

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending ss. 316.2397 and
4 316.2398, F.S.; authorizing firefighters to use or
5 display red and white lights under certain
6 circumstances; amending s. 316.302, F.S.; revising
7 provisions relating to federal regulations to which
8 owners and drivers of commercial motor vehicles are
9 subject; deleting a limitation on a civil penalty for
10 falsification of certain time records; deleting a
11 requirement that a motor carrier maintain certain
12 documentation of driving times; amending s. 316.3025,
13 F.S.; conforming provisions to changes made by the
14 act; amending s. 320.01, F.S.; revising the definition
15 of the term "apportionable vehicle"; amending s.
16 320.06, F.S.; providing for future repeal of issuance
17 of a certain annual license plate and cab card to a
18 vehicle that has an apportioned registration;
19 providing requirements for license plates, cab cards,
20 and validation stickers for vehicles registered in
21 accordance with the International Registration Plan
22 beginning on a specified date; amending s. 320.0605,
23 F.S.; authorizing presentation of electronic
24 documentation of certain information to a law
25 enforcement officer or agent of the department;

26 providing construction; providing for liability;
27 revising information required in such documentation;
28 amending s. 320.0607, F.S.; conforming provisions to
29 changes made by the act; amending s. 320.08058, F.S.;
30 deleting obsolete provisions relating to the Hispanic
31 Achievers license plate; creating s. 320.0875, F.S.;
32 providing for a special motorcycle license plate to be
33 issued to a recipient of the Purple Heart; providing
34 requirements for the plate; amending s. 320.089, F.S.;
35 providing for a special license plate to be issued to
36 a recipient of the Bronze Star; amending s. 320.133,
37 F.S.; defining the term "transporter license plate
38 eligible business"; revising requirements for the
39 issuance, use, and display of a transporter license
40 plate; providing criminal penalties; providing for
41 disqualification from issuance; providing
42 recordkeeping requirements; providing conditions for
43 cancellation and removal of such plates; amending s.
44 321.25, F.S.; providing for reimbursement to the
45 department of tuition and other course expenses for
46 certain training under certain circumstances;
47 authorizing the department to institute a civil
48 action; providing an exception; amending s. 322.01,
49 F.S.; conforming provisions to changes made by the
50 act; amending s. 322.051, F.S.; revising eligibility

51 for a "D" designation on an identification card;
 52 amending s. 322.091, F.S.; revising reporting
 53 requirements relating to students whose driving
 54 privileges have been suspended; amending s. 322.12,
 55 F.S.; revising disposition of fees for certain driver
 56 knowledge and skills tests; amending s. 322.17, F.S.;
 57 providing for replacement of a stolen identification
 58 card at no charge; amending s. 322.21, F.S.; deleting
 59 obsolete provisions; deleting a fee for certain
 60 specialty driver licenses or identification cards;
 61 revising disposition of fees for reinstatement of a
 62 driver license; providing for expedited service of a
 63 renewal or replacement driver license or
 64 identification card; providing for fee disposition;
 65 amending s. 322.61, F.S.; providing penalties for
 66 texting or using a handheld mobile telephone while
 67 operating a commercial motor vehicle; providing an
 68 effective date.

69
 70 Be It Enacted by the Legislature of the State of Florida:
 71

72 Section 1. Subsections (1) and (3) of section 316.2397,
 73 Florida Statutes, are amended to read:

74 316.2397 Certain lights prohibited; exceptions.—

75 (1) A ~~No~~ person may not ~~shall~~ drive or move or cause to be

76 | moved any vehicle or equipment upon any highway within this
77 | state with a ~~any~~ lamp or device thereon showing or displaying a
78 | red, red and white, or blue light visible from directly in front
79 | thereof except for certain vehicles ~~hereinafter~~ provided in this
80 | section.

81 | (3) Vehicles of the fire department and fire patrol,
82 | including vehicles of volunteer firefighters as permitted under
83 | s. 316.2398, may show or display red or red and white lights.
84 | Vehicles of medical staff physicians or technicians of medical
85 | facilities licensed by the state as authorized under s.
86 | 316.2398, ambulances as authorized under this chapter, and buses
87 | and taxicabs as authorized under s. 316.2399 may show or display
88 | red lights. Vehicles of the fire department, fire patrol, police
89 | vehicles, and such ambulances and emergency vehicles of
90 | municipal and county departments, public service corporations
91 | operated by private corporations, the Fish and Wildlife
92 | Conservation Commission, the Department of Environmental
93 | Protection, the Department of Transportation, the Department of
94 | Agriculture and Consumer Services, and the Department of
95 | Corrections as are designated or authorized by their respective
96 | department or the chief of police of an incorporated city or any
97 | sheriff of any county may operate emergency lights and sirens in
98 | an emergency. Wreckers, mosquito control fog and spray vehicles,
99 | and emergency vehicles of governmental departments or public
100 | service corporations may show or display amber lights when in

101 actual operation or when a hazard exists provided they are not
102 used going to and from the scene of operation or hazard without
103 specific authorization of a law enforcement officer or law
104 enforcement agency. Wreckers must use amber rotating or flashing
105 lights while performing recoveries and loading on the roadside
106 day or night, and may use such lights while towing a vehicle on
107 wheel lifts, slings, or under reach if the operator of the
108 wrecker deems such lights necessary. A flatbed, car carrier, or
109 rollback may not use amber rotating or flashing lights when
110 hauling a vehicle on the bed unless it creates a hazard to other
111 motorists because of protruding objects. Further, escort
112 vehicles may show or display amber lights when in the actual
113 process of escorting oversized equipment, material, or
114 buildings as authorized by law. Vehicles owned or leased by
115 private security agencies may show or display green and amber
116 lights, with either color being no greater than 50 percent of
117 the lights displayed, while the security personnel are engaged
118 in security duties on private or public property.

119 Section 2. Section 316.2398, Florida Statutes, is amended
120 to read:

121 316.2398 Display or use of red or red and white warning
122 signals; motor vehicles of volunteer firefighters or medical
123 staff.—

124 (1) A privately owned vehicle belonging to an active
125 firefighter member of a regularly organized volunteer

126 firefighting company or association, while en route to the fire
 127 station for the purpose of proceeding to the scene of a fire or
 128 other emergency or while en route to the scene of a fire or
 129 other emergency in the line of duty as an active firefighter
 130 member of a regularly organized firefighting company or
 131 association, may display or use red or red and white warning
 132 signals. ~~or~~ A privately owned vehicle belonging to a medical
 133 staff physician or technician of a medical facility licensed by
 134 the state, while responding to an emergency in the line of duty,
 135 may display or use red warning signals. Warning signals must be
 136 visible from the front and from the rear of such vehicle,
 137 subject to the following restrictions and conditions:

138 (a) No more than two red or red and white warning signals
 139 may be displayed.

140 (b) No inscription of any kind may appear across the face
 141 of the lens of the red or red and white warning signal.

142 (c) In order for an active volunteer firefighter to
 143 display such red or red and white warning signals on his or her
 144 vehicle, the volunteer firefighter must first secure a written
 145 permit from the chief executive officers of the firefighting
 146 organization to use the red or red and white warning signals,
 147 and this permit must be carried by the volunteer firefighter at
 148 all times while the red or red and white warning signals are
 149 displayed.

150 (2) A ~~It is unlawful for any person who is not an active~~

151 firefighter member of a regularly organized volunteer
152 firefighting company or association or a physician or technician
153 of the medical staff of a medical facility licensed by the state
154 may not ~~to~~ display on any motor vehicle owned by him or her, at
155 any time, any red or red and white warning signals as described
156 in subsection (1).

157 (3) ~~It is unlawful for~~ An active volunteer firefighter may
158 not ~~to~~ operate any red or red and white warning signals as
159 authorized in subsection (1), except while en route to the fire
160 station for the purpose of proceeding to the scene of a fire or
161 other emergency, or while at or en route to the scene of a fire
162 or other emergency, in the line of duty.

163 (4) ~~It is unlawful for~~ A physician or technician of the
164 medical staff of a medical facility may not ~~to~~ operate any red
165 warning signals as authorized in subsection (1), except when
166 responding to an emergency in the line of duty.

167 (5) A violation of this section is a nonmoving violation,
168 punishable as provided in chapter 318. In addition, a any
169 volunteer firefighter who violates this section shall be
170 dismissed from membership in the firefighting organization by
171 the chief executive officers thereof.

172 Section 3. Subsection (1) and paragraphs (a), (c), (d),
173 and (f) of subsection (2) of section 316.302, Florida Statutes,
174 are amended to read:

175 316.302 Commercial motor vehicles; safety regulations;

176 transporters and shippers of hazardous materials; enforcement.-

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

178 (a) All owners and drivers of commercial motor vehicles
 179 that are operated on the public highways of this state while
 180 engaged in interstate commerce are subject to the rules and
 181 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

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

189 (c) The emergency exceptions provided by 49 C.F.R. s.
 190 392.82 also apply to communications by utility drivers and
 191 utility contractor drivers during a Level 1 activation of the
 192 State Emergency Operations Center, as provided in the Florida
 193 Comprehensive Emergency Management plan, or during a state of
 194 emergency declared by executive order or proclamation of the
 195 Governor.

196 (d) Except as provided in ~~s. 316.215(5), and except as~~
 197 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
 198 requirements for intrastate operations, the requirements of this
 199 section supersede all other safety requirements of this chapter
 200 for commercial motor vehicles.

201 (2) (a) A person who operates a commercial motor vehicle
202 solely in intrastate commerce not transporting any hazardous
203 material in amounts that require placarding pursuant to 49
204 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)
205 and 395.3 ~~395.3(a) and (b)~~.

206 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
207 operates a commercial motor vehicle solely in intrastate
208 commerce not transporting any hazardous material in amounts that
209 require placarding pursuant to 49 C.F.R. part 172 may not drive
210 after having been on duty more than 70 hours in any period of 7
211 consecutive days or more than 80 hours in any period of 8
212 consecutive days if the motor carrier operates every day of the
213 week. Thirty-four consecutive hours off duty shall constitute
214 the end of any such period of 7 or 8 consecutive days. This
215 weekly limit does not apply to a person who operates a
216 commercial motor vehicle solely within this state while
217 transporting, during harvest periods, any unprocessed
218 agricultural products or unprocessed food or fiber that is
219 subject to seasonal harvesting from place of harvest to the
220 first place of processing or storage or from place of harvest
221 directly to market or while transporting livestock, livestock
222 feed, or farm supplies directly related to growing or harvesting
223 agricultural products. Upon request of the Department of Highway
224 Safety and Motor Vehicles, motor carriers shall furnish time
225 records or other written verification to that department so that

226 the Department of Highway Safety and Motor Vehicles can
227 determine compliance with this subsection. These time records
228 must be furnished to the Department of Highway Safety and Motor
229 Vehicles within 2 days after receipt of that department's
230 request. Falsification of such information is subject to a civil
231 penalty ~~not to exceed \$100. The provisions of~~ This paragraph
232 does ~~de~~ not apply to operators of farm labor vehicles operated
233 during a state of emergency declared by the Governor or operated
234 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
235 utility service vehicles as defined in 49 C.F.R. s. 395.2.

236 (d) A person who operates a commercial motor vehicle
237 solely in intrastate commerce not transporting any hazardous
238 material in amounts that require placarding pursuant to 49
239 C.F.R. part 172 within a 150 air-mile radius of the location
240 where the vehicle is based need not comply with 49 C.F.R. s.
241 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
242 (iii), 395.1(e)(1)(iii) and (v) are met. ~~If a driver is not~~
243 ~~released from duty within 12 hours after the driver arrives for~~
244 ~~duty, the motor carrier must maintain documentation of the~~
245 ~~driver's driving times throughout the duty period.~~

246 (f) A person who operates a commercial motor vehicle
247 having a ~~declared~~ gross vehicle weight, gross vehicle weight
248 rating, or gross combined weight rating of less than 26,001
249 pounds solely in intrastate commerce and who is not transporting
250 hazardous materials in amounts that require placarding pursuant

251 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
252 ~~as defined in s. 376.301~~, is exempt from subsection (1).
253 However, such person must comply with 49 C.F.R. parts 382, 392,
254 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

255 Section 4. Paragraph (a) of subsection (6) of section
256 316.3025, Florida Statutes, is amended to read:

257 316.3025 Penalties.—

258 (6) (a) A driver who violates 49 C.F.R. s. 392.80, which
259 prohibits texting while operating a commercial motor vehicle, or
260 49 C.F.R. s. 392.82, which prohibits using a handheld mobile
261 telephone while operating a commercial motor vehicle, may be
262 assessed a civil penalty and ~~commercial driver license~~
263 ~~disqualification~~ as follows:

264 1. First violation: \$500.

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

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

270 Section 5. Subsection (24) of section 320.01, Florida
271 Statutes, is amended to read:

272 320.01 Definitions, general.—As used in the Florida
273 Statutes, except as otherwise provided, the term:

274 (24) "Apportionable vehicle" means any vehicle, except
275 recreational vehicles, vehicles displaying restricted plates,

276 | city pickup and delivery vehicles, ~~buses used in transportation~~
 277 | ~~of chartered parties,~~ and government-owned vehicles, which is
 278 | used or intended for use in two or more member jurisdictions
 279 | that allocate or proportionally register vehicles and which is
 280 | used for the transportation of persons for hire or is designed,
 281 | used, or maintained primarily for the transportation of property
 282 | and:

283 | (a) Is a power unit having a gross vehicle weight in
 284 | excess of 26,000 pounds;

285 | (b) Is a power unit having three or more axles, regardless
 286 | of weight; or

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

289 |
 290 | Vehicles, or combinations thereof, having a gross vehicle weight
 291 | of 26,000 pounds or less and two-axle vehicles may be
 292 | proportionally registered.

293 | Section 6. Paragraph (b) of subsection (1) of section
 294 | 320.06, Florida Statutes, is amended to read:

295 | 320.06 Registration certificates, license plates, and
 296 | validation stickers generally.—

297 | (1)

298 | (b)1. Registration license plates bearing a graphic symbol
 299 | and the alphanumeric system of identification shall be issued
 300 | for a 10-year period. At the end of the 10-year period, upon

301 renewal, the plate shall be replaced. The department shall
302 extend the scheduled license plate replacement date from a 6-
303 year period to a 10-year period. The fee for such replacement is
304 \$28, \$2.80 of which shall be paid each year before the plate is
305 replaced, to be credited toward the next \$28 replacement fee.
306 The fees shall be deposited into the Highway Safety Operating
307 Trust Fund. A credit or refund may not be given for any prior
308 years' payments of the prorated replacement fee if the plate is
309 replaced or surrendered before the end of the 10-year period,
310 except that a credit may be given if a registrant is required by
311 the department to replace a license plate under s.

312 320.08056(8)(a). With each license plate, a validation sticker
313 shall be issued showing the owner's birth month, license plate
314 number, and the year of expiration or the appropriate renewal
315 period if the owner is not a natural person. The validation
316 sticker shall be placed on the upper right corner of the license
317 plate. The license plate and validation sticker shall be issued
318 based on the applicant's appropriate renewal period. The
319 registration period is 12 months, the extended registration
320 period is 24 months, and all expirations occur based on the
321 applicant's appropriate registration period.

322 2. A vehicle that has an apportioned registration shall be
323 issued an annual license plate and a cab card that denote the
324 declared gross vehicle weight for each apportioned jurisdiction
325 in which the vehicle is authorized to operate. This subparagraph

326 expires October 1, 2018.

327 3. Beginning October 1, 2018, a vehicle registered in
328 accordance with the International Registration Plan shall be
329 issued a license plate for a 5-year period, an annual cab card
330 denoting the declared gross vehicle weight, and an annual
331 validation sticker showing the month and year of expiration. The
332 validation sticker shall be placed in the center of the license
333 plate. The license plate and validation sticker shall be issued
334 based on the applicant's appropriate renewal period. The
335 registration period is 12 months. The fee for an original and a
336 renewed cab card is \$28. This fee shall be deposited into the
337 Highway Safety Operating Trust Fund. If the license plate is
338 damaged or worn, it may be replaced at no charge by applying to
339 the department and surrendering the current license plate.

340 4.2- In order to retain the efficient administration of
341 the taxes and fees imposed by this chapter, the 80-cent fee
342 increase in the replacement fee imposed by chapter 2009-71, Laws
343 of Florida, is negated as provided in s. 320.0804.

344 Section 7. Section 320.0605, Florida Statutes, is amended
345 to read:

346 320.0605 Certificate of registration; possession required;
347 exception.—

348 (1) (a) The registration certificate or an official copy
349 thereof, a true copy or electronic copy of rental or lease
350 documentation issued for a motor vehicle or issued for a

351 replacement vehicle in the same registration period, a temporary
352 receipt printed upon self-initiated electronic renewal of a
353 registration via the Internet, or a cab card issued for a
354 vehicle registered under the International Registration Plan
355 shall, at all times while the vehicle is being used or operated
356 on the roads of this state, be in the possession of the operator
357 thereof or be carried in the vehicle for which issued and shall
358 be exhibited upon demand of any authorized law enforcement
359 officer or any agent of the department, except for a vehicle
360 registered under s. 320.0657. ~~The provisions of~~ This section
361 does ~~do~~ not apply during the first 30 days after purchase of a
362 replacement vehicle. A violation of this section is a
363 noncriminal traffic infraction, punishable as a nonmoving
364 violation as provided in chapter 318.

365 (b)1. The act of presenting to a law enforcement officer
366 or agent of the department an electronic device displaying an
367 electronic copy of rental or lease documentation does not
368 constitute consent for the officer or agent to access any
369 information on the device other than the displayed rental or
370 lease documentation.

371 2. The person who presents the device to the officer or
372 agent assumes the liability for any resulting damage to the
373 device.

374 (2) Rental or lease documentation that is sufficient to
375 satisfy the requirement in subsection (1) includes the

376 following:

- 377 (a) ~~Date of rental and time of exit from rental facility;~~
- 378 (b) Rental station identification;
- 379 (c) Rental agreement number;
- 380 (d) Rental vehicle identification number;
- 381 (e) Rental vehicle license plate number and state of
- 382 registration;
- 383 (f) Vehicle's make, model, and color;
- 384 (g) Vehicle's mileage; and
- 385 (h) Authorized renter's name.

386 Section 8. Subsection (5) of section 320.0607, Florida
 387 Statutes, is amended to read:

388 320.0607 Replacement license plates, validation decal, or
 389 mobile home sticker.—

390 (5) Upon the issuance of an original license plate, the
 391 applicant shall pay a fee of \$28 to be deposited in the Highway
 392 Safety Operating Trust Fund. Beginning October 1, 2018, this
 393 subsection does not apply to a vehicle registered under the
 394 International Registration Plan.

395 Section 9. Paragraph (d) of subsection (70) of section
 396 320.08058, Florida Statutes, is amended to read:

397 320.08058 Specialty license plates.—

398 (70) HISPANIC ACHIEVERS LICENSE PLATES.—

399 ~~(d) Effective July 1, 2014, the Hispanic Achievers license~~
 400 ~~plate will shift into the presale voucher phase, as provided in~~

401 ~~s. 320.08053(2)(b). National Hispanic Corporate Achievers, Inc.,~~
402 ~~shall have 24 months to record a minimum of 1,000 sales. Sales~~
403 ~~include existing active plates and vouchers sold subsequent to~~
404 ~~July 1, 2014. During the voucher period, new plates may not be~~
405 ~~issued, but existing plates may be renewed. If, at the~~
406 ~~conclusion of the 24-month presale period, the requirement of a~~
407 ~~minimum of 1,000 sales has been met, the department shall resume~~
408 ~~normal distribution of the Hispanic Achievers license plate. If,~~
409 ~~after 24 months, the minimum of 1,000 sales has not been met,~~
410 ~~the department shall discontinue the Hispanic Achievers license~~
411 ~~plate. This subsection is repealed June 30, 2016.~~

412 Section 10. Section 320.0875, Florida Statutes, is created
413 to read:

414 320.0875 Purple Heart special motorcycle license plate.-

415 (1) Upon application to the department and payment of the
416 license tax for the motorcycle as provided in s. 320.08, a
417 resident of the state who owns or leases a motorcycle that is
418 not used for hire or commercial use shall be issued a Purple
419 Heart special motorcycle license plate if he or she provides
420 documentation acceptable to the department that he or she is a
421 recipient of the Purple Heart medal.

422 (2) The Purple Heart special motorcycle license plate
423 shall be stamped with the term "Combat-wounded Veteran" followed
424 by the serial number of the license plate. The Purple Heart
425 special motorcycle license plate may have the term "Purple

426 Heart" stamped on the plate and the likeness of the Purple Heart
 427 medal appearing on the plate.

428 Section 11. Paragraph (a) of subsection (1) of section
 429 320.089, Florida Statutes, is amended to read:

430 320.089 ~~Veterans of the United States Armed Forces;~~
 431 ~~members of National Guard; survivors of Pearl Harbor; Purple~~
 432 ~~Heart medal recipients; active or retired United States Armed~~
 433 ~~Forces reservists; Combat Infantry Badge, Combat Medical Badge,~~
 434 ~~or Combat Action Badge recipients; Combat Action Ribbon~~
 435 ~~recipients; Air Force Combat Action Medal recipients;~~
 436 ~~Distinguished Flying Cross recipients; former prisoners of war;~~
 437 ~~Korean War Veterans; Vietnam War Veterans; Operation Desert~~
 438 ~~Shield Veterans; Operation Desert Storm Veterans; Operation~~
 439 ~~Enduring Freedom Veterans; Operation Iraqi Freedom Veterans;~~
 440 ~~Women Veterans; World War II Veterans; and Navy Submariners;~~
 441 Special license plates for military servicemembers, veterans,
 442 and Pearl Harbor Survivors; fee.-

443 (1) (a) Upon application to the department and payment of
 444 the license tax for the vehicle as provided in s. 320.08, a
 445 resident of the state who owns or leases ~~Each owner or lessee of~~
 446 ~~an automobile or truck for private use or recreational vehicle~~
 447 ~~as specified in s. 320.08(9)(c) or (d), which is not used for~~
 448 ~~hire or commercial use, shall be issued a license plate pursuant~~
 449 ~~to the following if the applicant provides the department with~~
 450 proof he or she meets the qualifications listed in this section

451 for the applicable license plate:

452 1. A person released or discharged from any branch ~~who is~~
453 ~~a resident of the state and a veteran~~ of the United States Armed
454 Forces shall be issued a license plate stamped with the term
455 "Veteran" or a "Woman Veteran" followed by the serial number of
456 the license plate.

457 2. A World War II Veteran shall be issued a license plate
458 stamped with the term "WWII Veteran" followed by the serial
459 number of the license plate.

460 3. A Navy Submariner shall be issued a license plate
461 stamped with the term "Navy Submariner" followed by the serial
462 number of the license plate.

463 4. An active or retired member of the Florida National
464 Guard shall be issued a license plate stamped with the term
465 "National Guard" followed by the serial number of the license
466 plate.

467 5. A member of the Pearl Harbor Survivors Association or
468 other person on active military duty in Pearl Harbor on December
469 7, 1941, shall be issued a license plate stamped with the term
470 "Pearl Harbor Survivor" followed by the serial number of the
471 license plate. ~~a survivor of the attack on Pearl Harbor,~~

472 6. A recipient of the Purple Heart medal shall be issued a
473 license plate stamped with the term "Combat-wounded Veteran"
474 followed by the serial number of the license plate. The Purple
475 Heart plate may have the term "Purple Heart" stamped on the

476 | plate and the likeness of the Purple Heart medal appearing on
 477 | the plate.

478 | 7. An active or retired member of any branch of the United
 479 | States Armed Forces Reserve shall be issued a license plate
 480 | stamped with the term "U.S. Reserve" followed by the serial
 481 | number of the license plate.

482 | 8. A member of the Combat Infantrymen's Association, Inc.,
 483 | or a recipient of the Combat Infantry Badge, Combat Medical
 484 | Badge, Combat Action Badge, Combat Action Ribbon, or Air Force
 485 | Combat Action Medal shall be issued a license plate stamped with
 486 | the term "Combat Infantry Badge," "Combat Medical Badge,"
 487 | "Combat Action Badge," "Combat Action Ribbon," or "Air Force
 488 | Combat Action Medal," as appropriate, and a likeness of the
 489 | related campaign medal or badge, followed by the serial number
 490 | of the license plate.

491 | 9. A recipient of the, ~~or~~ Distinguished Flying Cross shall
 492 | be issued a license plate stamped with the term "Distinguished
 493 | Flying Cross" and a likeness of the Distinguished Flying Cross
 494 | followed by the serial number of the license plate.

495 | 10. A recipient of the Bronze Star shall be issued a
 496 | license plate stamped with the term "Bronze Star" and a likeness
 497 | of the Bronze Star followed by the serial number of the license
 498 | plate. ~~upon application to the department, accompanied by proof~~
 499 | ~~of release or discharge from any branch of the United States~~
 500 | ~~Armed Forces, proof of active membership or retired status in~~

501 ~~the Florida National Guard, proof of membership in the Pearl~~
502 ~~Harbor Survivors Association or proof of active military duty in~~
503 ~~Pearl Harbor on December 7, 1941, proof of being a Purple Heart~~
504 ~~medal recipient, proof of active or retired membership in any~~
505 ~~branch of the United States Armed Forces Reserve, or proof of~~
506 ~~membership in the Combat Infantrymen's Association, Inc., proof~~
507 ~~of being a recipient of the Combat Infantry Badge, Combat~~
508 ~~Medical Badge, Combat Action Badge, Combat Action Ribbon, Air~~
509 ~~Force Combat Action Medal, or Distinguished Flying Cross, and~~
510 ~~upon payment of the license tax for the vehicle as provided in~~
511 ~~s. 320.08, shall be issued a license plate as provided by s.~~
512 ~~320.06 which, in lieu of the serial numbers prescribed by s.~~
513 ~~320.06, is stamped with the words "Veteran," "Woman Veteran,"~~
514 ~~"WWII Veteran," "Navy Submariner," "National Guard," "Pearl~~
515 ~~Harbor Survivor," "Combat wounded veteran," "U.S. Reserve,"~~
516 ~~"Combat Infantry Badge," "Combat Medical Badge," "Combat Action~~
517 ~~Badge," "Combat Action Ribbon," "Air Force Combat Action Medal,"~~
518 ~~or "Distinguished Flying Cross," as appropriate, and a likeness~~
519 ~~of the related campaign medal or badge, followed by the serial~~
520 ~~number of the license plate. Additionally, the Purple Heart~~
521 ~~plate may have the words "Purple Heart" stamped on the plate and~~
522 ~~the likeness of the Purple Heart medal appearing on the plate.~~

523 Section 12. Section 320.133, Florida Statutes, is amended
524 to read:

525 320.133 Transporter license plates.—

526 (1) As used in this section, the term "transporter license
527 plate eligible business" means a business engaged in the limited
528 operation of an unregistered motor vehicle or a reposessor who
529 contracts with lending institutions to repossess or recover
530 motor vehicles or mobile homes.

531 (2) A person is not eligible to purchase or renew a
532 transporter license plate unless he or she provides proof
533 satisfactory to the department that his or her business is a
534 transporter license plate eligible business.

535 (3) The application for qualification as a transporter
536 license plate eligible business must be on a form prescribed by
537 the department and must contain the legal name of the person or
538 persons applying for the license plate, the name of the
539 business, and the principal or principals of the business. The
540 application must describe the exact physical location of the
541 place of business within the state. This location must be
542 available at all reasonable hours for transporter license plate
543 records inspection by the department or any law enforcement
544 agency. The application must contain proof of a garage liability
545 insurance policy or a business automobile policy in the amount
546 of at least \$100,000, and the certificate of insurance must
547 indicate the number of transporter license plates reported to
548 the insurance company. Such coverage shall be maintained for the
549 entire registration period. Upon seeking initial qualification,
550 the applicant must provide documentation proving that the

551 business is registered with the Division of Corporations of the
552 Department of State to conduct business in the state. The
553 business must indicate how it meets the qualification as a
554 transporter license plate eligible business by describing in
555 detail the business processes that require the use of a
556 transporter license plate.

557 (4) (a) ~~(1)~~ The department may ~~is authorized to~~ issue a
558 transporter license plate to an any applicant who is not a
559 licensed dealer and is qualified as a transporter license plate
560 eligible business, ~~incidental to the conduct of his or her~~
561 ~~business, engages in the transporting of motor vehicles which~~
562 ~~are not currently registered to any owner and which do not have~~
563 ~~license plates, upon payment of the license tax imposed by s.~~
564 320.08(15) for each transporter ~~such~~ license plate and upon
565 proof of liability insurance as described in subsection (3)
566 ~~coverage in the amount of \$100,000 or more. The proof of~~
567 insurance must indicate the number of transporter license plates
568 reported to the insurance company, which shall be the maximum
569 number of transporter license plates issued to the applicant.
570 ~~Such~~ A transporter license plate is only valid for use on an
571 unregistered ~~any~~ motor vehicle in the possession of the
572 transporter while the motor vehicle is being transported in the
573 course of the transporter's business and must not be attached to
574 any vehicle owned by the transporter or his or her business for
575 which registration would otherwise be required. A person who

576 sells or unlawfully possesses, distributes, or brokers a
577 transporter license plate to be attached to any vehicle commits
578 a misdemeanor of the second degree, punishable as provided in s.
579 775.082 or s. 775.083. Any and all transporter license plates
580 issued are subject to cancellation by the department.

581 (b) A person who knowingly and willfully sells or
582 unlawfully possesses, distributes, or brokers a transporter
583 license plate to avoid registering a vehicle requiring
584 registration pursuant to this chapter or chapter 319 commits a
585 misdemeanor of the first degree, punishable as provided in s.
586 775.082 or s. 775.083, and is disqualified from transporter
587 license plate usage. All transporter license plates issued to
588 the person's business shall be canceled and must be returned to
589 the department immediately upon disqualification. The
590 transporter license plate is subject to removal as provided in
591 subsection (9), and any and all transporter plates issued are
592 subject to cancellation by the department.

593 (5) A transporter license plate eligible business issued a
594 transporter license plate must maintain for 2 years, at its
595 location, records of each use of each transporter license plate
596 and evidence that the plate was used as required by this
597 chapter. Such records must be open to inspection by the
598 department or its agents or any law enforcement officer during
599 reasonable business hours. A person who fails to maintain true
600 and accurate records of any transporter license plate usage or

601 comply with this subsection commits a misdemeanor of the second
 602 degree, punishable as provided in s. 775.082 or s. 775.083, may
 603 be subject to cancellation of any and all transporter license
 604 plates issued, and is automatically disqualified from future
 605 transporter license plate issuance.

606 (6) When attached to a motor vehicle, a transporter
 607 license plate issued under this section must be accompanied by
 608 the registration issued for the license plate by the department
 609 and proof of insurance as described in subsection (3). A person
 610 who operates a motor vehicle with a transporter license plate
 611 attached who fails to provide the documentation listed in this
 612 subsection commits a misdemeanor of the second degree,
 613 punishable as provided in s. 775.082 or s. 775.083, and the
 614 license plate is subject to removal as provided in subsection
 615 (9). This subsection does not apply to a person who contracts
 616 with dealers and auctions to transport motor vehicles.

617 (7)-(2) A license plate issued pursuant to subsection (4)
 618 (1) must be in a distinctive color approved by the department,
 619 and the word "transporter" must appear on the face of the
 620 license plate in place of the county name.

621 (8)-(3) An initial registration or renewal ~~A license plate~~
 622 issued under this section is valid for ~~a period of~~ 12 months,
 623 beginning January 1 and ending December 31. ~~A~~ ~~No~~ refund of the
 624 license tax imposed may not be provided for any unexpired
 625 portion of a license period.

626 (9) A license plate attached to a motor vehicle in
 627 violation of subsection (4) or subsection (6) must be
 628 immediately removed by law enforcement from the motor vehicle to
 629 which it was attached and surrendered to the department by the
 630 law enforcement agency for cancellation.

631 Section 13. Section 321.25, Florida Statutes, is amended
 632 to read:

633 321.25 Training provided at patrol schools; reimbursement
 634 of tuition and other course expenses.-

635 (1) The Department of Highway Safety and Motor Vehicles
 636 may is authorized to provide for the training of law enforcement
 637 officials and individuals in matters relating to the duties,
 638 functions, and powers of the Florida Highway Patrol in the
 639 schools established by the department for the training of
 640 highway patrol candidates and officers. The Department of
 641 Highway Safety and Motor Vehicles may is authorized to charge a
 642 fee for providing the training authorized by this section. The
 643 fee shall be charged to persons attending the training. The fee
 644 shall be based on the Department of Highway Safety and Motor
 645 Vehicles' costs for providing the training, and such costs may
 646 include, but are not limited to, tuition, lodging, and meals.
 647 Revenues from the fees shall be used to offset the Department of
 648 Highway Safety and Motor Vehicles' costs for providing the
 649 training. The cost of training local enforcement officers shall
 650 be paid for by their respective offices, counties, or

651 municipalities, as the case may be. Such cost shall be deemed a
652 proper county or municipal expense or a proper expenditure of
653 the office of sheriff.

654 (2) Notwithstanding s. 943.16, a person who attends
655 training under subsection (1) at the expense of the Department
656 of Highway Safety and Motor Vehicles must remain in the
657 employment or appointment of the Florida Highway Patrol for at
658 least 3 years. Once employed, if the person fails to remain
659 employed by the Florida Highway Patrol for at least 3 years from
660 the first date of employment, the person must pay the cost of
661 tuition and other course expenses to the Department of Highway
662 Safety and Motor Vehicles. For purposes of this section, the
663 term "other course expenses" may include the cost of meals and
664 lodging.

665 (3) The Department of Highway Safety and Motor Vehicles
666 may institute a civil action to collect the cost of tuition and
667 other course expenses if it is not reimbursed pursuant to
668 subsection (2), provided that the Florida Highway Patrol gave
669 written notification to the person of the 3-year employment
670 commitment during the employment screening process and the
671 person returned signed acknowledgment of receipt of such
672 notification.

673 (4) Notwithstanding any other provision of this section,
674 the Department of Highway Safety and Motor Vehicles may waive a
675 person's requirement of reimbursement in part or in full when

676 | the person terminates employment due to hardship or extenuating
677 | circumstances.

678 | Section 14. Subsection (4) of section 322.01, Florida
679 | Statutes, is amended to read:

680 | 322.01 Definitions.—As used in this chapter:

681 | (4) "Authorized emergency vehicle" means a vehicle that is
682 | equipped with extraordinary audible and visual warning devices,
683 | that is authorized by s. 316.2397 to display red, red and white,
684 | or blue lights, and that is on call to respond to emergencies.
685 | The term includes, but is not limited to, ambulances, law
686 | enforcement vehicles, fire trucks, and other rescue vehicles.
687 | The term does not include wreckers, utility trucks, or other
688 | vehicles that are used only incidentally for emergency purposes.

689 | Section 15. Paragraph (e) of subsection (8) of section
690 | 322.051, Florida Statutes, is amended to read:

691 | 322.051 Identification cards.—

692 | (8)

693 | (e)1. Upon request by a person who has posttraumatic
694 | stress disorder, traumatic brain injury, or a developmental
695 | disability, or by a parent or guardian of a child or ward who
696 | has posttraumatic stress disorder, traumatic brain injury, or a
697 | developmental disability, the department shall issue an
698 | identification card exhibiting a capital "D" for the person,
699 | child, or ward if the person or the parent or guardian of the
700 | child or ward submits:

701 a. Payment of an additional \$1 fee; and
 702 b. Proof acceptable to the department of a diagnosis by a
 703 licensed physician of a developmental disability as defined in
 704 s. 393.063, posttraumatic stress disorder, or traumatic brain
 705 injury.

706 2. The department shall deposit the additional \$1 fee into
 707 the Agency for Persons with Disabilities Operations and
 708 Maintenance Trust Fund under s. 20.1971(2).

709 3. A replacement identification card that includes the
 710 designation may be issued without payment of the fee required
 711 under s. 322.21(1)(f).

712 4. The department shall develop rules to facilitate the
 713 issuance, requirements, and oversight of developmental
 714 disability identification cards under this section.

715 Section 16. Subsection (5) of section 322.091, Florida
 716 Statutes, is amended to read:

717 322.091 Attendance requirements.—

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

723 Section 17. Subsection (1) of section 322.12, Florida
 724 Statutes, is amended to read:

725 322.12 Examination of applicants.—

726 (1) It is the intent of the Legislature that every
727 applicant for an original driver license in this state be
728 required to pass an examination pursuant to this section.
729 However, the department may waive the knowledge, endorsement,
730 and skills tests for an applicant who is otherwise qualified and
731 who surrenders a valid driver license from another state or a
732 province of Canada, or a valid driver license issued by the
733 United States Armed Forces, if the driver applies for a Florida
734 license of an equal or lesser classification. An ~~Any~~ applicant
735 who fails to pass the initial knowledge test incurs a \$10 fee
736 for each subsequent test, to be deposited into the Highway
737 Safety Operating Trust Fund, except that if a subsequent test is
738 administered by the tax collector, the tax collector shall
739 retain such \$10 fee. An ~~Any~~ applicant who fails to pass the
740 initial skills test incurs a \$20 fee for each subsequent test,
741 to be deposited into the Highway Safety Operating Trust Fund,
742 except that if a subsequent test is administered by the tax
743 collector, the tax collector shall retain such \$20 fee. A person
744 who seeks to retain a hazardous-materials endorsement, pursuant
745 to s. 322.57(1)(e), must pass the hazardous-materials test, upon
746 surrendering his or her commercial driver license, if the person
747 has not taken and passed the hazardous-materials test within 2
748 years before applying for a commercial driver license in this
749 state.

750 Section 18. Paragraph (b) of subsection (1) of section

751 322.17, Florida Statutes, is amended to read:

752 322.17 Replacement licenses, identification cards, and
 753 permits.—

754 (1)

755 (b) In the event that an instruction permit, or driver
 756 license, or identification card issued under ~~the provisions of~~
 757 this chapter is stolen, the person to whom the same was issued
 758 may, at no charge, obtain a replacement upon furnishing proof
 759 satisfactory to the department that such permit, or license, or
 760 identification card was stolen and further furnishing the
 761 person's full name, date of birth, sex, residence and mailing
 762 address, proof of birth satisfactory to the department, and
 763 proof of identity satisfactory to the department.

764 Section 19. Paragraphs (e) and (i) of subsection (1) and
 765 subsection (8) of section 322.21, Florida Statutes, are amended,
 766 and subsection (10) is added to that section, to read:

767 322.21 License fees; procedure for handling and collecting
 768 fees.—

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

770 (e) A replacement driver license issued pursuant to s.
 771 322.17 is \$25. Of this amount, \$7 shall be deposited into the
 772 Highway Safety Operating Trust Fund and \$18 shall be deposited
 773 into the General Revenue Fund. ~~Beginning July 1, 2015, or upon~~
 774 ~~completion of the transition of driver license issuance~~
 775 ~~services~~, If the replacement driver license is issued by the tax

776 collector, the tax collector shall retain the \$7 that would
777 otherwise be deposited into the Highway Safety Operating Trust
778 Fund and the remaining revenues shall be deposited into the
779 General Revenue Fund.

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

784 ~~1. Fifty percent shall be distributed as provided in s.~~
785 ~~320.08058 to the appropriate state or independent university,~~
786 ~~professional sports team, or branch of the United States Armed~~
787 ~~Forces.~~

788 ~~2. Fifty percent shall be distributed to the department~~
789 ~~for costs directly related to the specialty driver license and~~
790 ~~identification card program and to defray the costs associated~~
791 ~~with production enhancements and distribution.~~

792 (8) A ~~Any~~ person who applies for reinstatement following
793 the suspension or revocation of the person's driver license must
794 pay a service fee of \$45 following a suspension, and \$75
795 following a revocation, which is in addition to the fee for a
796 license. A ~~Any~~ person who applies for reinstatement of a
797 commercial driver license following the disqualification of the
798 person's privilege to operate a commercial motor vehicle shall
799 pay a service fee of \$75, which is in addition to the fee for a
800 license. The department shall collect all of these fees at the

801 time of reinstatement. The department shall issue proper
802 receipts for such fees and shall promptly transmit all funds
803 received by it as follows:

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

806 1. If the reinstatement is processed by the department,
807 the department shall deposit \$15 in the General Revenue Fund and
808 \$30 in the Highway Safety Operating Trust Fund.

809 2. If the reinstatement is processed by the tax collector,
810 \$15 shall be retained by the tax collector, \$15 shall be
811 deposited into the Highway Safety Operating Trust Fund, and \$15
812 shall be deposited into the General Revenue Fund.

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

815 1. If the reinstatement is processed by the department,
816 the department shall deposit \$35 in the General Revenue Fund and
817 \$40 in the Highway Safety Operating Trust Fund.

818 2. If the reinstatement is processed by the tax collector,
819 \$20 shall be retained by the tax collector, \$20 shall be
820 deposited into the Highway Safety Operating Trust Fund, and \$35
821 shall be deposited into the General Revenue Fund.

822

823 If the revocation or suspension of the driver license was for a
824 violation of s. 316.193, or for refusal to submit to a lawful
825 breath, blood, or urine test, an additional fee of \$130 must be

826 | charged. However, only one \$130 fee may be collected from one
827 | person convicted of violations arising out of the same incident.
828 | The department shall collect the \$130 fee and deposit the fee
829 | into the Highway Safety Operating Trust Fund at the time of
830 | reinstatement of the person's driver license, but the fee may
831 | not be collected if the suspension or revocation is overturned.
832 | If the revocation or suspension of the driver license was for a
833 | conviction for a violation of s. 817.234(8) or (9) or s.
834 | 817.505, an additional fee of \$180 is imposed for each offense.
835 | The department shall collect and deposit the additional fee into
836 | the Highway Safety Operating Trust Fund at the time of
837 | reinstatement of the person's driver license.

838 | (10) An applicant who submits an application for a renewal
839 | or replacement driver license or identification card to the
840 | department using a convenience service shall be provided with an
841 | option for expedited shipping whereby the department, at the
842 | applicant's request, shall issue the license or identification
843 | card within 5 working days after receipt of the application and
844 | ship the license or identification card using an expedited mail
845 | service. A fee shall be charged for the expedited shipping
846 | option, not to exceed the cost of the expedited mail service,
847 | which is in addition to fees imposed by s. 322.051 or this
848 | section, or for the convenience service. Fees collected for the
849 | expedited shipping option shall be deposited into the Highway
850 | Safety Operating Trust Fund.

851 Section 20. Subsection (1) of section 322.61, Florida
 852 Statutes, is amended, and subsection (2) of that section is
 853 reenacted, to read:

854 322.61 Disqualification from operating a commercial motor
 855 vehicle.—

856 (1) A person who, for offenses occurring within a 3-year
 857 period, is convicted of two of the following serious traffic
 858 violations, or any combination thereof, arising in separate
 859 incidents committed in a commercial motor vehicle shall, in
 860 addition to any other applicable penalties, be disqualified from
 861 operating a commercial motor vehicle for a period of 60 days. A
 862 holder of a commercial driver license or commercial learner's
 863 permit who, for offenses occurring within a 3-year period, is
 864 convicted of two of the following serious traffic violations, or
 865 any combination thereof, arising in separate incidents committed
 866 in a noncommercial motor vehicle shall, in addition to any other
 867 applicable penalties, be disqualified from operating a
 868 commercial motor vehicle for a period of 60 days if such
 869 convictions result in the suspension, revocation, or
 870 cancellation of the licenseholder's driving privilege:

871 (a) A violation of any state or local law relating to
 872 motor vehicle traffic control, other than a parking violation,
 873 arising in connection with a crash resulting in death;

874 (b) Reckless driving, as defined in s. 316.192;

875 (c) Unlawful speed of 15 miles per hour or more above the

876 | posted speed limit;

877 | (d) Improper lane change, as defined in s. 316.085;

878 | (e) Following too closely, as defined in s. 316.0895;

879 | (f) Texting while driving a commercial motor vehicle, as

880 | prohibited by 49 C.F.R. s. 392.80;

881 | (g) Using a handheld mobile telephone while driving a

882 | commercial motor vehicle, as prohibited by 49 C.F.R. s. 392.82;

883 | ~~(h)(f)~~ Driving a commercial vehicle without obtaining a

884 | commercial driver license;

885 | ~~(i)(g)~~ Driving a commercial vehicle without the proper

886 | class of commercial driver license or commercial learner's

887 | permit or without the proper endorsement; or

888 | ~~(j)(h)~~ Driving a commercial vehicle without a commercial

889 | driver license or commercial learner's permit in possession, as

890 | required by s. 322.03.

891 | (2) (a) Any person who, for offenses occurring within a 3-

892 | year period, is convicted of three serious traffic violations

893 | specified in subsection (1) or any combination thereof, arising

894 | in separate incidents committed in a commercial motor vehicle

895 | shall, in addition to any other applicable penalties, including

896 | but not limited to the penalty provided in subsection (1), be

897 | disqualified from operating a commercial motor vehicle for a

898 | period of 120 days.

899 | (b) A holder of a commercial driver license or commercial

900 | learner's permit who, for offenses occurring within a 3-year

901 | period, is convicted of three serious traffic violations
902 | specified in subsection (1) or any combination thereof arising
903 | in separate incidents committed in a noncommercial motor vehicle
904 | shall, in addition to any other applicable penalties, including,
905 | but not limited to, the penalty provided in subsection (1), be
906 | disqualified from operating a commercial motor vehicle for a
907 | period of 120 days if such convictions result in the suspension,
908 | revocation, or cancellation of the licenseholder's driving
909 | privilege.

910 | Section 21. This act shall take effect October 1, 2017.