

By the Committee on Transportation; and Senator Brandes

596-02694-16

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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. 316.003, F.S.;  
4           defining the terms "service patrol vehicle" and  
5           "driver-assistive truck platooning technology";  
6           amending s. 316.0895, F.S.; providing that provisions  
7           prohibiting a driver from following certain vehicles  
8           within a specified distance do not apply to truck  
9           tractor-semitrailer combinations under certain  
10          circumstances; amending s. 316.126, F.S.; requiring  
11          the driver of every other vehicle to take specified  
12          actions if a utility service vehicle displaying any  
13          visual signals or a service patrol vehicle displaying  
14          amber rotating or flashing lights is performing  
15          certain tasks on the roadside; amending s. 316.193,  
16          F.S.; requiring, as of a specified date, that the  
17          court order a certain qualified sobriety and drug  
18          monitoring program in addition to the placement of an  
19          ignition interlock device; deleting provisions  
20          relating to a qualified sobriety and drug monitoring  
21          program; directing the department to adopt rules  
22          providing for the implementation of the use of certain  
23          qualified sobriety and drug monitoring programs;  
24          redefining the terms "qualified sobriety and drug  
25          monitoring program" and "evidence-based program";  
26          providing requirements for the program; amending s.  
27          316.235, F.S.; revising requirements relating to a  
28          deceleration lighting system for buses; amending s.  
29          316.303, F.S.; providing exceptions to the prohibition  
30          against certain television-type receiving equipment in  
31          vehicles; amending s. 320.02, F.S.; increasing  
32          the timeframe within which the owner of any motor

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33 vehicle registered in the state must notify the  
34 department of a change of address; providing  
35 exceptions to such notification; amending s. 320.055,  
36 F.S.; revising the renewal period for certain motor  
37 vehicles subject to registration; amending s. 320.07,  
38 F.S.; prohibiting a law enforcement officer from  
39 issuing a citation for a specified violation until a  
40 certain date; amending s. 322.051, F.S.; requiring the  
41 department to issue or renew an identification card to  
42 certain juvenile offenders; requiring that the  
43 department's mobile issuing units process certain  
44 identification cards; amending s. 322.19, F.S.;  
45 increasing the timeframe within which certain persons  
46 must obtain a replacement driver license or  
47 identification card that reflects a change in his or  
48 her legal name; providing exceptions to such  
49 requirement; increasing the timeframe within which  
50 certain persons must obtain a replacement driver  
51 license or identification card that reflects a change  
52 in the legal residence or mailing address in his or  
53 her application, license, or card; amending s. 322.21,  
54 F.S.; exempting certain juvenile offenders from a  
55 specified fee for an original, renewal, or replacement  
56 identification card; amending s. 322.221, F.S.;  
57 requiring the department to issue an identification  
58 card at no cost at the time a person's driver license  
59 is suspended or revoked due to his or her physical or  
60 mental condition; amending s. 322.271, F.S.; providing  
61 that a certain qualified sobriety and drug monitoring

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62 program shall be ordered by the court on or after a  
63 specified date in addition to the placement of an  
64 ignition interlock device; amending s. 322.2715, F.S.;  
65 providing that a certain qualified sobriety and drug  
66 monitoring program shall be used by the department on  
67 or after a specified date in addition to the placement  
68 of an ignition interlock device; providing an  
69 effective date.  
70

71 Be It Enacted by the Legislature of the State of Florida:  
72

73 Section 1. Subsections (94) and (95) are added to section  
74 316.003, Florida Statutes, to read:

75 316.003 Definitions.—The following words and phrases, when  
76 used in this chapter, shall have the meanings respectively  
77 ascribed to them in this section, except where the context  
78 otherwise requires:

79 (94) SERVICE PATROL VEHICLE.—A motor vehicle that bears an  
80 emblem or markings with the wording "SERVICE VEHICLE" which is  
81 visible from the roadway and clearly indicates that the vehicle  
82 belongs to or is under contract with a person, an entity, a  
83 cooperative, a board, a commission, a district, or a unit of  
84 government that provides highway assistance services to  
85 motorists, clears travel lanes, or provides temporary  
86 maintenance of traffic support for incident response operations.

87 (95) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle  
88 automation technology that integrates a sensor array, wireless  
89 communications, vehicle controls, and specialized software to  
90 synchronize the acceleration and braking between no more than

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91 two truck tractor-semitrailer combinations, while leaving each  
92 vehicle's steering control and systems command in the control of  
93 the vehicle's driver.

94 Section 2. Subsection (2) of section 316.0895, Florida  
95 Statutes, is amended to read:

96 316.0895 Following too closely.—

97 (2) It is unlawful for the driver of any motor truck, motor  
98 truck drawing another vehicle, or vehicle towing another vehicle  
99 or trailer, when traveling upon a roadway outside of a business  
100 or residence district, to follow within 300 feet of another  
101 motor truck, motor truck drawing another vehicle, or vehicle  
102 towing another vehicle or trailer. ~~The provisions of This~~  
103 subsection may shall not be construed to prevent overtaking and  
104 passing, nor does it nor shall the same apply upon any lane  
105 specially designated for use by motor trucks or other slow-  
106 moving vehicles. This subsection does not apply to two truck  
107 tractor-semitrailer combinations equipped and connected with  
108 driver-assistive truck platooning technology, as defined in s.  
109 316.003, and operating on a multilane limited access facility,  
110 if:

111 (a) The owner or operator first submits to the department  
112 an instrument of insurance, a surety bond, or proof of self-  
113 insurance acceptable to the department in the amount of \$1  
114 million;

115 (b) The vehicles are equipped with an external indication,  
116 visible to surrounding motorists, that the vehicles are engaged  
117 in truck platooning; and

118 (c) The vehicles are not required to be placarded pursuant  
119 to 49 C.F.R. parts 171-179.

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120 Section 3. Section 316.126, Florida Statutes, is amended to  
121 read:

122 316.126 Operation of vehicles and actions of pedestrians on  
123 approach of an authorized emergency, sanitation, ~~or~~ utility  
124 service vehicle, or service patrol vehicle.-

125 (1) (a) Upon the immediate approach of an authorized  
126 emergency vehicle, while en route to meet an existing emergency,  
127 the driver of every other vehicle shall, when such emergency  
128 vehicle is giving audible signals by siren, exhaust whistle, or  
129 other adequate device, or visible signals by the use of  
130 displayed blue or red lights, yield the right-of-way to the  
131 emergency vehicle and shall immediately proceed to a position  
132 parallel to, and as close as reasonable to the closest edge of  
133 the curb of the roadway, clear of any intersection and shall  
134 stop and remain in position until the authorized emergency  
135 vehicle has passed, unless otherwise directed by a law  
136 enforcement officer.

137 (b) If an authorized emergency vehicle displaying any  
138 visual signals is parked on the roadside, a sanitation vehicle  
139 is performing a task related to the provision of sanitation  
140 services on the roadside, a utility service vehicle displaying  
141 any visual signals is performing a task related to the provision  
142 of utility services on the roadside, ~~or~~ a wrecker displaying  
143 amber rotating or flashing lights is performing a recovery or  
144 loading on the roadside, or a service patrol vehicle displaying  
145 amber rotating or flashing lights is performing official duties  
146 or services on the roadside, the driver of every other vehicle,  
147 as soon as it is safe:

148 1. Shall vacate the lane closest to the emergency vehicle,

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149 sanitation vehicle, utility service vehicle, ~~or wrecker~~, or  
150 service patrol vehicle when driving on an interstate highway or  
151 other highway with two or more lanes traveling in the direction  
152 of the emergency vehicle, sanitation vehicle, utility service  
153 vehicle, ~~or wrecker~~, or service patrol vehicle except when  
154 otherwise directed by a law enforcement officer. If such  
155 movement cannot be safely accomplished, the driver shall reduce  
156 speed as provided in subparagraph 2.

157 2. Shall slow to a speed that is 20 miles per hour less  
158 than the posted speed limit when the posted speed limit is 25  
159 miles per hour or greater; or travel at 5 miles per hour when  
160 the posted speed limit is 20 miles per hour or less, when  
161 driving on a two-lane road, except when otherwise directed by a  
162 law enforcement officer.

163 (c) The Department of Highway Safety and Motor Vehicles  
164 shall provide an educational awareness campaign informing the  
165 motoring public about the Move Over Act. The department shall  
166 provide information about the Move Over Act in all newly printed  
167 driver license educational materials.

168 (2) Every pedestrian using the road right-of-way shall  
169 yield the right-of-way until the authorized emergency vehicle  
170 has passed, unless otherwise directed by a law enforcement  
171 officer.

172 (3) An authorized emergency vehicle, when en route to meet  
173 an existing emergency, shall warn all other vehicular traffic  
174 along the emergency route by an audible signal, siren, exhaust  
175 whistle, or other adequate device or by a visible signal by the  
176 use of displayed blue or red lights. While en route to such  
177 emergency, the emergency vehicle shall otherwise proceed in a

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178 manner consistent with the laws regulating vehicular traffic  
179 upon the highways of this state.

180 (4) This section does not diminish or enlarge any rules of  
181 evidence or liability in any case involving the operation of an  
182 emergency vehicle.

183 (5) This section does not relieve the driver of an  
184 authorized emergency vehicle from the duty to drive with due  
185 regard for the safety of all persons using the highway.

186 (6) A violation of this section is a noncriminal traffic  
187 infraction, punishable pursuant to chapter 318 as either a  
188 moving violation for infractions of subsection (1) or subsection  
189 (3), or as a pedestrian violation for infractions of subsection  
190 (2).

191 Section 4. Subsection (2), paragraph (c) of subsection (4),  
192 paragraph (j) of subsection (6), and subsection (11) of section  
193 316.193, Florida Statutes, are amended, and subsection (15) is  
194 added to that section, to read:

195 316.193 Driving under the influence; penalties.—

196 (2) (a) Except as provided in paragraph (b), subsection (3),  
197 or subsection (4), any person who is convicted of a violation of  
198 subsection (1) shall be punished:

199 1. By a fine of:

200 a. Not less than \$500 or more than \$1,000 for a first  
201 conviction.

202 b. Not less than \$1,000 or more than \$2,000 for a second  
203 conviction; and

204 2. By imprisonment for:

205 a. Not more than 6 months for a first conviction.

206 b. Not more than 9 months for a second conviction.

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207           3. For a second conviction, by mandatory placement for a  
208 period of at least 1 year, at the convicted person's sole  
209 expense, of an ignition interlock device approved by the  
210 department in accordance with s. 316.1938 upon all vehicles that  
211 are individually or jointly leased or owned and routinely  
212 operated by the convicted person, when the convicted person  
213 qualifies for a permanent or restricted license. The  
214 installation of such device may not occur before July 1, 2003.  
215 Effective October 1, 2016, the court shall order a qualified  
216 sobriety and drug monitoring program as defined in subsection  
217 (15) and authorized by 23 U.S.C. s. 164 in addition to the  
218 placement of an ignition interlock device required by this  
219 section.

220           (b)1. Any person who is convicted of a third violation of  
221 this section for an offense that occurs within 10 years after a  
222 prior conviction for a violation of this section commits a  
223 felony of the third degree, punishable as provided in s.  
224 775.082, s. 775.083, or s. 775.084. In addition, the court shall  
225 order the mandatory placement for a period of not less than 2  
226 years, at the convicted person's sole expense, of an ignition  
227 interlock device approved by the department in accordance with  
228 s. 316.1938 upon all vehicles that are individually or jointly  
229 leased or owned and routinely operated by the convicted person,  
230 when the convicted person qualifies for a permanent or  
231 restricted license. The installation of such device may not  
232 occur before July 1, 2003. Effective October 1, 2016, the court  
233 shall order a qualified sobriety and drug monitoring program as  
234 defined in subsection (15) and authorized by 23 U.S.C. s. 164 in  
235 addition to the placement of an ignition interlock device



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236 required by this section.

237         2. Any person who is convicted of a third violation of this  
238 section for an offense that occurs more than 10 years after the  
239 date of a prior conviction for a violation of this section shall  
240 be punished by a fine of not less than \$2,000 or more than  
241 \$5,000 and by imprisonment for not more than 12 months. In  
242 addition, the court shall order the mandatory placement for a  
243 period of at least 2 years, at the convicted person's sole  
244 expense, of an ignition interlock device approved by the  
245 department in accordance with s. 316.1938 upon all vehicles that  
246 are individually or jointly leased or owned and routinely  
247 operated by the convicted person, when the convicted person  
248 qualifies for a permanent or restricted license. The  
249 installation of such device may not occur before July 1, 2003.  
250 Effective October 1, 2016, the court shall order a qualified  
251 sobriety and drug monitoring program as defined in subsection  
252 (15) and authorized by 23 U.S.C. s. 164 in addition to the  
253 placement of an ignition interlock device required by this  
254 section.

255         3. Any person who is convicted of a fourth or subsequent  
256 violation of this section, regardless of when any prior  
257 conviction for a violation of this section occurred, commits a  
258 felony of the third degree, punishable as provided in s.  
259 775.082, s. 775.083, or s. 775.084. However, the fine imposed  
260 for such fourth or subsequent violation may be not less than  
261 \$2,000.

262         (c) In addition to the penalties in paragraph (a), the  
263 court may order placement, at the convicted person's sole  
264 expense, of an ignition interlock device approved by the

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265 department in accordance with s. 316.1938 for at least 6  
266 continuous months upon all vehicles that are individually or  
267 jointly leased or owned and routinely operated by the convicted  
268 person if, at the time of the offense, the person had a blood-  
269 alcohol level or breath-alcohol level of .08 or higher.  
270 Effective October 1, 2016, the court shall order a qualified  
271 sobriety and drug monitoring program as defined in subsection  
272 (15) and authorized by 23 U.S.C. s. 164 in addition to the  
273 placement of an ignition interlock device required by this  
274 section.

275 (4) Any person who is convicted of a violation of  
276 subsection (1) and who has a blood-alcohol level or breath-  
277 alcohol level of 0.15 or higher, or any person who is convicted  
278 of a violation of subsection (1) and who at the time of the  
279 offense was accompanied in the vehicle by a person under the age  
280 of 18 years, shall be punished:

281 (c) In addition to the penalties in paragraphs (a) and (b),  
282 the court shall order the mandatory placement, at the convicted  
283 person's sole expense, of an ignition interlock device approved  
284 by the department in accordance with s. 316.1938 upon all  
285 vehicles that are individually or jointly leased or owned and  
286 routinely operated by the convicted person for not less than 6  
287 continuous months for the first offense and for not less than 2  
288 continuous years for a second offense, when the convicted person  
289 qualifies for a permanent or restricted license. Effective  
290 October 1, 2016, the court shall order a qualified sobriety and  
291 drug monitoring program as defined in subsection (15) and  
292 authorized by 23 U.S.C. s. 164 in addition to the placement of  
293 an ignition interlock device required by this section.

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294 (6) With respect to any person convicted of a violation of  
295 subsection (1), regardless of any penalty imposed pursuant to  
296 subsection (2), subsection (3), or subsection (4):

297 (j)~~1.~~ Notwithstanding the provisions of this section, s.  
298 316.1937, and s. 322.2715 relating to ignition interlock devices  
299 required for second or subsequent offenders, ~~in order to~~  
300 ~~strengthen the pretrial and posttrial options available to~~  
301 ~~prosecutors and judges,~~ the court shall ~~may~~ order, ~~if deemed~~  
302 ~~appropriate,~~ that a person participate in a qualified sobriety  
303 and drug monitoring program, as defined in subsection (15)  
304 ~~subparagraph 2.~~, in addition to the ignition interlock device  
305 requirement. Participation is ~~shall be~~ at the person's sole  
306 expense.

307 ~~2. As used in this paragraph, the term "qualified sobriety~~  
308 ~~and drug monitoring program" means an evidence-based program,~~  
309 ~~approved by the department, in which participants are regularly~~  
310 ~~tested for alcohol and drug use. As the court deems appropriate,~~  
311 ~~the program may monitor alcohol or drugs through one or more of~~  
312 ~~the following modalities: breath testing twice a day; continuous~~  
313 ~~transdermal alcohol monitoring in cases of hardship; or random~~  
314 ~~blood, breath, urine, or oral fluid testing. Testing modalities~~  
315 ~~that provide the best ability to sanction a violation as close~~  
316 ~~in time as reasonably feasible to the occurrence of the~~  
317 ~~violation should be given preference. This paragraph does not~~  
318 ~~preclude a court from ordering an ignition interlock device as a~~  
319 ~~testing modality.~~

320 ~~3. For purposes of this paragraph, the term "evidence-based~~  
321 ~~program" means a program that satisfies the requirements of at~~  
322 ~~least two of the following:~~

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323 ~~a. The program is included in the federal registry of~~  
324 ~~evidence-based programs and practices.~~

325 ~~b. The program has been reported in a peer-reviewed journal~~  
326 ~~as having positive effects on the primary targeted outcome.~~

327 ~~c. The program has been documented as effective by informed~~  
328 ~~experts and other sources.~~

329  
330 For the purposes of this section, any conviction for a violation  
331 of s. 327.35; a previous conviction for the violation of former  
332 s. 316.1931, former s. 860.01, or former s. 316.028; or a  
333 previous conviction outside this state for driving under the  
334 influence, driving while intoxicated, driving with an unlawful  
335 blood-alcohol level, driving with an unlawful breath-alcohol  
336 level, or any other similar alcohol-related or drug-related  
337 traffic offense, is also considered a previous conviction for  
338 violation of this section. However, in satisfaction of the fine  
339 imposed pursuant to this section, the court may, upon a finding  
340 that the defendant is financially unable to pay either all or  
341 part of the fine, order that the defendant participate for a  
342 specified additional period of time in public service or a  
343 community work project in lieu of payment of that portion of the  
344 fine which the court determines the defendant is unable to pay.  
345 In determining such additional sentence, the court shall  
346 consider the amount of the unpaid portion of the fine and the  
347 reasonable value of the services to be ordered; however, the  
348 court may not compute the reasonable value of services at a rate  
349 less than the federal minimum wage at the time of sentencing.

350 (11) The Department of Highway Safety and Motor Vehicles is  
351 directed to adopt rules providing for the implementation of the

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352 use of ignition interlock devices and qualified sobriety and  
353 drug monitoring programs defined in subsection (15).

354 (15) As used in this chapter and chapter 322, the term  
355 "qualified sobriety and drug monitoring program" means an  
356 evidence-based program, approved by the department, in which  
357 participants are regularly tested for alcohol and drug use. As  
358 the court deems appropriate, the program may monitor alcohol or  
359 drugs through one or more of the following modalities: breath  
360 testing twice a day; continuous transdermal alcohol monitoring  
361 in cases of hardship; or random blood, breath, urine, drug  
362 patch, or oral fluid testing. Testing modalities that detect a  
363 violation as soon after it occurs as is reasonably feasible  
364 should be given preference. Participation is at the person's  
365 sole expense. The term "evidence-based program" means a program  
366 that satisfies at least two of the following requirements:

367 (a) The program is included in the federal registry of  
368 evidence-based programs and practices.

369 (b) The program has been reported in a peer-reviewed  
370 journal as having positive effects on the primary targeted  
371 outcome.

372 (c) The program has been documented as effective by  
373 informed experts and other sources.

374 Section 5. Subsection (5) of section 316.235, Florida  
375 Statutes, is amended to read:

376 316.235 Additional lighting equipment.—

377 (5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped  
378 with a deceleration lighting system that ~~which~~ cautions  
379 following vehicles that the bus is slowing, is preparing to  
380 stop, or is stopped. Such lighting system shall consist of two

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381 red or amber lights mounted in horizontal alignment on the rear  
382 of the vehicle at ~~or near~~ the vertical centerline of the  
383 vehicle, no greater than 12 inches apart, not higher than the  
384 lower edge of the rear window or, if the vehicle has no rear  
385 window, not higher than 72 inches from the ground. Such lights  
386 shall be visible from a distance of not less than 300 feet to  
387 the rear in normal sunlight. Lights are permitted to light and  
388 flash during deceleration, braking, or standing and idling of  
389 the bus. Vehicular hazard warning flashers may be used in  
390 conjunction with or in lieu of a rear-mounted deceleration  
391 lighting system.

392 Section 6. Subsections (1) and (3) of section 316.303,  
393 Florida Statutes, are amended to read:

394 316.303 Television receivers.—

395 (1) A ~~No~~ motor vehicle may not be operated on the highways  
396 of this state if the vehicle is ~~shall be~~ equipped with  
397 television-type receiving equipment so located that the viewer  
398 or screen is visible from the driver's seat, unless the vehicle  
399 is equipped with autonomous technology, as defined in s.  
400 316.003, and is being operated in autonomous mode, as provided  
401 in s. 316.85(2).

402 (3) This section does not prohibit the use of an electronic  
403 display used in conjunction with a vehicle navigation system, or  
404 an electronic display used by an operator of a vehicle equipped  
405 and operating with driver-assistive truck platooning technology,  
406 as defined in s. 316.003.

407 Section 7. Subsection (4) of section 320.02, Florida  
408 Statutes, is amended to read:

409 320.02 Registration required; application for registration;

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410 forms.—

411 (4) Except as provided in ss. 775.21, 775.261, 943.0435,  
412 944.607, and 985.4815, the owner of any motor vehicle registered  
413 in the state shall notify the department in writing of any  
414 change of address within 30 ~~20~~ days of such change. The  
415 notification shall include the registration license plate  
416 number, the vehicle identification number (VIN) or title  
417 certificate number, year of vehicle make, and the owner's full  
418 name.

419 Section 8. Paragraph (a) of subsection (1) of section  
420 320.055, Florida Statutes, is amended to read:

421 320.055 Registration periods; renewal periods.—The  
422 following registration periods and renewal periods are  
423 established:

424 (1) (a) For a motor vehicle subject to registration under s.  
425 320.08(1), (2), (3), (5) (b), (c), (d), or (f), (6) (a), (7), (8),  
426 (9), or (10) and owned by a natural person, the registration  
427 period begins the first day of the birth month of the owner and  
428 ends the last day of the month immediately preceding the owner's  
429 birth month in the succeeding year. If such vehicle is  
430 registered in the name of more than one person, the birth month  
431 of the person whose name first appears on the registration shall  
432 be used to determine the registration period. For a vehicle  
433 subject to this registration period, the renewal period is the  
434 ~~30-day~~ period ending at midnight on the last day of the vehicle  
435 owner's ~~date of birth~~ month.

436 Section 9. Paragraph (a) of subsection (3) of section  
437 320.07, Florida Statutes, is amended to read:

438 320.07 Expiration of registration; renewal required;

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439 penalties.—

440 (3) The operation of any motor vehicle without having  
441 attached thereto a registration license plate and validation  
442 stickers, or the use of any mobile home without having attached  
443 thereto a mobile home sticker, for the current registration  
444 period shall subject the owner thereof, if he or she is present,  
445 or, if the owner is not present, the operator thereof to the  
446 following penalty provisions:

447 (a) Any person whose motor vehicle or mobile home  
448 registration has been expired for a period of 6 months or less  
449 commits a noncriminal traffic infraction, punishable as a  
450 nonmoving violation as provided in chapter 318. However, a law  
451 enforcement officer may not issue a citation for a violation  
452 under this paragraph until midnight on the last day of the  
453 owner's birth month of the year the registration expires.

454 Section 10. Subsection (9) of section 322.051, Florida  
455 Statutes, is amended to read:

456 322.051 Identification cards.—

457 (9) Notwithstanding any other provision of this section or  
458 s. 322.21 to the contrary, the department shall issue or renew a  
459 card at no charge to a person who presents evidence satisfactory  
460 to the department that he or she is homeless as defined in s.  
461 414.0252(7), to a juvenile offender who is in the custody or  
462 under the supervision of the Department of Juvenile Justice and  
463 receiving services pursuant to s. 985.461, to an inmate  
464 receiving a card issued pursuant to s. 944.605(7), or, if  
465 necessary, to an inmate receiving a replacement card if the  
466 department determines that he or she has a valid state  
467 identification card. If the replacement state identification



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468 card is scheduled to expire within 6 months, the department may  
469 also issue a temporary permit valid for at least 6 months after  
470 the release date. The department's mobile issuing units shall  
471 process the identification cards for juvenile offenders and  
472 inmates at no charge, as provided by s. 944.605 (7) (a) and (b).

473 Section 11. Subsections (1) and (2) of section 322.19,  
474 Florida Statutes, are amended to read:

475 322.19 Change of address or name.—

476 (1) Except as provided in ss. 775.21, 775.261, 943.0435,  
477 944.607, and 985.4815, whenever any person, after applying for  
478 or receiving a driver license or identification card, changes  
479 his or her legal name, that person must within 30 ~~10~~ days  
480 thereafter obtain a replacement license or card that reflects  
481 the change.

482 (2) If a ~~Whenever~~ any person, after applying for or  
483 receiving a driver license or identification card, changes the  
484 legal residence or mailing address in the application, ~~or~~  
485 license, or card, the person must, within 30 ~~10~~ calendar days  
486 after making the change, obtain a replacement license or card  
487 that reflects the change. A written request to the department  
488 must include the old and new addresses and the driver license or  
489 identification card number. Any person who has a valid, current  
490 student identification card issued by an educational institution  
491 in this state is presumed not to have changed his or her legal  
492 residence or mailing address. This subsection does not affect  
493 any person required to register a permanent or temporary address  
494 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.  
495 943.0435.

496 Section 12. Paragraph (f) of subsection (1) of section

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497 322.21, Florida Statutes, is amended to read:

498 322.21 License fees; procedure for handling and collecting  
499 fees.—

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

501 (f) An original, renewal, or replacement identification  
502 card issued pursuant to s. 322.051 is \$25, except that an  
503 applicant who presents evidence satisfactory to the department  
504 that he or she is homeless as defined in s. 414.0252(7); ~~or~~ his  
505 or her annual income is at or below 100 percent of the federal  
506 poverty level; or he or she is a juvenile offender who is in the  
507 custody or under the supervision of the Department of Juvenile  
508 Justice, is receiving services pursuant to s. 985.461, and whose  
509 identification card is issued by the department's mobile issuing  
510 units is exempt from such fee. Funds collected from fees for  
511 original, renewal, or replacement identification cards shall be  
512 distributed as follows:

513 1. For an original identification card issued pursuant to  
514 s. 322.051, the fee shall be deposited into the General Revenue  
515 Fund.

516 2. For a renewal identification card issued pursuant to s.  
517 322.051, \$6 shall be deposited into the Highway Safety Operating  
518 Trust Fund, and \$19 shall be deposited into the General Revenue  
519 Fund.

520 3. For a replacement identification card issued pursuant to  
521 s. 322.051, \$9 shall be deposited into the Highway Safety  
522 Operating Trust Fund, and \$16 shall be deposited into the  
523 General Revenue Fund. Beginning July 1, 2015, or upon completion  
524 of the transition of the driver license issuance services, if  
525 the replacement identification card is issued by the tax

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526 collector, the tax collector shall retain the \$9 that would  
527 otherwise be deposited into the Highway Safety Operating Trust  
528 Fund and the remaining revenues shall be deposited into the  
529 General Revenue Fund.

530 Section 13. Subsection (3) of section 322.221, Florida  
531 Statutes, is amended to read:

532 322.221 Department may require reexamination.—

533 (3) (a) Upon the conclusion of such examination or  
534 reexamination the department shall take action as may be  
535 appropriate and may suspend or revoke the license of such person  
536 or permit him or her to retain such license, or may issue a  
537 license subject to restrictions as permitted under s. 322.16.  
538 Refusal or neglect of the licensee to submit to such examination  
539 or reexamination shall be ground for suspension or revocation of  
540 his or her license.

541 (b) If the department suspends or revokes the license of a  
542 person due to his or her physical or mental condition, the  
543 department shall issue an identification card to the person at  
544 the time of the license suspension or revocation. The department  
545 may not charge fees for the issuance of the identification card.

546 Section 14. Paragraph (e) of subsection (2) of section  
547 322.271, Florida Statutes, is amended to read:

548 322.271 Authority to modify revocation, cancellation, or  
549 suspension order.—

550 (2) At such hearing, the person whose license has been  
551 suspended, canceled, or revoked may show that such suspension,  
552 cancellation, or revocation causes a serious hardship and  
553 precludes the person from carrying out his or her normal  
554 business occupation, trade, or employment and that the use of

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555 the person's license in the normal course of his or her business  
556 is necessary to the proper support of the person or his or her  
557 family.

558 (e) The department, based upon review of the licensee's  
559 application for reinstatement, may require use of an ignition  
560 interlock device pursuant to s. 322.2715. Effective October 1,  
561 2016, a qualified sobriety and drug monitoring program as  
562 defined in s. 316.193(15) and authorized by 23 U.S.C. s. 164  
563 shall be ordered by the court in addition to the placement of  
564 the ignition interlock device.

565 Section 15. Subsections (1), (3), and (4) of section  
566 322.2715, Florida Statutes, are amended to read:

567 322.2715 Ignition interlock device.—

568 (1) Before issuing a permanent or restricted driver license  
569 under this chapter, the department shall require the placement  
570 of a department-approved ignition interlock device for any  
571 person convicted of committing an offense of driving under the  
572 influence as specified in subsection (3), except that  
573 consideration may be given to those individuals having a  
574 documented medical condition that would prohibit the device from  
575 functioning normally. If a medical waiver has been granted for a  
576 convicted person seeking a restricted license, the convicted  
577 person shall not be entitled to a restricted license until the  
578 required ignition interlock device installation period under  
579 subsection (3) expires, in addition to the time requirements  
580 under s. 322.271. If a medical waiver has been approved for a  
581 convicted person seeking permanent reinstatement of the driver  
582 license, the convicted person must be restricted to an  
583 employment-purposes-only license and be supervised by a licensed

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584 DUI program until the required ignition interlock device  
585 installation period under subsection (3) expires. An interlock  
586 device shall be placed on all vehicles that are individually or  
587 jointly leased or owned and routinely operated by the convicted  
588 person. Effective October 1, 2016, a qualified sobriety and drug  
589 monitoring program as defined in s. 316.193(15) and authorized  
590 by 23 U.S.C. s. 164 shall be used by the department in addition  
591 to the placement of an ignition interlock device required by  
592 this section.

593 (3) If the person is convicted of:

594 (a) A first offense of driving under the influence under s.  
595 316.193 and has an unlawful blood-alcohol level or breath-  
596 alcohol level as specified in s. 316.193(1), the ignition  
597 interlock device may be installed for at least 6 continuous  
598 months.

599 (b) A first offense of driving under the influence under s.  
600 316.193 and has an unlawful blood-alcohol level or breath-  
601 alcohol level as specified in s. 316.193(4), or if a person is  
602 convicted of a violation of s. 316.193 and was at the time of  
603 the offense accompanied in the vehicle by a person younger than  
604 18 years of age, the person shall have the ignition interlock  
605 device installed for at least 6 continuous months for the first  
606 offense and for at least 2 continuous years for a second  
607 offense.

608 (c) A second offense of driving under the influence, the  
609 ignition interlock device shall be installed for a period of at  
610 least 1 continuous year.

611 (d) A third offense of driving under the influence which  
612 occurs within 10 years after a prior conviction for a violation

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613 of s. 316.193, the ignition interlock device shall be installed  
614 for a period of at least 2 continuous years.

615 (e) A third offense of driving under the influence which  
616 occurs more than 10 years after the date of a prior conviction,  
617 the ignition interlock device shall be installed for a period of  
618 at least 2 continuous years.

619 (f) A fourth or subsequent offense of driving under the  
620 influence, the ignition interlock device shall be installed for  
621 a period of at least 5 years.

622

623 Effective October 1, 2016, for the offenses specified in this  
624 subsection, a qualified sobriety and drug monitoring program as  
625 defined in s. 316.193(15) and authorized by 23 U.S.C. s. 164  
626 shall be used by the department in addition to the placement of  
627 an ignition interlock device required by this section.

628 (4) If the court fails to order the mandatory placement of  
629 the ignition interlock device or fails to order for the  
630 applicable period the mandatory placement of an ignition  
631 interlock device under s. 316.193 or s. 316.1937 at the time of  
632 imposing sentence or within 30 days thereafter, the department  
633 shall immediately require that the ignition interlock device be  
634 installed as provided in this section, except that consideration  
635 may be given to those individuals having a documented medical  
636 condition that would prohibit the device from functioning  
637 normally. Effective October 1, 2016, a qualified sobriety and  
638 drug monitoring program as defined in s. 316.193(15) and  
639 authorized by 23 U.S.C. s. 164 shall be used by the department  
640 in addition to the placement of an ignition interlock device  
641 required by this section. This subsection applies to the

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642 reinstatement of the driving privilege following a revocation,  
643 suspension, or cancellation that is based upon a conviction for  
644 the offense of driving under the influence which occurs on or  
645 after July 1, 2005.

646       Section 16. This act shall take effect October 1, 2016.