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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. 316.126, F.S.; requiring the driver of
7 every other vehicle to take specified actions if a
8 utility service vehicle displaying any visual signals
9 or a service patrol vehicle displaying amber rotating
10 or flashing lights is performing certain tasks on the
11 roadside; amending s. 316.193, F.S.; authorizing, as
12 of a specified date, a specified court to order a
13 certain qualified sobriety and drug monitoring program
14 under a specified pilot program as an alternative to
15 the placement of an ignition interlock device;
16 deleting obsolete provisions; deleting provisions
17 relating to a qualified sobriety and drug monitoring
18 program; directing the department to adopt rules
19 providing for the implementation of the use of certain
20 qualified sobriety and drug monitoring programs;
21 redefining the terms "qualified sobriety and drug
22 monitoring program" and "evidence-based program";
23 creating a qualified sobriety and drug monitoring
24 pilot program effective on a specified date, subject
25 to certain requirements; requiring a specified court
26 to provide a report to the Governor and the
27 Legislature by a specified date; amending s. 316.1937,
28 F.S.; authorizing, as of a specified date, a specified
29 court to order a certain qualified sobriety and drug

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30 monitoring program under a specified pilot program as
31 an alternative to the placement of an ignition
32 interlock device; amending s. 316.235, F.S.; revising
33 requirements relating to a deceleration lighting
34 system for buses; amending s. 316.303, F.S.; revising
35 the prohibition from operating, under certain
36 circumstances, a motor vehicle that is equipped with
37 television-type receiving equipment; providing
38 exceptions to the prohibition against actively
39 displaying moving television broadcast or pre-recorded
40 video entertainment content in vehicles; amending s.
41 319.30, F.S.; authorizing insurance companies to
42 receive a salvage certificate of title or certificate
43 of destruction from the department after a specified
44 number of days after payment of a claim as of a
45 specified date, subject to certain requirements;
46 requiring insurance companies seeking such title or
47 certificate of destruction to follow a specified
48 procedure; providing requirements for the request;
49 amending s. 320.02, F.S.; increasing the timeframe
50 within which the owner of any motor vehicle registered
51 in the state must notify the department of a change of
52 address; providing exceptions to such notification;
53 amending s. 320.03, F.S.; providing that an authorized
54 electronic filing agent may charge a fee to the
55 customer for use of the electronic filing system if a
56 specified disclosure is made; amending s. 320.07,
57 F.S.; prohibiting a law enforcement officer from
58 issuing a citation for a specified violation until a

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59 certain date; amending s. 320.08053, F.S.; revising
60 presale requirements for issuance of a specialty
61 license plate; amending s. 320.08056, F.S.; revising
62 conditions for discontinuing issuance of a specialty
63 license plate; providing an exception to the minimum
64 requirements for certain specialty license plates;
65 amending s. 320.08062, F.S.; directing the department
66 to audit certain organizations that receive funds from
67 the sale of specialty license plates; amending s.
68 320.0843, F.S.; providing for a license plate that
69 combines the Purple Heart license plate with the
70 license plate for persons with disabilities; providing
71 for issuance of such plate to qualified persons;
72 requiring certain wording and symbols on the plate;
73 amending s. 320.64, F.S.; revising provisions for
74 denial, suspension, or revocation of the license of a
75 manufacturer, factory branch, distributor, or importer
76 of motor vehicles; revising provisions for certain
77 audits of service-related payments or incentive
78 payments to a dealer by an applicant or licensee and
79 the timeframe for the performance of such audits;
80 defining the term "incentive"; revising provisions for
81 denial or chargeback of claims; revising provisions
82 that prohibit certain adverse actions against a dealer
83 that sold or leased a motor vehicle to a customer who
84 exported the vehicle to a foreign country or who
85 resold the vehicle; revising conditions for taking
86 such adverse actions; prohibiting failure to make
87 certain payments to a motor vehicle dealer for

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88 temporary replacement vehicles under certain
89 circumstances; prohibiting requiring or coercing a
90 dealer to purchase goods or services from a vendor
91 designated by the applicant or licensee unless certain
92 conditions are met; providing procedures for approval
93 of a dealer to purchase goods or services from a
94 vendor not designated by the applicant or licensee;
95 defining the term "goods or services"; amending s.
96 322.051, F.S.; authorizing the international symbol
97 for the deaf and hard of hearing to be exhibited on
98 the identification card of a person who is deaf or
99 hard of hearing; requiring a fee for the exhibition of
100 the symbol on the card; authorizing a replacement
101 identification card with the symbol without payment of
102 a specified fee under certain circumstances; providing
103 the international symbol for the deaf and hard of
104 hearing; requiring the department to issue or renew an
105 identification card to certain juvenile offenders;
106 requiring that the department's mobile issuing units
107 process certain identification cards at no charge;
108 amending s. 322.14, F.S.; authorizing the
109 international symbol for the deaf and hard of hearing
110 to be exhibited on the driver license of a person who
111 is deaf or hard of hearing; requiring a fee for the
112 exhibition of the symbol on the license; authorizing a
113 replacement license without payment of a specified fee
114 under certain circumstances; providing applicability;
115 amending s. 322.19, F.S.; increasing the timeframe
116 within which certain persons must obtain a replacement

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117 driver license or identification card that reflects a
118 change in his or her legal name; providing exceptions
119 to such requirement; increasing the timeframe within
120 which certain persons must obtain a replacement driver
121 license or identification card that reflects a change
122 in the legal residence or mailing address in his or
123 her application, license, or card; amending s. 322.21,
124 F.S.; exempting certain juvenile offenders from a
125 specified fee for an original, renewal, or replacement
126 identification card; amending s. 322.221, F.S.;
127 requiring the department to issue an identification
128 card at no cost at the time a person's driver license
129 is suspended or revoked due to his or her physical or
130 mental condition; amending s. 322.251, F.S.; requiring
131 the department to include in a certain notice a
132 specified statement; amending s. 322.2715, F.S.;
133 requiring the department to use a certain qualified
134 sobriety and drug monitoring program as an alternative
135 to the placement of an ignition interlock device as of
136 a specified date under certain circumstances; amending
137 s. 765.521, F.S.; requiring the department to maintain
138 an integrated link on its website referring certain
139 visitors to a donor registry; directing the Department
140 of Transportation to study the operation of driver-
141 assistive truck platooning technology; authorizing the
142 Department of Transportation to conduct a pilot
143 project to test such operation; providing security
144 requirements; requiring a report to the Governor and
145 Legislature; providing effective dates.

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

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

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

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

(95) DRIVER-ASSISTIVE TRUCK PLATOONING TECHNOLOGY.—Vehicle automation and safety technology that integrates sensor array, wireless vehicle-to-vehicle communications, active safety systems, and specialized software to link safety systems and synchronize acceleration and braking between two vehicles while leaving each vehicle's steering control and systems command in the control of the vehicle's driver in compliance with the National Highway Traffic Safety Administration rules regarding vehicle-to-vehicle communications.

Section 2. Section 316.126, Florida Statutes, is amended to read:

316.126 Operation of vehicles and actions of pedestrians on

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175 approach of an authorized emergency, sanitation, ~~or~~ utility
176 service vehicle, or service patrol vehicle.-

177 (1) (a) Upon the immediate approach of an authorized
178 emergency vehicle, while en route to meet an existing emergency,
179 the driver of every other vehicle shall, when such emergency
180 vehicle is giving audible signals by siren, exhaust whistle, or
181 other adequate device, or visible signals by the use of
182 displayed blue or red lights, yield the right-of-way to the
183 emergency vehicle and shall immediately proceed to a position
184 parallel to, and as close as reasonable to the closest edge of
185 the curb of the roadway, clear of any intersection and shall
186 stop and remain in position until the authorized emergency
187 vehicle has passed, unless otherwise directed by a law
188 enforcement officer.

189 (b) If an authorized emergency vehicle displaying any
190 visual signals is parked on the roadside, a sanitation vehicle
191 is performing a task related to the provision of sanitation
192 services on the roadside, a utility service vehicle displaying
193 any visual signals is performing a task related to the provision
194 of utility services on the roadside, ~~or~~ a wrecker displaying
195 amber rotating or flashing lights is performing a recovery or
196 loading on the roadside, or a service patrol vehicle displaying
197 amber rotating or flashing lights is performing official duties
198 or services on the roadside, the driver of every other vehicle,
199 as soon as it is safe:

200 1. Shall vacate the lane closest to the emergency vehicle,
201 sanitation vehicle, utility service vehicle, ~~or~~ wrecker, or
202 service patrol vehicle when driving on an interstate highway or
203 other highway with two or more lanes traveling in the direction

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204 of the emergency vehicle, sanitation vehicle, utility service
205 vehicle, ~~or wrecker,~~ or service patrol vehicle except when
206 otherwise directed by a law enforcement officer. If such
207 movement cannot be safely accomplished, the driver shall reduce
208 speed as provided in subparagraph 2.

209 2. Shall slow to a speed that is 20 miles per hour less
210 than the posted speed limit when the posted speed limit is 25
211 miles per hour or greater; or travel at 5 miles per hour when
212 the posted speed limit is 20 miles per hour or less, when
213 driving on a two-lane road, except when otherwise directed by a
214 law enforcement officer.

215 (c) The Department of Highway Safety and Motor Vehicles
216 shall provide an educational awareness campaign informing the
217 motoring public about the Move Over Act. The department shall
218 provide information about the Move Over Act in all newly printed
219 driver license educational materials.

220 (2) Every pedestrian using the road right-of-way shall
221 yield the right-of-way until the authorized emergency vehicle
222 has passed, unless otherwise directed by a law enforcement
223 officer.

224 (3) An authorized emergency vehicle, when en route to meet
225 an existing emergency, shall warn all other vehicular traffic
226 along the emergency route by an audible signal, siren, exhaust
227 whistle, or other adequate device or by a visible signal by the
228 use of displayed blue or red lights. While en route to such
229 emergency, the emergency vehicle shall otherwise proceed in a
230 manner consistent with the laws regulating vehicular traffic
231 upon the highways of this state.

232 (4) This section does not diminish or enlarge any rules of

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233 evidence or liability in any case involving the operation of an
234 emergency vehicle.

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

238 (6) A violation of this section is a noncriminal traffic
239 infraction, punishable pursuant to chapter 318 as either a
240 moving violation for infractions of subsection (1) or subsection
241 (3), or as a pedestrian violation for infractions of subsection
242 (2).

243 Section 3. Subsection (2), present paragraph (j) of
244 subsection (6), and subsection (11) of section 316.193, Florida
245 Statutes, are amended, present paragraphs (k), (l), and (m) of
246 subsection (6) are redesignated as paragraphs (j), (k), and (l),
247 respectively, and subsections (15) and (16) are added to that
248 section, to read:

249 316.193 Driving under the influence; penalties.—

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

253 1. By a fine of:

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

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

258 2. By imprisonment for:

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

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

261 3. For a second conviction, by mandatory placement for a

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262 period of at least 1 year, at the convicted person's sole
263 expense, of an ignition interlock device approved by the
264 department in accordance with s. 316.1938 upon all vehicles that
265 are individually or jointly leased or owned and routinely
266 operated by the convicted person, when the convicted person
267 qualifies for a permanent or restricted license. Effective
268 October 1, 2016, the court in the Fourth Judicial Circuit may
269 order an offender to participate in a qualified sobriety and
270 drug monitoring program, as defined in subsection (15) and
271 authorized by 23 U.S.C. s. 164, under the pilot program in
272 subsection (16), as an alternative to the placement of an
273 ignition interlock device required by this section ~~The~~
274 ~~installation of such device may not occur before July 1, 2003.~~

275 (b)1. Any person who is convicted of a third violation of
276 this section for an offense that occurs within 10 years after a
277 prior conviction for a violation of this section commits a
278 felony of the third degree, punishable as provided in s.
279 775.082, s. 775.083, or s. 775.084. In addition, the court shall
280 order the mandatory placement for a period of not less than 2
281 years, at the convicted person's sole expense, of an ignition
282 interlock device approved by the department in accordance with
283 s. 316.1938 upon all vehicles that are individually or jointly
284 leased or owned and routinely operated by the convicted person,
285 when the convicted person qualifies for a permanent or
286 restricted license. Effective October 1, 2016, the court in the
287 Fourth Judicial Circuit may order an offender to participate in
288 a qualified sobriety and drug monitoring program, as defined in
289 subsection (15) and authorized by 23 U.S.C. s. 164, under the
290 pilot program in subsection (16), as an alternative to the

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291 placement of an ignition interlock device required by this
292 section ~~The installation of such device may not occur before~~
293 ~~July 1, 2003.~~

294 2. Any person who is convicted of a third violation of this
295 section for an offense that occurs more than 10 years after the
296 date of a prior conviction for a violation of this section shall
297 be punished by a fine of not less than \$2,000 or more than
298 \$5,000 and by imprisonment for not more than 12 months. In
299 addition, the court shall order the mandatory placement for a
300 period of at least 2 years, at the convicted person's sole
301 expense, of an ignition interlock device approved by the
302 department in accordance with s. 316.1938 upon all vehicles that
303 are individually or jointly leased or owned and routinely
304 operated by the convicted person, when the convicted person
305 qualifies for a permanent or restricted license. Effective
306 October 1, 2016, the court in the Fourth Judicial Circuit may
307 order an offender to participate in a qualified sobriety and
308 drug monitoring program, as defined in subsection (15) and
309 authorized by 23 U.S.C. s. 164, under the pilot program in
310 subsection (16), as an alternative to the placement of an
311 ignition interlock device required by this section ~~The~~
312 ~~installation of such device may not occur before July 1, 2003.~~

313 3. Any person who is convicted of a fourth or subsequent
314 violation of this section, regardless of when any prior
315 conviction for a violation of this section occurred, commits a
316 felony of the third degree, punishable as provided in s.
317 775.082, s. 775.083, or s. 775.084. However, the fine imposed
318 for such fourth or subsequent violation may be not less than
319 \$2,000.

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320 (c) In addition to the penalties in paragraph (a), the
321 court may order placement, at the convicted person's sole
322 expense, of an ignition interlock device approved by the
323 department in accordance with s. 316.1938 for at least 6
324 continuous months upon all vehicles that are individually or
325 jointly leased or owned and routinely operated by the convicted
326 person if, at the time of the offense, the person had a blood-
327 alcohol level or breath-alcohol level of .08 or higher.

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

331 ~~(j)1. Notwithstanding the provisions of this section, s.~~
332 ~~316.1937, and s. 322.2715 relating to ignition interlock devices~~
333 ~~required for second or subsequent offenders, in order to~~
334 ~~strengthen the pretrial and posttrial options available to~~
335 ~~prosecutors and judges, the court may order, if deemed~~
336 ~~appropriate, that a person participate in a qualified sobriety~~
337 ~~and drug monitoring program, as defined in subparagraph 2., in~~
338 ~~addition to the ignition interlock device requirement.~~
339 ~~Participation shall be at the person's sole expense.~~

340 ~~2. As used in this paragraph, the term "qualified sobriety~~
341 ~~and drug monitoring program" means an evidence-based program,~~
342 ~~approved by the department, in which participants are regularly~~
343 ~~tested for alcohol and drug use. As the court deems appropriate,~~
344 ~~the program may monitor alcohol or drugs through one or more of~~
345 ~~the following modalities: breath testing twice a day; continuous~~
346 ~~transdermal alcohol monitoring in cases of hardship; or random~~
347 ~~blood, breath, urine, or oral fluid testing. Testing modalities~~
348 ~~that provide the best ability to sanction a violation as close~~

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349 ~~in time as reasonably feasible to the occurrence of the~~
350 ~~violation should be given preference. This paragraph does not~~
351 ~~preclude a court from ordering an ignition interlock device as a~~
352 ~~testing modality.~~

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

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

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

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

362

363 For the purposes of this section, any conviction for a violation
364 of s. 327.35; a previous conviction for the violation of former
365 s. 316.1931, former s. 860.01, or former s. 316.028; or a
366 previous conviction outside this state for driving under the
367 influence, driving while intoxicated, driving with an unlawful
368 blood-alcohol level, driving with an unlawful breath-alcohol
369 level, or any other similar alcohol-related or drug-related
370 traffic offense, is also considered a previous conviction for
371 violation of this section. However, in satisfaction of the fine
372 imposed pursuant to this section, the court may, upon a finding
373 that the defendant is financially unable to pay either all or
374 part of the fine, order that the defendant participate for a
375 specified additional period of time in public service or a
376 community work project in lieu of payment of that portion of the
377 fine which the court determines the defendant is unable to pay.

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378 In determining such additional sentence, the court shall
379 consider the amount of the unpaid portion of the fine and the
380 reasonable value of the services to be ordered; however, the
381 court may not compute the reasonable value of services at a rate
382 less than the federal minimum wage at the time of sentencing.

383 (11) The Department of Highway Safety and Motor Vehicles is
384 directed to adopt rules providing for the implementation of the
385 use of ignition interlock devices and qualified sobriety and
386 drug monitoring programs, as defined in subsection (15), to be
387 used in the pilot program under subsection (16).

388 (15) As used in this chapter and chapter 322, the term:

389 (a) "Qualified sobriety and drug monitoring program" means
390 an evidence-based program approved by the department which
391 authorizes a court or an agency with jurisdiction, as a
392 condition of bond, sentence, probation, parole, or restricted
393 driving privileges, to require a person who was arrested for,
394 pleaded guilty to, or was convicted of driving under the
395 influence of alcohol or drugs to be regularly tested for alcohol
396 and drug use. As the court deems appropriate, the program shall
397 monitor alcohol or drugs through one or more of the following
398 modalities: breath testing twice a day at a testing location;
399 continuous transdermal alcohol monitoring via an electronic
400 monitoring device; random blood, breath, or urine testing; or
401 drug patch or oral fluid testing. Testing modalities that
402 provide the best ability to detect a violation as close in time
403 as reasonably feasible to the occurrence of the violation should
404 be given preference. Participation shall be at the person's sole
405 expense.

406 (b) "Evidence-based program" means a program that satisfies

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407 the requirements of at least two of the following:

408 1. The program is included in the federal registry of
409 evidence-based programs and practices.

410 2. The program has been reported in a peer-reviewed journal
411 as having positive effects on the primary targeted outcome.

412 3. The program has been documented as effective by informed
413 experts and other sources.

414 (16) The Fourth Judicial Circuit, in coordination with the
415 department, shall implement a qualified sobriety and drug
416 monitoring pilot program effective October 1, 2016, for offenses
417 where an ignition interlock device is mandated under
418 subparagraphs (2) (a)3., (2) (b)1., and (2) (b)2. The Fourth
419 Judicial Circuit may order a qualified sobriety and drug
420 monitoring program, as defined in subsection (15) and authorized
421 by 23 U.S.C. s. 164, as an alternative to the ignition interlock
422 device. The Fourth Judicial Circuit shall provide a report on
423 the results of the pilot program to the Governor, the President
424 of the Senate, and the Speaker of the House of Representatives
425 by March 1, 2018.

426 Section 4. Subsection (1) of section 316.1937, Florida
427 Statutes, is amended to read:

428 316.1937 Ignition interlock devices, requiring; unlawful
429 acts.—

430 (1) In addition to any other authorized penalties, the
431 court may require that any person who is convicted of driving
432 under the influence in violation of s. 316.193 shall not operate
433 a motor vehicle unless that vehicle is equipped with a
434 functioning ignition interlock device certified by the
435 department as provided in s. 316.1938, and installed in such a

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436 manner that the vehicle will not start if the operator's blood
437 alcohol level is in excess of 0.025 percent or as otherwise
438 specified by the court. The court may require the use of an
439 approved ignition interlock device for a period of at least 6
440 continuous months, if the person is permitted to operate a motor
441 vehicle, whether or not the privilege to operate a motor vehicle
442 is restricted, as determined by the court. The court, however,
443 shall order placement of an ignition interlock device in those
444 circumstances required by s. 316.193. Effective October 1, 2016,
445 for offenses where an ignition interlock device is mandated
446 under s. 316.193(2)(a)3., (2)(b)1., and (2)(b)2., the court in
447 the Fourth Judicial Circuit may order a qualified sobriety and
448 drug monitoring program, as defined in s. 316.193(15) and
449 authorized by 23 U.S.C. s. 164, under the pilot program in s.
450 316.193(16) as an alternative to the ignition interlock device.

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

453 316.235 Additional lighting equipment.—

454 (5) A bus, ~~as defined in s. 316.003(3),~~ may be equipped
455 with a deceleration lighting system that ~~which~~ cautions
456 following vehicles that the bus is slowing, is preparing to
457 stop, or is stopped. Such lighting system shall consist of red
458 or amber lights mounted in horizontal alignment on the rear of
459 the vehicle at ~~or near~~ the vertical centerline of the vehicle,
460 no greater than 12 inches apart, not higher than the lower edge
461 of the rear window or, if the vehicle has no rear window, not
462 higher than 100 ~~72~~ inches from the ground. Such lights shall be
463 visible from a distance of not less than 300 feet to the rear in
464 normal sunlight. Lights are permitted to light and flash during

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465 deceleration, braking, or standing and idling of the bus.
466 Vehicular hazard warning flashers may be used in conjunction
467 with or in lieu of a rear-mounted deceleration lighting system.

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

470 316.303 Television receivers.—

471 (1) No motor vehicle may be operated on the highways of
472 this state if the vehicle is actively displaying moving
473 television broadcast or pre-recorded video entertainment content
474 that is shall be equipped with television-type receiving
475 equipment so located that the viewer or screen is visible from
476 the driver's seat while the vehicle is in motion, unless the
477 vehicle is equipped with autonomous technology, as defined in s.
478 316.003(90), and is being operated in autonomous mode, as
479 provided in s. 316.85(2).

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

485 Section 7. Paragraph (b) of subsection (3) of section
486 319.30, Florida Statutes, is amended, and paragraph (c) is added
487 to that subsection, to read:

488 319.30 Definitions; dismantling, destruction, change of
489 identity of motor vehicle or mobile home; salvage.—

490 (3)

491 (b) The owner, including persons who are self-insured, of a
492 motor vehicle or mobile home that is considered to be salvage
493 shall, within 72 hours after the motor vehicle or mobile home

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494 becomes salvage, forward the title to the motor vehicle or
495 mobile home to the department for processing. However, an
496 insurance company that pays money as compensation for the total
497 loss of a motor vehicle or mobile home shall obtain the
498 certificate of title for the motor vehicle or mobile home, make
499 the required notification to the National Motor Vehicle Title
500 Information System, and, within 72 hours after receiving such
501 certificate of title, forward such title to the department for
502 processing. The owner or insurance company, as applicable, may
503 not dispose of a vehicle or mobile home that is a total loss
504 before it obtains a salvage certificate of title or certificate
505 of destruction from the department. Effective July 1, 2023:

506 1. Thirty days after payment of a claim for compensation
507 pursuant to this paragraph, the insurance company may receive a
508 salvage certificate of title or certificate of destruction from
509 the department if it is unable to obtain a properly assigned
510 certificate of title from the owner or lienholder of the motor
511 vehicle or mobile home, if the motor vehicle or mobile home does
512 not carry an electronic lien on the title and the insurance
513 company:

514 a. Has obtained the release of all liens on the motor
515 vehicle or mobile home;

516 b. Has provided proof of payment of the total loss claim;
517 and

518 c. Has provided an affidavit on letterhead signed by an
519 insurance company or an authorized agent of the insurance
520 company stating the attempts which have been made to obtain the
521 title from the owner or lienholder and further stating that all
522 attempts are to no avail. The affidavit must include a request

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523 that the salvage certificate of title or certificate of
524 destruction be issued in the insurance company's name due to
525 payment of a total loss claim to the owner or lienholder. The
526 attempts to contact the owner may be by written request
527 delivered in person or by first-class mail with a certificate of
528 mailing to the owner's or lienholder's last known address.

529 2. If the owner or lienholder is notified of the request
530 for title in person, the insurance company must provide an
531 affidavit attesting to the in-person request for a certificate
532 of title.

533 3. The request to the owner or lienholder for the
534 certificate of title must include a complete description of the
535 motor vehicle or mobile home and the statement that a total loss
536 claim has been paid on the motor vehicle or mobile home.

537 (c) When applying for a salvage certificate of title or
538 certificate of destruction, the owner or insurance company must
539 provide the department with an estimate of the costs of
540 repairing the physical and mechanical damage suffered by the
541 vehicle for which a salvage certificate of title or certificate
542 of destruction is sought. If the estimated costs of repairing
543 the physical and mechanical damage to the mobile home are equal
544 to 80 percent or more of the current retail cost of the mobile
545 home, as established in any official used mobile home guide, the
546 department shall declare the mobile home unbuildable and print
547 a certificate of destruction, which authorizes the dismantling
548 or destruction of the mobile home. For a late model vehicle with
549 a current retail cost of at least \$7,500 just prior to
550 sustaining the damage that resulted in the total loss, as
551 established in any official used car guide or valuation service,

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552 if the owner or insurance company determines that the estimated
553 costs of repairing the physical and mechanical damage to the
554 vehicle are equal to 90 percent or more of the current retail
555 cost of the vehicle, as established in any official used motor
556 vehicle guide or valuation service, the department shall declare
557 the vehicle unrebuildable and print a certificate of
558 destruction, which authorizes the dismantling or destruction of
559 the motor vehicle. However, if the damaged motor vehicle is
560 equipped with custom-lowered floors for wheelchair access or a
561 wheelchair lift, the insurance company may, upon determining
562 that the vehicle is repairable to a condition that is safe for
563 operation on public roads, submit the certificate of title to
564 the department for reissuance as a salvage rebuildable title and
565 the addition of a title brand of "insurance-declared total
566 loss." The certificate of destruction shall be reassignable a
567 maximum of two times before dismantling or destruction of the
568 vehicle is required, and shall accompany the motor vehicle or
569 mobile home for which it is issued, when such motor vehicle or
570 mobile home is sold for such purposes, in lieu of a certificate
571 of title. The department may not issue a certificate of title
572 for that vehicle. This subsection is not applicable if a mobile
573 home is worth less than \$1,500 retail just prior to sustaining
574 the damage that resulted in the total loss in any official used
575 mobile home guide or when a stolen motor vehicle or mobile home
576 is recovered in substantially intact condition and is readily
577 resalable without extensive repairs to or replacement of the
578 frame or engine. If a motor vehicle has a current retail cost of
579 less than \$7,500 just prior to sustaining the damage that
580 resulted in the total loss, as established in any official used

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581 motor vehicle guide or valuation service, or if the vehicle is
582 not a late model vehicle, the owner or insurance company that
583 pays money as compensation for the total loss of the motor
584 vehicle shall obtain a certificate of destruction, if the motor
585 vehicle is damaged, wrecked, or burned to the extent that the
586 only residual value of the motor vehicle is as a source of parts
587 or scrap metal, or if the motor vehicle comes into this state
588 under a title or other ownership document that indicates that
589 the motor vehicle is not repairable, is junked, or is for parts
590 or dismantling only. A person who knowingly violates this
591 paragraph or falsifies documentation to avoid the requirements
592 of this paragraph commits a misdemeanor of the first degree,
593 punishable as provided in s. 775.082 or s. 775.083.

594 Section 8. Subsection (4) of section 320.02, Florida
595 Statutes, is amended to read:

596 320.02 Registration required; application for registration;
597 forms.—

598 (4) Except as provided in ss. 775.21, 775.261, 943.0435,
599 944.607, and 985.4815, the owner of any motor vehicle registered
600 in the state shall notify the department in writing of any
601 change of address within 30 ~~20~~ days of such change. The
602 notification shall include the registration license plate
603 number, the vehicle identification number (VIN) or title
604 certificate number, year of vehicle make, and the owner's full
605 name.

606 Section 9. Subsection (10) of section 320.03, Florida
607 Statutes, is amended to read:

608 320.03 Registration; duties of tax collectors;
609 International Registration Plan.—

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610 (10) Jurisdiction over the electronic filing system for use
611 by authorized electronic filing system agents to electronically
612 title or register motor vehicles, vessels, mobile homes, or off-
613 highway vehicles; issue or transfer registration license plates
614 or decals; electronically transfer fees due for the title and
615 registration process; and perform inquiries for title,
616 registration, and lienholder verification and certification of
617 service providers is expressly preempted to the state, and the
618 department shall have regulatory authority over the system. The
619 electronic filing system shall be available for use statewide
620 and applied uniformly throughout the state. An entity that, in
621 the normal course of its business, sells products that must be
622 titled or registered, provides title and registration services
623 on behalf of its consumers and meets all established
624 requirements may be an authorized electronic filing system agent
625 and shall not be precluded from participating in the electronic
626 filing system in any county. Upon request from a qualified
627 entity, the tax collector shall appoint the entity as an
628 authorized electronic filing system agent for that county. The
629 department shall adopt rules in accordance with chapter 120 to
630 replace the December 10, 2009, program standards and to
631 administer ~~the provisions of~~ this section, including, but not
632 limited to, establishing participation requirements,
633 certification of service providers, electronic filing system
634 requirements, and enforcement authority for noncompliance. The
635 December 10, 2009, program standards, excluding any standards
636 which conflict with this subsection, shall remain in effect
637 until the rules are adopted. If an authorized electronic filing
638 agent makes the disclosure required under s. 501.976(18), the an

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639 authorized electronic filing agent may charge a fee to the
640 customer for use of the electronic filing system.

641 Section 10. Paragraph (a) of subsection (3) of section
642 320.07, Florida Statutes, is amended to read:

643 320.07 Expiration of registration; renewal required;
644 penalties.—

645 (3) The operation of any motor vehicle without having
646 attached thereto a registration license plate and validation
647 stickers, or the use of any mobile home without having attached
648 thereto a mobile home sticker, for the current registration
649 period shall subject the owner thereof, if he or she is present,
650 or, if the owner is not present, the operator thereof to the
651 following penalty provisions:

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

659 Section 11. Effective July 1, 2016, section 320.08053,
660 Florida Statutes, is amended to read:

661 320.08053 Establishment of Requirements for requests to
662 establish specialty license plates.—

663 (1) If a specialty license plate requested by an
664 organization is approved by law, the organization must submit
665 the proposed art design for the specialty license plate to the
666 department, in a medium prescribed by the department, as soon as
667 practicable, but no later than 60 days after the act approving

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668 the specialty license plate becomes a law.

669 (2) (a) Within 120 days following the specialty license
670 plate becoming law, the department shall establish a method to
671 issue a specialty license plate voucher to allow for the presale
672 of the specialty license plate. The processing fee as prescribed
673 in s. 320.08056, the service charge and branch fee as prescribed
674 in s. 320.04, and the annual use fee as prescribed in s.
675 320.08056 shall be charged for the voucher. All other applicable
676 fees shall be charged at the time of issuance of the license
677 plates.

678 (b) Within 24 months after the presale specialty license
679 plate voucher is established, the approved specialty license
680 plate organization must record with the department a minimum of
681 4,000 ~~1,000~~ voucher sales before manufacture of the license
682 plate may begin ~~commence~~. If, at the conclusion of the 24-month
683 presale period, the minimum sales requirement ~~requirements~~
684 ~~have~~ not been met, the specialty plate is deauthorized and the
685 department shall discontinue development of the plate and
686 discontinue issuance of the presale vouchers. Upon
687 deauthorization of the license plate, a purchaser of the license
688 plate voucher may use the annual use fee collected as a credit
689 towards any other specialty license plate or apply for a refund
690 on a form prescribed by the department.

691 Section 12. Effective July 1, 2019, paragraph (a) of
692 subsection (8) of section 320.08056, Florida Statutes, is
693 amended to read:

694 320.08056 Specialty license plates.—

695 (8) (a) The department must discontinue the issuance of an
696 approved specialty license plate if the number of valid

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697 specialty plate registrations falls below 4,000 ~~1,000~~ plates for
698 at least 12 consecutive months. A warning letter shall be mailed
699 to the sponsoring organization following the first month in
700 which the total number of valid specialty plate registrations is
701 below 4,000 ~~1,000~~ plates. This paragraph does not apply to
702 collegiate license plates established under s. 320.08058(3) or
703 specialty license plates that have statutory eligibility
704 limitations for purchase.

705 Section 13. Section 320.08062, Florida Statutes, is amended
706 to read:

707 320.08062 Audits ~~and attestations~~ required; annual use fees
708 of specialty license plates.—

709 (1) (a) All organizations that receive annual use fee
710 proceeds from the department are responsible for ensuring that
711 proceeds are used in accordance with ss. 320.08056 and
712 320.08058.

713 (b) Any organization not subject to audit pursuant to s.
714 215.97 shall annually attest, under penalties of perjury, that
715 such proceeds were used in compliance with ss. 320.08056 and
716 320.08058. The attestation shall be made annually in a form and
717 format determined by the department. In addition, the department
718 shall audit any such organization every 2 years to ensure
719 proceeds have been used in compliance with ss. 320.08056 and
720 320.08058.

721 (c) Any organization subject to audit pursuant to s. 215.97
722 shall submit an audit report in accordance with rules
723 promulgated by the Auditor General. The annual attestation shall
724 be submitted to the department for review within 9 months after
725 the end of the organization's fiscal year.

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726 (2) (a) Within 120 days after receiving an organization's
727 audit or attestation, the department shall determine which
728 recipients of revenues from specialty license plate annual use
729 fees have not complied with subsection (1). In determining
730 compliance, the department may commission an independent
731 actuarial consultant, or an independent certified public
732 accountant, who has expertise in nonprofit and charitable
733 organizations.

734 (b) The department must discontinue the distribution of
735 revenues to any organization failing to submit the required
736 documentation as required in subsection (1), but may resume
737 distribution of the revenues upon receipt of the required
738 information.

739 (c) If the department or its designee determines that an
740 organization has not complied or has failed to use the revenues
741 in accordance with ss. 320.08056 and 320.08058, the department
742 must discontinue the distribution of the revenues to the
743 organization. The department shall notify the organization of
744 its findings and direct the organization to make the changes
745 necessary in order to comply with this chapter. If the officers
746 of the organization sign an affidavit under penalties of perjury
747 stating that they acknowledge the findings of the department and
748 attest that they have taken corrective action and that the
749 organization will submit to a followup review by the department,
750 the department may resume the distribution of revenues.

751 (d) If an organization fails to comply with the
752 department's recommendations and corrective actions as outlined
753 in paragraph (c), the revenue distributions shall be
754 discontinued until completion of the next regular session of the

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755 Legislature. The department shall notify the President of the
756 Senate and the Speaker of the House of Representatives by the
757 first day of the next regular session of any organization whose
758 revenues have been withheld as a result of this paragraph. If
759 the Legislature does not provide direction to the organization
760 and the department regarding the status of the undistributed
761 revenues, the department shall deauthorize the plate and the
762 undistributed revenues shall be immediately deposited into the
763 Highway Safety Operating Trust Fund.

764 (3) The department or its designee has the authority to
765 examine all records pertaining to the use of funds from the sale
766 of specialty license plates.

767 Section 14. Section 320.0843, Florida Statutes, is amended
768 to read:

769 320.0843 License plates for persons with disabilities
770 eligible for permanent disabled parking permits.—

771 (1) Any owner or lessee of a motor vehicle who resides in
772 this state and qualifies for a disabled parking permit under s.
773 320.0848(2), upon application to the department and payment of
774 the license tax for a motor vehicle registered under s.
775 320.08(2), (3)(a), (b), (c), or (e), (4)(a) or (b), (6)(a), or
776 (9)(c) or (d), shall be issued a license plate as provided by s.
777 320.06 which, in lieu of the serial number prescribed by s.
778 320.06, shall be stamped with the international wheelchair user
779 symbol after the serial number of the license plate. The license
780 plate entitles the person to all privileges afforded by a
781 parking permit issued under s. 320.0848. When more than one
782 registrant is listed on the registration issued under this
783 section, the eligible applicant shall be noted on the

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784 registration certificate.

785 (2) An owner or lessee of a motor vehicle who resides in
786 this state and qualifies for a license plate under s. 320.0842
787 and a Purple Heart license plate under s. 320.089, upon
788 application to the department, shall be issued a license plate
789 stamped with the term "Combat-wounded Veteran" followed by the
790 serial number of the license plate and the international symbol
791 of accessibility. The license plate entitles the person to all
792 privileges afforded by a license plate issued under s. 320.0842.
793 When more than one registrant is listed on the registration
794 issued under this section, the eligible applicant shall be noted
795 on the registration certificate.

796 (3)~~(2)~~ All applications for such license plates must be
797 made to the department.

798 Section 15. Subsections (25) and (26) of section 320.64,
799 Florida Statutes, are amended, and subsections (39) and (40) are
800 added to that section, to read:

801 320.64 Denial, suspension, or revocation of license;
802 grounds.—A license of a licensee under s. 320.61 may be denied,
803 suspended, or revoked within the entire state or at any specific
804 location or locations within the state at which the applicant or
805 licensee engages or proposes to engage in business, upon proof
806 that the section was violated with sufficient frequency to
807 establish a pattern of wrongdoing, and a licensee or applicant
808 shall be liable for claims and remedies provided in ss. 320.695
809 and 320.697 for any violation of any of the following
810 provisions. A licensee is prohibited from committing the
811 following acts:

812 (25) The applicant or licensee has undertaken or engaged in

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813 an audit of warranty, maintenance, and other service-related
814 payments or incentive payments, including payments to a motor
815 vehicle dealer under any licensee-issued program, policy, or
816 other benefit, which were previously ~~have been~~ paid to a motor
817 vehicle dealer in violation of this section or has failed to
818 comply with any of its obligations under s. 320.696. An
819 applicant or licensee may reasonably and periodically audit a
820 motor vehicle dealer to determine the validity of paid claims as
821 provided in s. 320.696. Audits of warranty, maintenance, and
822 other service-related payments shall be performed by an
823 applicant or licensee only during the 12-month ~~1-year~~ period
824 immediately following the date the claim was paid. Audits ~~Audit~~
825 of incentive payments shall ~~only~~ be performed only during the
826 12-month ~~for an 18-month~~ period immediately following the date
827 the incentive was paid. As used in this section, the term
828 "incentive" includes any bonus, incentive, or other monetary or
829 nonmonetary consideration. After such time periods have elapsed,
830 all warranty, maintenance, and other service-related payments
831 and incentive payments shall be deemed final and
832 incontrovertible for any reason notwithstanding any otherwise
833 applicable law, and the motor vehicle dealer shall not be
834 subject to any chargeback ~~charge-back~~ or repayment. An applicant
835 or licensee may deny a claim or, as a result of a timely
836 conducted audit, impose a chargeback ~~charge-back~~ against a motor
837 vehicle dealer for warranty, maintenance, or other service-
838 related payments or incentive payments only if the applicant or
839 licensee can show that the warranty, maintenance, or other
840 service-related claim or incentive claim was false or fraudulent
841 or that the motor vehicle dealer failed to substantially comply

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842 with the reasonable written and uniformly applied procedures of
843 the applicant or licensee for such repairs or incentives, but
844 only for that portion of the claim so shown. Notwithstanding the
845 terms of any franchise agreement, guideline, program, policy, or
846 procedure, an applicant or licensee may deny or charge back only
847 that portion of a warranty, maintenance, or other service-
848 related claim or incentive claim which the applicant or licensee
849 has proven to be false or fraudulent or for which the dealer
850 failed to substantially comply with the reasonable written and
851 uniformly applied procedures of the applicant or licensee for
852 such repairs or incentives, as set forth in this subsection. An
853 applicant or licensee may not charge back a motor vehicle dealer
854 ~~back~~ subsequent to the payment of a warranty, maintenance, or
855 service-related claim or incentive claim unless, within 30 days
856 after a timely conducted audit, a representative of the
857 applicant or licensee first meets in person, by telephone, or by
858 video teleconference with an officer or employee of the dealer
859 designated by the motor vehicle dealer. At such meeting the
860 applicant or licensee must provide a detailed explanation, with
861 supporting documentation, as to the basis for each of the claims
862 for which the applicant or licensee proposed a chargeback
863 ~~charge-back~~ to the dealer and a written statement containing the
864 basis upon which the motor vehicle dealer was selected for audit
865 or review. Thereafter, the applicant or licensee must provide
866 the motor vehicle dealer's representative a reasonable period
867 after the meeting within which to respond to the proposed
868 chargebacks ~~charge-backs~~, with such period to be commensurate
869 with the volume of claims under consideration, but in no case
870 less than 45 days after the meeting. The applicant or licensee

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871 is prohibited from changing or altering the basis for each of
872 the proposed chargebacks ~~charge-backs~~ as presented to the motor
873 vehicle dealer's representative following the conclusion of the
874 audit unless the applicant or licensee receives new information
875 affecting the basis for one or more chargebacks ~~charge-backs~~ and
876 that new information is received within 30 days after the
877 conclusion of the timely conducted audit. If the applicant or
878 licensee claims the existence of new information, the dealer
879 must be given the same right to a meeting and right to respond
880 as when the chargeback ~~charge-back~~ was originally presented.
881 After all internal dispute resolution processes provided through
882 the applicant or licensee have been completed, the applicant or
883 licensee shall give written notice to the motor vehicle dealer
884 of the final amount of its proposed chargeback ~~charge-back~~. If
885 the dealer disputes that amount, the dealer may file a protest
886 with the department within 30 days after receipt of the notice.
887 If a protest is timely filed, the department shall notify the
888 applicant or licensee of the filing of the protest, and the
889 applicant or licensee may not take any action to recover the
890 amount of the proposed chargeback ~~charge-back~~ until the
891 department renders a final determination, which is not subject
892 to further appeal, that the chargeback ~~charge-back~~ is in
893 compliance with ~~the provisions of~~ this section. In any hearing
894 pursuant to this subsection, the applicant or licensee has the
895 burden of proof that its audit and resulting chargeback ~~charge-~~
896 ~~back~~ are in compliance with this subsection.

897 (26) Notwithstanding the terms of any franchise agreement,
898 including any licensee's program, policy, or procedure, the
899 applicant or licensee has refused to allocate, sell, or deliver

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900 motor vehicles; charged back or withheld payments or other
901 things of value for which the dealer is otherwise eligible under
902 a sales promotion, program, or contest; prevented a motor
903 vehicle dealer from participating in any promotion, program, or
904 contest; or has taken or threatened to take any adverse action
905 against a dealer, including chargebacks ~~charge-backs~~, reducing
906 vehicle allocations, or terminating or threatening to terminate
907 a franchise because the dealer sold or leased a motor vehicle to
908 a customer who exported the vehicle to a foreign country or who
909 resold the vehicle, unless the licensee proves that the dealer
910 knew or reasonably should have known that the customer intended
911 to export or resell the motor vehicle. There is a rebuttable
912 presumption that the dealer neither knew nor reasonably should
913 have known of its customer's intent to export or resell the
914 vehicle if the vehicle is titled or registered in any state in
915 this country. A licensee may not take any action against a motor
916 vehicle dealer, including reducing its allocations or supply of
917 motor vehicles to the dealer, or charging back to a dealer any
918 ~~for an~~ incentive payment previously paid, unless the licensee
919 first meets in person, by telephone, or video conference with an
920 officer or other designated employee of the dealer. At such
921 meeting, the licensee must provide a detailed explanation, with
922 supporting documentation, as to the basis for its claim that the
923 dealer knew or reasonably should have known of the customer's
924 intent to export or resell the motor vehicle. Thereafter, the
925 motor vehicle dealer shall have a reasonable period,
926 commensurate with the number of motor vehicles at issue, but not
927 less than 15 days, to respond to the licensee's claims. If,
928 following the dealer's response and completion of all internal

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929 dispute resolution processes provided through the applicant or
930 licensee, the dispute remains unresolved, the dealer may file a
931 protest with the department within 30 days after receipt of a
932 written notice from the licensee that it still intends to take
933 adverse action against the dealer with respect to the motor
934 vehicles still at issue. If a protest is timely filed, the
935 department shall notify the applicant or licensee of the filing
936 of the protest, and the applicant or licensee may not take any
937 action adverse to the dealer until the department renders a
938 final determination, which is not subject to further appeal,
939 that the licensee's proposed action is in compliance with ~~the~~
940 ~~provisions of~~ this subsection. In any hearing pursuant to this
941 subsection, the applicant or licensee has the burden of proof on
942 all issues raised by this subsection. An applicant or licensee
943 may not take any adverse action against a motor vehicle dealer
944 because the dealer sold or leased a motor vehicle to a customer
945 who exported the vehicle to a foreign country or who resold the
946 vehicle unless the applicant or licensee provides written
947 notification to the motor vehicle dealer of such resale or
948 export within 12 months after the date the dealer sold or leased
949 the vehicle to the customer.

950 (39) Notwithstanding any agreement, program, incentive,
951 bonus, policy, or rule, an applicant or licensee may not fail to
952 make any payment pursuant to any agreement, program, incentive,
953 bonus, policy, or rule for any temporary replacement motor
954 vehicle loaned, rented, or provided by a motor vehicle dealer to
955 or for its service or repair customers, even if the temporary
956 replacement motor vehicle has been leased, rented, titled, or
957 registered to the motor vehicle dealer's rental or leasing

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958 division or an entity that is owned or controlled by the motor
959 vehicle dealer, provided that the motor vehicle dealer or its
960 rental or leasing division or entity complies with the written
961 and uniformly enforced vehicle eligibility, use, and reporting
962 requirements specified by the applicant or licensee in its
963 agreement, program, policy, bonus, incentive, or rule relating
964 to loaner vehicles.

965 (40) Notwithstanding the terms of any franchise agreement,
966 the applicant or licensee may not require or coerce, or attempt
967 to require or coerce, a motor vehicle dealer to purchase goods
968 or services from a vendor selected, identified, or designated by
969 the applicant or licensee, or one of its parents, subsidiaries,
970 divisions, or affiliates, by agreement, standard, policy,
971 program, incentive provision, or otherwise, without making
972 available to the motor vehicle dealer the option to obtain the
973 goods or services of substantially similar design and quality
974 from a vendor chosen by the motor vehicle dealer. If the motor
975 vehicle dealer exercises such option, the dealer must provide
976 written notice of its desire to use the alternative goods or
977 services to the applicant or licensee, along with samples or
978 clear descriptions of the alternative goods or services that the
979 dealer desires to use. The licensee or applicant shall have the
980 opportunity to evaluate the alternative goods or services for up
981 to 30 days to determine whether it will provide a written
982 approval to the motor vehicle dealer to use the alternative
983 goods or services. Approval may not be unreasonably withheld by
984 the applicant or licensee. If the motor vehicle dealer does not
985 receive a response from the applicant or licensee within 30
986 days, approval to use the alternative goods or services is

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987 deemed granted. If a dealer using alternative goods or services
988 complies with this subsection and has received approval from the
989 licensee or applicant, the dealer is not ineligible for all
990 benefits described in the agreement, standard, policy, program,
991 incentive provision, or otherwise solely for having used such
992 alternative goods or services. As used in this subsection, the
993 term "goods or services" is limited to such goods and services
994 used to construct or renovate dealership facilities or furniture
995 and fixtures at the dealership facilities. The term does not
996 include:

997 (a) Any materials subject to applicant's or licensee's
998 intellectual property rights, including copyright, trademark, or
999 trade dress rights;

1000 (b) Any special tool and training as required by the
1001 licensee or applicant;

1002 (c) Any part to be used in repairs under warranty
1003 obligations of an applicant or licensee;

1004 (d) Any good or service paid for entirely by the applicant
1005 or licensee; or

1006 (e) Any applicant's or licensee's design or architectural
1007 review service.

1008

1009 A motor vehicle dealer who can demonstrate that a violation of,
1010 or failure to comply with, any of the preceding provisions by an
1011 applicant or licensee will or can adversely and pecuniarily
1012 affect the complaining dealer, shall be entitled to pursue all
1013 of the remedies, procedures, and rights of recovery available
1014 under ss. 320.695 and 320.697.

1015 Section 16. Paragraph (c) is added to subsection (8) of

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1016 section 322.051, Florida Statutes, and subsection (9) of that
1017 section is amended, to read:

1018 322.051 Identification cards.—

1019 (8)

1020 (c) The international symbol for the deaf and hard of
1021 hearing shall be exhibited on the identification card of a
1022 person who is deaf or hard of hearing upon the payment of an
1023 additional \$1 fee for the identification card and the
1024 presentation of sufficient proof that the person is deaf or hard
1025 of hearing as determined by the department. Until a person's
1026 identification card is next renewed, the person may have the
1027 symbol added to his or her identification card upon surrender of
1028 his or her current identification card, payment of a \$2 fee to
1029 be deposited into the Highway Safety Operating Trust Fund, and
1030 presentation of sufficient proof that the person is deaf or hard
1031 of hearing as determined by the department. If the applicant is
1032 not conducting any other transaction affecting the
1033 identification card, a replacement identification card may be
1034 issued with the symbol without payment of the fee required in s.
1035 322.21(1)(f)3. For purposes of this paragraph, the international
1036 symbol for the deaf and hard of hearing is substantially as
1037 follows:

1038 Insert deaf and hard of hearing symbol

1039 (9) Notwithstanding any other provision of this section or
1040 s. 322.21 to the contrary, the department shall issue or renew a
1041 card at no charge to a person who presents evidence satisfactory
1042 to the department that he or she is homeless as defined in s.
1043 414.0252(7), to a juvenile offender who is in the custody or
1044 under the supervision of the Department of Juvenile Justice and

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1045 receiving services pursuant to s. 985.461, to an inmate
1046 receiving a card issued pursuant to s. 944.605(7), or, if
1047 necessary, to an inmate receiving a replacement card if the
1048 department determines that he or she has a valid state
1049 identification card. If the replacement state identification
1050 card is scheduled to expire within 6 months, the department may
1051 also issue a temporary permit valid for at least 6 months after
1052 the release date. The department's mobile issuing units shall
1053 process the identification cards for juvenile offenders and
1054 inmates at no charge, as provided by s. 944.605 (7) (a) and (b).

1055 Section 17. Present paragraph (c) of subsection (1) of
1056 section 322.14, Florida Statutes, is redesignated as paragraph
1057 (d), and a new paragraph (c) is added to that subsection, to
1058 read:

1059 322.14 Licenses issued to drivers.—

1060 (1)

1061 (c) The international symbol for the deaf and hard of
1062 hearing provided in s. 322.051(8)(c) shall be exhibited on the
1063 driver license of a person who is deaf or hard of hearing upon
1064 the payment of an additional \$1 fee for the license and the
1065 presentation of sufficient proof that the person is deaf or hard
1066 of hearing as determined by the department. Until a person's
1067 license is next renewed, the person may have the symbol added to
1068 his or her license upon the surrender of his or her current
1069 license, payment of a \$2 fee to be deposited into the Highway
1070 Safety Operating Trust Fund, and presentation of sufficient
1071 proof that the person is deaf or hard of hearing as determined
1072 by the department. If the applicant is not conducting any other
1073 transaction affecting the driver license, a replacement license

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1074 may be issued with the symbol without payment of the fee
1075 required in s. 322.21(1)(e).

1076 Section 18. The amendments made by this act to subsection
1077 (8) of s. 322.051, Florida Statutes, and s. 322.14, Florida
1078 Statutes, shall apply upon implementation of new designs for the
1079 identification card and driver license by the Department of
1080 Highway Safety and Motor Vehicles.

1081 Section 19. Subsections (1) and (2) of section 322.19,
1082 Florida Statutes, are amended to read:

1083 322.19 Change of address or name.—

1084 (1) Except as provided in ss. 775.21, 775.261, 943.0435,
1085 944.607, and 985.4815, whenever any person, after applying for
1086 or receiving a driver license or identification card, changes
1087 his or her legal name, that person must within 30 ~~40~~ days
1088 thereafter obtain a replacement license or card that reflects
1089 the change.

1090 (2) If a ~~Whenever any~~ person, after applying for or
1091 receiving a driver license or identification card, changes the
1092 legal residence or mailing address in the application, ~~or~~
1093 license, or card, the person must, within 30 ~~40~~ calendar days
1094 after making the change, obtain a replacement license or card
1095 that reflects the change. A written request to the department
1096 must include the old and new addresses and the driver license or
1097 identification card number. Any person who has a valid, current
1098 student identification card issued by an educational institution
1099 in this state is presumed not to have changed his or her legal
1100 residence or mailing address. This subsection does not affect
1101 any person required to register a permanent or temporary address
1102 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.

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1103 943.0435.

1104 Section 20. Paragraph (f) of subsection (1) of section
1105 322.21, Florida Statutes, is amended to read:

1106 322.21 License fees; procedure for handling and collecting
1107 fees.—

1108 (1) Except as otherwise provided herein, the fee for:

1109 (f) An original, renewal, or replacement identification
1110 card issued pursuant to s. 322.051 is \$25, except that an
1111 applicant who presents evidence satisfactory to the department
1112 that he or she is homeless as defined in s. 414.0252(7); ~~or~~ his
1113 or her annual income is at or below 100 percent of the federal
1114 poverty level; or he or she is a juvenile offender who is in the
1115 custody or under the supervision of the Department of Juvenile
1116 Justice, is receiving services pursuant to s. 985.461, and whose
1117 identification card is issued by the department's mobile issuing
1118 units is exempt from such fee. Funds collected from fees for
1119 original, renewal, or replacement identification cards shall be
1120 distributed as follows:

1121 1. For an original identification card issued pursuant to
1122 s. 322.051, the fee shall be deposited into the General Revenue
1123 Fund.

1124 2. For a renewal identification card issued pursuant to s.
1125 322.051, \$6 shall be deposited into the Highway Safety Operating
1126 Trust Fund, and \$19 shall be deposited into the General Revenue
1127 Fund.

1128 3. For a replacement identification card issued pursuant to
1129 s. 322.051, \$9 shall be deposited into the Highway Safety
1130 Operating Trust Fund, and \$16 shall be deposited into the
1131 General Revenue Fund. Beginning July 1, 2015, or upon completion

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1132 of the transition of the driver license issuance services, if
1133 the replacement identification card is issued by the tax
1134 collector, the tax collector shall retain the \$9 that would
1135 otherwise be deposited into the Highway Safety Operating Trust
1136 Fund and the remaining revenues shall be deposited into the
1137 General Revenue Fund.

1138 Section 21. Subsection (3) of section 322.221, Florida
1139 Statutes, is amended to read:

1140 322.221 Department may require reexamination.—

1141 (3) (a) Upon the conclusion of such examination or
1142 reexamination the department shall take action as may be
1143 appropriate and may suspend or revoke the license of such person
1144 or permit him or her to retain such license, or may issue a
1145 license subject to restrictions as permitted under s. 322.16.
1146 Refusal or neglect of the licensee to submit to such examination
1147 or reexamination shall be ground for suspension or revocation of
1148 his or her license.

1149 (b) If the department suspends or revokes the license of a
1150 person due to his or her physical or mental condition, the
1151 department shall issue an identification card to the person at
1152 the time of the license suspension or revocation. The department
1153 may not charge fees for the issuance of the identification card.

1154 Section 22. Subsection (2) of section 322.251, Florida
1155 Statutes, is amended to read:

1156 322.251 Notice of cancellation, suspension, revocation, or
1157 disqualification of license.—

1158 (2) The giving of notice and an order of cancellation,
1159 suspension, revocation, or disqualification by mail is complete
1160 upon expiration of 20 days after deposit in the United States

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1161 mail for all notices except those issued under chapter 324 or
1162 ss. 627.732-627.734, which are complete 15 days after deposit in
1163 the United States mail. Proof of the giving of notice and an
1164 order of cancellation, suspension, revocation, or
1165 disqualification in either manner shall be made by entry in the
1166 records of the department that such notice was given. The entry
1167 is admissible in the courts of this state and constitutes
1168 sufficient proof that such notice was given. If notice is given
1169 that a driving privilege will be suspended for nonpayment of a
1170 fine, the department must include in the notice a statement
1171 informing the violator that, if he or she is unable to pay the
1172 citation in full, he or she may avoid a suspension by agreeing
1173 to a payment plan, based on his or her ability to pay, which
1174 will be provided through the clerk of the court in the county in
1175 which the citation was written.

1176 Section 23. Subsections (1), (3), and (4) of section
1177 322.2715, Florida Statutes, are amended to read:

1178 322.2715 Ignition interlock device.—

1179 (1) Before issuing a permanent or restricted driver license
1180 under this chapter, the department shall require the placement
1181 of a department-approved ignition interlock device for any
1182 person convicted of committing an offense of driving under the
1183 influence as specified in subsection (3), except that
1184 consideration may be given to those individuals having a
1185 documented medical condition that would prohibit the device from
1186 functioning normally. If a medical waiver has been granted for a
1187 convicted person seeking a restricted license, the convicted
1188 person is ~~shall~~ not be entitled to a restricted license until
1189 the required ignition interlock device installation period under

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1190 subsection (3) expires, in addition to the time requirements
1191 under s. 322.271. If a medical waiver has been approved for a
1192 convicted person seeking permanent reinstatement of the driver
1193 license, the convicted person must be restricted to an
1194 employment-purposes-only license and be supervised by a licensed
1195 DUI program until the required ignition interlock device
1196 installation period under subsection (3) expires. An interlock
1197 device shall be placed on all vehicles that are individually or
1198 jointly leased or owned and routinely operated by the convicted
1199 person. Effective October 1, 2016, if a court in the Fourth
1200 Judicial Circuit orders a qualified sobriety and drug monitoring
1201 program as defined in s. 316.193(15) and authorized by 23 U.S.C.
1202 s. 164 under the pilot program implemented under s. 316.193(16),
1203 the department shall use the monitoring program as an
1204 alternative to the placement of an ignition interlock device
1205 required by this section.

1206 (3) If the person is convicted of:

1207 (a) A first offense of driving under the influence under s.
1208 316.193 and has an unlawful blood-alcohol level or breath-
1209 alcohol level as specified in s. 316.193(1), the ignition
1210 interlock device may be installed for at least 6 continuous
1211 months.

1212 (b) A first offense of driving under the influence under s.
1213 316.193 and has an unlawful blood-alcohol level or breath-
1214 alcohol level as specified in s. 316.193(4), or if a person is
1215 convicted of a violation of s. 316.193 and was at the time of
1216 the offense accompanied in the vehicle by a person younger than
1217 18 years of age, the person shall have the ignition interlock
1218 device installed for at least 6 continuous months for the first

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1219 offense and for at least 2 continuous years for a second
1220 offense.

1221 (c) A second offense of driving under the influence, the
1222 ignition interlock device shall be installed for a period of at
1223 least 1 continuous year.

1224 (d) A third offense of driving under the influence which
1225 occurs within 10 years after a prior conviction for a violation
1226 of s. 316.193, the ignition interlock device shall be installed
1227 for a period of at least 2 continuous years.

1228 (e) A third offense of driving under the influence which
1229 occurs more than 10 years after the date of a prior conviction,
1230 the ignition interlock device shall be installed for a period of
1231 at least 2 continuous years.

1232 (f) A fourth or subsequent offense of driving under the
1233 influence, the ignition interlock device shall be installed for
1234 a period of at least 5 years.

1235

1236 Effective October 1, 2016, if a court in the Fourth Judicial
1237 Circuit orders a qualified sobriety and drug monitoring program
1238 as defined in s. 316.193(15) and authorized by 23 U.S.C. s. 164
1239 under the pilot program implemented under s. 316.193(16), the
1240 department shall use the monitoring program as an alternative to
1241 the placement of an ignition interlock device required by this
1242 section.

1243 (4) If the court fails to order the mandatory placement of
1244 the ignition interlock device or fails to order for the
1245 applicable period the mandatory placement of an ignition
1246 interlock device under s. 316.193 or s. 316.1937 at the time of
1247 imposing sentence or within 30 days thereafter, the department

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1248 shall immediately require that the ignition interlock device be
1249 installed as provided in this section, except that consideration
1250 may be given to those individuals having a documented medical
1251 condition that would prohibit the device from functioning
1252 normally. Effective October 1, 2016, if a court in the Fourth
1253 Judicial Circuit orders a qualified sobriety and drug monitoring
1254 program as defined in s. 316.193(15) and authorized by 23 U.S.C.
1255 s. 164 under the pilot program implemented under s. 316.193(16),
1256 the department shall use the monitoring program as an
1257 alternative to the placement of an ignition interlock device
1258 required by this section. This subsection applies to the
1259 reinstatement of the driving privilege following a revocation,
1260 suspension, or cancellation that is based upon a conviction for
1261 the offense of driving under the influence which occurs on or
1262 after July 1, 2005.

1263 Section 24. Present subsections (2) and (3) of section
1264 765.521, Florida Statutes, are redesignated as subsections (3)
1265 and (4), respectively, and a new subsection (2) is added to that
1266 section, to read:

1267 765.521 Donations as part of driver license or
1268 identification card process.—

1269 (2) The department shall maintain an integrated link on its
1270 website referring a visitor renewing a driver license or
1271 conducting other business to the donor registry operated under
1272 s. 765.5155.

1273 Section 25. The Department of Transportation, in
1274 consultation with the Department of Highway Safety and Motor
1275 Vehicles, shall study the use and safe operation of driver-
1276 assistive truck platooning technology, as defined in s. 316.003,

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1277 Florida Statutes, for the purpose of developing a pilot project
1278 to test vehicles that are equipped to operate using driver-
1279 assistive truck platooning technology.

1280 (1) Upon conclusion of the study, the Department of
1281 Transportation, in consultation with the Department of Highway
1282 Safety and Motor Vehicles, may conduct a pilot project to test
1283 the use and safe operation of vehicles equipped with driver-
1284 assistive truck platooning technology.

1285 (2) Notwithstanding ss. 316.0895 and 316.303, Florida
1286 Statutes, the Department of Transportation may conduct the pilot
1287 project in such a manner and at such locations as determined by
1288 the Department of Transportation based on the study.

1289 (3) Before the start of the pilot project, manufacturers of
1290 driver-assistive truck platooning technology being tested in the
1291 pilot project must submit to the Department of Highway Safety
1292 and Motor Vehicles an instrument of insurance, surety bond, or
1293 proof of self-insurance acceptable to the department in the
1294 amount of \$5 million.

1295 (4) Upon conclusion of the pilot project, the Department of
1296 Transportation, in consultation with the Department of Highway
1297 Safety and Motor Vehicles, shall submit the results of the study
1298 and any findings or recommendations from the pilot project to
1299 the Governor, the President of the Senate, and the Speaker of
1300 the House of Representatives.

1301 Section 26. Except as otherwise expressly provided in this
1302 act, and except for this section, which shall take effect July
1303 1, 2016, this act shall take effect on October 1, 2016.