



438102

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/09/2016 12:33 PM

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Senator Evers moved the following:

1 **Senate Amendment to Amendment (588642) (with title**
2 **amendment)**

3
4 Between lines 2263 and 2264
5 insert:

6 Section 48. Paragraph (a) of subsection (2) of section
7 318.18, Florida Statutes, is amended to read

8 318.18 Amount of penalties.—The penalties required for a
9 noncriminal disposition pursuant to s. 318.14 or a criminal
10 offense listed in s. 318.17 are as follows:

11 (2) Thirty dollars for all nonmoving traffic violations



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12 and:

13 (a) For all violations of ss. ~~s.~~ 322.19 and 366.94.
14 Section 49. Subsection (46) is added to section 320.01,
15 Florida Statutes, to read:

16 320.01 Definitions, general.—As used in the Florida
17 Statutes, except as otherwise provided, the term:

18 (46) (a) "Ridesharing arrangements" means the transportation
19 of not more than 15 passengers, including the driver, where the
20 transportation is incidental to another purpose of the driver,
21 who is not engaged in transportation as a business or for a
22 profit. The term includes:

23 1. Carpool or vanpool arrangements not exceeding 15
24 passengers, including the driver, in which the driver seeks
25 reimbursement for, or the rideshare participants may pool or
26 otherwise share, transportation costs; and

27 2. Carpool or vanpool arrangements not exceeding 15
28 passengers, including the driver, used in the transportation of
29 employees to or from their places of employment or educational
30 or other institutions.

31 (b) For the purposes of this chapter and chapter 627, motor
32 vehicles used in ridesharing arrangements are not included in
33 the term "for-hire vehicle," and money or other consideration
34 exchanged for, or to facilitate reimbursement of, transportation
35 costs or related expenses in a ridesharing arrangement may not
36 be deemed to be compensation or the receipt of a fee.

37 Section 50. Paragraphs (c), (d), and (e) are added to
38 subsection (8) of section 320.08056, Florida Statutes, to read:

39 320.08056 Specialty license plates.—

40 (8)



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41 (c) A person issued a specialty license plate that has been
42 discontinued by the department may keep the discontinued
43 specialty license plate for the remainder of the 10-year license
44 plate replacement period and must pay all other applicable
45 registration fees. However, such person is exempt from paying
46 the applicable specialty license plate fee under subsection (4)
47 for the remainder of the 10-year license plate replacement
48 period.

49 (d) If the department discontinues issuance of a specialty
50 license plate, all annual use fees currently held or collected
51 by the department shall be distributed within 180 days after the
52 date the specialty license plate is discontinued. Of those fees,
53 the department shall retain an amount sufficient to defray the
54 applicable administrative and inventory closeout costs
55 associated with discontinuance of the plate. The remaining funds
56 shall be distributed to the specified organization or
57 organizations as provided in s. 320.08058.

58 (e) If an organization that is the intended recipient of
59 the funds pursuant to s. 320.08058 no longer exists, the
60 department shall deposit any undisbursed funds into the Highway
61 Safety Operating Trust Fund.

62 Section 51. Section 324.031, Florida Statutes, is amended
63 to read:

64 324.031 Manner of proving financial responsibility.—The
65 owner or operator of a taxicab, limousine, jitney, or any other
66 for-hire passenger transportation vehicle may prove financial
67 responsibility by providing satisfactory evidence of holding a
68 motor vehicle liability policy as defined in s. 324.021(8) or s.
69 324.151, which policy is issued by an insurance carrier which is



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70 a member of the Florida Insurance Guaranty Association. The
71 operator or owner of any other vehicle, including those used in
72 a ridesharing arrangement, may prove his or her financial
73 responsibility by:

74 (1) Furnishing satisfactory evidence of holding a motor
75 vehicle liability policy as defined in ss. 324.021(8) and
76 324.151;

77 (2) Furnishing a certificate of self-insurance showing a
78 deposit of cash in accordance with s. 324.161; or

79 (3) Furnishing a certificate of self-insurance issued by
80 the department in accordance with s. 324.171.

81
82 Any person, including any firm, partnership, association,
83 corporation, or other person, other than a natural person,
84 electing to use the method of proof specified in subsection (2)
85 shall furnish a certificate of deposit equal to the number of
86 vehicles owned times \$30,000, to a maximum of \$120,000; in
87 addition, any such person, other than a natural person, shall
88 maintain insurance providing coverage in excess of limits of
89 \$10,000/20,000/10,000 or \$30,000 combined single limits, and
90 such excess insurance shall provide minimum limits of
91 \$125,000/250,000/50,000 or \$300,000 combined single limits.
92 These increased limits shall not affect the requirements for
93 proving financial responsibility under s. 324.032(1).

94 Section 52. Paragraph (b) of subsection (3) of section
95 366.94, Florida Statutes, is amended to read:

96 366.94 Electric vehicle charging stations.—

97 (3)

98 (b) If a law enforcement officer finds a motor vehicle in



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99 violation of this subsection, the officer or specialist shall
100 charge the operator or other person in charge of the vehicle in
101 violation with a noncriminal traffic infraction, punishable as
102 provided in ~~s. 316.008(4)~~ ~~or~~ s. 318.18(2)(a).

103 Section 53. Paragraph (a) of subsection (2) of section
104 812.014, Florida Statutes, is amended to read:

105 812.014 Theft.—

106 (2)(a)1. If the property stolen is valued at \$100,000 or
107 more or is a semitrailer that was deployed by a law enforcement
108 officer; or

109 2. If the property stolen is cargo valued at \$50,000 or
110 more that has entered the stream of interstate or intrastate
111 commerce from the shipper's loading platform to the consignee's
112 receiving dock; or

113 3. If the offender commits any grand theft and:

114 a. In the course of committing the offense the offender
115 uses a motor vehicle as an instrumentality, other than merely as
116 a getaway vehicle, to assist in committing the offense and
117 thereby damages the real property of another; ~~or~~

118 b. In the course of committing the offense the offender
119 causes damage to the real or personal property of another in
120 excess of \$1,000; or,

121 c. In the course of committing the offense the offender
122 uses any type of device to defeat, block, disable, jam, or
123 interfere with a global positioning system or similar system
124 designed to identify the location of the cargo or the vehicle or
125 trailer carrying the cargo,

126
127 the offender commits grand theft in the first degree, punishable



128 as a felony of the first degree, as provided in s. 775.082, s.
129 775.083, or s. 775.084.

130
131 ===== T I T L E A M E N D M E N T =====

132 And the title is amended as follows:

133 Delete line 3163

134 and insert:

135 applicability; amending s. 318.18, F.S.; adding a
136 penalty for a specified violation; amending s. 320.01,
137 F.S.; defining the term "ridesharing arrangements";
138 amending s. 320.08056, F.S.; revising provisions for
139 discontinuing issuance of a specialty license plate;
140 amending s. 324.031, F.S.; authorizing the operator or
141 owner of certain vehicles used in a ridesharing
142 arrangement to prove his or her financial
143 responsibility by furnishing certain evidence or a
144 certain certificate; amending s. 366.94, F.S.;
145 revising penalties; amending s. 812.014, F.S.;
146 specifying a certain criminal penalty for offenders
147 committing any grand theft who in the course of
148 committing the offense use any type of device to
149 interfere with a global positioning system or similar
150 system under certain circumstances; providing an
151 effective date.