. Paragraphs (a) and (e) of subsection (15) of  
2490 section 318.18, Florida Statutes, are amended to read:

2491 318.18 Amount of penalties.—The penalties required for a  
2492 noncriminal disposition pursuant to s. 318.14 or a criminal  
2493 offense listed in s. 318.17 are as follows:

2494 (15) (a) 1. One hundred and fifty-eight dollars for a  
2495 violation of s. 316.074(1) or s. 316.075(1)(c) 1. when a driver  
2496 has failed to stop at a traffic signal and when enforced by a  
2497 law enforcement officer. Sixty dollars shall be distributed as  
2498 provided in s. 318.21, \$30 shall be distributed to the General  
2499 Revenue Fund, \$3 shall be remitted to the Department of Revenue  
2500 for deposit into the Brain and Spinal Cord Injury Trust Fund,  
2501 and the remaining \$65 shall be remitted to the Department of  
2502 Revenue for deposit into the Emergency Medical Services  
2503 ~~Administrative~~ Trust Fund of the Department of Health.

2504 2. One hundred and fifty-eight dollars for a violation of  
2505 s. 316.074(1) or s. 316.075(1)(c) 1. when a driver has failed to  
2506 stop at a traffic signal and when enforced by the department's  
2507 traffic infraction enforcement officer. One hundred dollars



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2508 shall be remitted to the Department of Revenue for deposit into  
2509 the General Revenue Fund, \$45 shall be distributed to the county  
2510 for any violations occurring in any unincorporated areas of the  
2511 county or to the municipality for any violations occurring in  
2512 the incorporated boundaries of the municipality in which the  
2513 infraction occurred, \$10 shall be remitted to the Department of  
2514 Revenue for deposit into the Department of Health Emergency  
2515 Medical Services ~~Administrative~~ Trust Fund for distribution as  
2516 provided in s. 395.4036(1), and \$3 shall be remitted to the  
2517 Department of Revenue for deposit into the Brain and Spinal Cord  
2518 Injury Trust Fund.

2519         3. One hundred and fifty-eight dollars for a violation of  
2520 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
2521 stop at a traffic signal and when enforced by a county's or  
2522 municipality's traffic infraction enforcement officer. Seventy-  
2523 five dollars shall be distributed to the county or municipality  
2524 issuing the traffic citation, \$70 shall be remitted to the  
2525 Department of Revenue for deposit into the General Revenue Fund,  
2526 \$10 shall be remitted to the Department of Revenue for deposit  
2527 into the Department of Health Emergency Medical Services  
2528 ~~Administrative~~ Trust Fund for distribution as provided in s.  
2529 395.4036(1), and \$3 shall be remitted to the Department of  
2530 Revenue for deposit into the Brain and Spinal Cord Injury Trust  
2531 Fund.

2532         (e) Funds deposited into the Department of Health Emergency  
2533 Medical Services ~~Administrative~~ Trust Fund under this subsection  
2534 shall be distributed as provided in s. 395.4036(1).

2535         Section 76. Except as otherwise expressly provided in this  
2536 act and except for this section, which shall take effect upon





2537 this act becoming a law, this act shall take effect January 1,  
2538 2013.

2539  
2540 ===== T I T L E A M E N D M E N T =====

2541 And the title is amended as follows:

2542 Delete everything before the enacting clause  
2543 and insert:

2544 A bill to be entitled  
2545 An act relating to highway safety and motor vehicles;  
2546 amending s. 20.24, F.S.; renaming the Office of Motor  
2547 Carrier Compliance within the Division of the Florida  
2548 Highway Patrol as the "Office of Commercial Vehicle  
2549 Enforcement"; amending s. 316.003, F.S.; revising the  
2550 definition of the term "motor vehicle" to exclude  
2551 swamp buggies; defining the term "swamp buggy";  
2552 amending s. 316.0083, F.S.; providing for the  
2553 dismissal of a uniform traffic citation for failure to  
2554 stop at a red light when the motor vehicle owner is  
2555 deceased and an affidavit with specified supporting  
2556 documents is filed with the issuing agency; amending  
2557 s. 316.1303, F.S.; authorizing a person who is  
2558 mobility impaired to use a motorized wheelchair to  
2559 temporarily leave the sidewalk and use the roadway  
2560 under certain circumstances; authorizing a law  
2561 enforcement officer to issue only a verbal warning to  
2562 such person; amending s. 316.183, F.S.; revising a  
2563 provision that prohibits a school bus from exceeding  
2564 the posted speed limits; amending s. 316.2065, F.S.;  
2565 revising safety standard requirements for bicycle



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2566 helmets that must be worn by certain riders and  
2567 passengers; revising requirements for a bicycle  
2568 operator to ride in a bicycle lane or along the curb  
2569 or edge of the roadway; providing for enforcement of  
2570 requirements for bicycle lighting equipment; providing  
2571 penalties for violations; providing for dismissal of  
2572 the charge following a first offense under certain  
2573 circumstances; amending s. 316.2085, F.S.; requiring  
2574 that the license tag of a motorcycle or moped remain  
2575 clearly visible from the rear at all times;  
2576 prohibiting deliberate acts to conceal or obscure the  
2577 license tag; removing a condition for a motorcycle or  
2578 moped license plate that reads from top to bottom to  
2579 be affixed perpendicular to the ground; requiring that  
2580 owners or operators of motorcycles or mopeds with  
2581 vertical tags pay any required toll by whatever means  
2582 available; providing penalties; amending s. 316.2126,  
2583 F.S.; authorizing municipalities to use golf carts and  
2584 utility vehicles to cross the State Highway System and  
2585 operate on sidewalks adjacent to state highways under  
2586 certain circumstances; creating s. 316.2129, F.S.;  
2587 authorizing the operation of swamp buggies on a public  
2588 road, highway, or street if a local governmental  
2589 entity has designated the public road, highway, or  
2590 street for such use; providing that the authorization  
2591 does not apply to the State Highway System;  
2592 authorizing the operation of swamp buggies on land  
2593 managed, owned, or leased by a state or federal  
2594 agency; amending s. 316.2397, F.S.; providing an



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2595 exception to the prohibition against flashing vehicle  
2596 lights for motorists who intermittently flash the  
2597 vehicle's headlamps at an oncoming vehicle, regardless  
2598 of the intent in doing so, and for persons operating  
2599 bicycles equipped with lamps; amending s. 316.302,  
2600 F.S.; requiring owners or drivers of commercial motor  
2601 vehicles that are engaged in intrastate commerce to be  
2602 subject to specified federal rules and regulations as  
2603 such rules and regulations existed on a certain date;  
2604 providing that certain restrictions on the number of  
2605 consecutive hours that a commercial motor vehicle may  
2606 operate do not apply to a farm labor vehicle operated  
2607 during a state of emergency or during an emergency  
2608 pertaining to agriculture; correcting terminology;  
2609 amending s. 316.3026, F.S., relating to unlawful  
2610 operation of motor carriers; conforming provisions to  
2611 changes made by the act; amending s. 316.613, F.S.,  
2612 relating to requirements for the operator of a vehicle  
2613 to use child restraints; providing that such  
2614 provisions do not apply to certain for-hire vehicles;  
2615 providing for the obligation of a parent, guardian, or  
2616 other person responsible for a child's welfare to  
2617 comply with the requirements; amending s. 316.6135,  
2618 F.S.; revising the criteria under which a child may  
2619 not be left unattended in a vehicle; providing  
2620 penalties; amending s. 316.655, F.S.; providing that a  
2621 driver convicted of a violation of certain offenses  
2622 relating to motor vehicles which resulted in an  
2623 accident may have his or her driving privileges



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2624           revoked or suspended; amending s. 318.14, F.S.;

2625           authorizing a person who does not hold a commercial

2626           driver license and who is cited for a noncriminal

2627           traffic infraction while driving a noncommercial motor

2628           vehicle to elect to attend a basic driver improvement

2629           course in lieu of a court appearance; authorizing a

2630           person who does not hold a commercial driver license

2631           and who is cited for certain offenses while driving a

2632           noncommercial motor vehicle to elect to enter a plea

2633           of nolo contendere and to provide proof of compliance

2634           in lieu of payment of fine or court appearance;

2635           amending s. 318.15, F.S.; providing that a person

2636           charged with a traffic infraction may request a

2637           hearing within a specified period after the date upon

2638           which the violation occurred; requiring that the clerk

2639           set the case for hearing; providing exceptions to the

2640           time period for requesting a hearing; authorizing the

2641           court to grant a request for a hearing made after the

2642           time period has expired; amending ss. 318.18 and

2643           318.21, F.S., relating to penalties and disposition of

2644           penalties; conforming cross-references; amending s.

2645           319.14, F.S.; prohibiting the sale or exchange of

2646           custom vehicles or street rod vehicles under certain

2647           conditions; providing definitions; amending s. 319.23,

2648           F.S.; requiring that the application for a certificate

2649           of title, corrected certificate, or assignment or

2650           reassignment be filed within a certain time period

2651           after the consummation of the sale of a mobile home;

2652           authorizing the department to accept a bond and



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2653 affidavit if the applicant for a certificate of title  
2654 is unable to provide a title that assigns the prior  
2655 owner's interest in the motor vehicle; providing  
2656 requirements for the bond and the affidavit; providing  
2657 that an interested person has a right to recover on  
2658 the bond; limiting liability to the amount of the  
2659 bond; providing for future expiration of the bond;  
2660 amending s. 319.24, F.S.; requiring that the  
2661 department electronically transmit a lien to the first  
2662 lienholder and notify the first lienholder of any  
2663 additional liens if there are one or more lien  
2664 encumbrances on a motor vehicle or mobile home;  
2665 requiring that subsequent lien satisfactions be  
2666 transmitted electronically to the department; amending  
2667 s. 319.27, F.S.; requiring that the department  
2668 establish and administer an electronic titling  
2669 program; requiring the electronic recording of vehicle  
2670 title information for new, transferred, and corrected  
2671 certificates of title; requiring that lienholders  
2672 electronically transmit liens and lien satisfactions  
2673 to the department; providing exceptions; amending s.  
2674 319.28, F.S.; providing that a dealer of certain  
2675 industrial equipment is not subject to licensure as a  
2676 recovery agent or agency under certain conditions;  
2677 amending to s. 319.30, F.S.; authorizing the  
2678 department to adopt rules to implement an electronic  
2679 system for issuing salvage certificates of title and  
2680 certificates of destruction; amending s. 319.40, F.S.;

2681 authorizing the department to issue an electronic



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2682 certificate of title in lieu of printing a paper title  
2683 and to collect electronic mail addresses and use  
2684 electronic mail as a notification method in lieu of  
2685 the United States Postal Service; providing an  
2686 exception; amending s. 320.01, F.S.; revising the  
2687 definition of the term "motor vehicle" to exclude  
2688 special mobile equipment and swamp buggies; defining  
2689 the term "swamp buggy"; amending s. 320.02, F.S.;  
2690 providing that an active duty member of the Armed  
2691 Forces of the United States is exempt from the  
2692 requirement to provide an address on an application  
2693 for vehicle registration; revising provisions relating  
2694 to the registration of a motor carrier who operates a  
2695 commercial motor vehicle without liability insurance,  
2696 a surety bond, or a valid self-insurance certificate;  
2697 providing that the registration shall be canceled on  
2698 the expiration date noted in the cancellation notice  
2699 that the department receives from the insurer;  
2700 requiring that the insurer provide notice to the  
2701 department at the same time the cancellation notice is  
2702 provided to the insured; authorizing the department to  
2703 adopt rules regarding the electronic submission of the  
2704 cancellation notice; removing a provision that  
2705 prohibits cancellation of liability insurance or  
2706 surety bond on less than 30 days' notice to the  
2707 department; requiring the application forms for motor  
2708 vehicle registration and renewal of registration to  
2709 include language permitting the applicant to make  
2710 certain voluntary contributions to specified not-for-



2711 profit entities; providing that such contributions are  
2712 not income for specified purposes; requiring that the  
2713 department retain all electronic registration records  
2714 for a specified period; amending s. 320.03, F.S.;  
2715 conforming a cross-reference; amending s. 320.06,  
2716 F.S.; authorizing the department to conduct a pilot  
2717 program to evaluate the designs, concepts, and  
2718 technologies for alternative license plates; requiring  
2719 that the department investigate the feasibility and  
2720 use of alternative license plate technologies and the  
2721 long-term cost impact to the consumer for purposes of  
2722 the pilot program; requiring limiting the scope of the  
2723 pilot program to license plates that are used on  
2724 government-owned motor vehicles; providing an  
2725 exemption for such license plates from certain  
2726 requirements; providing that license plates issued  
2727 under ch. 320, F.S., are the property of the state;  
2728 amending s. 320.0605, F.S.; revising provisions  
2729 relating to a requirement that rental or lease  
2730 documentation be in the possession of an operator of a  
2731 motor vehicle; providing specified information  
2732 sufficient to satisfy this requirement; amending s.  
2733 320.061, F.S.; prohibiting a person from altering the  
2734 original appearance of a temporary license plate;  
2735 amending s. 320.07, F.S.; revising provisions relating  
2736 to the expiration of a registration of a motor vehicle  
2737 or mobile home; providing that the registration for a  
2738 motor vehicle or mobile home whose owner is a natural  
2739 person expires at midnight on the owner's birthday;



2740 amending s. 320.08056, F.S.; prohibiting the use of  
2741 funds derived from the specialty license plate program  
2742 from being used to lobby elected members or employees  
2743 of the Legislature; amending s. 320.08058, F.S.;  
2744 providing that up to 15 percent of the proceeds from  
2745 the annual use fees for the Florida Golf license plate  
2746 may be used by the Dade Amateur Golf Association for  
2747 the administration of the Florida Junior Golf Program;  
2748 amending s. 320.08068, F.S.; revising provisions  
2749 relating to the use of funds received from the sale of  
2750 motorcycle specialty license plates; deleting a  
2751 provision that requires that 20 percent of the annual  
2752 fee collected for such plates be used to leverage  
2753 additional funding and new sources of revenue for the  
2754 centers for independent living; amending s. 320.0807,  
2755 F.S.; revising provisions for special license plates  
2756 for the Governor and federal and state legislators;  
2757 providing for issuance of special plates for former  
2758 federal and state legislators; providing a one-time  
2759 fee; providing for distribution of the fee;  
2760 authorizing the department to create a unique plate  
2761 design for plates to be used by members or former  
2762 members of the Legislature or Congress under specified  
2763 provisions; amending s. 320.0848, F.S.; revising the  
2764 requirements for the deposit of fee proceeds from  
2765 temporary disabled parking permits; requiring that  
2766 certain proceeds be deposited into the Florida  
2767 Endowment Foundation for Vocational Rehabilitation,  
2768 instead of the Florida Governor's Alliance for the





2769 Employment of Disabled Citizens; amending s. 320.089,  
2770 F.S.; providing for the issuance of a Combat Infantry  
2771 Badge license plate and a Vietnam War Veterans license  
2772 plate; providing qualifications and requirements for  
2773 the plate; amending s. 320.13, F.S.; authorizing a  
2774 dealer of heavy trucks, upon payment of a license tax,  
2775 to secure one or more dealer license plates under  
2776 certain circumstances; providing that the license  
2777 plates may be used for demonstration purposes for a  
2778 specified period; requiring that the license plates be  
2779 validated on a form prescribed by the department and  
2780 be retained in the vehicle being operated; amending s.  
2781 320.15, F.S.; providing that an owner of a motor  
2782 vehicle or mobile home may apply for a refund of  
2783 certain license taxes if the owner renews a  
2784 registration during the advanced renewal period and  
2785 surrenders the motor vehicle or mobile home license  
2786 plate before the end of the renewal period; amending  
2787 s. 320.27, F.S.; providing an exemption for salvage  
2788 motor vehicle dealers from certain application and  
2789 security requirements; amending s. 320.771, F.S.;  
2790 revising the definition of the term "dealer"; amending  
2791 s. 320.95, F.S.; authorizing the department to collect  
2792 electronic mail addresses and use electronic mail for  
2793 the purpose of providing renewal notices in lieu of  
2794 the United States Postal Service; amending s. 322.04,  
2795 F.S.; revising provisions exempting a nonresident from  
2796 the requirement to obtain a driver license under  
2797 certain circumstances; amending s. 322.051, F.S.;



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2798 revising requirements by which an applicant for an  
2799 identification card may prove nonimmigrant  
2800 classification; clarifying the validity of an  
2801 identification card based on specified documents;  
2802 authorizing the department to require additional  
2803 documentation to establish the maintenance of, or  
2804 efforts to maintain, continuous lawful presence;  
2805 providing for the department to waive the fees for  
2806 issuing or renewing an identification card to a person  
2807 who is homeless; amending s. 322.058, F.S.; conforming  
2808 a cross-reference; amending s. 322.065, F.S.; revising  
2809 provisions relating to a person whose driver license  
2810 has expired for 6 months or less and who drives a  
2811 motor vehicle; amending s. 322.07, F.S.; revising  
2812 provisions relating to temporary commercial  
2813 instruction permits; amending s. 322.08, F.S.;  
2814 revising provisions relating to an application for a  
2815 driver license or temporary permit; requiring that  
2816 applicants prove nonimmigrant classification by  
2817 providing certain documentation; authorizing the  
2818 department to require additional documentation to  
2819 establish the maintenance of, or efforts to maintain,  
2820 continuous lawful presence; revising the length of  
2821 time a license is valid when issuance is based on  
2822 documentation required under specified provisions;  
2823 requiring the application forms for an original,  
2824 renewal, or replacement driver license to include  
2825 language permitting the applicant to make certain  
2826 voluntary contributions to specified not-for-profit



2827 entities;; authorizing the department to collect  
2828 electronic mail addresses and use electronic mail for  
2829 the purpose of providing renewal notices in lieu of  
2830 the United States Postal Service; amending s. 322.121,  
2831 F.S.; conforming a provision relating to Safe Driver  
2832 designation; revising provisions authorizing the  
2833 automatic extension of a license for members of the  
2834 Armed Forces of the United States or their dependents  
2835 while serving on active duty outside the state;  
2836 amending s. 322.14, F.S.; deleting a requirement that  
2837 a qualified driver license applicant appear in person  
2838 for issuance of a color photographic or digital imaged  
2839 driver license; creating s. 322.1415, F.S.;

2840 authorizing the department to issue a specialty driver  
2841 license or identification card to qualified  
2842 applicants; specifying that, at a minimum, the  
2843 specialty driver licenses and identification cards  
2844 must be available for certain state and independent  
2845 universities and professional sports teams and all of  
2846 the branches of the Armed Forces of the United States;  
2847 requiring that the department approve the design of  
2848 each specialty driver license and identification card;  
2849 providing for future expiration; amending s. 322.142,  
2850 F.S.; providing district medical examiners access to  
2851 driver information maintained in the Driver and  
2852 Vehicle Information Database for a specified purpose;  
2853 amending s. 322.19, F.S.; providing that certain  
2854 persons who have a valid student identification card  
2855 are presumed not to have changed their legal residence



2856 or mailing address; amending s. 322.21, F.S.;

2857 providing for the distribution of funds collected from

2858 the specialty driver license and identification card

2859 fees; amending s. 322.251, F.S.; providing that

2860 certain notices of cancellation, suspension,

2861 revocation, or disqualification of a driver license

2862 are complete within a specified period after deposit

2863 in the mail; amending s. 322.27, F.S.; revising the

2864 department's authority to suspend or revoke licenses

2865 or identification cards under certain circumstances;

2866 repealing s. 322.292(5), F.S., relating to private

2867 probation services providers referring probationers to

2868 any DUI program owned in whole or in part by that

2869 probation services provider or its affiliates;

2870 amending s. 322.53, F.S.; revising an exemption from

2871 the requirement to obtain a commercial driver license

2872 for farmers transporting agricultural products, farm

2873 supplies, or farm machinery under certain

2874 circumstances; providing that such exemption applies

2875 if the vehicle is not used in the operations of a

2876 common or contract motor carrier; amending s. 322.54,

2877 F.S.; requiring that persons who drive a motor vehicle

2878 having a gross vehicle weight rating or gross vehicle

2879 weight of a specified amount or more possess certain

2880 classifications of driver licenses; repealing s.

2881 322.58, F.S., relating to holders of chauffeur

2882 licenses and the classified licensure of commercial

2883 motor vehicle drivers; amending s. 322.59, F.S.;

2884 revising provisions relating to the possession of a



2885 medical examiner's certificate; requiring that the  
2886 department disqualify a driver from operating a  
2887 commercial motor vehicle if the driver holds a  
2888 commercial driver license and fails to comply with the  
2889 medical certification requirements; authorizing the  
2890 department to issue, under certain circumstances, a  
2891 Class E driver license to a person who is disqualified  
2892 from operating a commercial motor vehicle; amending s.  
2893 322.61, F.S.; revising provisions relating to the  
2894 disqualification from operating a commercial motor  
2895 vehicle; providing that any holder of a commercial  
2896 driver license who is convicted of two violations  
2897 committed while operating any motor vehicle is  
2898 permanently disqualified from operating a commercial  
2899 motor vehicle; amending s. 324.072, F.S.; prohibiting  
2900 the department from suspending a registration of a  
2901 motor vehicle if the person to whom the motor vehicle  
2902 is registered had certain limits on the date of the  
2903 offense that caused the suspension or revocation;  
2904 amending s. 324.091, F.S.; revising the period within  
2905 which an owner or operator involved in a crash must  
2906 furnish evidence of automobile liability insurance,  
2907 motor vehicle liability insurance, or surety bond;  
2908 amending s. 328.15, F.S.; requiring that the  
2909 department establish and administer an electronic  
2910 titling program that requires the recording of vessel  
2911 title information for new, transferred, and corrected  
2912 certificates of title; requiring that lienholders  
2913 electronically transmit liens and lien satisfactions



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2914 to the department; providing exceptions; amending s.  
2915 328.16, F.S.; requiring that the department  
2916 electronically transmit a lien to the first lienholder  
2917 and notify such lienholder of any additional liens;  
2918 requiring that subsequent lien satisfactions be  
2919 electronically transmitted to the department; amending  
2920 s. 328.30, F.S.; authorizing the department to issue  
2921 an electronic certificate of title in lieu of printing  
2922 a paper title; authorizing the department to collect  
2923 electronic mail addresses and use electronic mail for  
2924 the purpose of providing renewal notices in lieu of  
2925 the United States Postal Service; amending s. 520.32,  
2926 F.S.; providing an exemption to specified licensing  
2927 requirements for motor vehicle dealers licensed under  
2928 specified provisions; providing for application of the  
2929 exemption; amending s. 713.78, F.S.; conforming a  
2930 cross-reference; amending s. 316.271, F.S.; removing a  
2931 prohibition on using the audible horn of a motor  
2932 vehicle on a highway; amending s. 323.002, F.S.;  
2933 requiring unauthorized wrecker operators to disclose a  
2934 fee schedule and certain information; amending ss.  
2935 316.0083 and 318.18, F.S.; revising provisions  
2936 relating to the deposit of funds from traffic  
2937 infractions; correcting references to a trust fund;  
2938 providing effective dates.