

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Transportation & Tourism
 2 Appropriations Subcommittee
 3 Representative Drake offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

320.0605 Certificate of registration; possession required; exception.—

(1) (a) The registration certificate or an official copy thereof, a true copy or electronic copy of rental or lease documentation issued for a motor vehicle or issued for a replacement vehicle in the same registration period, a temporary receipt printed upon self-initiated electronic renewal of a registration via the Internet, or a cab card issued for a

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17 vehicle registered under the International Registration Plan
18 shall, at all times while the vehicle is being used or operated
19 on the roads of this state, be in the possession of the operator
20 thereof or be carried in the vehicle for which issued and shall
21 be exhibited upon demand of any authorized law enforcement
22 officer or any agent of the department, except for a vehicle
23 registered under s. 320.0657. ~~The provisions of~~ This section
24 does ~~de~~ not apply during the first 30 days after purchase of a
25 replacement vehicle. A violation of this section is a
26 noncriminal traffic infraction, punishable as a nonmoving
27 violation as provided in chapter 318.

28 (b)1. The act of presenting to a law enforcement officer
29 or agent of the department an electronic device displaying an
30 electronic copy of rental or lease documentation does not
31 constitute consent for the officer or agent to access any
32 information on the device other than the displayed rental or
33 lease documentation.

34 2. The person who presents the device to the officer or
35 agent assumes the liability for any resulting damage to the
36 device.

37 (2) Rental or lease documentation that is sufficient to
38 satisfy the requirement in subsection (1) includes the
39 following:

- 40 (a) ~~Date of rental~~ and time of ~~exit from rental facility~~;
41 (b) Rental station identification;

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- 42 (c) Rental agreement number;
- 43 (d) Rental vehicle identification number;
- 44 (e) Rental vehicle license plate number and state of
45 registration;
- 46 (f) Vehicle's make, model, and color;
- 47 (g) Vehicle's mileage; and
- 48 (h) Authorized renter's name.

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

51 320.131 Temporary tags.—

52 (10) The department may partner with a county tax
53 collector to issue temporary tags to fleet companies to allow
54 them to operate fleet vehicles awaiting a permanent registration
55 and title.

56 (a) The department shall establish a memorandum of
57 understanding that allows a fleet company to receive multiple
58 temporary tags for company fleet vehicles.

59 (b) To receive temporary tags under this subsection, a
60 fleet company must have a minimum of 3,500 fleet vehicles
61 registered in this state that qualify to be registered as fleet
62 vehicles pursuant to s. 320.0657.

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

65 (d) A temporary tag issued under this subsection is for
66 exclusive use for a vehicle purchased for the company's fleet

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67 and may not be used on any other vehicle. Each temporary tag may
68 be used by only one vehicle, and each vehicle may use only one
69 temporary tag.

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

73 (f) Upon a finding by the department that a temporary tag
74 has been misused by a fleet company under this subsection, the
75 department may terminate the memorandum of understanding with
76 the company, invalidate all temporary tags issued to the company
77 under this subsection, and require such company to return any
78 unused temporary tags.

79 Section 3. Section 322.38, Florida Statutes, is amended to
80 read:

81 322.38 Renting motor vehicle to another.—

82 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any
83 other person unless the other ~~latter~~ person is ~~then~~ duly
84 licensed, or, if a nonresident, he or she ~~shall be~~ licensed
85 under the laws of the state or country of his or her residence,
86 except a nonresident whose home state or country does not
87 require that an operator be licensed.

88 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to
89 another until he or she has inspected the driver license of the
90 person to whom the vehicle is to be rented, and has ~~compared and~~
91 verified that the driver license is unexpired ~~signature thereon~~

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92 ~~with the signature of such person written in his or her~~
93 ~~presence.~~

94 (3) Every person renting a motor vehicle to another shall
95 keep a record of the registration number of the motor vehicle so
96 rented, the name and address of the person to whom the vehicle
97 is rented, the number of the license of said latter person, and
98 the ~~date and place when and where the said~~ license was issued.
99 Such record shall be open to inspection by any police officer,
100 or officer or employee of the department.

101 (4) If a rental car company rents a motor vehicle to a
102 person through digital, electronic, or other means which allows
103 the renter to obtain possession of the motor vehicle without
104 direct contact with an agent or employee of the rental car
105 company, or where the renter does not execute a rental contract
106 at the time he or she takes possession of the vehicle, the
107 rental car company shall be deemed to have met all obligations
108 of subsections (1) and (2) when the rental car company, at the
109 time the renter enrolls in a membership program, master
110 agreement, or other means of establishing use of the rental car
111 company's services, or any time thereafter, requires the renter
112 to verify that he or she is duly licensed and that the license
113 is unexpired.

114 Section 4. This act shall take effect October 1, 2018.
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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

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