

By Senator Brandes

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1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 112.19, F.S.;
4 providing that an employer may pay up to a certain
5 amount directly toward the venue expenses associated
6 with the funeral and burial services of a law
7 enforcement, correctional, or correctional probation
8 officer killed in the line of duty; amending s.
9 316.228, F.S.; requiring a vehicle with a load that
10 extends beyond its sides or a certain amount beyond
11 its rear to display red flags not less than 18 inches
12 square under certain circumstances; amending s.
13 320.086, F.S.; requiring the department to issue a
14 special license plate to the owner of a motor vehicle
15 manufactured in the model year 1945 or earlier for
16 such motor vehicle, subject to certain requirements;
17 requiring the department to issue a special license
18 plate to the owner of a motor vehicle manufactured in
19 the model year after 1945 and of the age of 30 years
20 or more after the model year for such motor vehicle,
21 subject to certain requirements; amending s. 324.242,
22 F.S.; requiring the department to release the policy
23 number of a policy covering a vehicle involved in a
24 motor vehicle accident to certain persons upon receipt
25 of a request and proof of a crash report created
26 pursuant to the laws of another state; requiring the
27 department to provide personal injury protection and
28 property damage liability insurance policy numbers to
29 department-approved third parties that provide data

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30 collection services to certain insurers; requiring an
31 insurer's representative, a contracted third party, or
32 an attorney for a person involved in an accident to
33 provide the department with documentation confirming
34 proof of representation prior to the release of
35 certain policy numbers; authorizing the department to
36 disclose certain confidential and exempt information
37 to another governmental entity under certain
38 circumstances; defining the term "governmental
39 entity"; reenacting s. 319.23(3)(c), F.S., relating to
40 application for, and issuance of, certificate of
41 title, to incorporate the amendment made to s.
42 320.086, F.S., in a reference thereto; reenacting s.
43 320.08(2)(a) and (3)(e), F.S., relating to license
44 taxes, to incorporate the amendment made to s.
45 320.086, F.S., in a reference thereto; providing an
46 effective date.

47
48 Be It Enacted by the Legislature of the State of Florida:

49
50 Section 1. Paragraph (f) of subsection (2) of section
51 112.19, Florida Statutes, is amended to read:

52 112.19 Law enforcement, correctional, and correctional
53 probation officers; death benefits.—

54 (2)

55 (f) If a full-time law enforcement, correctional, or
56 correctional probation officer who is employed by a state agency
57 is killed in the line of duty ~~as a result of an act of violence~~
58 ~~inflicted by another person~~ while the officer is engaged in the

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59 performance of law enforcement duties or as a result of an
60 assault against the officer under riot conditions;~~7~~

61 1. The sum of \$1,000 shall be paid, as provided for in
62 paragraph (d), toward the funeral and burial expenses of such
63 officer. Such benefits are in addition to any other benefits
64 which employee beneficiaries and dependents are entitled to
65 under the provisions of the Workers' Compensation Law or any
66 other state or federal statutes; and

67 2. The officer's employer may pay up to \$5,000 directly
68 toward the venue expenses associated with the funeral and burial
69 services of such officer.

70 Section 2. Subsection (1) of section 316.228, Florida
71 Statutes, is amended to read:

72 316.228 Lamps or flags on projecting load.-

73 (1) Except as provided in subsection (2), whenever the load
74 upon any vehicle extends to the rear 4 feet or more beyond the
75 bed or body of such vehicle, there shall be displayed at the
76 extreme rear end of the load, at the times specified in s.
77 316.217, two red lamps visible from a distance of at least 500
78 feet to the rear, two red reflectors visible at night from all
79 distances within 600 feet to 100 feet to the rear when directly
80 in front of lawful lower beams of headlamps and located so as to
81 indicate maximum width, and on each side one red lamp visible
82 from a distance of at least 500 feet to the side and located so
83 as to indicate maximum overhang. There shall be displayed at all
84 other times on any vehicle having a load which extends beyond
85 its sides or more than 4 feet beyond its rear, red flags, not
86 less than 18 ~~12~~ inches square, marking the extremities of such
87 load, at each point where a lamp would otherwise be required by

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88 this section. A violation of this section is a noncriminal
89 traffic infraction punishable as a nonmoving violation as
90 provided in chapter 318.

91 Section 3. Subsection (1) and paragraph (a) of subsection
92 (2) of section 320.086, Florida Statutes, are amended to read:

93 320.086 Ancient or antique motor vehicles; horseless
94 carriage, antique, or historical license plates; former military
95 vehicles.—

96 (1) The owner of a motor vehicle for private use
97 manufactured in the model year 1945 or earlier, ~~equipped with an~~
98 ~~engine manufactured in 1945 or earlier or manufactured to the~~
99 ~~specifications of the original engine,~~ and operated on the
100 streets and highways of this state shall, upon application in
101 the manner and at the time prescribed by the department and upon
102 payment of the license tax for an ancient motor vehicle
103 prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a
104 special license plate for such motor vehicle. The license plate
105 shall be permanent and valid for use without renewal so long as
106 the vehicle is in existence. In addition to the payment of all
107 other fees required by law, the applicant shall pay such fee for
108 the issuance of the special license plate as may be prescribed
109 by the department commensurate with the cost of its manufacture.
110 The registration numbers and special license plates assigned to
111 such motor vehicles shall run in a separate numerical series,
112 commencing with "Horseless Carriage No. 1," and the plates shall
113 be of a distinguishing color.

114 (2)(a) The owner of a motor vehicle for private use
115 manufactured in the model year after 1945 and of the age of 30
116 years or more after the model year ~~date of manufacture,~~ ~~equipped~~

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117 ~~with an engine of the age of 30 years or more after the date of~~
118 ~~manufacture~~, and operated on the streets and highways of this
119 state may, upon application in the manner and at the time
120 prescribed by the department and upon payment of the license tax
121 prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a
122 special license plate for such motor vehicle. In addition to the
123 payment of all other fees required by law, the applicant shall
124 pay the fee for the issuance of the special license plate
125 prescribed by the department, commensurate with the cost of its
126 manufacture. The registration numbers and special license plates
127 assigned to such motor vehicles shall run in a separate
128 numerical series, commencing with "Antique No. 1," and the
129 plates shall be of a distinguishing color. The owner of the
130 motor vehicle may, upon application and payment of the license
131 tax prescribed by s. 320.08, be issued a regular Florida license
132 plate or specialty license plate in lieu of the special
133 "Antique" license plate.

134 Section 4. Subsection (2) of section 324.242, Florida
135 Statutes, is amended, present subsection (3) of that section is
136 redesignated as subsection (6), and new subsections (3), (4),
137 and (5) are added to that section, to read:

138 324.242 Personal injury protection and property damage
139 liability insurance policies; public records exemption.—

140 (2) Upon receipt of a ~~written~~ request and proof ~~a copy~~ of a
141 crash report as required under s. 316.065, s. 316.066, or s.
142 316.068, or a crash report created pursuant to the laws of
143 another state, the department shall release the policy number
144 for a policy covering a vehicle involved in a motor vehicle
145 accident to:

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146 (a) Any person involved in such accident;
147 (b) The attorney of any person involved in such accident;
148 or
149 (c) A representative of the insurer of any person involved
150 in such accident.

151 (3) The department will provide personal injury protection
152 and property damage liability insurance policy numbers to
153 department-approved third parties that provide data collection
154 services to an insurer of any person involved in such accident.

155 (4) Before the department's release of a policy number in
156 accordance with subsection (2) or subsection (3), an insurer's
157 representative, a contracted third party, or an attorney for a
158 person involved in an accident must provide the department with
159 documentation confirming proof of representation.

160 (5) Information made confidential and exempt by this
161 section may be disclosed to another governmental entity without
162 a written request or copy of the crash report if disclosure is
163 necessary for the receiving governmental entity to perform its
164 duties and responsibilities. For purposes of this subsection,
165 the term "governmental entity" means any federal, state, county,
166 district, authority, or municipal officer, department, division,
167 board, bureau, or commission created or established by law.

168 (6)~~(3)~~ This exemption applies to personal identifying
169 information of an insured or former insured and insurance policy
170 numbers held by the department before, on, or after October 11,
171 2007.

172 Section 5. For the purpose of incorporating the amendment
173 made by this act to section 320.086, Florida Statutes, in a
174 reference thereto, paragraph (c) of subsection (3) of section

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175 319.23, Florida Statutes, is reenacted to read:

176 319.23 Application for, and issuance of, certificate of
177 title.—

178 (3) If a certificate of title has not previously been
179 issued for a motor vehicle or mobile home in this state, the
180 application, unless otherwise provided for in this chapter,
181 shall be accompanied by a proper bill of sale or sworn statement
182 of ownership, or a duly certified copy thereof, or by a
183 certificate of title, bill of sale, or other evidence of
184 ownership required by the law of the state or county from which
185 the motor vehicle or mobile home was brought into this state.
186 The application shall also be accompanied by:

187 (c) If the vehicle is an ancient or antique vehicle, as
188 defined in s. 320.086, the application shall be accompanied by a
189 certificate of title; a bill of sale and a registration; or a
190 bill of sale and an affidavit by the owner defending the title
191 from all claims. The bill of sale must contain a complete
192 vehicle description to include the vehicle identification or
193 engine number, year make, color, selling price, and signatures
194 of the seller and purchaser.

195
196 Verification of the vehicle identification number is not
197 required for any new motor vehicle; any mobile home; any trailer
198 or semitrailer with a net weight of less than 2,000 pounds; or
199 any travel trailer, camping trailer, truck camper, or fifth-
200 wheel recreation trailer.

201 Section 6. For the purpose of incorporating the amendment
202 made by this act to section 320.086, Florida Statutes, in a
203 reference thereto, paragraph (a) of subsection (2) and paragraph

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204 (e) of subsection (3) of section 320.08, Florida Statutes, are
205 reenacted to read:

206 320.08 License taxes.—Except as otherwise provided herein,
207 there are hereby levied and imposed annual license taxes for the
208 operation of motor vehicles, mopeds, motorized bicycles as
209 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
210 and mobile homes, as defined in s. 320.01, which shall be paid
211 to and collected by the department or its agent upon the
212 registration or renewal of registration of the following:

213 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

214 (a) An ancient or antique automobile, as defined in s.
215 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

216 (3) TRUCKS.—

217 (e) An ancient or antique truck, as defined in s. 320.086:
218 \$7.50 flat.

219 Section 7. This act shall take effect October 1, 2015.