

<b>Tab 1</b>	<b>SB 174</b> by <b>Rodriguez</b> ; Identical to H 00033 Transportation Facility Designations/Charlie Kirk Memorial Avenue
<b>Tab 2</b>	<b>SB 388</b> by <b>Arrington</b> ; Specialty License Plates/Florida Wildflower
<b>Tab 3</b>	<b>SB 470</b> by <b>Wright</b> ; Similar to H 00639 Fraternal Order of Police License Plate
<b>Tab 4</b>	<b>SB 488</b> by <b>Massullo</b> ; Similar to H 00937 Department of Highway Safety and Motor Vehicles
<b>Tab 5</b>	<b>SB 490</b> by <b>Massullo</b> ; Similar to H 00939 Public Records/E-mail Addresses Collected by the Department of Highway Safety for Providing Renewal Notices
<b>Tab 6</b>	<b>SB 584</b> by <b>Avila</b> ; Identical to H 00953 Commercial Driving Schools
<b>Tab 7</b>	<b>SB 628</b> by <b>Gaetz</b> ; Identical to H 00403 Transportation Facility Designations/Warrior Sacrifice Way

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**TRANSPORTATION**

**Senator Massullo, Chair**  
**Senator Avila, Vice Chair**

**MEETING DATE:** Monday, January 12, 2026

**TIME:** 4:00—6:00 p.m.

**PLACE:** *Mallory Horne Committee Room, 37 Senate Building*

**MEMBERS:** Senator Massullo, Chair; Senator Avila, Vice Chair; Senators Arrington, Davis, Jones, Martin, McClain, Truenow, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 174</b> Rodriguez (Identical H 33)	Transportation Facility Designations/Charlie Kirk Memorial Avenue; Providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers, etc.  TR      01/12/2026 ATD FP	
2	<b>SB 388</b> Arrington	Specialty License Plates/Florida Wildflower; Increasing the annual use fee for the Florida Wildflower license plate and providing a discount for owners purchasing the plate for more than a specified number of vehicles, etc.  TR      01/12/2026 ATD FP	
3	<b>SB 470</b> Wright (Similar H 639)	Fraternal Order of Police License Plate; Deleting a restriction on who may be issued the Fraternal Order of Police license plate; revising the distribution and use of annual use fees collected from sales of the Fraternal Order of Police license plate, etc.  TR      01/12/2026 ATD FP	
4	<b>SB 488</b> Avila (Similar H 937, Compare H 543, H 939, Linked S 490)	Department of Highway Safety and Motor Vehicles; Requiring licensure in lieu of registration of motor carriers operating certain qualified motor vehicles; revising due dates for motor fuel use tax returns submitted by licensed motor carriers; authorizing the department to inspect records necessary to verify the tax returns of motor carriers, motor fuel retail dealers, and motor fuel wholesale distributors; revising the apparent amount of property damage which requires the driver of a vehicle involved in a crash to notify law enforcement of the crash, etc.  TR      01/12/2026 ATD FP	

**COMMITTEE MEETING EXPANDED AGENDA**

Transportation

Monday, January 12, 2026, 4:00—6:00 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	<b>SB 490</b> Avila (Similar H 939, Compare H 937, Linked S 488)	Public Records/E-mail Addresses Collected by the Department of Highway Safety for Providing Renewal Notices ; Expanding an exemption from public records requirements for e-mail addresses collected by the Department of Highway Safety and Motor Vehicles for providing renewal notices to include e-mail addresses collected for use as a method of notification generally and not only for the purpose of providing renewal notices; expanding the exemption to include e-mail addresses collected for use as a method of notification related to vessel registrations; providing retroactive applicability; providing for future legislative review and repeal of the exemption; providing a statement of public necessity, etc.	TR 01/12/2026 ATD FP
6	<b>SB 584</b> Avila (Identical H 953)	Commercial Driving Schools; Authorizing the Department of Highway Safety and Motor Vehicles to enter into interagency agreements with tax collectors for a specified purpose; specifying that such an interagency agreement is a delegation of authority of the department to the tax collector; providing that such an interagency agreement may include, but need not be limited to, certain grants of authority, etc.	TR 01/12/2026 ATD FP
7	<b>SB 628</b> Gaetz (Identical H 403)	Transportation Facility Designations/Warrior Sacrifice Way; Providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers, etc.	TR 01/12/2026 ATD FP

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 174

INTRODUCER: Senator Rodriguez

SUBJECT: Transportation Facility Designations/Charlie Kirk Memorial Avenue

DATE: January 9, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Vickers	TR	Pre-meeting
2. _____	_____	ATD	_____
3. _____	_____	FP	_____

## **I. Summary:**

SB 174 designates that portion of S.R. 985/S.W. 107th Avenue between S.W. 24th Street and S.R. 90/S.W. 8th Street in Miami-Dade County as “Charlie Kirk Memorial Avenue” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

FDOT estimates its cost to install the required designation markers is \$2,400. See Section V. Fiscal Impact Statement below for details.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes or to distinguish a particular facility. Such designations may not be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.<sup>1</sup>

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated and to erect any other markers it deems appropriate for the transportation facility.<sup>2</sup>

FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the designated

<sup>1</sup> Section 334.071(1), F.S.

<sup>2</sup> Section 334.071(2), F.S.

road or bridge segment is located in more than one city or county, each affected local government must pass resolutions supporting the designations before the installation of the markers.<sup>3</sup>

### **Charlie Kirk**

Born in 1993, Charlie Kirk founded Turning Point USA, which mobilized young conservatives across the United States. He also wrote books, hosted a radio show, organized conferences, and appeared on college campuses, where he engaged in political debate. Mr. Kirk was assassinated in Utah on September 10, 2025.<sup>4</sup>

### **III. Effect of Proposed Changes:**

**Section 1** creates an undesignated section of Florida law designating that portion of S.R. 985/S.W. 107th Avenue between S.W. 24th Street and S.R. 90/S.W. 8th Street in Miami-Dade County as “Charlie Kirk Memorial Avenue” and directs FDOT to erect suitable markers.

**Section 2** provides that this bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>3</sup> Section 316.071(3), F.S.

<sup>4</sup> Charlie Kirk, *Britannica.com*, <https://www.britannica.com/biography/Charlie-Kirk#ref440983> (last visited January 5, 2026).

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

FDOT estimates that its cost to erect the designation markers required by this bill to be \$2,400. This assumes that a minimum of two markers are required at FDOT's cost of no less than \$1,200 each.<sup>5</sup> This estimate includes labor, materials, manufacturing, and installation. FDOT expects to absorb this cost within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>5</sup> Email from Jack Rogers, Legislative Affairs Director, Florida Department of Transportation, RE: Transportation Facility Designation Costs, December 9, 2024. (On file with Senate Committee on Transportation). Confirmed by an email from Jack Rogers, RE SB 174 – Charlie Kirk Designation, October 22, 2025. (On file with Senate Committee on Transportation).

**By Senator Rodriguez**

40-00403-26

2026174

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

10           Section 1. Charlie Kirk Memorial Avenue designated;  
11 Department of Transportation to erect suitable markers.—  
12           (1) That portion of S.R. 985/S.W. 107th Avenue between S.W.  
13 24th Street and S.R. 90/S.W. 8th Street in Miami-Dade County is  
14 designated as "Charlie Kirk Memorial Avenue."  
15           (2) The Department of Transportation is directed to erect  
16 suitable markers designating Charlie Kirk Memorial Avenue as  
17 described in subsection (1).

18 Section 2. This act shall take effect July 1, 2026.

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**CODING:** Words stricken are deletions; words underlined are additions.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 388

INTRODUCER: Senator Arrington

SUBJECT: Specialty License Plates/Florida Wildflower

DATE: January 9, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	<u>Pre-meeting</u>
2.		ATD	
3.		FP	

## I. Summary:

SB 388 increases the annual use fee for the existing Florida Wildflower specialty license plate from \$15 to \$25, consistent with the annual use fee amount applicable to all new specialty license plates. The bill provides that for a vehicle owner purchasing the Florida Wildflower specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains \$15 per plate.

The bill will likely have an indeterminate positive fiscal impact on the private sector. *See Section V., Fiscal Impact Statement.*

The bill takes effect October 1, 2026.

## II. Present Situation:

According to the Department of Highway Safety and Motor Vehicles (DHSMV), as of October 2025, there are 132 specialty license plates authorized by the Legislature. Of these plates, 118 are available for immediate purchase and 14 are in the presale process.<sup>1</sup> Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.<sup>2</sup> The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.<sup>3</sup>

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<sup>1</sup> Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: Specialty License Plates, regarding specialty license plate sales (November 25, 2025).

<sup>2</sup> Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), F.S., the annual use fee for a specialty license plate is \$25.

<sup>3</sup> Section 320.08058, F.S.

## Use of Specialty License Plate Fees

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.<sup>4</sup> Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.<sup>5</sup>

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.<sup>6</sup> Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.<sup>7</sup>

## Florida Wildflower Specialty License Plate

Current law provides that the \$15 annual use fee from the sale of the Florida Wildflower specialty license plate shall be distributed to the Florida Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state.<sup>8</sup>

According to DHSMV, as of December 2025 there were 37,885 total sales of the Florida Wildflower specialty license plate.<sup>9</sup>

### III. Effect of Proposed Changes:

The bill amends s. 320.08056, F.S., to increase the annual use fee of the Florida Wildflower specialty license plate from \$15 to \$25, except for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee remains at \$15 per plate.

The \$25 annual use fee is consistent with the amount established in s. 320.08056(3)(d), F.S., which is applicable to all new specialty license plates.

The bill takes effect October 1, 2026.

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<sup>4</sup> Section 320.08056(10)(a), F.S.

<sup>5</sup> Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

<sup>6</sup> Section 320.08056(10)(a), F.S.

<sup>7</sup> Section 320.08056(11), F.S.

<sup>8</sup> Section 320.0858(27)(b), F.S.

<sup>9</sup> Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited December 31, 2025).

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

If the annual use fee increases from \$15 to \$25, the Florida Wildflowers Foundation, Inc., will experience an indeterminate positive fiscal impact associated with increased revenues available to the foundation.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 320.08056 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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**By Senator Arrington**

25-00015-26

2026388

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

11 Section 1. Paragraph (p) of subsection (4) of section  
12 320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.-  
(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

16 (p) Florida Wildflower license plate, \$25, except that for  
17 an owner purchasing the specialty plate for more than 10  
18 vehicles registered to that owner, the annual use fee shall be  
19 \$15 per plate.

20 Section 2. This act shall take effect October 1, 2026.

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

**BILL:** SB 470

**INTRODUCER:** Senator Wright

**SUBJECT:** Fraternal Order of Police License Plate

**DATE:** January 9, 2026

**REVISED:** \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	<b>Pre-meeting</b>
2.		ATD	
3.		FP	

## **I. Summary:**

SB 470 deletes the restriction on who may be issued the Fraternal Order of Police specialty license plate which will expand the eligibility for the purchase of the specialty plate. The bill also redirects the funds associated with the sale of the plate to the Florida State Lodge Fraternal Order of Police Memorial Foundation, Inc., a nonprofit organization.

The bill will likely have an indeterminate positive fiscal impact on the private sector. See **Section V., Fiscal Impact Statement.**

The bill will take effect October 1, 2026.

## **II. Present Situation:**

The Fraternal Order of Police specialty license plate was established in 2009 and has a \$25 annual use fee. The Department of Highway Safety and Motor Vehicles (DHSMV) may issue the plate only to an applicant who submits a notarized letter from the Florida State Lodge of the Fraternal Order of Police stating that the applicant is a member of the lodge in good standing or a member of a lodge member's family, together with other fees and documents required for a specialty license plate.<sup>1</sup>

The annual use fees from the sale of the plate are distributed to the Florida State Lodge of the Fraternal Order of the Police. A maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the state Fraternal Order of Police Law Enforcement Memorial. The

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<sup>1</sup> Section 320.08058(67)(a), F.S.

remaining funds are to be used by the foundation to fund projects, programs, events related to the memorial or to fund improvements, maintenance, or other support of the memorial.<sup>2</sup>

According to the Florida State Fraternal Order of Police website, the “Fraternal Order of Police is the world’s largest organization of sworn law enforcement officers, with more than 373,000 members and more than 3,100 lodges.”<sup>3</sup> The Fraternal Order of Police Memorial Foundation (a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code) honors those who died in the line of duty and are added to the Florida State Fraternal Order of Police Law Enforcement Memorial located at the State Capitol.<sup>4</sup> The Memorial Foundation also provides a state scholarship program that consists of a variety of scholarships that range anywhere from \$500 to a four-year renewable scholarship of \$2,000.<sup>5</sup>

According to DHSMV, as of December 2025 there were 4,756 total sales of the Fraternal Order of Police specialty license plate.<sup>6</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 320.08058(67), F.S., to delete the requirement that applicants provide a notarized membership verification letter from the Fraternal Order of Police in order to purchase the Fraternal Order of Police specialty license plate. The elimination of the membership verification will significantly expand the eligibility for the purchase of the specialty plate.

The bill redistributes the funds from the sale of the specialty license plate to the Florida State Lodge Fraternal Order of Police Memorial Foundation, Inc., and specifies that those funds must be used in accordance with the foundation’s articles of incorporation. The bill also eliminates the stipulation that a maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the Fraternal Order of Police Law Enforcement Memorial.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

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<sup>2</sup> Section 320.08058(67)(b), F.S.

<sup>3</sup> Florida Fraternal Order of Police, *Our History*, [Our History | Florida State Lodge FOP](#) (last visited December 30, 2025).

<sup>4</sup> Florida Fraternal Order of Police, *Memorial Service*, [Memorial Service | Florida State Lodge FOP](#) (last visited December 30, 2025).

<sup>5</sup> Florida Fraternal Order of Police, *Scholarships*, [Scholarships | Florida State Lodge FOP](#) (last visited December 30, 2025).

<sup>6</sup> Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited December 31, 2025).

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will significantly expand the number of persons eligible to purchase the Fraternal Order of Police specialty license plate, which will have an indeterminate, positive fiscal impact on the recipient organization.

C. Government Sector Impact:

The bill will have an insignificant fiscal impact on DHSMV.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 320.08058 of the Florida Statutes.

**IX. Additional Information:**

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Wright

8-00441-26

2026470

A bill to be entitled

An act relating to the Fraternal Order of Police license plate; amending s. 320.08058, F.S.; deleting a restriction on who may be issued the Fraternal Order of Police license plate; revising the distribution and use of annual use fees collected from sales of the Fraternal Order of Police license plate; providing an effective date.

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

Section 1. Subsection (67) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(67) FRATERNAL ORDER OF POLICE LICENSE PLATES.—

(a) 1. The department shall develop a Fraternal Order of Police license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Fraternal Order of Police" must appear at the bottom of the plate.

2. The department may issue the plate only to an applicant who submits a notarized letter from the Florida State Lodge of the Fraternal Order of Police stating that the applicant is a member of the lodge in good standing or a member of a ledge member's family, together with other fees and documents required for a specialty plate.

(b) The annual use fees shall be distributed to the Florida State Lodge of the Fraternal Order of Police Memorial

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8-00441-26

2026470

Foundation, Inc., a nonprofit corporation under s. 501(c) (3) of the Internal Revenue Code. The which shall retain all proceeds until the startup costs to develop and establish the plate have been recovered. Thereafter, the proceeds shall be distributed to the Florida State Lodge Memorial foundation shall distribute the proceeds for use according to the foundation's articles of incorporation of the Fraternal Order of Police and used as follows:

1. A maximum of 10 percent of the proceeds may be used to promote and market the plate, to administer the license plate program, and to pay administrative costs directly associated with the state Fraternal Order of Police Law Enforcement Memorial.

2. The remaining proceeds shall be used by the foundation to fund projects, programs, or events related to the memorial or to fund improvements, maintenance, or other support for the memorial.

Section 2. This act shall take effect October 1, 2026.

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 488

INTRODUCER: Senator Massullo

SUBJECT: Department of Highway Safety and Motor Vehicles

DATE: January 9, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	<u>Pre-Meeting</u>
2.		ATD	
3.		FP	

### **I. Summary:**

SB 488 amends various provisions related to the Department of Highway Safety and Motor Vehicles (DHSMV), including motor vehicle registration, licensing, and tax-related requirements. Specifically, the bill:

- Revises the short title of s. 207.001, F.S., to the “Florida Motor Fuel Use Tax Act.”
- Specifies the requirements for calculating and reporting the motor fuel use tax and updates other definitions and requirements under the Florida Motor Fuel Use Tax Act.
- Creates penalties for counterfeiting or illegally altering fuel tax licenses and the related permits.
- Amends the required procedures for due dates, electronic submissions, and methods of communications related to motor carriers and fuel taxes.
- Revises penalties and interest calculations for delinquent tax payments and revises the provisions related to the inspection and discontinuation of business operations for motor carriers.
- Provides penalties for specific offenses related to the misuse of motor fuel-tax related documents and establishes detailed requirements for recordkeeping by motor carriers.
- Increases the amount of estimated damage resulting from a crash that is required to be reported to law enforcement from \$500 to \$2,000.
- Amends requirements related to the application process for motor vehicle registrations.
- Expands the types of transactions and circumstances in which DHSMV may use email in lieu of the United States Postal Service to communicate with customers.
- Updates the definition of a “tank vehicle” to place Florida in compliance with the Federal Motor Carrier Safety Regulations.

The bill may have an indeterminate positive fiscal impact on the DHSMV’s expenditures through the use of electronic mail. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2026.

## II. Present Situation:

### **Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981**

In 1981, the Florida Legislature passed Chapter 207, F.S., as the “Florida Diesel and Fuel Motor Use Tax Act of 1981,” which levied taxes for the privilege of operating any commercial motor vehicle upon the public highways of this state. In 1987, responsibility was moved from the Department of Revenue to the Department of Highway Safety and Motor Vehicles (DHSMV) and authority to enter into a cooperative reciprocal agreement with other states was enacted. In 1991, the International Fuel Tax Agreement (IFTA) was formed.

In 1992, Florida joined IFTA, and in 1996, Congress enacted 49 USC 31701-31707, requiring all states (except Alaska and Hawaii) to join IFTA. The legislation provided authority to each state to establish, maintain, or enforce a law or regulation requirement, including any tax reporting form, only if the requirement conforms with IFTA. It also detailed how payment, collection, and proportional sharing of fuel use taxes would work among member states. Chapter 207, F.S., contains language that no longer conforms with the federal IFTA Articles of Agreement.<sup>1</sup>

### **International Fuel Tax Agreement (IFTA)**

The IFTA simplifies fuel tax reporting for interstate carriers, such as commercial motor vehicles. Commercial motor vehicles qualify for IFTA if they are used, designed, or maintained for the interstate transportation of persons or property and:

- Have two axles and a gross vehicle weight (GVW) or registered GVW exceeding 26,000 pounds; or
- Have three or more axles, regardless of weight; or
- Are used in combination with a trailer, for a combined GVW or registered GVW in excess of 26,000 pounds.<sup>2</sup>

The IFTA is a reciprocal agreement, meaning that an IFTA license issued by the jurisdiction where the motor carrier is based, is valid in all the other IFTA member jurisdictions.

Additionally, the licensee reports and pays all motor fuel taxes to the base jurisdiction, which handles distribution to all the other member jurisdictions in which the licensee travelled and incurred motor fuel use tax liability. The IFTA member jurisdictions are the lower 48 states and the 10 Canadian provinces.<sup>3</sup>

### ***IFTA Credentials***

Each calendar year, Florida will issue an IFTA license and a set of two IFTA decals per each qualified vehicle. The original IFTA license is kept with the carrier’s records, and copies of the original must be kept in each vehicle, and IFTA decals must be affixed to the outside of each of those vehicles. By having copies of the licenses, and the decals affixed to the outside of the

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<sup>1</sup> DHSMV, *2026 Legislative Bill Analysis: SB 488* (October 3, 2025) at p. 3 (on file with the Senate Transportation Committee).

<sup>2</sup> Department of Highway Safety and Motor Vehicles, *International Fuel Tax Agreement*, <https://www.flhsmv.gov/driver-licenses-id-cards/commercial-motor-vehicle-drivers/international-fuel-tax-agreement/> (last visited December 30, 2025).

<sup>3</sup> *Id* at 2.

vehicles, it qualifies them to be operational in all other IFTA jurisdictions without the need for obtaining additional licenses from those jurisdictions.<sup>4</sup> The IFTA licenses and decals are valid for one calendar year (January 1 – December 31), and reporting for motor fuel taxes is divided into four reporting periods. There is no annual fee associated with the IFTA license, and IFTA decals are \$4.00 per set.<sup>5</sup>

### **Crash Reporting – Damage Thresholds**

A driver of a vehicle involved in a crash that results in injury or death of any person, or results in damage to any vehicle or other property in an apparent amount of at least \$500, must give immediate notification to local law enforcement whether a municipality, county, or Florida Highway Patrol. A violation of this provision is a noncriminal traffic infraction, punishable as a nonmoving violation. The statutory base fine is \$30, but with additional fees and court costs, the total fine may be up to \$108.<sup>6</sup>

In 1989, the amount of property damage necessary to require notification to law enforcement was increased from \$100 to \$500.<sup>7</sup> Currently, the normal amount for a deductible for vehicle insurance contracts within the insurance industry is between \$500 and \$1,500.<sup>8</sup> From 2021 to the present, the typical vehicle crash damage repair cost ranged between \$1,000 to \$1,499. The second highest percentage was \$2,000 to \$2,499. Within the same period 60 percent of the vehicle crashes resulted in more than \$2,500 in damage.<sup>9</sup>

### **Application and Issuance for Certificate of Title**

If a certificate of title has not previously been issued for a motor vehicle or mobile home in this state, the application, unless otherwise provided, must be accompanied by a proper bill of sale or sworn statement of ownership, or a duly certified copy thereof, or by a certificate of title, bill of sale, or other evidence of ownership required by the state or county from which the motor vehicle or mobile home was brought into this state.<sup>10</sup> The application must also be accompanied by:

- A sworn affidavit from the seller and purchaser verifying that the vehicle identification number shown on the affidavit is identical to the vehicle identification number shown on the motor vehicle; or
- An appropriate DHSMV form evidencing that a physical examination has been made of the motor vehicle by the owner and by a duly constituted law enforcement officer in any state, a licensed motor vehicle dealer, a license inspector as provided by s. 320.58, F.S., or a notary public commissioned by this state, and that the vehicle identification number shown on such form is identical to the vehicle identification number shown on the motor vehicle; and

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<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Florida Association of Clerks of Court, *2023 Distribution Schedule*, p. 39.

[https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023\\_Distribution\\_Schedule\\_e.pdf](https://cdn.ymaws.com/www.flclerks.com/resource/resmgr/publicationsanddocuments/2023_Distribution_Schedule_e.pdf) (last visited December 30, 2025).

<sup>7</sup> Section 1, Chapter 89-271, Laws of Florida.

<sup>8</sup> Insurance, L. M. (n.d.). Car Insurance Deductibles: Frequently Asked Questions, *Liberty Mutual*.

<https://www.libertymutual.com/insurance-resources/auto/car-insurance-deductibles-faqs> (last visited December 30, 2025).

<sup>9</sup> *Id* at 2.

<sup>10</sup> Section 319.23(3), F.S.

- If the vehicle is a used car original, a sworn affidavit from the owner verifying that the odometer reading shown on the affidavit is identical to the odometer reading shown on the motor vehicle in accordance with the requirements of certain federal regulations.

Verification of the vehicle identification number is not required for any new motor vehicle; any mobile home; any trailer or semitrailer with a net weight of less than 2,000 pounds; or any travel trailer, camping trailer, truck camper, or fifth-wheel recreation trailer.<sup>11</sup>

### **Vehicle Registration Requirements – Permanent Address**

With limited exceptions, every owner or person in charge of a motor vehicle that is operated or driven on the roads must register the vehicle in this state. The owner or person in charge must apply to the DHSMV or to its authorized agent for registration of each vehicle on a form prescribed by the DHSMV. A registration is not required for any motor vehicle that is not operated on the roads of this state during the registration period.<sup>12</sup>

The application for registration must include the street address of the owner's permanent residence or the address of his or her permanent place of business and be accompanied by personal or business identification information. An individual applicant must provide a valid driver license or identification card issued by Florida or another state or a valid passport. A business applicant must provide a federal employer identification number, if applicable, or verification that the business is authorized to conduct business in the state, or a Florida municipal or county business license or number.<sup>13</sup>

If the owner does not have a permanent residence or permanent place of business, or if the owner's permanent residence or permanent place of business cannot be identified by a street address, the application must include:

- If the vehicle is registered to a business, the name and street address of the permanent residence of an owner of the business, an officer of the corporation, or an employee who is in a supervisory position.
- If the vehicle is registered to an individual, the name and street address of the permanent residence of a close relative or friend who is a resident of this state.<sup>14</sup>

If the vehicle is registered to an active-duty member of the Armed Forces of the United States who is a Florida resident, the active-duty member is exempt from the requirement to provide the street address of a permanent residence.<sup>15</sup>

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<sup>11</sup> *Id.*

<sup>12</sup> Section 320.02(1), F.S.

<sup>13</sup> Section 320.02(2)(a), F.S.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

## **Electronic Notification to Customers – Use of Email**

Notices related to the cancellation, suspension, revocation, or disqualification issued under the provisions of chs. 318, 320, 322, 324, or ss. 627.732-627.734, F.S.,<sup>16</sup> must be given via personal delivery to the customer via the United States Postal Service at which it is placed in an envelope, first class, postage prepaid and addressed to the customer at his or her last known mailing address that has been furnished to the DHSMV.

Currently, the DHSMV is authorized to collect and utilize email addresses for the limited purpose of providing certain motor vehicle registration and driver's license renewal notices.

## **Definition of Tank Vehicles**

Section 322.01(44), F.S. defines a "tank vehicle" as a vehicle that is designed to transport any liquid or any liquid gaseous material within a tank either permanently or temporarily attached to the vehicle, if such tank has a designed capacity of 1,000 gallons or more.

According to the DHSMV, this definition is not currently aligned with the Federal Motor Carrier Safety Administration (FMSCA) definition.<sup>17</sup> The FMSCA has the power to withhold federal funding from the state should they find that the DHSMV is not in compliance with the applicable federal legal requirements.<sup>18</sup>

## **III. Effect of Proposed Changes:**

### **International Fuel Tax Agreement**

The bill amends various sections of ch. 207, F.S., to update Florida law to reflect the changes in federal regulations pertaining to IFTA so that Florida remains compliant with those federal regulations. For example, the bill:

- Specifies the requirements for calculating and reporting the motor fuel use tax and updates other definitions and requirements under the Florida Motor Fuel Use Tax Act.
- Establishes a licensing system for motor carriers in lieu of registration and mandates electronic submission for tax and licensing documents.
- Creates penalties for counterfeiting or illegally altering fuel tax licenses and the related permits.
- Amends the required procedures for due dates, electronic submissions, and methods of communications related to motor vehicles and fuel taxes.

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<sup>16</sup> These chapters govern the disposition of traffic infractions, motor vehicle registration, driver licensing, financial responsibility, and motor vehicle insurance.

<sup>17</sup> 49 CFR 383.5, provides that a "tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank or tanks having an individual rated capacity of more than 119 gallons and an aggregate rated capacity of 1,000 gallons or more that is either permanently or temporarily attached to the vehicle or the chassis. A commercial motor vehicle transporting an empty storage container tank, not designed for transportation, with a rated capacity of 1,000 gallons or more that is temporarily attached to a flatbed trailer is not considered a tank vehicle.

<sup>18</sup> DHSMV, 2025 Legislative Bill Analysis: SB 1290 (February 26, 2025) at p. 5 (on file with the Senate Transportation Committee).

- Revises penalties and interest calculations for delinquent tax payments and revises the provisions related to the inspection and discontinuation of business operations for motor carriers.
- Provides penalties for specific offenses related to the misuse of motor fuel-tax related documents and establishes detailed requirements for recordkeeping by motor carriers.
- Incorporates numerous conforming provisions throughout ch. 207, F.S.

### **Crash Reporting – Damage Thresholds**

The bill amends s. 316.065, F.S., to require the driver a of a vehicle that is involved in a crash that results in injury or death of any person, or results in damage to any vehicle or other property in an apparent amount of at least \$2,000 (currently \$500), must give immediate notification to local law enforcement or the Florida Highway Patrol.

### **Motor Vehicle Registration – Permanent Address**

The bill amends s. 320.02, F.S., to provide that an application for registration of a motor vehicle must include the street address of the owner's Florida residence or the address of his or her permanent place of business in Florida and be accompanied by specified personal or business identification. The bill repeals the current authorization for a vehicle owner who does not have a permanent address or place of business in Florida to register a vehicle under certain conditions.

Specifically, the bill provides that an applicant for a motor vehicle registration is required to have a valid, REAL ID compliant driver's license or identification card issued by Florida or another state, a valid unexpired United States passport, or a valid, unexpired passport issued by another country and an unexpired Form I-94 issued by the United States Bureau of Customs and Border Protection. According to the DHSMV, there are currently 262,167 driver licenses in Florida that are not yet REAL-ID compliant, and the federal REAL-ID deadline is May 7, 2025.<sup>19</sup>

The bill also stipulates that if a vehicle is registered to a service member of the U.S. Armed Forces as defined in s. 322.57(4)(a), F.S., who is a Florida resident, the registrant is exempt from the requirement to provide a street address for a permanent Florida residence.

### **Electronic Notification of Customers Via Email**

The bill amends ss. 320.95, 322.08, 322.18, 322.21, 322.251, 322.2616, 322.64, 324.091, and 328.30, F.S., to expand the types of transactions and circumstances in which DHSMV may use email in lieu of the United States Postal Service to communicate with customers. Specifically, the bill authorizes email to be used as a method of general notification for various notices and orders issued by DHSMV, including, but not limited to, notices related to driver licenses, identification cards, motor vehicle registrations, motor vehicle insurance, and vessel registrations.

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<sup>19</sup> *Id* at p. 6

SB 490, which is linked to this bill, expands provisions related to current public record exemptions for email addresses held by the DHSMV used in connection with:

- Motor vehicle title transactions.
- Motor vehicle registration renewal notices.
- Driver license renewal notices.
- Vessel title transactions and liens.

### **Definition of Tank Vehicles**

The bill amends s. 322.01(44), F.S., to change the definition of a “tank vehicle” to a vehicle designed to transport any liquid or gaseous material within one or more tanks, each with a capacity above 119 gallons and an aggregate rated capacity of 1,000 gallons or more. A commercial motor vehicle transporting an empty storage container that is not designed for transportation but that is temporarily attached to a flatbed trailer is not a tank vehicle. This change places Florida in substantial compliance with Parts 383 and 384 of the FMCSA.

The bill includes various conforming provisions and corrects several cross-references.

This bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

Not applicable.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

Not applicable. The bill does not impose or raise a state tax or fee nor repeal a state credit or exemption.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill may have an indeterminate positive fiscal impact on state government as DHSMV's expenditures could decrease as a result of notices and orders being provided via electronic mail and not through the United States Postal Service.

According to the DHSMV, FHP and tax collector training will be required to implement several provisions of the bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 207.001, 207.002, 207.003, 207.004, 207.005, 207.007, 207.008, 207.011, 207.013, 207.014, 207.019, 207.023, 207.0281, 212.08, 316.065, 316.545, 318.15, 319.35, 320.02, 320.95, 320.95, 322.01, 322.08, 322.18, 322.21, 322.251, 322.2616, 322.64, 324.091, 324.091, 324.171, 328.30, and 627.7415.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

**By Senator Massullo**

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30 certain delinquent taxes; prohibiting a person from  
31 knowingly making, or assisting any other person in  
32 making, a false statement in connection with an audit;  
33 prohibiting a person from counterfeiting, altering,  
34 manufacturing, or selling fuel tax licenses, fuel tax  
35 decals, or temporary fuel-use permits except under  
36 certain circumstances; providing penalties; amending  
37 s. 207.008, F.S.; conforming provisions to changes  
38 made by the act; amending s. 207.011, F.S.;  
39 authorizing the department to inspect records  
40 necessary to verify the tax returns of motor carriers,  
41 motor fuel retail dealers, and motor fuel wholesale  
42 distributors; amending ss. 207.013 and 207.014, F.S.;  
43 conforming provisions to changes made by the act;  
44 amending s. 207.019, F.S.; requiring motor carriers to  
45 destroy fuel tax decals and notify the department upon  
46 the discontinuance, sale, or transfer of the business;  
47 amending ss. 207.023, 207.0281, and 212.08, F.S.;  
48 conforming provisions to changes made by the act;  
49 amending s. 316.065, F.S.; revising the apparent  
50 amount of property damage which requires the driver of  
51 a vehicle involved in a crash to notify law  
52 enforcement of the crash; amending s. 318.15, F.S.;  
53 conforming a provision to changes made by the act;  
54 amending s. 320.02, F.S.; requiring vehicle  
55 registration applicants to provide a Florida address;  
56 providing an exception; requiring an applicant to  
57 provide satisfactory proof of address and certain  
58 documentation; defining the term "REAL ID driver's

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59 license or identification card"; amending s. 320.95,  
 60 F.S.; revising the purpose for which the department  
 61 may use e-mail; amending s. 322.01, F.S.; revising the  
 62 definition of the term "tank vehicle"; amending s.  
 63 322.08, F.S.; revising the purpose for which the  
 64 department may use e-mail; amending ss. 322.18,  
 65 322.21, and 322.251, F.S.; authorizing the department  
 66 to provide certain orders and notices by e-mail  
 67 notification; amending ss. 322.2616, 322.64, 324.091,  
 68 and 324.171, F.S.; conforming provisions to changes  
 69 made by the act; amending s. 328.30, F.S.; revising  
 70 the purpose for which the department may use e-mail;  
 71 amending s. 627.7415, F.S.; conforming a provision to  
 72 changes made by the act; amending ss. 316.545 and  
 73 319.35, F.S.; conforming cross-references; making a  
 74 technical change; providing an effective date.

75  
 76 Be It Enacted by the Legislature of the State of Florida:

77  
 78 Section 1. Section 207.001, Florida Statutes, is amended to  
 79 read:  
 80 207.001 Short title.—This chapter shall be known as the  
 81 "Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981," and  
 82 the taxes levied under this chapter shall be in addition to all  
 83 other taxes imposed by law.

84 Section 2. Section 207.002, Florida Statutes, is reordered  
 85 and amended to read:

86 207.002 Definitions.—As used in this chapter, the term:  
 87 (11)-(1) "Qualified Commercial motor vehicle" means any

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88 vehicle not owned or operated by a governmental entity which  
 89 uses ~~diesel fuel or~~ motor fuel on the public highways; and which  
 90 has two axles and a gross vehicle weight or registered gross  
 91 vehicle weight in excess of 26,000 pounds, or has three or more  
 92 axles regardless of weight, or is used in combination when the  
 93 weight of such combination exceeds 26,000 pounds gross vehicle  
 94 weight or registered gross vehicle weight. The term excludes any  
 95 recreational vehicle or vehicle owned or operated by a community  
 96 transportation coordinator as defined in s. 427.011 or by a  
 97 private operator that provides public transit services under  
 98 contract with such a provider.

99 (1) ~~(2)~~ "Department" means the Department of Highway Safety  
 100 and Motor Vehicles.

101 (2) "International Fuel Tax Agreement" means a reciprocal  
 102 agreement among states of the United States, provinces of  
 103 Canada, and other such member jurisdictions to provide for the  
 104 administration, collection, and enforcement of taxes on the  
 105 basis of fuel consumed, distance accrued, or both, in member  
 106 jurisdictions.

107 (3) ~~"Diesel fuel"~~ means any liquid product or gas product  
 108 or combination thereof, including, but not limited to, all forms  
 109 of fuel known or sold as diesel fuel, kerosene, butane gas, or  
 110 propane gas and all other forms of liquefied petroleum gases,  
 111 except those defined as "motor fuel," used to propel a motor  
 112 vehicle.

113 (4) ~~"International Registration Plan"~~ means a registration  
 114 reciprocity agreement among states of the United States and  
 115 provinces of Canada providing for payment of license fees or  
 116 license taxes on the basis of fleet miles operated in various

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117 ~~jurisdictions.~~

118 (3) ~~(5)~~ "Interstate" means vehicle movement between or  
119 through two or more member jurisdictions ~~states~~.

120 (4) ~~(6)~~ "Intrastate" means vehicle movement from one point  
121 within a member jurisdiction state to another point within the  
122 same member jurisdiction state.

123 (5) "Member jurisdiction" means a state of the United  
124 States, a province of Canada, or any other such jurisdiction  
125 that is a member of the International Fuel Tax Agreement.

126 (6) ~~(7)~~ "Motor carrier" means any person owning,  
127 controlling, operating, or managing any motor vehicle used to  
128 transport persons or property over any public highway.

129 (7) ~~(8)~~ "Motor fuel" means any fuel placed in the fuel  
130 supply storage unit of a qualified motor vehicle, including an  
131 alternative fuel, such as pure methanol, ethanol, or other  
132 alcohol; a blend of 85 percent or more alcohol with gasoline;  
133 natural gas and liquified fuel produced from natural gas;  
134 propane; coal-derived liquified fuel; hydrogen; electricity;  
135 pure biodiesel (B100) fuel, other than alcohol, derived from  
136 biological materials; P-series fuel; or any other type of fuel  
137 or energy used to propel a qualified motor vehicle ~~what is~~  
138 commonly known and sold as gasoline and fuels containing a  
139 mixture of gasoline and other products.

140 (8) ~~(9)~~ "Operate," "operated," "operation," or "operating"  
141 means and includes the utilization in any form of any qualified  
142 commercial motor vehicle, whether loaded or empty, whether  
143 utilized for compensation or not for compensation, and whether  
144 owned by or leased to the motor carrier who uses it or causes it  
145 to be used.

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147 (9) ~~(10)~~ "Person" means and includes natural persons,  
148 corporations, copartnerships, firms, companies, agencies, or  
149 associations, singular or plural.

150 (10) ~~(11)~~ "Public highway" means any public street, road, or  
highway in this state.

151 (12) ~~Registrant~~ means a person in whose name or names a  
152 vehicle is properly registered.

153 (12) ~~(13)~~ "Use," "uses," or "used" means the consumption of  
154 diesel fuel or motor fuel in a qualified commercial motor  
155 vehicle for the propulsion thereof.

156 Section 3. Section 207.003, Florida Statutes, is amended to  
157 read:

158 207.003 Privilege tax levied.—A tax for the privilege of  
159 operating any qualified commercial motor vehicle upon the public  
160 highways of this state shall be levied upon every motor carrier  
161 at a rate which includes the minimum rates provided in parts I-  
162 III of chapter 206 on each gallon of diesel fuel or motor fuel  
163 used for the propulsion of a qualified commercial motor vehicle  
164 by such motor carrier within this ~~the~~ state.

165 Section 4. Section 207.004, Florida Statutes, is amended to  
166 read:

167 207.004 Licensing Registration of motor carriers; fuel tax  
168 decals identifying devices; fees; renewals; temporary fuel-use  
169 permits and driveaway permits.—

170 (1) (a) A ~~No~~ motor carrier ~~may not~~ shall operate or cause to  
171 be operated in this state any qualified ~~commercial~~ motor  
172 vehicle, other than a Florida-based qualified ~~commercial~~ motor  
173 vehicle that travels Florida intrastate mileage only, ~~which~~ that  
174 uses diesel fuel or motor fuel until such carrier is licensed

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175 under the International Fuel Tax Agreement and issued fuel tax  
 176 ~~decals~~ has registered with the department or has registered  
 177 under a cooperative reciprocal agreement as described in s.  
 178 207.0281, after such time as this state enters into such  
 179 agreement, and has been issued an identifying device or such  
 180 carrier ~~is~~ has been issued a temporary fuel-use permit as  
 181 authorized under subsection (5) subsections (4) and (5) for each  
 182 vehicle operated. The fee for each set of fuel tax decals is  
 183 There shall be a fee of \$4 per year or any fraction thereof. A  
 184 copy of the license must be carried in each vehicle or made  
 185 available electronically. The fuel tax decals for each such  
 186 identifying device issued. The identifying device shall be  
 187 provided by the department and must be conspicuously displayed  
 188 on the qualified commercial motor vehicle as prescribed by the  
 189 instructions on the reverse side of the decal department while  
 190 the vehicle ~~it~~ is being operated on the public highways of this  
 191 state. The transfer of fuel tax decals an identifying device  
 192 from one vehicle to another vehicle or from one motor carrier to  
 193 another motor carrier is prohibited. The department or its  
 194 authorized agent shall issue the licenses and fuel tax decals.

195 (b) The motor carrier to whom fuel tax decals have been  
 196 issued is an identifying device has been issued shall be solely  
 197 responsible for the proper use of the fuel tax ~~decals~~  
 198 identifying device by its employees, consignees, or lessees.

199 (2) Fuel tax decals Identifying devices shall be issued  
 200 each year for the period January 1 through December 31, or any  
 201 portion thereof, if tax returns and tax payments, when  
 202 applicable, have been submitted to the department for all prior  
 203 reporting periods. Fuel tax ~~decals~~ Identifying devices may be

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204 displayed for the next succeeding indicia period beginning  
 205 December 1 of each year. Beginning October 1, 2026, except as  
 206 otherwise authorized by the department, all fuel tax decal  
 207 renewal orders must be electronically submitted through an  
 208 online system prescribed by the department.

209 (3) If a motor carrier licensed in this state no longer  
 210 operates or causes to be operated in this state a qualified  
 211 commercial motor vehicle, the fuel tax decals must identifying  
 212 device shall be destroyed and the motor carrier to whom the fuel  
 213 tax decals were device was issued must shall notify the  
 214 department immediately by letter of such removal and of the  
 215 number of fuel tax decals the identifying device that has been  
 216 destroyed.

217 (4) A motor carrier must, before operating a qualified  
 218 commercial motor vehicle on the public highways of this state,  
 219 must display fuel tax decals an identifying device as required  
 220 under subsections (1) and (2) or must obtain a temporary fuel-  
 221 use permit for that vehicle as provided in subsection (5). A  
 222 temporary fuel-use permit shall expire within 10 days after date  
 223 of issuance. The cost of a temporary fuel-use permit is \$45, and  
 224 the permit exempts the vehicle from the payment of the motor  
 225 fuel or diesel fuel tax imposed under this chapter during the  
 226 term for which the permit is valid. However, the vehicle is not  
 227 exempt from paying the fuel tax at the pump.

228 (5) (a) A registered motor carrier holding a valid  
 229 certificate of registration may, upon payment of the \$45 fee per  
 230 permit, secure from the department, or any wire service  
 231 authorized by the department, a temporary fuel-use permit.

232 (b) The fee for a temporary fuel-use permit is \$45. A

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233 temporary fuel-use permit expires 10 days after the date of  
 234 issuance and exempts the vehicle from payment of the motor fuel  
 235 tax imposed under this chapter during the period for which the  
 236 permit is valid. However, this paragraph does not exempt the  
 237 vehicle from payment at the pump of the fuel tax imposed under  
 238 chapter 206.

239 (c) A blank temporary fuel-use permit must, before its use,  
 240 must be executed by the motor carrier, in ink or type, so as to  
 241 identify the carrier, the vehicle to which the permit is  
 242 assigned, and the permit's effective date and expiration date  
 243 that the vehicle is placed in and removed from service. The  
 244 temporary fuel use permit shall also show a complete  
 245 identification of the vehicle on which the permit is to be used,  
 246 together with the name and address of the owner or lessee of the  
 247 vehicle. The endorsed temporary fuel-use permit must shall then  
 248 be carried on the vehicle that it identifies and must shall be  
 249 exhibited on demand to any authorized personnel. Temporary fuel-  
 250 use permits may be transmitted to the motor carrier by  
 251 electronic means and shall be completed as outlined by  
 252 department personnel prior to transmittal.

253 (d) The motor carrier to whom a temporary fuel-use permit  
 254 is issued is shall be solely responsible for the proper use of  
 255 the permit by its employees, consignees, or lessees. Any  
 256 erasure, alteration, or unauthorized use of a temporary fuel-use  
 257 permit renders shall render it invalid and of no effect. A motor  
 258 carrier to whom a temporary fuel-use permit is issued may not  
 259 knowingly allow the permit to be used by any other person or  
 260 organization.

261 (b) An unregistered motor carrier may, upon payment of the

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262 ~~\$45 fee, secure from any wire service authorized by the~~  
 263 ~~department, by electronic means, a temporary fuel-use permit~~  
 264 ~~that shall be valid for a period of 10 days. Such permit must~~  
 265 ~~show the name and address of the unregistered motor carrier to~~  
 266 ~~whom it is issued, the date the vehicle is placed in and removed~~  
 267 ~~from service, a complete identification of the vehicle on which~~  
 268 ~~the permit is to be used, and the name and address of the owner~~  
 269 ~~or lessee of the vehicle. The temporary fuel-use permit shall~~  
 270 ~~then be carried on the vehicle that it identifies and shall be~~  
 271 ~~exhibited on demand to any authorized personnel. The~~  
 272 ~~unregistered motor carrier to whom a temporary fuel-use permit~~  
 273 ~~is issued shall be solely responsible for the proper use of the~~  
 274 ~~permit by its employees, consignees, or lessees. Any erasure,~~  
 275 ~~alteration, or unauthorized use of a temporary fuel-use permit~~  
 276 ~~shall render it invalid and of no effect. The unregistered motor~~  
 277 ~~carrier to whom a temporary fuel-use permit is issued may not~~  
 278 ~~knowingly allow the permit to be used by any other person or~~  
 279 ~~organization.~~

280 (e) A registered motor carrier engaged in driveaway  
 281 transportation, in which the cargo is the vehicle itself and is  
 282 in transit to stock inventory and the ownership of the vehicle  
 283 is not vested in the motor carrier, may, upon payment of the \$4  
 284 fee, secure from the department a driveaway permit. The  
 285 driveaway permits shall be issued for the period January 1  
 286 through December 31. An original permit must be in the  
 287 possession of the operator of each vehicle and shall be  
 288 exhibited on demand to any authorized personnel. Vehicle mileage  
 289 reports must be submitted by the motor carrier, and the road  
 290 privilege tax must be paid on all miles operated within this

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 291 state during the reporting period. All other provisions of this  
 292 chapter shall apply to the holder of a driveaway permit.

293 Section 5. Section 207.005, Florida Statutes, is amended to  
 294 read:

295 207.005 Returns and payment of tax; delinquencies;  
 296 calculation of fuel used during operations in the state; credit;  
 297 bond.—

298 (1) The taxes levied under this chapter are shall be due  
 299 and payable on the first day of the month following the last  
 300 month of the reporting period. The department may adopt  
 301 promulgate rules for requiring and establishing procedures for  
 302 annual, semiannual, or quarterly filing. The reporting period is  
 303 shall be the 12 months beginning January 1 July 1 and ending  
 304 December 31 June 30. It shall be the duty of Each motor carrier  
 305 licensed registered or required to be registered under the  
 306 provisions of this chapter must to submit a return by the  
 307 following due dates, except that each due date is extended until  
 308 the last day of the month of the due date, and, if the last day  
 309 of the month falls on a Saturday, Sunday, or legal holiday, the  
 310 due date is further extended until the next day that is not a  
 311 Saturday, Sunday, or legal holiday within 30 days after the due  
 312 date. The due date shall be as follows:

313 (a) If annual filing, the due date is January 31. shall be  
 314 July 1;

315 (b) If semiannual filing, the due dates are shall be  
 316 January 31 ± and July 31 ±; or

317 (c) If quarterly filing, the due dates are shall be January  
 31 ±, April 30 ±, July 31 ±, and October 31 ±.

318 (2) The amount of fuel used in the propulsion of any

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 320 qualified commercial motor vehicle within this state may be  
 321 calculated, if the motor carrier maintains adequate records, by  
 322 applying total interstate vehicular consumption of all ~~diesel~~  
 323 ~~fuel~~ and motor fuel used as related to total miles traveled and  
 324 applying such rate to total miles traveled within this state. In  
 325 the absence of adequate documentation by the motor carrier, the  
 326 department may adopt is authorized to promulgate rules  
 327 converting miles driven to gallons used.

328 (3) For the purpose of computing the carrier's liability  
 329 for the fuel road privilege tax, the total gallons of fuel used  
 330 in the propulsion of any qualified commercial motor vehicle in  
 331 this state shall be multiplied by the rates provided in parts I-  
 332 III of chapter 206. From the sum determined by this calculation,  
 333 there shall be allowed a credit equal to the amount of the tax  
 334 per gallon under parts I-III of chapter 206 for each gallon of  
 335 fuel purchased in this state during the reporting period when  
 336 the diesel fuel or motor fuel tax was paid at the time of  
 337 purchase. If the tax paid under parts I-III of chapter 206  
 338 exceeds the total tax due under this chapter, the excess may be  
 339 allowed as a credit against future tax payments, until the  
 340 credit is fully offset or until eight calendar quarters shall  
 341 have passed since the end of the calendar quarter in which the  
 342 credit accrued, whichever occurs first. A refund may be made for  
 343 this credit provided it exceeds \$10.

344 (4) The department may adopt is authorized to promulgate  
 345 the necessary rules to provide for an adequate bond from each  
 346 motor carrier to ensure payment of taxes required under this  
 347 chapter.

348 (5) Beginning October 1, 2026, except as otherwise

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 349 authorized by the department, all returns must be submitted  
 350 electronically through an online system prescribed by the  
 351 department.  
 352 Section 6. Section 207.007, Florida Statutes, is amended to  
 353 read:  
 354       207.007 Offenses; penalties and interest.—  
 355       (1) If any motor carrier licensed registered under this  
 356 chapter fails to file a return or and pay any tax liability  
 357 under this chapter within the time required hereunder, the  
 358 department may impose a delinquency penalty of \$50 or 10 percent  
 359 of the delinquent taxes due, whichever is greater, if the  
 360 failure is for not more than 30 days, with an additional 10  
 361 percent penalty for each additional 30 days, or fraction  
 362 thereof, during the time which the failure continues, not to  
 363 exceed a total penalty of 100 percent in the aggregate. However,  
 364 the penalty may not be less than \$50.  
 365       (2) In addition to any other penalties, any delinquent tax  
 366 shall bear interest in accordance with the International Fuel  
Tax Agreement at the rate of 1 percent per month, or fraction  
thereof, calculated from the date the tax was due. If the  
department enters into a cooperative reciprocal agreement under  
the provisions of s. 207.0281, the department shall collect and  
distribute all interest due to other jurisdictions at the same  
rate as if such interest were due to the state.  
 373       (3) A Any person who:  
 374           (a) Willfully refuses or neglects to make any statement,  
 375 report, or return required by the provisions of this chapter;  
 376           (b) Knowingly makes, or assists any other person in making,  
 377 a false statement in a return or report, or in connection with

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 378 an application for licensure registration under this chapter, or  
 379 in connection with an audit; or  
 380       (c) Counterfeits, alters, manufactures, or sells fuel tax  
 381 licenses, fuel tax decals, or temporary fuel-use permits without  
 382 first having obtained the department's permission in writing; or  
 383       (d) Violates any of the provisions of this chapter, a  
 384 penalty for which is not otherwise provided,  
 385  
 386 commits is guilty of a felony of the third degree, punishable as  
 387 provided in s. 775.082, s. 775.083, or s. 775.084. In addition,  
 388 the department may revoke or suspend the licensure and  
 389 registration privileges under ss. 207.004 and 320.02 of the  
 390 violator. Each day or part thereof during which a person  
 391 operates or causes to be operated a qualified commercial motor  
 392 vehicle without being the holder of fuel tax decals an  
 393 identifying device or having a valid temporary fuel-use or  
 394 driveaway permit as required by this chapter constitutes a  
 395 separate offense within the meaning of this section. In addition  
 396 to the penalty imposed by this section, the defendant is shall  
 397 be required to pay all taxes, interest, and penalties due to the  
 398 state.  
 399       Section 7. Section 207.008, Florida Statutes, is amended to  
 400 read:  
 401       207.008 Retention of records by motor carrier.—Each  
 402 licensed registered motor carrier shall maintain and keep  
 403 pertinent records and papers as may be required by the  
 404 department for the reasonable administration of this chapter and  
 405 shall preserve the records upon which each quarterly tax return  
 406 is based for 4 years following the due date or filing date of

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407 the return, whichever is later.

408 Section 8. Subsection (3) of section 207.011, Florida  
409 Statutes, is amended to read:

410 207.011 Inspection of records; hearings; forms; rules.—  
411 (3) The department, or any authorized agent thereof, is  
412 authorized to examine the records, books, papers, and equipment  
413 of any motor carrier, any retail dealer of motor diesel fuels,  
414 and any wholesale distributor of diesel fuels ~~or~~ motor fuels  
415 which that are deemed necessary to verify the truth and accuracy  
416 of any statement, ~~or~~ report, or return and ascertain whether the  
417 tax imposed by this chapter has been paid.

418 Section 9. Section 207.013, Florida Statutes, is amended to  
419 read:

420 207.013 Suits for collection of unpaid taxes, penalties,  
421 and interest.—Upon demand of the department, the Department of  
422 Legal Affairs or the state attorney for a judicial circuit shall  
423 bring appropriate actions, in the name of the state or in the  
424 name of the Department of Highway Safety and Motor Vehicles in  
425 the capacity of its office, for the recovery of taxes,  
426 penalties, and interest due under this chapter; and judgment  
427 shall be rendered for the amount so found to be due together  
428 with costs. However, if it is ~~shall~~ be found as a fact that such  
429 claim for, or grant of, an exemption or credit was willful on  
430 the part of any motor carrier, retail dealer, or distributor of  
431 ~~diesel~~ fuel ~~or~~ motor fuel, judgment must ~~shall~~ be rendered for  
432 double the amount of the tax found to be due with costs. The  
433 department may employ an attorney at law to institute and  
434 prosecute proper proceedings to enforce payment of the taxes,  
435 penalties, and interest provided for by this chapter and may fix

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436 the compensation for the services of such attorney at law.

437 Section 10. Subsection (3) of section 207.014, Florida  
438 Statutes, is amended to read:

439 207.014 Departmental warrant for collection of unpaid  
440 taxes.—  
441 (3) In the event there is a contest or claim of any kind  
442 with reference to the property levied upon or the amount of  
443 taxes, costs, or penalties due, such contest or claim must ~~shall~~  
444 be tried in the circuit court in and for the county in which the  
445 warrant was executed, as nearly as may be in the same manner and  
446 means as such contest or claim would have been tried in such  
447 court had the warrant originally issued upon a judgment rendered  
448 by such court. The warrant issued as provided in this section  
449 constitutes ~~shall~~ constitute prima facie evidence of the amount  
450 of taxes, interest, and penalties due to the state by the motor  
451 carrier; and the burden of proof is ~~shall~~ be upon the motor  
452 carrier, retail dealer, or distributor of ~~diesel~~ fuel ~~or~~ motor  
453 fuel to show that the amounts or penalties were incorrect.

454 Section 11. Subsection (1) of section 207.019, Florida  
455 Statutes, is amended to read:

456 207.019 Discontinuance or transfer of business; change of  
457 address.—

458 (1) Whenever a person ceases to engage in business as a  
459 motor carrier within this ~~the~~ state by reason of the  
460 discontinuance, sale, or transfer of the business of such  
461 person, he or she shall notify the department in writing at  
462 least 10 days before ~~prior to~~ the time the discontinuance, sale,  
463 or transfer takes effect. Such notice must ~~shall~~ give the date  
464 of discontinuance and, in the event of a sale or transfer of the

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465 business, the date thereof and the name and address of the  
 466 purchaser or transferee. All ~~diesel fuel or~~ motor fuel use taxes  
 467 shall become due and payable concurrently with such  
 468 discontinuance, sale, or transfer; and any such person shall,  
 469 concurrently with such discontinuance, sale, or transfer, make a  
 470 report and, pay all such taxes, interest, and penalties. The  
 471 person shall immediately destroy the fuel tax decals and notify  
 472 the department by letter of such destruction and of the number  
 473 of the fuel tax decals that have been destroyed, and surrender  
 474 to the department the registration issued to such person.

475 Section 12. Subsections (1) and (3) of section 207.023,  
 476 Florida Statutes, are amended to read:

477 207.023 Authority to inspect vehicles, make arrests, seize  
 478 property, and execute warrants.—

479 (1) As a part of their responsibility when inspecting  
 480 qualified motor commercial vehicles, the Department of Highway  
 481 Safety and Motor Vehicles, the Department of Agriculture and  
 482 Consumer Services, and the Department of Transportation shall  
 483 ensure that all vehicles are properly qualified under the  
 484 provisions of this chapter.

485 (3) Qualified Commercial motor vehicles owned or operated  
 486 by any motor carrier who refuses to comply with this chapter may  
 487 be seized by authorized agents or employees of the Department of  
 488 Highway Safety and Motor Vehicles, the Department of Agriculture  
 489 and Consumer Services, or the Department of Transportation; or  
 490 authorized agents and employees of any of these departments also  
 491 may seize property as set out in ss. 206.205, 206.21, and  
 492 206.215. Upon such seizure, the property must shall be  
 493 surrendered without delay to the sheriff of the county where the

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494 property was seized for further proceedings.

495 Section 13. Subsections (1) and (6) of section 207.0281,  
 496 Florida Statutes, are amended to read:

497 207.0281 Registration; cooperative reciprocal agreements  
 498 between states.—

499 (1) The Department of Highway Safety and Motor Vehicles may  
 500 enter into a cooperative reciprocal agreement, including, but  
 501 not limited to, the International Fuel Tax fuel-tax Agreement,  
 502 with another state or group of states for the administration of  
 503 the tax imposed by this chapter. An agreement arrangement,  
 504 declaration, or amendment is not effective until stated in  
 505 writing and filed with the Department of Highway Safety and  
 506 Motor Vehicles.

507 (6) This section and the contents of any reciprocal  
 508 agreement entered into under this section supersede all other  
 509 fuel-tax requirements of this chapter for qualified commercial  
 510 motor vehicles.

511 Section 14. Paragraph (aa) of subsection (7) of section  
 512 212.08, Florida Statutes, is amended to read:

513 212.08 Sales, rental, use, consumption, distribution, and  
 514 storage tax; specified exemptions.—The sale at retail, the  
 515 rental, the use, the consumption, the distribution, and the  
 516 storage to be used or consumed in this state of the following  
 517 are hereby specifically exempt from the tax imposed by this  
 518 chapter.

519 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any  
 520 entity by this chapter do not inure to any transaction that is  
 521 otherwise taxable under this chapter when payment is made by a  
 522 representative or employee of the entity by any means,

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523 including, but not limited to, cash, check, or credit card, even  
 524 when that representative or employee is subsequently reimbursed  
 525 by the entity. In addition, exemptions provided to any entity by  
 526 this subsection do not inure to any transaction that is  
 527 otherwise taxable under this chapter unless the entity has  
 528 obtained a sales tax exemption certificate from the department  
 529 or the entity obtains or provides other documentation as  
 530 required by the department. Eligible purchases or leases made  
 531 with such a certificate must be in strict compliance with this  
 532 subsection and departmental rules, and any person who makes an  
 533 exempt purchase with a certificate that is not in strict  
 534 compliance with this subsection and the rules is liable for and  
 535 shall pay the tax. The department may adopt rules to administer  
 536 this subsection.

537 (aa) *Certain commercial vehicles.*—Also exempt is the sale,  
 538 lease, or rental of a qualified commercial motor vehicle as  
 539 defined in s. 207.002, when the following conditions are met:

- 540 1. The sale, lease, or rental occurs between two commonly  
 owned and controlled corporations;
- 542 2. Such vehicle was titled and registered in this state at  
 the time of the sale, lease, or rental; and
- 544 3. Florida sales tax was paid on the acquisition of such  
 vehicle by the seller, lessor, or renter.

546 Section 15. Subsection (1) of section 316.065, Florida  
 547 Statutes, is amended to read:

548 316.065 *Crashes; reports; penalties.*—

549 (1) The driver of a vehicle involved in a crash resulting  
 550 in injury to or death of any persons or damage to any vehicle or  
 551 other property in an apparent amount of at least \$2,000 must

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552 \$500 shall immediately by the quickest means of communication  
 553 give notice of the crash to the local police department, if such  
 554 crash occurs within a municipality; otherwise, to the office of  
 555 the county sheriff or the nearest office or station of the  
 556 Florida Highway Patrol. A violation of this subsection is a  
 557 noncriminal traffic infraction, punishable as a nonmoving  
 558 violation as provided in chapter 318.

559 Section 16. Paragraph (a) of subsection (1) of section  
 560 318.15, Florida Statutes, is amended to read:

561 318.15 Failure to comply with civil penalty or to appear;  
 562 penalty.—

563 (1) (a) If a person fails to comply with the civil penalties  
 564 provided in s. 318.18 within the time period specified in s.  
 565 318.14(4), fails to enter into or comply with the terms of a  
 566 penalty payment plan with the clerk of the court in accordance  
 567 with ss. 318.14 and 28.246, fails to attend driver improvement  
 568 school, or fails to appear at a scheduled hearing, the clerk of  
 569 the court must notify the Department of Highway Safety and Motor  
 570 Vehicles of such failure within 10 days after such failure. Upon  
 571 receipt of such notice, the department must immediately issue an  
 572 order suspending the driver license and privilege to drive of  
 573 such person effective 20 days after the date the order of  
 574 suspension is provided mailed in accordance with s. 322.251(1),  
 575 (2), and (6). The order also must inform the person that he or  
 576 she may contact the clerk of the court to establish a payment  
 577 plan pursuant to s. 28.246(4) to make partial payments for  
 578 court-related fines, fees, service charges, and court costs. Any  
 579 such suspension of the driving privilege which has not been  
 580 reinstated, including a similar suspension imposed outside of

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581 this state, must remain on the records of the department for a  
 582 period of 7 years from the date imposed and must be removed from  
 583 the records after the expiration of 7 years from the date it is  
 584 imposed. The department may not accept the resubmission of such  
 585 suspension.

586 Section 17. Subsection (2) and paragraph (e) of subsection  
 587 (5) of section 320.02, Florida Statutes, are amended to read:  
 588       320.02 Registration required; application for registration;  
 589 forms.—

590 (2) (a) The application for registration must include the  
 591 street address of the owner's permanent Florida residence or the  
 592 address of his or her permanent place of business in this state  
 593 and be accompanied by personal or business identification  
 594 information. If the vehicle is registered to a servicemember, as  
 595 defined in s. 322.57(4)(a), of the United States Armed Forces  
 596 who is a Florida resident, the servicemember is not required to  
 597 provide the street address of a permanent Florida residence.

598 (b) An individual applicant must provide proof of address  
 599 satisfactory to the department and:

- 600 1. A valid REAL ID driver's ~~driver~~ license or  
 601 identification card issued by this state or another state; ~~or~~
- 602 2. A valid, unexpired United States passport; ~~or~~
- 603 3. A valid, unexpired passport issued by another country  
 604 and an unexpired Form I-94 issued by United States Customs and  
 605 Border Protection.

606  
 607 For purposes of this paragraph, the term "REAL ID driver's  
 608 license or identification card" has the same meaning as provided  
 609 in 6 C.F.R. s. 37.3.

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610       (c) A business applicant must provide a federal employer  
 611 identification number, if applicable, or verification that the  
 612 business is authorized to conduct business in this the state, or  
 613 a Florida municipal or county business license or number.

614       1. ~~If the owner does not have a permanent residence or~~  
 615 ~~permanent place of business or if the owner's permanent~~  
 616 ~~residence or permanent place of business cannot be identified by~~  
 617 ~~a street address, the application must include:~~

618       a. ~~If the vehicle is registered to a business, the name and~~  
 619 ~~street address of the permanent residence of an owner of the~~  
 620 ~~business, an officer of the corporation, or an employee who is~~  
 621 ~~in a supervisory position.~~

622       b. ~~If the vehicle is registered to an individual, the name~~  
 623 ~~and street address of the permanent residence of a close~~  
 624 ~~relative or friend who is a resident of this state.~~

625       2. ~~If the vehicle is registered to an active duty member of~~  
 626 ~~the Armed Forces of the United States who is a Florida resident,~~  
 627 ~~the active duty member is exempt from the requirement to provide~~  
 628 ~~the street address of a permanent residence.~~

629       (d) ~~(b)~~ The department shall prescribe a form upon which  
 630 motor vehicle owners may record odometer readings when  
 631 registering their motor vehicles.

632       (5)

633       (e) Upon the expiration date noted in the cancellation  
 634 notice that the department receives from the insurer, the  
 635 department shall suspend the registration, issued under this  
 636 chapter, or the license issued under s. 207.004(1), of a motor  
 637 carrier who operates a commercial motor vehicle or who permits  
 638 it to be operated in this state during the registration or

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639 license period without having in full force liability insurance,  
 640 a surety bond, or a valid self-insurance certificate that  
 641 complies with this section. The insurer shall provide notice to  
 642 the department at the same time the cancellation notice is  
 643 provided to the insured pursuant to s. 627.7281. The department  
 644 may adopt rules regarding the electronic submission of the  
 645 cancellation notice.

646 Section 18. Subsection (2) of section 320.95, Florida  
 647 Statutes, is amended to read:

648 320.95 Transactions by electronic or telephonic means.—  
 649 (2) The department may collect e-mail electronic mail  
 650 addresses and use e-mail electronic mail in lieu of the United  
 651 States Postal Service as a method of notification for the  
 652 purpose of providing renewal notices.

653 Section 19. Subsection (44) of section 322.01, Florida  
 654 Statutes, is amended to read:

655 322.01 Definitions.—As used in this chapter:

656 (44) "Tank vehicle" means a vehicle that is designed to  
 657 transport any liquid or gaseous material within one or more  
 658 tanks that have an individual rated capacity that exceeds 119  
 659 gallons and an aggregate rated capacity of 1,000 gallons or more  
 660 and that are a tank either permanently or temporarily attached  
 661 to the vehicle or chassis. A commercial motor vehicle  
 662 transporting an empty tank that is not designed for  
 663 transportation, but that is temporarily attached to a flatbed  
 664 trailer, is not a tank vehicle, if such tank has a designed  
 665 capacity of 1,000 gallons or more.

666 Section 20. Subsection (10) of section 322.08, Florida  
 667 Statutes, is amended to read:

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668 322.08 Application for license; requirements for license  
 669 and identification card forms.—

670 (10) The department may collect e-mail electronic mail  
 671 addresses and use e-mail electronic mail in lieu of the United  
 672 States Postal Service as a method of notification for the  
 673 purpose of providing renewal notices.

674 Section 21. Paragraph (a) of subsection (8) of section  
 675 322.18, Florida Statutes, is amended to read:

676 322.18 Original applications, licenses, and renewals;  
 677 expiration of licenses; delinquent licenses.—

678 (8) The department shall issue 8-year renewals using a  
 679 convenience service without reexamination to drivers who have  
 680 not attained 80 years of age. The department shall issue 6-year  
 681 renewals using a convenience service when the applicant has  
 682 satisfied the requirements of subsection (5).

683 (a) If the department determines from its records that the  
 684 holder of a license about to expire is eligible for renewal, the  
 685 department must ~~shall~~ mail a renewal notice to the licensee at  
 686 his or her last known address or provide a renewal notice to the  
 687 licensee by e-mail notification, not less than 30 days before  
 688 prior to the licensee's birthday. The renewal notice must ~~shall~~  
 689 direct the licensee to appear at a driver license office for in-  
 690 person renewal or to transmit the completed renewal notice and  
 691 the fees required by s. 322.21 to the department using a  
 692 convenience service.

693 Section 22. Subsection (4) of section 322.21, Florida  
 694 Statutes, is amended to read:

695 322.21 License fees; procedure for handling and collecting  
 696 fees.—

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697 (4) If the department determines from its records or is  
 698 otherwise satisfied that the holder of a license about to expire  
 699 is entitled to have it renewed, the department must shall mail a  
 700 renewal notice to the licensee at his or her last known address  
 701 or provide a renewal notice to the licensee by e-mail  
 702 notification, within 30 days before the licensee's birthday. The  
 703 licensee must shall be issued a renewal license, after  
 704 reexamination, if required, during the 30 days immediately  
 705 preceding his or her birthday upon presenting a renewal notice,  
 706 his or her current license, and the fee for renewal to the  
 707 department at any driver license examining office.

708 Section 23. Subsections (1), (2), (3), and (6) of section  
 709 322.251, Florida Statutes, are amended to read:

710 322.251 Notice of cancellation, suspension, revocation, or  
 711 disqualification of license.—

712 (1) All orders of cancellation, suspension, revocation, or  
 713 disqualification issued under ~~the provisions of~~ this chapter,  
 714 chapter 318, chapter 324, or ss. 627.732-627.734 must shall be  
 715 given ~~either~~ by personal delivery thereof to the licensee whose  
 716 license is being canceled, suspended, revoked, or disqualified;  
 717 ~~or~~ by deposit in the United States mail in an envelope, first  
 718 class, postage prepaid, addressed to the licensee at his or her  
 719 last known mailing address furnished to the department; or by e-  
 720 mail notification authorized by the licensee. Such methods of  
 721 notification mailing by the department constitute notice  
 722 constitutes notification, and any failure by the person to  
 723 receive the ~~mailed~~ order does will not affect or stay the  
 724 effective date or term of the cancellation, suspension,  
 725 revocation, or disqualification of the licensee's driving

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726 privilege.  
 727 (2) The giving of notice and an order of cancellation,  
 728 suspension, revocation, or disqualification ~~by mail~~ is complete  
 729 upon expiration of 20 days after e-mail notification or, if  
 730 mailed, 20 days after deposit in the United States mail for all  
 731 notices except those issued under chapter 324 or ss. 627.732-  
 732 627.734, which are complete 15 days after e-mail notification  
 733 or, if mailed, 15 days after deposit in the United States mail.  
 734 Proof of the giving of notice and an order of cancellation,  
 735 suspension, revocation, or disqualification in such either  
 736 manner must shall be made by entry in the records of the  
 737 department that such notice was given. The entry is admissible  
 738 in the courts of this state and constitutes sufficient proof  
 739 that such notice was given.

740 (3) Whenever the driving privilege is suspended, revoked,  
 741 or disqualified under ~~the provisions of~~ this chapter, the period  
 742 of such suspension, revocation, or disqualification must shall  
 743 be indicated on the order of suspension, revocation, or  
 744 disqualification, and the department shall require the licensee  
 745 whose driving privilege is suspended, revoked, or disqualified  
 746 to surrender all licenses then held by him or her to the  
 747 department. However, if should the person fails fail to  
 748 surrender such licenses, the suspension, revocation, or  
 749 disqualification period does shall not expire until a period  
 750 identical to the period for which the driving privilege was  
 751 suspended, revoked, or disqualified has expired after the date  
 752 of surrender of the licenses, or the date an affidavit swearing  
 753 such licenses are lost has been filed with the department. In  
 754 any instance where notice of the suspension, revocation, or

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755 disqualification order is given ~~mailed~~ as provided herein, and  
 756 the license is not surrendered to the department, and such  
 757 license thereafter expires, the department may ~~shall~~ not renew  
 758 that license until a period of time identical to the period of  
 759 such suspension, revocation, or disqualification imposed has  
 760 expired.

761 (6) Whenever a cancellation, suspension, revocation, or  
 762 disqualification occurs, the department shall enter the  
 763 cancellation, suspension, revocation, or disqualification order  
 764 on the licensee's driver file 20 days after e-mail notification  
 765 or, if mailed, 20 days after the notice was actually placed in  
 766 the mail. Any inquiry into the file after the 20-day period must  
 767 ~~shall~~ reveal whether that the license is canceled, suspended,  
 768 revoked, or disqualified and whether the license has been  
 769 received by the department.

770 Section 24. Subsection (4) of section 322.2616, Florida  
 771 Statutes, is amended to read:

772 322.2616 Suspension of license; persons under 21 years of  
 773 age; right to review.—

774 (4) If the department finds that the license of the person  
 775 should be suspended under this section and if the notice of  
 776 suspension has not already been served upon the person by a law  
 777 enforcement officer or correctional officer as provided in  
 778 subsection (2), the department must ~~shall~~ issue a notice of  
 779 suspension and, unless the notice is provided ~~mailed~~ under s.  
 780 322.251, a temporary driving permit that expires 10 days after  
 781 the date of issuance if the driver is otherwise eligible.

782 Section 25. Subsection (3) of section 322.64, Florida  
 783 Statutes, is amended to read:

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784 322.64 Holder of commercial driver license; persons  
 785 operating a commercial motor vehicle; driving with unlawful  
 786 blood-alcohol level; refusal to submit to breath, urine, or  
 787 blood test.—

788 (3) If the department determines that the person arrested  
 789 should be disqualified from operating a commercial motor vehicle  
 790 pursuant to this section and if the notice of disqualification  
 791 has not already been served upon the person by a law enforcement  
 792 officer or correctional officer as provided in subsection (1),  
 793 the department must ~~shall~~ issue a notice of disqualification  
 794 and, unless the notice is provided ~~mailed~~ pursuant to s.  
 795 322.251, a temporary permit which expires 10 days after the date  
 796 of issuance if the driver is otherwise eligible.

797 Section 26. Subsection (1) of section 324.091, Florida  
 798 Statutes, is amended to read:

799 324.091 Notice to department; notice to insurer.—

800 (1) Each owner and operator involved in a crash or  
 801 conviction case within the purview of this chapter shall furnish  
 802 evidence of automobile liability insurance or motor vehicle  
 803 liability insurance within 14 days after the date of providing  
 804 ~~the mailing of~~ notice of crash by the department in the form and  
 805 manner as it may designate. Upon receipt of evidence that an  
 806 automobile liability policy or motor vehicle liability policy  
 807 was in effect at the time of the crash or conviction case, the  
 808 department shall forward to the insurer such information for  
 809 verification in a method as determined by the department. The  
 810 insurer shall respond to the department within 20 days after the  
 811 notice whether or not such information is valid. If the  
 812 department determines that an automobile liability policy or

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813 motor vehicle liability policy was not in effect and did not  
 814 provide coverage for both the owner and the operator, it must  
 815 ~~shall~~ take action as it is authorized to do under this chapter.

816 Section 27. Paragraph (c) of subsection (1) of section  
 817 324.171, Florida Statutes, is amended to read:

818       324.171 Self-insurer.—

819       (1) Any person may qualify as a self-insurer by obtaining a  
 820 certificate of self-insurance from the department which may, in  
 821 its discretion and upon application of such a person, issue said  
 822 certificate of self-insurance when such person has satisfied the  
 823 requirements of this section to qualify as a self-insurer under  
 824 this section:

825       (c) The owner of a commercial motor vehicle, as defined in  
 826 ~~s. 207.002 or s. 320.01, or a qualified motor vehicle, as~~  
 827 ~~defined in s. 207.002,~~ may qualify as a self-insurer subject to  
 828 the standards provided for in subparagraph (b)2.

829       Section 28. Subsection (3) of section 328.30, Florida  
 830 Statutes, is amended to read:

831       328.30 Transactions by electronic or telephonic means.—

832       (3) The department may collect ~~e-mail electronic mail~~  
 833 addresses and use e-mail electronic mail in lieu of the United  
 834 States Postal Service ~~as a method of notification for the~~  
 835 ~~purpose of providing renewal notices.~~

836       Section 29. Section 627.7415, Florida Statutes, is amended  
 837 to read:

838       627.7415 Commercial or qualified motor vehicles; additional  
 839 liability insurance coverage.—Commercial motor vehicles, as  
 840 defined in ~~s. 207.002 or s. 320.01, and qualified motor~~  
 841 ~~vehicles, as defined in s. 207.002,~~ operated upon the roads and

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842 highways of this state ~~must~~ shall be insured with the following  
 843 minimum levels of combined bodily liability insurance and  
 844 property damage liability insurance in addition to any other  
 845 insurance requirements:

846       (1) Fifty thousand dollars per occurrence for a commercial  
 847 motor vehicle or qualified motor vehicle with a gross vehicle  
 848 weight of 26,000 pounds or more, but less than 35,000 pounds.

849       (2) One hundred thousand dollars per occurrence for a  
 850 commercial motor vehicle or qualified motor vehicle with a gross  
 851 vehicle weight of 35,000 pounds or more, but less than 44,000  
 852 pounds.

853       (3) Three hundred thousand dollars per occurrence for a  
 854 commercial motor vehicle or qualified motor vehicle with a gross  
 855 vehicle weight of 44,000 pounds or more.

856       (4) All commercial motor vehicles and qualified motor  
 857 vehicles subject to regulations of the United States Department  
 858 of Transportation, 49 C.F.R. part 387, subparts A and B, and as  
 859 may be hereinafter amended, ~~must~~ shall be insured in an amount  
 860 equivalent to the minimum levels of financial responsibility as  
 861 set forth in such regulations.

862  
 863 A violation of this section is a noncriminal traffic infraction,  
 864 punishable as a nonmoving violation as provided in chapter 318.

865       Section 30. Paragraph (b) of subsection (4) of section  
 866 316.545, Florida Statutes, is amended to read:

867       316.545 Weight and load unlawful; special fuel and motor  
 868 fuel tax enforcement; inspection; penalty; review.—

869       (4)  
 870       (b) In addition to the penalty provided for in paragraph

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871 (a), the vehicle may be detained until the owner or operator of  
872 the vehicle furnishes evidence that the vehicle has been  
873 properly registered pursuant to s. 207.004. Any officer of the  
874 Florida Highway Patrol or agent of the Department of  
875 Transportation may issue a temporary fuel-use ~~fuel-use~~ permit  
876 and collect the appropriate fee as provided for in s. 207.004(5)  
877 ~~s. 207.004(4)~~. Notwithstanding the provisions of subsection (6),  
878 all permit fees collected pursuant to this paragraph shall be  
879 transferred to the Department of Highway Safety and Motor  
880 Vehicles to be allocated pursuant to s. 207.026.

881 Section 31. Paragraph (b) of subsection (1) of section  
882 319.35, Florida Statutes, is amended to read:

883 319.35 Unlawful acts in connection with motor vehicle  
884 odometer readings; penalties.—

885 (1)

886 (b) It is unlawful for any person to knowingly provide  
887 false information on the odometer readings required pursuant to  
888 ss. 319.23(3) and 320.02(2)(d) ss. 319.23(3) and 320.02(2)(b).

889 Section 32. This act shall take effect July 1, 2026.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 490

INTRODUCER: Senator Massullo

SUBJECT: Public Records/E-mail Addresses/DHSMV

DATE: January 9, 2026      REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Shutes	Vickers	TR	<u>Pre-Meeting</u>
2.		ATD	
3.		FP	

### I. Summary:

SB 490 expands the exemption from public records for email addresses collected by the Department of Highway Safety and Motor Vehicles (DHSMV) to include email addresses to be used as a method of general notification to customers. The bill also creates a public record exemption for email addresses collected by the DHSMV and used for purposes of renewal notices for vessel titles and liens.

A public necessity statement is included in the bill as required by the Florida Constitution.

The bill is subject to the Open Government Sunset Review Act and the new exemption will be repealed on October 2, 2031, unless reviewed and reenacted by the Legislature.

Because this bill creates a new public records exemption, a two-thirds vote of the members present and voting in each chamber of the Legislature is required for passage.

The bill takes effect on the same date that SB 488 or similar legislation takes effect (July 1, 2026), if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

The bill has no fiscal impact on state resources or expenditures. ***See Section V. Fiscal Impact Statement.***

## II. Present Situation:

### Access to Public Records - Generally

The Florida Constitution provides that the public has the right to inspect or copy records made or received in connection with official governmental business.<sup>1</sup> The right to inspect or copy applies to the official business of any public body, officer, or employee of the state, including all three branches of state government, local governmental entities, and any person acting on behalf of the government.<sup>2</sup>

Additional requirements and exemptions related to public records are found in various statutes and rules, depending on the branch of government involved. For instance, s. 11.0431, F.S., provides public access requirements for legislative records. Relevant exemptions are codified in s. 11.0431(2)-(3), F.S., and the statutory provisions are adopted in the rules of each chamber of the legislature.<sup>3</sup> Florida Rule of Judicial Administration 2.420 governs public access to judicial branch records.<sup>4</sup> Lastly, ch. 119, F.S., provides requirements for public records held by executive agencies.

### Executive Agency Records – The Public Records Act

Chapter 119, F.S., known as the Public Records Act, provides that all state, county, and municipal records are open for personal inspection and copying by any person, and that providing access to public records is a duty of each agency.<sup>5</sup>

A public record includes virtually any document or recording, regardless of its physical form or how it may be transmitted.<sup>6</sup> The Florida Supreme Court has interpreted the statutory definition of “public record” to include “material prepared in connection with official agency business which is intended to perpetuate, communicate, or formalize knowledge of some type.”<sup>7</sup>

The Florida Statutes specify conditions under which public access to public records must be provided. The Public Records Act guarantees every person’s right to inspect and copy any public record at any reasonable time, under reasonable conditions, and under supervision by the

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<sup>1</sup> FLA. CONST. art. I, s. 24(a).

<sup>2</sup> *Id.*

<sup>3</sup> See Rule 1.48, *Rules and Manual of the Florida Senate* (2020-2022) and Rule 14.1, *Rules of the Florida House of Representatives* (2020-2022).

<sup>4</sup> *State v. Wooten*, 260 So. 3d 1060 (Fla. 4<sup>th</sup> DCA 2018).

<sup>5</sup> Section 119.01(1), F.S. Section 119.011(2), F.S., defines “agency” as “any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.”

<sup>6</sup> Section 119.011(12), F.S., defines “public record” to mean “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.”

<sup>7</sup> *Shevin v. Byron, Harless, Schaffer, Reid, and Assoc., Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

custodian of the public record.<sup>8</sup> A violation of the Public Records Act may result in civil or criminal liability.<sup>9</sup>

The Legislature may exempt public records from public access requirements by passing a general law by a two-thirds vote of both the House and the Senate.<sup>10</sup> The exemption must state with specificity the public necessity justifying the exemption and must be no broader than necessary to accomplish the stated purpose of the exemption.<sup>11</sup>

General exemptions from the public records requirements are contained in the Public Records Act.<sup>12</sup> Specific exemptions often are placed in the substantive statutes relating to a particular agency or program.<sup>13</sup>

When creating a public records exemption, the Legislature may provide that a record is “exempt” or “confidential and exempt.” Custodians of records designated as “exempt” are not prohibited from disclosing the record; rather, the exemption means that the custodian cannot be compelled to disclose the record.<sup>14</sup> Custodians of records designated as “confidential and exempt” may not disclose the record except under circumstances specifically defined by the Legislature.<sup>15</sup>

## Open Government Sunset Review Act

The Open Government Sunset Review Act<sup>16</sup> (the Act) prescribes a legislative review process for newly created or substantially amended<sup>17</sup> public records or open meetings exemptions, with specified exceptions.<sup>18</sup> It requires the automatic repeal of such exemption on October 2nd of the fifth year after creation or substantial amendment, unless the Legislature reenacts the exemption.<sup>19</sup>

The Act provides that a public records or open meetings exemption may be created or maintained only if it serves an identifiable public purpose and is no broader than is necessary.<sup>20</sup>

<sup>8</sup> Section 119.07(1)(a), F.S.

<sup>9</sup> Section 119.10, F.S. Public records laws are found throughout the Florida Statutes, as are the penalties for violating those laws.

<sup>10</sup> FLA. CONST. art. I, s. 24(c).

<sup>11</sup> *Id. See, e.g., Halifax Hosp. Medical Center v. News-Journal Corp.*, 724 So. 2d 567 (Fla. 1999) (holding that a public meetings exemption was unconstitutional because the statement of public necessity did not define important terms and did not justify the breadth of the exemption); *Baker County Press, Inc. v. Baker County Medical Services, Inc.*, 870 So. 2d 189 (Fla. 1st DCA 2004) (holding that a statutory provision written to bring another party within an existing public records exemption is unconstitutional without a public necessity statement).

<sup>12</sup> *See, e.g.*, s. 119.071(1)(a), F.S. (exempting from public disclosure examination questions and answer sheets of examinations administered by a governmental agency for the purpose of licensure).

<sup>13</sup> *See, e.g.*, s. 213.053(2)(a), F.S. (exempting from public disclosure information contained in tax returns received by the Department of Revenue).

<sup>14</sup> *See Williams v. City of Minneola*, 575 So. 2d 683, 687 (Fla. 5th DCA 1991).

<sup>15</sup> *WFTV, Inc. v. The School Board of Seminole*, 874 So. 2d 48 (Fla. 5th DCA 2004).

<sup>16</sup> Section 119.15, F.S.

<sup>17</sup> An exemption is considered to be substantially amended if it is expanded to include more records or information or to include meetings as well as records. Section 119.15(4)(b), F.S.

<sup>18</sup> Section 119.15(2)(a) and (b), F.S., provide that exemptions that are required by federal law or are applicable solely to the Legislature or the State Court System are not subject to the Open Government Sunset Review Act.

<sup>19</sup> Section 119.15(3), F.S.

<sup>20</sup> Section 119.15(6)(b), F.S.

An exemption serves an identifiable purpose if it meets one of the following purposes *and* the Legislature finds that the purpose of the exemption outweighs open government policy and cannot be accomplished without the exemption:

- It allows the state or its political subdivisions to effectively and efficiently administer a governmental program, and administration would be significantly impaired without the exemption;<sup>21</sup>
- It protects sensitive, personal information, the release of which would be defamatory, cause unwarranted damage to the good name or reputation of the individual, or would jeopardize the individual's safety. If this public purpose is cited as the basis of an exemption, however, only personal identifying information is exempt;<sup>22</sup> or
- It protects information of a confidential nature concerning entities, such as trade or business secrets.<sup>23</sup>

The Act also requires specified questions to be considered during the review process.<sup>24</sup> In examining an exemption, the Act directs the Legislature to carefully question the purpose and necessity of the exemption.

If the exemption is continued and expanded, then a public necessity statement and a two-thirds vote for passage are required.<sup>25</sup> If the exemption is continued without substantive changes or if the exemption is continued and narrowed, then a public necessity statement and a two-thirds vote for passage are *not* required. If the Legislature allows an exemption to sunset, the previously exempt records will remain exempt unless provided for by law.<sup>26</sup>

### **Existing Public Record Exemptions for DHSMV-Related Email Addresses**

Section 119.0712(2)(c), F.S., provides that email addresses collected by DHSMV pursuant to specified provisions of law are exempt from public disclosure. Specifically, email addresses associated with the following types of transactions are exempt:

- Motor vehicle title notifications.<sup>27</sup>
- Motor vehicle registration renewals.<sup>28</sup>
- Driver license renewal notices.<sup>29</sup>

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<sup>21</sup> Section 119.15(6)(b)1., F.S.

<sup>22</sup> Section 119.15(6)(b)2., F.S.

<sup>23</sup> Section 119.15(6)(b)3., F.S.

<sup>24</sup> Section 119.15(6)(a), F.S. The specified questions are:

- What specific records or meetings are affected by the exemption?
- Whom does the exemption uniquely affect, as opposed to the general public?
- What is the identifiable public purpose or goal of the exemption?
- Can the information contained in the records or discussed in the meeting be readily obtained by alternative means? If so, how?
- Is the record or meeting protected by another exemption?
- Are there multiple exemptions for the same type of record or meeting that it would be appropriate to merge?

<sup>25</sup> See generally s. 119.15, F.S.

<sup>26</sup> Section 119.15(7), F.S.

<sup>27</sup> Section 319.40(3), F.S.

<sup>28</sup> Section 320.95(2), F.S.

<sup>29</sup> Section 322.08(10), F.S.

## **SB 488 – Department of Highway Safety and Motor Vehicles**

SB 488 expands the circumstances in which email may be used in lieu of the United States Postal Service (currently limited to certain renewal notices) by authorizing email to be used as method of notification for various notices and orders issued by DHSMV, including but not limited to, notices and orders related to driver licenses, identification cards, motor vehicle registrations, motor vehicle insurance and vessel titles.

### **III. Effect of Proposed Changes:**

The bill amends s. 119.0712, F.S., to expand the exemption from public records for email addresses collected by DHSMV to include email addresses to be used as a method of general notification, and not just renewal notices. The bill also creates a public records exemption for email addresses collected by DHSMV and used for the purpose of providing renewal notices for vessel titles.

The bill is subject to the Open Government Sunset Review Act and the exemptions will be repealed on October 2, 2031, unless reviewed and reenacted by the Legislature. Because this bill creates a new public records exemption, a two-thirds vote of the members present and voting in each chamber of the Legislature is required for passage.

The bill contains a public necessity statement as required by the Florida Constitution. It provides that the Legislature finds that:

- It is a public necessity that e-mail addresses collected by the Department of Highway Safety and Motor Vehicles for the use of e-mail in lieu of the United States Postal Service as a method of notification be made exempt from s. 119.07(1), Florida Statutes, and s. 24(a), Article I of the State Constitution. Sections 320.95(2) and 322.08(10), Florida Statutes, authorize the department to collect e-mail addresses and use e-mail in lieu of the United States Postal Service to provide renewal notices related to motor vehicle license plates, driver licenses, and identification cards. The department is also authorized to collect e-mail addresses and use e-mail to provide renewal notices related to vessel registrations pursuant to s. 328.30(3), Florida Statutes.
- SB 488 expands the circumstances in which e-mail may be used in lieu of the United States Postal Service by authorizing e-mail to be used as a method of general notification for various notices and orders issued by the department in addition to renewal notices, including, but not limited to, notices related to driver licenses, identification cards, motor vehicle registrations, vessel registrations, and orders to revoke, cancel, or suspend driver licenses.
- The department's use of e-mail as a method for corresponding with customers has steadily increased in recent decades. E-mail addresses are unique to each individual and, when combined with other personal identifying information, can be used for identity theft, consumer scams, unwanted solicitations, or other invasive contacts. The public availability of personal e-mail addresses puts the department's customers at increased risk of these problems. Such risks may be significantly limited by permitting the department to keep customer e-mail addresses exempt. The Legislature finds that these risks to consumers outweigh the state's public policy favoring open government.

The bill is effective on the same date that SB 488 or similar legislation takes effect (July 1, 2026), if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties or municipalities to take action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

##### **B. Public Records/Open Meetings Issues:**

###### **Vote Requirement**

Article I, s. 24(c) of the State Constitution requires a two-thirds vote of the members present and voting for final passage of a bill creating or expanding an exemption to the public records requirements. This bill expands the exemption from public records for email addresses collected by DHSMV for providing renewal notices to include email addresses to be used as a method of general notification. The bill also creates a public records exemption for email addresses collected by DHSMV and used for the purpose of providing renewal notices for vessel titles. Thus, the bill requires a two-thirds vote to be enacted.

###### **Public Necessity Statement**

Article I, s. 24(c) of the State Constitution requires a bill creating or expanding an exemption to the public records requirements to state with specificity the public necessity justifying the exemption. Section 2 of the bill contains a statement of public necessity for the exemption.

###### **Breadth of Exemption**

Article I, s. 24(c) of the State Constitution requires an exemption to the public records requirements to be no broader than necessary to accomplish the stated purpose of the law.

The purpose of the law is to protect email addresses held by the DHSMV for purposes of providing various general notifications, notices, orders and instructions to customers. This bill exempts only that specific information. The exemption does not appear to be broader than necessary to accomplish the purpose of the law.

##### **C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

Not applicable.

**E. Other Constitutional Issues:**

None identified.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 119.0712 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Massullo

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

19           Section 1. Paragraph (c) of subsection (2) of section  
20 119.0712, Florida Statutes, is amended to read:

21 119.0712 Executive branch agency-specific exemptions from  
22 inspection or copying of public records.—

23 (2) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—

24 (c) E-mail addresses collected by the Department of Highway  
25 Safety and Motor Vehicles pursuant to s. 319.40(3), s.  
26 320.95(2), ~~or~~ s. 322.08(10), or s. 328.30 are exempt from s.  
27 119.07(1) and s. 24(a), Art. I of the State Constitution. This  
28 exemption applies retroactively. This paragraph is subject to  
29 the Open Government Sunset Review Act in accordance with s.

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30 119.15 and shall stand repealed on October 2, 2031, unless  
31 reviewed and saved from repeal through reenactment by the  
32 Legislature.

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59 contacts. The public availability of personal e-mail addresses  
60 puts the department's customers at increased risk of these  
61 problems. Such risks may be significantly limited by permitting  
62 the department to keep customer e-mail addresses exempt. The  
63 Legislature finds that these risks to consumers outweigh the  
64 state's public policy favoring open government.

65 Section 3. This act shall take effect on the same date that  
66 SB 488 or similar legislation takes effect, if such legislation  
67 is adopted in the same legislative session or an extension  
68 thereof and becomes a law.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 584

INTRODUCER: Senator Avila

SUBJECT: Commercial Driving Schools

DATE: January 9, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Vickers	TR	<u>Pre-meeting</u>
2. _____	_____	ATD	_____
3. _____	_____	FP	_____

## **I. Summary:**

SB 584 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) and county tax collectors to enter into interagency agreements authorizing county tax collectors to enforce statutory provisions related to commercial driving schools. The interagency agreement may include, but is not limited to, grants of authority to the county tax collector, or his or her agent, to do any of the following:

- Prohibit licensees operating commercial driving schools, and their agents, from entering upon the tax collector's premises except under specified circumstances.
- Prohibit conduct by licensees operating commercial driving schools, and their agents, which operates or would operate as a fraud or deceit.
- Prohibit any transaction, practice, or course of business related to a commercial driving school which undermines the driver license issuance process.
- Require persons licensed to operate commercial driving schools, and their agents, to present certain documents upon the demand of a law enforcement officer, a DHSMV employee, or an employee of the tax collector.
- Enter the premises of a commercial driving school to ensure compliance with laws regulating commercial driving schools.

DHSMV may experience a reduction in costs associated with entering into these interagency agreements. County tax collectors entering into such agreements may incur indeterminate costs associated with enforcing commercial driving school regulations. See Section V., Fiscal Impact Statement for details.

This bill takes effect July 1, 2026.

## II. Present Situation:

### Commercial Driving Schools

Commercial driving schools provide education about driving skills, traffic laws, road safety, and substance abuse. Commercial driving schools also teach behind-the-wheel skills for driving non-commercial vehicles to prepare drivers to take the Class E skills test.<sup>1,2</sup>

Except for truck driving schools,<sup>3</sup> the Department of Highway Safety and Motor Vehicles (DHSMV) oversees and licenses all commercial driving schools. A person or other entity may not operate a commercial driving school without first obtaining a license from DHSMV.<sup>4</sup>

An application for a license to become a commercial driving school is submitted to DHSMV. If DHSMV approves the application, and the license fee is paid, DHSMV issues the appropriate license. A license for a commercial driving school is valid for one year from the date of issuance and is not transferable.<sup>5</sup>

### *Commercial Driving School Instructors and Agents*

A person may not be compensated for giving instructions on operating motor vehicles or act as a driving school instructor without first obtaining an instructor's certificate from DHSMV.<sup>6</sup> An instructor's certificate is only valid in connection with the driving school or schools listed on the certificate or in connection with a driver education course offered by a district school board.<sup>7</sup>

### *Agents of Commercial Driving Schools – Identification Cards*

A person may not serve as of an agent for a commercial driving school without first obtaining an agent identification card from DHSMV. An agent identification card is only valid in connection with the commercial driving school or schools listed on the card.<sup>8</sup>

### *Certification of Motor Vehicles Used by Commercial Driving Schools*

A motor vehicle owned or controlled by a commercial driving school may not be used to give driving instructions until the licensee has obtained a school vehicle identification certificate from DHSMV. Such vehicles must also meet DHSMV's safety requirements.<sup>9</sup>

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<sup>1</sup> Department of Highway Safety and Motor Vehicles (DHSMV), *Commercial Driving School Overview*, <https://www.flhsmv.gov/driver-licenses-id-cards/education-courses/commercial-driving-schools/> (last visited January 5, 2026).

<sup>2</sup> A Class E driver license authorizes a person to drive non-commercial vehicles with a Gross Vehicle Weight Rating of less than 26,001 pounds. DHSMV, *Driver License & ID Cards, General Information*, <https://www.flhsmv.gov/driver-licenses-id-cards/general-information/> (last visited January 5, 2026).

<sup>3</sup> Truck driving schools are licensed by the Commission for Independent Education pursuant to ch. 1005, F.S.

<sup>4</sup> Section 488.01, F.S. Section 488.02, F.S., provides DHSMV's rulemaking authority regarding commercial driving schools.

<sup>5</sup> Section 488.03, F.S.

<sup>6</sup> Section 488.04(1), F.S.

<sup>7</sup> *Id.* An applicant for an instructor's certificate must take special eye tests, written tests, and road tests and provides DHSMV proof of his or her qualifications and ability as a driving instructor.

<sup>8</sup> Section 488.045, F.S.

<sup>9</sup> Section 488.05, F.S. Vehicle requirements for commercial driving schools are codified in Rule 15A-11.010(1), F.A.C.

### ***Revocation or Suspension of License or Certificate Related to Commercial Driving Schools***

DHSMV may suspend or revoke any license or certificate related to commercial driving schools, if the holder of the license or certificate or an instructor, agent, or employee of the commercial driving school has:

- Violated statutory provisions relating to commercial driving schools;
- Been convicted of, pled no contest to, or had adjudication withheld for any felony offense or misdemeanor offense, as shown by a fingerprint-based criminal background check;<sup>10</sup>
- Committed any fraud or willful misrepresentation in applying for or obtaining a license; or
- Solicited business on any premises, including parking areas, used by DHSMV or a tax collector for the purpose of licensing drivers.<sup>11</sup>

### **Commercial Driving School Fees and Distribution**

All fees DHSMV receives related to commercial driving schools are deposited in the General Revenue Fund.<sup>12</sup> The statutory fees are as follows:

- Commercial Driving School Fees:
  - License application fee - \$50
  - Initial license fee - \$200
  - Annual license renewal fee - \$100
- Instructor or Agent Fees:
  - Instructor or agent application fee - \$25
  - Annual instructor or agent renewal fee - \$10
  - Duplicate instructor certificate fee - \$2
- Vehicle-Related Fees:
  - Vehicle identification certificate application fee - \$15
  - Annual vehicle renewal fee - \$10<sup>13</sup>

### ***Penalties***

A violation related to commercial driving or any of its implementing rules or regulations<sup>14</sup> is a misdemeanor of the first degree, punishable by a term of imprisonment not exceeding one year<sup>15</sup> or a fine of up to \$1,000.<sup>16 17</sup>

### **Application for a Class E Driver License**

Florida law requires DHSMV to examine every applicant for a driver's license. For a Class E driver license, the examination must include:

- A test of the applicant's eyesight;
- A test of the applicant's hearing;

<sup>10</sup> The cost of the criminal background check borne by the applicant, instructor, agent, or employee.

<sup>11</sup> Section 488.06, F.S.

<sup>12</sup> Section 488.08, F.S.

<sup>13</sup> These fees are codified in various provision of ch. 488, F.S.

<sup>14</sup> DHSMV's rules for driver training schools are codified in ch. 15A-11, F.A.C.

<sup>15</sup> Section 775.082(4)(a), F.S.

<sup>16</sup> Section 775.083(1)(d), F.S.

<sup>17</sup> Section 488.07, F.S.

- A test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state; and
- An actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle.<sup>18</sup>

## Duties of County Tax Collectors

Among their statutorily prescribed duties, county tax collectors serve as DHSMV's agents for purposes of motor vehicle and vessel registrations and title applications and for this issuance of driver licenses. County tax collectors are funded from fees or commissions from services rendered.<sup>19</sup> For example, the county tax collector charges a \$6.25 service fee for providing driver license and identification card services.<sup>20</sup>

### III. Effect of Proposed Changes:

**Section 1** creates s. 488.09, F.S., authorizing DHSMV to enter into interagency agreements with county tax collectors regarding the enforcement of statutory provisions related to commercial driving school. Such agreements will allow county tax collectors to enforce statutes related to commercial driving schools.

The interagency agreement may include, but is not limited to, grants of authority to the county tax collector, or his or her agent, to do any of the following:

- Prohibit licensees operating commercial driving schools, and their agents, from entering upon the tax collector's premises, including its parking areas, unless such licensees and agents are seeking tax collector services in their personal capacities.
- Prohibit any course of conduct by licensees operating commercial driving schools, and their agents, which operates or would operate as a fraud or deceit upon a person, DHSMV, or the tax collector.
- Prohibit any transaction, practice, or course of business related to a commercial driving school which undermines the integrity of the driver license issuance process.
- Require persons licensed to operate commercial driving schools, and their agents, to present their licenses, agent identification cards, and certificates upon the demand of a law enforcement officer, a DHSMV employee, or an employee of the tax collector.
- Enter the premises of a commercial driving school to ensure compliance with state and local laws regulating commercial driving schools.

**Section 2** provides that this bill takes effect July 1, 2026.

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<sup>18</sup> Section 322.12(3), F.S. Beginning July 1, 2026, an applicant who is found to have cheated during, or to have otherwise circumvented, any portion of the examination must retake the examination. See s. 7 of 2025-125, Laws of Fla.

<sup>19</sup> Alachua County Tax Collector, *Tax Collector Duties and Responsibilities*, <https://www.alachuacollector.com/tax-collector-duties-and-responsibilities/#:~:text=The%20Tax%20Collector%20is%20responsible.and%20tangible%20personal%20property%20taxes>. (Last visited January 5, 2026). Section 322.135, F.S., provides that tax collectors are DHSMV's agents for the purpose of issuing driver license.

<sup>20</sup> Section 322.135(1)(a), F.S.

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

None.

## E. Other Constitutional Issues:

None identified.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

DHSMV may experience a reduction in costs associated with enforcing commercial driving school regulation; however, this reduction may be dependent upon how many interagency agreements it enters into, and the number of commercial driving schools impacted by such agreements.

County tax collectors that enter into interagency agreements with DHSMV may incur indeterminate cost associated with enforcing regulations related to commercial driving schools.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates section 488.09 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Avila

39-00544-26

2026584

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

15           Section 1. Section 488.09, Florida Statutes, is created to  
16 read:

17        488.09 Interagency agreements with tax collectors.—The  
18        Department of Highway Safety and Motor Vehicles may enter into  
19        interagency agreements with tax collectors authorizing such tax  
20        collectors to enforce this chapter. An interagency agreement  
21        entered into under this section is a delegation of the authority  
22        of the department to the tax collector. Such an interagency  
23        agreement may include, but need not be limited to, grants of  
24        authority to the tax collector, or his or her agent, to do any  
25        of the following:

(1) Prohibit licensees operating commercial driving schools, and their agents, from entering upon the tax collector's premises, including its parking areas, unless such licensees and agents are seeking tax collector services in their

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**CODING:** Words stricken are deletions; words underlined are additions.

39-00544-26

personal capacities.

(2) Prohibit any course of conduct by licensees operating commercial driving schools, and their agents, which operates or would operate as a fraud or deceit upon a person, the department, or the tax collector.

(3) Prohibit any transaction, practice, or course of business related to a commercial driving school which undermines the integrity of the driver license issuance process.

(4) Require persons licensed to operate commercial driving schools, and their agents, to present pertinent licenses, agent identification cards, and certificates issued under this chapter upon demand of a law enforcement officer, a department employee, or an employee of the tax collector.

(5) Enter the premises where a commercial driving school is located to ensure compliance with state and local laws regulating the business of commercial driving schools.

Section 2. This act shall take effect July 1, 2026.

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**CODING:** Words stricken are deletions; words underlined are additions.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 628

INTRODUCER: Senator Gaetz

SUBJECT: Transportation Facility Designations/Warrior Sacrifice Way

DATE: January 9, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Johnson	Vickers	TR	<u>Pre-meeting</u>
2. _____	_____	ATD	_____
3. _____	_____	FP	_____

## **I. Summary:**

SB 628 designates that portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County as “Warrior Sacrifice Way” and directs the Florida Department of Transportation (FDOT) to erect suitable markers.

FDOT estimates its cost to install the designation markers is \$2,400. See Section V. Fiscal Impact Statement below for details.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

Section 334.071, F.S., provides that legislative designations of transportation facilities are for honorary or memorial purposes or to distinguish a particular facility. Such designations may not be construed as requiring any action by local governments or private parties regarding the changing of any street signs, mailing addresses, or 911 emergency telephone number system listings, unless the legislation specifically provides for such changes.<sup>1</sup>

When the Legislature establishes road or bridge designations, the Florida Department of Transportation (FDOT) is required to place markers only at the termini specified for each highway segment or bridge designated and to erect any other markers it deems appropriate for the transportation facility.<sup>2</sup>

FDOT may not erect the markers for honorary road or bridge designations unless the affected city or county commission enacts a resolution supporting the designation. When the designated

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<sup>1</sup> Section 334.071(1), F.S.

<sup>2</sup> Section 334.071(2), F.S.

road or bridge segment is located in more than one city or county, each affected local government must pass resolutions supporting the designations before the installation of the markers.<sup>3</sup>

### **Warrior Sacrifice Way**

Warrior Sacrifice Way honors the victims of the terrorist attack at Naval Air Station Pensacola on December 6, 2019, where three men were killed and eight others were injured.<sup>4</sup>

### **III. Effect of Proposed Changes:**

**Section 1** creates an undesignated section of Florida law designating that portion of S.R. 295/Navy Boulevard between Duncan Road and S.R. 292/Gulf Beach Highway in Escambia County as “Warrior Sacrifice Way” and directs FDOT to erect suitable markers.

**Section 2** provides that the bill takes effect July 1, 2026.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None identified.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>3</sup> Section 334.071(3), F.S.

<sup>4</sup> NBC News, *Suspected shooter at Naval Air Station Pensacola was Saudi Air Force member*, December 6, 2019, <https://www.nbcnews.com/news/us-news/active-shooter-reported-naval-air-station-pensacola-n1096966> (last visited January 5, 2026).

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

FDOT estimates that its cost to erect the designation markers required by this bill to be \$2,400. This assumes that a minimum of two markers are required at FDOT's cost of no less than \$1,200 each.<sup>5</sup> This estimate includes labor, materials, manufacturing, and installation. FDOT expects to absorb this cost within existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill creates an undesignated section of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>5</sup> Email from Jack Rogers, Legislative Affairs Director, Florida Department of Transportation, RE. Transportation Facility Designation Costs, December 9, 2024. (On file with Senate Committee on Transportation). Confirmed by an email from Jack Rogers, RE SB 174 – Charlie Kirk Designation, October 22, 2025. (On file with Senate Committee on Transportation).

**By Senator Gaetz**

1-01092-26

2026628

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

10                   Section 1. Warrior Sacrifice Way designated; Department of  
11 Transportation to erect suitable markers.—  
12                   (1) That portion of S.R. 295/Navy Boulevard between Duncan  
13 Road and S.R. 292/Gulf Beach Highway in Escambia County is  
14 designated as "Warrior Sacrifice Way."

15                   (2) The Department of Transportation is directed to erect  
16 suitable markers designating Warrior Sacrifice Way as described  
17 in subsection (1).

18 Section 2. This act shall take effect July 1, 2026.

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.