

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 316.302, F.S.;
4 revising provisions relating to federal regulations to
5 which owners and drivers of commercial motor vehicles
6 are subject; amending s. 316.3025, F.S.; conforming
7 provisions to changes made by the act; amending s.
8 320.01, F.S.; revising the definition of the term
9 "apportionable vehicle"; amending s. 320.06, F.S.;
10 providing requirements for license plates, cab cards,
11 and validation stickers for vehicles registered in
12 accordance with the International Registration Plan;
13 amending s. 320.0607, F.S.; conforming provisions to
14 changes made by the act; amending s. 320.133, F.S.;
15 providing definitions; revising requirements for the
16 issuance of a transporter license plate; providing
17 criminal penalties; providing recordkeeping
18 requirements; providing conditions for cancellation
19 and removal of such plates; amending s. 321.25, F.S.;
20 providing for reimbursement to the department of
21 tuition and other course expenses for certain training
22 under certain circumstances; authorizing the
23 department to institute a civil action; providing an
24 exception; amending s. 322.091, F.S.; revising
25 reporting requirements relating to students whose

26 driving privileges have been suspended; amending s.
 27 322.12, F.S.; revising disposition of fees for certain
 28 driver knowledge and skills tests; amending s. 322.17,
 29 F.S.; providing for replacement of a stolen
 30 identification card at no charge; amending s. 322.21,
 31 F.S.; deleting obsolete provisions; deleting a fee for
 32 certain specialty driver licenses or identification
 33 cards; revising disposition of fees for reinstatement
 34 of a driver license; providing for expedited service
 35 of a renewal or duplicate driver license or
 36 identification card; providing for fee disposition;
 37 amending s. 322.61, F.S.; providing penalties for use
 38 of a wireless communications device or handheld mobile
 39 telephone while operating a commercial motor vehicle;
 40 providing an effective date.

41

42 Be It Enacted by the Legislature of the State of Florida:

43

44 Section 1. Subsection (1) and paragraphs (a), (c), (d),
 45 and (f) of subsection (2) of section 316.302, Florida Statutes,
 46 are amended to read:

47 316.302 Commercial motor vehicles; safety regulations;
 48 transporters and shippers of hazardous materials; enforcement.-

49 (1) Except as otherwise provided in subsection (3):

50 (a) All owners and drivers of commercial motor vehicles

51 that are operated on the public highways of this state while
52 engaged in interstate commerce are subject to the rules and
53 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

54 (b) Except as otherwise provided in this section, all
55 owners or drivers of commercial motor vehicles that are engaged
56 in intrastate commerce are subject to the rules and regulations
57 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~
58 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~
59 ~~definition of bus~~, as such rules and regulations existed on
60 December 31, 2016 ~~2012~~.

61 (c) The emergency exceptions provided by 49 C.F.R. s.
62 392.82 also apply to communications by utility drivers and
63 utility contractor drivers during a Level 1 activation of the
64 State Emergency Operations Center, as provided in the Florida
65 Comprehensive Emergency Management plan, or during a state of
66 emergency declared by executive order or proclamation of the
67 Governor.

68 (d) Except as provided in ~~s. 316.215(5)~~, and ~~except as~~
69 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
70 requirements for intrastate operations, the requirements of this
71 section supersede all other safety requirements of this chapter
72 for commercial motor vehicles.

73 (2) (a) A person who operates a commercial motor vehicle
74 solely in intrastate commerce not transporting any hazardous
75 material in amounts that require placarding pursuant to 49

76 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)
77 and 395.3 ~~395.3(a) and (b)~~.

78 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
79 operates a commercial motor vehicle solely in intrastate
80 commerce not transporting any hazardous material in amounts that
81 require placarding pursuant to 49 C.F.R. part 172 may not drive
82 after having been on duty more than 70 hours in any period of 7
83 consecutive days or more than 80 hours in any period of 8
84 consecutive days if the motor carrier operates every day of the
85 week. Thirty-four consecutive hours off duty shall constitute
86 the end of any such period of 7 or 8 consecutive days. This
87 weekly limit does not apply to a person who operates a
88 commercial motor vehicle solely within this state while
89 transporting, during harvest periods, any unprocessed
90 agricultural products or unprocessed food or fiber that is
91 subject to seasonal harvesting from place of harvest to the
92 first place of processing or storage or from place of harvest
93 directly to market or while transporting livestock, livestock
94 feed, or farm supplies directly related to growing or harvesting
95 agricultural products. Upon request of the Department of Highway
96 Safety and Motor Vehicles, motor carriers shall furnish time
97 records or other written verification to that department so that
98 the Department of Highway Safety and Motor Vehicles can
99 determine compliance with this subsection. These time records
100 must be furnished to the Department of Highway Safety and Motor

101 Vehicles within 2 days after receipt of that department's
102 request. Falsification of such information is subject to a civil
103 penalty ~~not to exceed \$100. The provisions of~~ This paragraph
104 does ~~de~~ not apply to operators of farm labor vehicles operated
105 during a state of emergency declared by the Governor or operated
106 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
107 utility service vehicles as defined in 49 C.F.R. s. 395.2.

108 (d) A person who operates a commercial motor vehicle
109 solely in intrastate commerce not transporting any hazardous
110 material in amounts that require placarding pursuant to 49
111 C.F.R. part 172 within a 150 air-mile radius of the location
112 where the vehicle is based need not comply with 49 C.F.R. s.
113 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
114 (iii), 395.1(e)(1)(iii) and (v) are met. ~~If a driver is not~~
115 ~~released from duty within 12 hours after the driver arrives for~~
116 ~~duty, the motor carrier must maintain documentation of the~~
117 ~~driver's driving times throughout the duty period.~~

118 (f) A person who operates a commercial motor vehicle
119 having a ~~declared~~ gross vehicle weight, gross vehicle weight
120 rating, or gross combined weight rating of less than 26,001
121 pounds solely in intrastate commerce and who is not transporting
122 hazardous materials in amounts that require placarding pursuant
123 to 49 C.F.R. part 172~~7~~, ~~or who is transporting petroleum products~~
124 ~~as defined in s. 376.3017~~, is exempt from subsection (1).
125 However, such person must comply with 49 C.F.R. parts 382, 392,

126 and 393~~7~~ and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

127 Section 2. Paragraph (a) of subsection (6) of section
 128 316.3025, Florida Statutes, is amended to read:

129 316.3025 Penalties.—

130 (6) (a) A driver who violates 49 C.F.R. s. 392.80, which
 131 prohibits texting while operating a commercial motor vehicle, or
 132 49 C.F.R. s. 392.82, which prohibits using a handheld mobile
 133 telephone while operating a commercial motor vehicle, may be
 134 assessed a civil penalty ~~and commercial driver license~~
 135 ~~disqualification~~ as follows:

136 1. First violation: \$500.

137 2. Second violation: \$1,000 ~~and a 60-day commercial driver~~
 138 ~~license disqualification pursuant to 49 C.F.R. part 383.~~

139 3. Third and subsequent violations: \$2,750 ~~and a 120-day~~
 140 ~~commercial driver license disqualification pursuant to 49 C.F.R.~~
 141 ~~part 383.~~

142 Section 3. Subsection (24) of section 320.01, Florida
 143 Statutes, is amended to read:

144 320.01 Definitions, general.—As used in the Florida
 145 Statutes, except as otherwise provided, the term:

146 (24) "Apportionable vehicle" means any vehicle, except
 147 recreational vehicles, vehicles displaying restricted plates,
 148 city pickup and delivery vehicles, ~~buses used in transportation~~
 149 ~~of chartered parties~~, and government-owned vehicles, which is
 150 used or intended for use in two or more member jurisdictions

151 that allocate or proportionally register vehicles and which is
152 used for the transportation of persons for hire or is designed,
153 used, or maintained primarily for the transportation of property
154 and:

155 (a) Is a power unit having a gross vehicle weight in
156 excess of 26,000 pounds;

157 (b) Is a power unit having three or more axles, regardless
158 of weight; or

159 (c) Is used in combination, when the weight of such
160 combination exceeds 26,000 pounds gross vehicle weight.

161

162 Vehicles, or combinations thereof, having a gross vehicle weight
163 of 26,000 pounds or less and two-axle vehicles may be
164 proportionally registered.

165 Section 4. Paragraph (b) of subsection (1) of section
166 320.06, Florida Statutes, is amended to read:

167 320.06 Registration certificates, license plates, and
168 validation stickers generally.—

169 (1)

170 (b)1. Registration license plates bearing a graphic symbol
171 and the alphanumeric system of identification shall be issued
172 for a 10-year period. At the end of the 10-year period, upon
173 renewal, the plate shall be replaced. The department shall
174 extend the scheduled license plate replacement date from a 6-
175 year period to a 10-year period. The fee for such replacement is

176 \$28, \$2.80 of which shall be paid each year before the plate is
177 replaced, to be credited toward the next \$28 replacement fee.
178 The fees shall be deposited into the Highway Safety Operating
179 Trust Fund. A credit or refund may not be given for any prior
180 years' payments of the prorated replacement fee if the plate is
181 replaced or surrendered before the end of the 10-year period,
182 except that a credit may be given if a registrant is required by
183 the department to replace a license plate under s.
184 320.08056(8) (a). With each license plate, a validation sticker
185 shall be issued showing the owner's birth month, license plate
186 number, and the year of expiration or the appropriate renewal
187 period if the owner is not a natural person. The validation
188 sticker shall be placed on the upper right corner of the license
189 plate. The license plate and validation sticker shall be issued
190 based on the applicant's appropriate renewal period. The
191 registration period is 12 months, the extended registration
192 period is 24 months, and all expirations occur based on the
193 applicant's appropriate registration period.

194 2. Beginning October 1, 2018, a vehicle registered in
195 accordance with the International Registration Plan ~~that has an~~
196 ~~apportioned registration~~ shall be issued a ~~an annual~~ license
197 plate for a 5-year period, an annual ~~and a~~ cab card denoting
198 ~~that denote~~ the declared gross vehicle weight, and an annual
199 validation sticker showing the month and year of expiration. The
200 validation sticker shall be placed in the center of the license

201 plate. The license plate and validation sticker shall be issued
202 based on the applicant's appropriate renewal period. The
203 registration period is 12 months. The fee for an original and a
204 renewed cab card is \$28. This fee shall be deposited into the
205 Highway Safety Operating Trust Fund. If the license plate is
206 damaged or worn, it may be replaced at no charge by applying to
207 the department and surrendering the current license plate for
208 each apportioned jurisdiction in which the vehicle is authorized
209 to operate.

210 ~~3.2.~~ In order to retain the efficient administration of
211 the taxes and fees imposed by this chapter, the 80-cent fee
212 increase in the replacement fee imposed by chapter 2009-71, Laws
213 of Florida, is negated as provided in s. 320.0804.

214 Section 5. Subsection (5) of section 320.0607, Florida
215 Statutes, is amended to read:

216 320.0607 Replacement license plates, validation decal, or
217 mobile home sticker.—

218 (5) Upon the issuance of an original license plate, the
219 applicant shall pay a fee of \$28 to be deposited in the Highway
220 Safety Operating Trust Fund. This subsection does not apply to a
221 vehicle registered under the International Registration Plan and
222 issued a license plate under s. 320.06(1)(b)2.

223 Section 6. Section 320.133, Florida Statutes, is amended
224 to read:

225 320.133 Transporter license plates.—

226 (1) As used in this section, the term:

227 (a) "Transporter license plate eligible business" means a
228 business engaged in the limited operation of an unregistered
229 motor vehicle that is not eligible for registration by any means
230 for various business purposes.

231 (b) "Unregistered motor vehicle" means a motor vehicle
232 that is not required to be registered to the current legal
233 owner.

234 (2) A person is not eligible to purchase or renew a
235 transporter license plate unless he or she provides proof
236 satisfactory to the department that his or her business is a
237 transporter license plate eligible business.

238 (3) The application for qualification as a transporter
239 license plate eligible business must be in such form as may be
240 prescribed by the department and must contain the legal name of
241 the person or persons applying for the license plate, the name
242 of the business, and the principal or principals of the
243 business. The application must describe the exact physical
244 location of the place of business within the state. This
245 location must be available at all reasonable hours for
246 transporter license plate records inspection by the department
247 or any law enforcement agency. The application must contain
248 proof of a garage liability insurance policy or a business
249 automobile policy in the amount of at least \$100,000, and the
250 certificate of insurance must indicate the number of transporter

251 license plates reported to the insurance company. Such coverage
 252 shall be maintained for the entire registration period. Upon
 253 seeking initial qualification, the applicant must provide
 254 documentation proving that the business is registered with the
 255 Division of Corporations of the Department of State to conduct
 256 business in the state. The business must indicate how it meets
 257 the qualification as a transporter license plate eligible
 258 business by describing in detail the business processes that
 259 require the use of a transporter license plate.

260 (4) (a) ~~(1)~~ The department may ~~is authorized to~~ issue a
 261 transporter license plate to an ~~any~~ applicant who is not a
 262 licensed dealer and is qualified as a transporter license plate
 263 eligible business, ~~incidental to the conduct of his or her~~
 264 business, ~~engages in the transporting of motor vehicles which~~
 265 are not currently registered to any owner and which do not have
 266 license plates, upon payment of the license tax imposed by s.
 267 320.08(15) for each transporter ~~such~~ license plate and upon
 268 proof of ~~liability~~ insurance as described in subsection (3)
 269 ~~coverage in the amount of \$100,000 or more.~~ The proof of
 270 insurance must indicate the number of transporter license plates
 271 reported to the insurance company, which shall be the maximum
 272 number of transporter license plates issued to the applicant.
 273 ~~Such~~ A transporter license plate is only valid for use on an
 274 unregistered ~~any~~ motor vehicle in the possession of the
 275 transporter while the motor vehicle is being transported in the

276 | course of the transporter's business and must not be attached to
277 | any vehicle owned by the transporter or his or her business for
278 | which registration would otherwise be required. A person who
279 | sells or unlawfully possesses, distributes, or brokers a
280 | transporter license plate to be attached to any vehicle commits
281 | a misdemeanor of the second degree, punishable as provided in s.
282 | 775.082 or s. 775.083. Any and all transporter license plates
283 | issued are subject to cancellation by the department.

284 | (b) A person who knowingly and willfully sells or
285 | unlawfully possesses, distributes, or brokers a transporter
286 | license plate to avoid registering a vehicle requiring
287 | registration pursuant to this chapter or chapter 319 commits a
288 | misdemeanor of the first degree, punishable as provided in s.
289 | 775.082 or s. 775.083, and is disqualified from transporter
290 | license plate usage. All transporter license plates issued to
291 | the person's business shall be canceled and must be returned to
292 | the department immediately upon disqualification. The
293 | transporter license plate is subject to removal as provided in
294 | subsection (9), and any and all transporter plates issued are
295 | subject to cancellation by the department.

296 | (5) A transporter license plate eligible business issued a
297 | transporter license plate must maintain for 2 years, at its
298 | location, records of each use of each transporter license plate
299 | and evidence that the plate was used as required by this
300 | chapter. Such records must be open to inspection by the

301 department or its agents or any law enforcement officer during
302 reasonable business hours. A person who fails to maintain true
303 and accurate records of any transporter license plate usage or
304 comply with this subsection commits a misdemeanor of the second
305 degree, punishable as provided in s. 775.082 or s. 775.083, may
306 be subject to cancellation of any and all transporter license
307 plates issued, and is automatically disqualified from future
308 transporter license plate issuance.

309 (6) When attached to a motor vehicle, a transporter
310 license plate issued under this section must be accompanied by
311 the registration issued for the license plate by the department
312 and proof of insurance as described in subsection (3). A person
313 who operates a motor vehicle with a transporter license plate
314 attached who fails to provide the documentation listed in this
315 subsection commits a misdemeanor of the second degree,
316 punishable as provided in s. 775.082 or s. 775.083, and the
317 license plate is subject to removal as provided in subsection
318 (9). This subsection does not apply to a person who contracts
319 with dealers and auctions to transport motor vehicles.

320 (7)~~(2)~~ A license plate issued pursuant to subsection (4)
321 ~~(1)~~ must be in a distinctive color approved by the department,
322 and the word "transporter" must appear on the face of the
323 license plate in place of the county name.

324 (8)~~(3)~~ An initial registration or renewal ~~A license plate~~
325 issued under this section is valid for ~~a period of~~ 12 months,

326 beginning January 1 and ending December 31. A ~~No~~ refund of the
327 license tax imposed may not be provided for any unexpired
328 portion of a license period.

329 (9) A license plate attached to a motor vehicle in
330 violation of subsection (4) or subsection (6) must be
331 immediately removed by law enforcement from the motor vehicle to
332 which it was attached and surrendered to the department by the
333 law enforcement agency for cancellation.

334 Section 7. Section 321.25, Florida Statutes, is amended to
335 read:

336 321.25 Training provided at patrol schools; reimbursement
337 of tuition and other course expenses.-

338 (1) The Department of Highway Safety and Motor Vehicles
339 may is authorized to provide for the training of law enforcement
340 officials and individuals in matters relating to the duties,
341 functions, and powers of the Florida Highway Patrol in the
342 schools established by the department for the training of
343 highway patrol candidates and officers. The Department of
344 Highway Safety and Motor Vehicles may is authorized to charge a
345 fee for providing the training authorized by this section. The
346 fee shall be charged to persons attending the training. The fee
347 shall be based on the Department of Highway Safety and Motor
348 Vehicles' costs for providing the training, and such costs may
349 include, but are not limited to, tuition, lodging, and meals.
350 Revenues from the fees shall be used to offset the Department of

351 Highway Safety and Motor Vehicles' costs for providing the
352 training. The cost of training local enforcement officers shall
353 be paid for by their respective offices, counties, or
354 municipalities, as the case may be. Such cost shall be deemed a
355 proper county or municipal expense or a proper expenditure of
356 the office of sheriff.

357 (2) Notwithstanding s. 943.16, a person who attends
358 training under subsection (1) at the expense of the Department
359 of Highway Safety and Motor Vehicles must remain in the
360 employment or appointment of the Florida Highway Patrol for at
361 least 3 years. Once employed, if the person fails to remain
362 employed by the Florida Highway Patrol for at least 3 years from
363 the first date of employment, the person must pay the cost of
364 tuition and other course expenses to the Department of Highway
365 Safety and Motor Vehicles. For purposes of this section, the
366 term "other course expenses" includes the cost of meals.

367 (3) The Department of Highway Safety and Motor Vehicles
368 may institute a civil action to collect the cost of tuition and
369 other course expenses if it is not reimbursed pursuant to
370 subsection (2), provided that the Florida Highway Patrol gave
371 written notification to the person of the 3-year employment
372 commitment during the employment screening process and the
373 person returned signed acknowledgment of receipt of such
374 notification.

375 (4) Notwithstanding any other provision of this section,

376 | the Department of Highway Safety and Motor Vehicles may waive a
 377 | person's requirement of reimbursement in part or in full when
 378 | the person terminates employment due to hardship or extenuating
 379 | circumstances.

380 | Section 8. Subsection (5) of section 322.091, Florida
 381 | Statutes, is amended to read:

382 | 322.091 Attendance requirements.—

383 | (5) REPORTING AND ACCOUNTABILITY.—The department shall
 384 | make available, upon request, a report ~~quarterly~~ to each school
 385 | district of the legal name, sex, date of birth, and social
 386 | security number of each student whose driving privileges have
 387 | been suspended under this section.

388 | Section 9. Subsection (1) of section 322.12, Florida
 389 | Statutes, is amended to read:

390 | 322.12 Examination of applicants.—

391 | (1) It is the intent of the Legislature that every
 392 | applicant for an original driver license in this state be
 393 | required to pass an examination pursuant to this section.
 394 | However, the department may waive the knowledge, endorsement,
 395 | and skills tests for an applicant who is otherwise qualified and
 396 | who surrenders a valid driver license from another state or a
 397 | province of Canada, or a valid driver license issued by the
 398 | United States Armed Forces, if the driver applies for a Florida
 399 | license of an equal or lesser classification. An ~~Any~~ applicant
 400 | who fails to pass the initial knowledge test incurs a \$10 fee

401 for each subsequent test, to be deposited into the Highway
402 Safety Operating Trust Fund, except that if a subsequent test is
403 administered by the tax collector, the tax collector shall
404 retain such \$10 fee. ~~An~~ ~~Any~~ applicant who fails to pass the
405 initial skills test incurs a \$20 fee for each subsequent test,
406 to be deposited into the Highway Safety Operating Trust Fund,
407 except that if a subsequent test is administered by the tax
408 collector, the tax collector shall retain such \$20 fee. A person
409 who seeks to retain a hazardous-materials endorsement, pursuant
410 to s. 322.57(1)(e), must pass the hazardous-materials test, upon
411 surrendering his or her commercial driver license, if the person
412 has not taken and passed the hazardous-materials test within 2
413 years before applying for a commercial driver license in this
414 state.

415 Section 10. Paragraph (b) of subsection (1) of section
416 322.17, Florida Statutes, is amended to read:

417 322.17 Replacement licenses, identification cards, and
418 permits.—

419 (1)

420 (b) In the event that an instruction permit, ~~or~~ driver
421 license, or identification card issued under ~~the provisions of~~
422 this chapter is stolen, the person to whom the same was issued
423 may, at no charge, obtain a replacement upon furnishing proof
424 satisfactory to the department that such permit, ~~or~~ license, or
425 card was stolen and further furnishing the person's full name,

426 date of birth, sex, residence and mailing address, proof of
427 birth satisfactory to the department, and proof of identity
428 satisfactory to the department.

429 Section 11. Paragraphs (e) and (i) of subsection (1) and
430 subsection (8) of section 322.21, Florida Statutes, are amended,
431 and subsection (10) is added to that section, to read:

432 322.21 License fees; procedure for handling and collecting
433 fees.—

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

435 (e) A replacement driver license issued pursuant to s.
436 322.17 is \$25. Of this amount, \$7 shall be deposited into the
437 Highway Safety Operating Trust Fund and \$18 shall be deposited
438 into the General Revenue Fund. ~~Beginning July 1, 2015, or upon~~
439 ~~completion of the transition of driver license issuance~~
440 ~~services,~~ If the replacement driver license is issued by the tax
441 collector, the tax collector shall retain the \$7 that would
442 otherwise be deposited into the Highway Safety Operating Trust
443 Fund and the remaining revenues shall be deposited into the
444 General Revenue Fund.

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

449 ~~1. Fifty percent shall be distributed as provided in s.~~
450 ~~320.08058 to the appropriate state or independent university,~~

451 ~~professional sports team, or branch of the United States Armed~~
452 ~~Forces.~~

453 ~~2. Fifty percent shall be distributed to the department~~
454 ~~for costs directly related to the specialty driver license and~~
455 ~~identification card program and to defray the costs associated~~
456 ~~with production enhancements and distribution.~~

457 (8) A ~~Any~~ person who applies for reinstatement following
458 the suspension or revocation of the person's driver license must
459 pay a service fee of \$45 following a suspension, and \$75
460 following a revocation, which is in addition to the fee for a
461 license. A ~~Any~~ person who applies for reinstatement of a
462 commercial driver license following the disqualification of the
463 person's privilege to operate a commercial motor vehicle shall
464 pay a service fee of \$75, which is in addition to the fee for a
465 license. The department shall collect all of these fees at the
466 time of reinstatement. The department shall issue proper
467 receipts for such fees and shall promptly transmit all funds
468 received by it as follows:

469 (a) Of the \$45 fee received from a licensee for
470 reinstatement following a suspension:

471 1. If the reinstatement is processed by the department,
472 the department shall deposit \$15 in the General Revenue Fund and
473 \$30 in the Highway Safety Operating Trust Fund.

474 2. If the reinstatement is processed by the tax collector,
475 \$15 shall be retained by the tax collector, \$15 shall be

476 deposited into the Highway Safety Operating Trust Fund, and \$15
477 shall be deposited into the General Revenue Fund.

478 (b) Of the \$75 fee received from a licensee for
479 reinstatement following a revocation or disqualification:

480 1. If the reinstatement is processed by the department,
481 the department shall deposit \$35 in the General Revenue Fund and
482 \$40 in the Highway Safety Operating Trust Fund.

483 2. If the reinstatement is processed by the tax collector,
484 \$20 shall be retained by the tax collector, \$20 shall be
485 deposited into the Highway Safety Operating Trust Fund, and \$35
486 shall be deposited into the General Revenue Fund.

487

488 If the revocation or suspension of the driver license was for a
489 violation of s. 316.193, or for refusal to submit to a lawful
490 breath, blood, or urine test, an additional fee of \$130 must be
491 charged. However, only one \$130 fee may be collected from one
492 person convicted of violations arising out of the same incident.
493 The department shall collect the \$130 fee and deposit the fee
494 into the Highway Safety Operating Trust Fund at the time of
495 reinstatement of the person's driver license, but the fee may
496 not be collected if the suspension or revocation is overturned.
497 If the revocation or suspension of the driver license was for a
498 conviction for a violation of s. 817.234(8) or (9) or s.
499 817.505, an additional fee of \$180 is imposed for each offense.
500 The department shall collect and deposit the additional fee into

501 the Highway Safety Operating Trust Fund at the time of
502 reinstatement of the person's driver license.

503 (10) An applicant for a renewal or duplicate driver
504 license or identification card submitted to the department using
505 a convenience service shall be provided with an option for
506 expedited shipping whereby the department, at the applicant's
507 request, shall issue the license or identification card within 5
508 working days after receipt of the application and ship the
509 license or card using an expedited mail service. A fee shall be
510 charged for the expedited shipping option, not to exceed the
511 cost of the expedited mail service, which is in addition to fees
512 imposed by s. 322.051 or this section, or for the convenience
513 service. Fees collected for the expedited shipping option shall
514 be deposited into the General Revenue Fund.

515 Section 12. Subsection (1) of section 322.61, Florida
516 Statutes, is amended to read:

517 322.61 Disqualification from operating a commercial motor
518 vehicle.—

519 (1) A person who, for offenses occurring within a 3-year
520 period, is convicted of two of the following serious traffic
521 violations, or any combination thereof, arising in separate
522 incidents committed in a commercial motor vehicle shall, in
523 addition to any other applicable penalties, be disqualified from
524 operating a commercial motor vehicle for a period of 60 days. A
525 holder of a commercial driver license or commercial learner's

526 | permit who, for offenses occurring within a 3-year period, is
 527 | convicted of two of the following serious traffic violations, or
 528 | any combination thereof, arising in separate incidents committed
 529 | in a noncommercial motor vehicle shall, in addition to any other
 530 | applicable penalties, be disqualified from operating a
 531 | commercial motor vehicle for a period of 60 days if such
 532 | convictions result in the suspension, revocation, or
 533 | cancellation of the licenseholder's driving privilege:

- 534 | (a) A violation of any state or local law relating to
- 535 | motor vehicle traffic control, other than a parking violation,
- 536 | arising in connection with a crash resulting in death;
- 537 | (b) Reckless driving, as defined in s. 316.192;
- 538 | (c) Unlawful speed of 15 miles per hour or more above the
- 539 | posted speed limit;
- 540 | (d) Improper lane change, as defined in s. 316.085;
- 541 | (e) Following too closely, as defined in s. 316.0895;
- 542 | (f) Using a wireless communications device while driving,
- 543 | as provided in s. 316.305;
- 544 | (g) Using a handheld mobile telephone while driving;
- 545 | (h) ~~(f)~~ Driving a commercial vehicle without obtaining a
- 546 | commercial driver license;
- 547 | (i) ~~(g)~~ Driving a commercial vehicle without the proper
- 548 | class of commercial driver license or commercial learner's
- 549 | permit or without the proper endorsement; or
- 550 | (j) ~~(h)~~ Driving a commercial vehicle without a commercial

551 driver license or commercial learner's permit in possession, as
552 required by s. 322.03.

553 (2) (a) Any person who, for offenses occurring within a 3-
554 year period, is convicted of three serious traffic violations
555 specified in subsection (1) or any combination thereof, arising
556 in separate incidents committed in a commercial motor vehicle
557 shall, in addition to any other applicable penalties, including
558 but not limited to the penalty provided in subsection (1), be
559 disqualified from operating a commercial motor vehicle for a
560 period of 120 days.

561 (b) A holder of a commercial driver license or commercial
562 learner's permit who, for offenses occurring within a 3-year
563 period, is convicted of three serious traffic violations
564 specified in subsection (1) or any combination thereof arising
565 in separate incidents committed in a noncommercial motor vehicle
566 shall, in addition to any other applicable penalties, including,
567 but not limited to, the penalty provided in subsection (1), be
568 disqualified from operating a commercial motor vehicle for a
569 period of 120 days if such convictions result in the suspension,
570 revocation, or cancellation of the licenseholder's driving
571 privilege.

572 Section 13. This act shall take effect October 1, 2017.