

1 A bill to be entitled

2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 320.0605, F.S.;
4 authorizing presentation of electronic documentation
5 of certain information to a law enforcement officer or
6 agent of the department; providing construction;
7 providing for liability; revising information required
8 in such documentation; amending s. 320.131, F.S.;
9 authorizing the department to partner with county tax
10 collectors to issue temporary tags to fleet vehicles;
11 requiring the department to establish a memorandum of
12 understanding with a fleet company; providing company
13 eligibility requirements; providing requirements for
14 tag issuance, use, and invalidation; providing for
15 disciplinary action under certain circumstances;
16 amending s. 322.38, F.S.; revising requirements for
17 renting a motor vehicle to another person; providing
18 an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 320.0605, Florida Statutes, is amended
23 to read:

24 320.0605 Certificate of registration; possession required;
25 exception.—

26 (1) (a) The registration certificate or an official copy
27 thereof, a true copy or electronic copy of rental or lease
28 documentation issued for a motor vehicle or issued for a
29 replacement vehicle in the same registration period, a temporary
30 receipt printed upon self-initiated electronic renewal of a
31 registration via the Internet, or a cab card issued for a
32 vehicle registered under the International Registration Plan
33 shall, at all times while the vehicle is being used or operated
34 on the roads of this state, be in the possession of the operator
35 thereof or be carried in the vehicle for which issued and shall
36 be exhibited upon demand of any authorized law enforcement
37 officer or any agent of the department, except for a vehicle
38 registered under s. 320.0657. ~~The provisions of~~ This section
39 does ~~de~~ not apply during the first 30 days after purchase of a
40 replacement vehicle. A violation of this section is a
41 noncriminal traffic infraction, punishable as a nonmoving
42 violation as provided in chapter 318.

43 (b)1. The act of presenting to a law enforcement officer
44 or agent of the department an electronic device displaying an
45 electronic copy of rental or lease documentation does not
46 constitute consent for the officer or agent to access any
47 information on the device other than the displayed rental or
48 lease documentation.

49 2. The person who presents the device to the officer or
50 agent assumes the liability for any resulting damage to the

51 device.

52 (2) Rental or lease documentation that is sufficient to
 53 satisfy the requirement in subsection (1) includes the
 54 following:

- 55 (a) ~~Date of rental and time of exit from rental facility;~~
- 56 (b) Rental station identification;
- 57 (c) Rental agreement number;
- 58 (d) Rental vehicle identification number;
- 59 (e) Rental vehicle license plate number and state of
 60 registration;
- 61 (f) Vehicle's make, model, and color;
- 62 (g) Vehicle's mileage; and
- 63 (h) Authorized renter's name.

64 Section 2. Subsection (10) is added to section 320.131,
 65 Florida Statutes, to read:

66 320.131 Temporary tags.—

67 (10) The department may partner with a county tax
 68 collector to issue temporary tags to fleet companies to allow
 69 them to operate fleet vehicles awaiting a permanent registration
 70 and title.

71 (a) The department shall establish a memorandum of
 72 understanding that allows a fleet company to receive multiple
 73 temporary tags for company fleet vehicles.

74 (b) To receive temporary tags under this subsection, a
 75 fleet company must have a minimum of 3,500 fleet vehicles

76 registered in this state that qualify to be registered as fleet
 77 vehicles pursuant to s. 320.0657.

78 (c) The department may issue up to 50 temporary tags at a
 79 time to an eligible fleet company if requested by such company.

80 (d) A temporary tag issued under this subsection is for
 81 exclusive use for a vehicle purchased for the company's fleet
 82 and may not be used on any other vehicle. Each temporary tag may
 83 be used by only one vehicle, and each vehicle may use only one
 84 temporary tag.

85 (e) Upon issuance of the vehicle's permanent license plate
 86 and registration, the temporary tag is invalid and must be
 87 removed from the vehicle and destroyed.

88 (f) Upon a finding by the department that a temporary tag
 89 has been misused by a fleet company under this subsection, the
 90 department may terminate the memorandum of understanding with
 91 the company, invalidate all temporary tags issued to the company
 92 under this subsection, and require such company to return any
 93 unused temporary tags.

94 Section 3. Section 322.38, Florida Statutes, is amended to
 95 read:

96 322.38 Renting motor vehicle to another.-

97 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any
 98 other person unless the other ~~latter~~ person is ~~then~~ duly
 99 licensed, or, if a nonresident, ~~he or she shall be licensed~~
 100 under the laws of the state or country of his or her residence,

101 | except a nonresident whose home state or country does not
 102 | require that an operator be licensed.

103 | (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to
 104 | another until he or she has inspected the driver license of the
 105 | person to whom the vehicle is to be rented, and has ~~compared and~~
 106 | verified that the driver license is unexpired ~~signature thereon~~
 107 | ~~with the signature of such person written in his or her~~
 108 | ~~presence.~~

109 | (3) Every person renting a motor vehicle to another shall
 110 | keep a record of the registration number of the motor vehicle so
 111 | rented, the name and address of the person to whom the vehicle
 112 | is rented, the number of the license of said latter person, and
 113 | ~~the date and place when and where the said~~ license was issued.
 114 | Such record shall be open to inspection by any police officer,
 115 | or officer or employee of the department.

116 | (4) If a rental car company rents a motor vehicle to a
 117 | person through digital, electronic, or other means which allows
 118 | the renter to obtain possession of the motor vehicle without
 119 | direct contact with an agent or employee of the rental car
 120 | company, or where the renter does not execute a rental contract
 121 | at the time he or she takes possession of the vehicle, the
 122 | rental car company shall be deemed to have met all obligations
 123 | of subsections (1) and (2) when the rental car company, at the
 124 | time the renter enrolls in a membership program, master
 125 | agreement, or other means of establishing use of the rental car

126 | company's services, or any time thereafter, requires the renter
127 | to verify that he or she is duly licensed and that the license
128 | is unexpired.

129 | Section 4. This act shall take effect October 1, 2018.