

By the Committee on Transportation and Representative Kyle

1 A bill to be entitled
2 An act relating to the Department of Highway
3 Safety and Motor Vehicles; amending s. 316.003,
4 F.S.; redefining the term "motor vehicle";
5 amending s. 316.193, F.S.; providing for the
6 court to order the impoundment and
7 immobilization of all vehicles owned by a
8 person with a second or subsequent conviction
9 of DUI; amending s. 316.1936, F.S.; prohibiting
10 the possession of any open alcoholic beverage
11 container in the passenger area of any motor
12 vehicle on any public road; amending s.
13 316.2065, F.S.; revising language with respect
14 to bicycle regulations; amending s. 316.228,
15 F.S.; providing that any vehicle or trailer
16 transporting logs, pulpwood, poles, or posts
17 extending 4 feet or more from the rear of the
18 vehicle must have an amber strobe light affixed
19 to the projecting load; amending s. 316.2954,
20 F.S.; revising language with respect to
21 restrictions on sunscreening material on a
22 motor vehicle; providing applicability;
23 providing a penalty; creating s. 316.29545,
24 F.S.; directing the Department of Highway
25 Safety and Motor Vehicles to provide for the
26 issuance of medical exemption certificates to
27 certain persons who may operate a motor vehicle
28 with suncreening materials which are not in
29 compliance with state law; providing for
30 exemptions for certain law enforcement
31 vehicles; providing for a fee; amending s.

1 316.2956, F.S.; providing a cross reference to
2 conform to the act; amending s. 316.515, F.S.;
3 providing length limitations on boat trailers;
4 amending s. 316.530, F.S.; authorizing the use
5 of cables and other devices meeting federal
6 safety standards in the towing of certain
7 vehicles; amending s. 316.605, F.S.;
8 prohibiting the placement of materials on a
9 license plate under certain circumstances;
10 amending s. 316.613, F.S.; authorizing the
11 department to expend funds for the purchase of
12 promotional items and education campaigns with
13 respect to child restraint requirements;
14 amending s. 318.32, F.S.; appointing traffic
15 infraction hearing officers to administer
16 oaths; amending s. 319.001, F.S.; providing
17 definitions; amending s. 319.14, F.S.; revising
18 language with respect to the sale of certain
19 nonconforming vehicles; revising language with
20 respect to certain rebuilt vehicles; providing
21 a penalty for removal of certain decals;
22 amending s. 319.27, F.S.; revising language
23 with respect to constructive notice for liens
24 on certain motor vehicles or mobile homes;
25 amending s. 319.30, F.S.; redefining the terms
26 "major component parts" and "major part";
27 revising language with respect to salvage
28 certificates of title; prohibiting the removal
29 of a state-assigned identification number plate
30 from a motor vehicle or mobile home; amending
31 s. 319.33, F.S.; prohibiting the removal of a

1 state-assigned identification number plate or
2 serial plate or any other decal for the purpose
3 of identification of a motor vehicle; revising
4 language with respect to numbers and
5 identifying marks manufactured on a major
6 component part; providing for the confiscation
7 of a major component part that has been
8 altered, defaced, destroyed, or removed;
9 amending s. 320.031, F.S.; providing for all
10 mail service charges to be paid into the
11 Highway Safety Operating Trust Fund; amending
12 s. 320.04, F.S.; providing for the registration
13 service charge to be paid to the Highway Safety
14 Operating Trust Fund; amending s. 320.055,
15 F.S.; revising language with respect to
16 registration periods for certain apportioned
17 registration; amending s. 320.0605, F.S.;
18 providing for a temporary receipt to be printed
19 upon a registration renewal via the Internet;
20 amending s. 320.07, F.S.; providing for the
21 time period for the application of a delinquent
22 fee with respect to the expiration of
23 registration; amending s. 320.0805, F.S.;
24 providing for a shorter period of time for a
25 personalized prestige license plate to remain
26 out of circulation; amending s. 320.08058,
27 F.S.; revising language concerning the
28 disbursement of the annual use fee assessed
29 from the Sea Turtle license plate; revising
30 language concerning the United States Marine
31 Corps license plate; amending s. 320.083, F.S.;

1 revising language with respect to the special
2 license plates for amateur radio operators;
3 amending s. 320.089, F.S.; revising language
4 with respect to special license plates issued
5 to members of the National Guard and active
6 United States Armed Forces reservists, former
7 prisoners of war, survivors of Pearl Harbor,
8 and Purple Heart medal recipients; amending s.
9 320.18, F.S.; authorizing the department to
10 suspend certain motor vehicle registrations and
11 driver licenses for persons who pay for certain
12 license plates, decals, tax liabilities,
13 penalties, or interest by a dishonored check;
14 amending s. 320.27, F.S.; providing language
15 with respect to supplemental licenses for motor
16 vehicle dealers authorizing off-premises sales;
17 amending s. 320.77, F.S.; providing language
18 with respect to supplemental licenses for
19 mobile home dealers authorizing off-premises
20 sales; amending s. 320.771, F.S.; providing
21 language with respect to supplemental licenses
22 for recreational vehicle dealers authorizing
23 off-premises sales; amending s. 322.01, F.S.;
24 redefining the term "motor vehicle"; amending
25 s. 322.025, F.S.; correcting cross references;
26 amending s. 322.22, F.S.; providing for license
27 cancellation with respect to certain
28 transactions which are paid for by a dishonored
29 check; amending s. 322.051, F.S.; revising
30 language with respect to identification cards;
31 amending s. 322.08, F.S.; revising language

1 with respect to application for license;
2 amending s. 322.161, F.S.; increasing the point
3 requirement for restricting certain high-risk
4 drivers; amending s. 322.271, F.S.; requiring
5 proof of enrollment in a department-approved
6 basic driver improvement or traffic law and
7 substance abuse education course prior to
8 certain driver license reinstatements; amending
9 ss. 328.48, 328.72, 328.73, and 328.735, F.S.;
10 correcting cross references; amending s.
11 713.585, F.S.; providing that the lienor of a
12 vehicle must give prior notice to the vehicle
13 owner at the last known address upon claim of a
14 lien and prior to the sale of the vehicle;
15 providing that the vehicle must be sold in the
16 county in which it has been held and in which
17 notice has been published; providing for
18 penalties; amending s. 713.78, F.S.; providing
19 that the lienor of a vessel must send prior
20 notice of the claim and sale of a vessel to the
21 most current known address; providing that the
22 vessel must be sold in the county in which it
23 has been held and in which the notice has been
24 published; providing penalties; revising
25 language with respect to a certificate of
26 destruction authorizing the dismantling or
27 destruction of a vehicle or vessel; authorizing
28 employees of the department to inspect records;
29 providing penalties for failure to maintain
30 certain records; amending s. 715.05, F.S.;
31 revising language with respect to the reporting

1 of unclaimed motor vehicles; including
2 reference to vessels; providing penalties with
3 respect to certain violations regarding
4 vessels; amending s. 715.07, F.S.; including
5 reference to vessels as well as vehicles which
6 are parked or located on private property;
7 amending s. 213.053, F.S.; authorizing the
8 Department of Revenue to provide certain
9 information to the department for certain
10 purposes; amending ss. 316.251 and 325.203,
11 F.S.; correcting cross references; providing
12 effective dates.

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

15
16 Section 1. Subsection (21) of section 316.003, Florida
17 Statutes, is amended to read:

18 316.003 Definitions.--The following words and phrases,
19 when used in this chapter, shall have the meanings
20 respectively ascribed to them in this section, except where
21 the context otherwise requires:

22 (21) MOTOR VEHICLE.--Any self-propelled vehicle not
23 operated upon rails or guideway, but not including any
24 bicycle, goped, or moped.

25 Section 2. Subsection (6) of section 316.193, Florida
26 Statutes, is amended to read:

27 316.193 Driving under the influence; penalties.--

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

31

1 (a) For the first conviction, the court shall place
2 the defendant on probation for a period not to exceed 1 year
3 and, as a condition of such probation, shall order the
4 defendant to participate in public service or a community work
5 project for a minimum of 50 hours; or the court may order
6 instead, that any defendant pay an additional fine of \$10 for
7 each hour of public service or community work otherwise
8 required, if, after consideration of the residence or location
9 of the defendant at the time public service or community work
10 is required, payment of the fine is in the best interests of
11 the state. However, the total period of probation and
12 incarceration may not exceed 1 year. The court must also, as a
13 condition of probation, order the impoundment or
14 immobilization of the vehicle that was operated by or in the
15 actual control of the defendant or any one vehicle registered
16 in the defendant's name at the time of impoundment or
17 immobilization, for a period of 10 days or for the unexpired
18 term of any lease or rental agreement that expires within 10
19 days. The impoundment or immobilization must not occur
20 concurrently with the incarceration of the defendant. The
21 impoundment or immobilization order may be dismissed in
22 accordance with paragraph (e), paragraph (f), ~~or~~ paragraph
23 (g), or paragraph (h).

24 (b) For the second conviction for an offense that
25 occurs within a period of 5 years after the date of a prior
26 conviction for violation of this section, the court shall
27 order imprisonment for not less than 10 days. The court must
28 also, as a condition of probation, order the impoundment or
29 immobilization of all vehicles owned by the defendant ~~the~~
30 ~~vehicle that was operated by or in the actual control of the~~
31 ~~defendant or any one vehicle registered in the defendant's~~

1 ~~name~~ at the time of impoundment or immobilization, for a
2 period of 30 days or for the unexpired term of any lease or
3 rental agreement that expires within 30 days. The impoundment
4 or immobilization must not occur concurrently with the
5 incarceration of the defendant and must occur concurrently
6 with the driver's license revocation imposed under s.
7 322.28(2)(a)2. The impoundment or immobilization order may be
8 dismissed in accordance with paragraph (e), paragraph (f), ~~or~~
9 paragraph (g), or paragraph (h). At least 48 hours of
10 confinement must be consecutive.

11 (c) For the third or subsequent conviction for an
12 offense that occurs within a period of 10 years after the date
13 of a prior conviction for violation of this section, the court
14 shall order imprisonment for not less than 30 days. The court
15 must also, as a condition of probation, order the impoundment
16 or immobilization of all vehicles owned by the defendant ~~the~~
17 ~~vehicle that was operated by or in the actual control of the~~
18 ~~defendant or any one vehicle registered in the defendant's~~
19 ~~name~~ at the time of impoundment or immobilization, for a
20 period of 90 days or for the unexpired term of any lease or
21 rental agreement that expires within 90 days. The impoundment
22 or immobilization must not occur concurrently with the
23 incarceration of the defendant and must occur concurrently
24 with the driver's license revocation imposed under s.
25 322.28(2)(a)3. The impoundment or immobilization order may be
26 dismissed in accordance with paragraph (e), paragraph (f), ~~or~~
27 paragraph (g), or paragraph (h). At least 48 hours of
28 confinement must be consecutive.

29 (d) The court must at the time of sentencing the
30 defendant issue an order for the impoundment or immobilization
31 of a vehicle. Within 7 business days after the date that the

1 court issues the order of impoundment or immobilization, the
2 clerk of the court must send notice by certified mail, return
3 receipt requested, to the registered owner of each vehicle, if
4 the registered owner is a person other than the defendant, and
5 to each person of record claiming a lien against the vehicle.

6 (e) A person who owns but was not operating the
7 vehicle when the offense occurred may submit to the court a
8 police report indicating that the vehicle was stolen at the
9 time of the offense or documentation of having purchased the
10 vehicle after the offense was committed from an entity other
11 than the defendant or the defendant's agent. If the court
12 finds that the vehicle was stolen or that the sale was not
13 made to circumvent the order and allow the defendant continued
14 access to the vehicle, the order must be dismissed and the
15 owner of the vehicle will incur no costs. If the court denies
16 the request to dismiss the order of impoundment or
17 immobilization, the petitioner may request an evidentiary
18 hearing.

19 (f) A person who owns but was not operating the
20 vehicle when the offense occurred, and whose vehicle was
21 stolen or who purchased the vehicle after the offense was
22 committed directly from the defendant or the defendant's
23 agent, may request an evidentiary hearing to determine whether
24 the impoundment or immobilization should occur. If the court
25 finds that either the vehicle was stolen or the purchase was
26 made without knowledge of the offense, that the purchaser had
27 no relationship to the defendant other than through the
28 transaction, and that such purchase would not circumvent the
29 order and allow the defendant continued access to the vehicle,
30 the order must be dismissed and the owner of the vehicle will
31 incur no costs.

1 (g) The court shall also dismiss the order of
2 impoundment or immobilization of the vehicle if the court
3 finds that the family of the owner of the vehicle has no other
4 private means of transportation.

5 (h) The court may also dismiss the order of
6 impoundment or immobilization of any vehicles that are owned
7 by the defendant but that are operated solely by the employees
8 of the defendant or any business owned by the defendant.

9 (i)~~(h)~~ All costs and fees for the impoundment or
10 immobilization, including the cost of notification, must be
11 paid by the owner of the vehicle or, if the vehicle is leased
12 or rented, by the person leasing or renting the vehicle,
13 unless the impoundment or immobilization order is dismissed.
14 All provisions of s. 713.78 shall apply.

15 (j)~~(i)~~ The person who owns a vehicle that is impounded
16 or immobilized under this paragraph, or a person who has a
17 lien of record against such a vehicle and who has not
18 requested a review of the impoundment pursuant to paragraph
19 (e), paragraph (f), or paragraph (g), may, within 10 days
20 after the date that person has knowledge of the location of
21 the vehicle, file a complaint in the county in which the owner
22 resides to determine whether the vehicle was wrongfully taken
23 or withheld from the owner or lienholder. Upon the filing of a
24 complaint, the owner or lienholder may have the vehicle
25 released by posting with the court a bond or other adequate
26 security equal to the amount of the costs and fees for
27 impoundment or immobilization, including towing or storage, to
28 ensure the payment of such costs and fees if the owner or
29 lienholder does not prevail. When the bond is posted and the
30 fee is paid as set forth in s. 28.24, the clerk of the court
31 shall issue a certificate releasing the vehicle. At the time

1 of release, after reasonable inspection, the owner or
2 lienholder must give a receipt to the towing or storage
3 company indicating any loss or damage to the vehicle or to the
4 contents of the vehicle.

5 (k)~~(j)~~ A defendant, in the court's discretion, may be
6 required to serve all or any portion of a term of imprisonment
7 to which the defendant has been sentenced pursuant to this
8 section in a residential alcoholism treatment program or a
9 residential drug abuse treatment program. Any time spent in
10 such a program must be credited by the court toward the term
11 of imprisonment.

12
13 For the purposes of this section, any conviction for a
14 violation of s. 327.35; a previous conviction for the
15 violation of former s. 316.1931, former s. 860.01, or former
16 s. 316.028; or a previous conviction outside this state for
17 driving under the influence, driving while intoxicated,
18 driving with an unlawful blood-alcohol level, driving with an
19 unlawful breath-alcohol level, or any other similar
20 alcohol-related or drug-related traffic offense, is also
21 considered a previous conviction for violation of this
22 section. However, in satisfaction of the fine imposed pursuant
23 to this section, the court may, upon a finding that the
24 defendant is financially unable to pay either all or part of
25 the fine, order that the defendant participate for a specified
26 additional period of time in public service or a community
27 work project in lieu of payment of that portion of the fine
28 which the court determines the defendant is unable to pay. In
29 determining such additional sentence, the court shall consider
30 the amount of the unpaid portion of the fine and the
31 reasonable value of the services to be ordered; however, the

1 court may not compute the reasonable value of services at a
2 rate less than the federal minimum wage at the time of
3 sentencing.

4 Section 3. Subsections (1) and (2) of section
5 316.1936, Florida Statutes, are amended to read:

6 316.1936 Possession of open containers of alcoholic
7 beverages in vehicles prohibited; penalties.--

8 (1) As used in this section, the term:

9 (a) "Open container" means any container of an
10 alcoholic beverage which is immediately capable of being
11 consumed from, or the seal of which has been broken.

12 (b) "Road" means a way open to travel by the public,
13 including, but not limited to, a street, highway, or alley.
14 The term includes associated sidewalks, the roadbed, the
15 right-of-way, and all culverts, drains, sluices, ditches,
16 water storage areas, embankments, slopes, retaining walls,
17 bridges, tunnels, and viaducts necessary for the maintenance
18 of travel and all ferries used in connection therewith.

19 (2)(a) It is unlawful and punishable as provided in
20 this section for any person to possess an open container of an
21 alcoholic beverage or consumes an alcoholic beverage while
22 operating a vehicle in the state or while a passenger in or on
23 a vehicle being operated in the state.

24 (b) It is unlawful and punishable as provided in this
25 section for any person to possess an open container of an
26 alcoholic beverage or consume an alcoholic beverage while
27 seated in or on a motor vehicle that is parked or stopped
28 within a road, as defined in this section.

29 Section 4. Paragraph (d) of subsection (3) of section
30 316.2065, Florida Statutes, is amended to read:

31 316.2065 Bicycle regulations.--

1 (3)
2 (d) A bicycle rider or passenger who is under 16 years
3 of age must wear a bicycle helmet that is properly fitted and
4 is fastened securely upon the passenger's head by a strap, and
5 that meets the federal Safety Standard for Bicycle Helmets;
6 Final Rule, 16 C.F.R. part 1203 ~~standards of the American~~
7 ~~National Standards Institute (ANSI Z 90.4 Bicycle Helmet~~
8 ~~Standards), the standards of the Snell Memorial Foundation~~
9 ~~(1984 Standard for Protective Headgear for Use in Bicycling),~~
10 ~~or any other nationally recognized standards for bicycle~~
11 ~~helmets adopted by the department. As used in this subsection,~~
12 ~~the term "passenger" includes a child who is riding in a~~
13 ~~trailer or semitrailer attached to a bicycle. Helmets~~
14 purchased prior to October 1, 2000, and meeting the standards
15 of the American National Standards Institute (ANSI Z 90.4
16 Bicycle Helmet Standards), the standards of the Snell Memorial
17 Foundation (1984 Standard for Protective Headgear for Use in
18 Bicycling), or any other nationally recognized standards for
19 bicycle helmets adopted by the department may continue to be
20 worn by riders or passengers until March 9, 2009. This
21 exception for helmets purchased prior to October 1, 2000, is
22 repealed March 9, 2009.

23 Section 5. Section 316.228, Florida Statutes, is
24 amended to read:

25 316.228 Lamps or flags on projecting load.--

26 (1) Except as provided in subsection (2), whenever the
27 load upon any vehicle extends to the rear 4 feet or more
28 beyond the bed or body of such vehicle, there shall be
29 displayed at the extreme rear end of the load, at the times
30 specified in s. 316.217, two red lamps visible from a distance
31 of at least 500 feet to the rear, two red reflectors visible

1 at night from all distances within 600 feet to 100 feet to the
2 rear when directly in front of lawful lower beams of headlamps
3 and located so as to indicate maximum width, and on each side
4 one red lamp visible from a distance of at least 500 feet to
5 the side and located so as to indicate maximum overhang.
6 There shall be displayed at all other times on any vehicle
7 having a load which extends beyond its sides or more than 4
8 feet beyond its rear, red flags, not less than 12 inches
9 square, marking the extremities of such load, at each point
10 where a lamp would otherwise be required by this section. A
11 violation of this section is a noncriminal traffic infraction,
12 punishable as a nonmoving violation as provided in chapter
13 318.

14 (2) Any motor vehicle or trailer, except as stated in
15 s. 316.515(7), transporting a load of logs, long pulpwood,
16 poles, or posts which extend more than 4 feet beyond the rear
17 of the body or bed of such vehicle must have securely fixed as
18 close as practical to the end of any such projection one amber
19 strobe-type lamp equipped with a multidirectional type lens so
20 mounted as to be visible from the rear and both sides of the
21 projecting load. The strobe lamp must flash at a rate of at
22 least 60 flashes per minute and must be plainly visible from a
23 distance of at least 500 feet to the rear and sides of the
24 projecting load at any time of the day or night. The lamp
25 must be operating at any time of the day or night when the
26 vehicle is operated on any highway or parked on the shoulder
27 or immediately adjacent to the traveled portion of any public
28 roadway.

29 Section 6. Effective July 1, 2001, paragraph (a) of
30 subsection (1) of section 316.2954, Florida Statutes, is
31

1 amended, and paragraph (e) is added to said subsection, to
2 read:

3 316.2954 Windows behind the driver; restrictions on
4 sunscreening material.--

5 (1) A person shall not operate any motor vehicle on
6 any public highway, road, or street on which vehicle any
7 windows behind the driver are composed of, covered by, or
8 treated with any sunscreening material, or other product or
9 material which has the effect of making the window
10 nontransparent or which would alter the window's color,
11 increase its reflectivity, or reduce its light transmittance,
12 except as specified below:

13 (a) Sunscreening material consisting of film which,
14 when applied to and tested on the rear window glass of the
15 specific motor vehicle, has a total solar reflectance of
16 visible light of not more than 25 ~~35~~ percent as measured on
17 the nonfilm side and a light transmittance of at least 28 ~~15~~
18 percent in the visible light range; however, sunscreening
19 material which, when applied to and tested on the rear window
20 glass of the specific motor vehicle, has a total solar
21 reflectance of visible light of not more than 25 ~~35~~ percent as
22 measured on the nonfilm side and a light transmittance of at
23 least 10 ~~6~~ percent in the visible light range may be used on
24 multipurpose passenger vehicles and law enforcement vehicles.

25 (e) This section shall apply to the windows of all
26 motor vehicles, multipurpose passenger vehicles, and law
27 enforcement vehicles manufactured on or after July 1, 2001.

28 (3) A violation of this section is a noncriminal
29 traffic infraction, punishable as a nonmoving violation as
30 provided in chapter 318.

31

1 Section 7. Section 316.29545, Florida Statutes, is
2 created to read:

3 316.29545 Window sunscreening exclusions; medical
4 exemption; certain law enforcement vehicles exempt.--

5 (1) The department shall issue medical exemption
6 certificates to persons who are afflicted with Lupus or
7 similar medical conditions which require a limited exposure to
8 light, which certificates shall entitle the person to whom the
9 certificate is issued to have suncreening material on the
10 windshield, side windows, and windows behind the driver which
11 is in violation of the requirements of ss. 316.2951-316.2957.
12 The department shall provide, by rule, for the form of the
13 medical certificate authorized by this section. At a minimum,
14 the medical exemption certificate shall include a vehicle
15 description with the make, model, year, vehicle identification
16 number, medical exemption decal number issued for the vehicle,
17 and the name of the person or persons who are the registered
18 owners of the vehicle. A medical exemption certificate shall
19 be nontransferable and shall become null and void upon the
20 sale or transfer of the vehicle identified on the certificate.

21 (2) The department shall exempt all law enforcement
22 vehicles used in undercover or canine operations from the
23 window sunscreening requirements of ss. 316.2951-316.2957.

24 (3) The department may charge a fee in an amount
25 sufficient to defray the expenses of issuing a medical
26 exemption certificate as described in subsection (1).

27 Section 8. Subsection (3) of section 316.2956, Florida
28 Statutes, is amended to read:

29 316.2956 Violation of provisions relating to
30 windshields, windows, and sunscreening material; penalties.--

31

1 (3) Any person who sells or installs suncreening
2 material in violation of any provision of ss.
3 316.2951-316.2955, except as allowed by s. 316.29545, is
4 guilty of a misdemeanor of the second degree, punishable as
5 provided in s. 775.082 or s. 775.083.

6 Section 9. Paragraph (a) of subsection (3) of section
7 316.515, Florida Statutes, is amended to read:

8 316.515 Maximum width, height, length.--

9 (3) LENGTH LIMITATION.--Except as otherwise provided
10 in this section, length limitations apply solely to a
11 semitrailer or trailer, and not to a truck tractor or to the
12 overall length of a combination of vehicles. No combination
13 of commercial motor vehicles coupled together and operating on
14 the public roads may consist of more than one truck tractor
15 and two trailing units. Unless otherwise specifically provided
16 for in this section, a combination of vehicles not qualifying
17 as commercial motor vehicles may consist of no more than two
18 units coupled together; such nonqualifying combination of
19 vehicles may not exceed a total length of 65 feet, inclusive
20 of the load carried thereon, but exclusive of safety and
21 energy conservation devices approved by the department for use
22 on vehicles using public roads. Notwithstanding any other
23 provision of this section, a truck tractor-semitrailer
24 combination engaged in the transportation of automobiles or
25 boats may transport motor vehicles or boats on part of the
26 power unit; and, except as may otherwise be mandated under
27 federal law, an automobile or boat transporter semitrailer may
28 not exceed 50 feet in length, exclusive of the load; however,
29 the load may extend up to an additional 6 feet beyond the rear
30 of the trailer. The 50-foot length limitation does not apply
31 to non-stinger-steered automobile or boat transporters that

1 are 65 feet or less in overall length, exclusive of the load
2 carried thereon, or to stinger-steered automobile or boat
3 transporters that are 75 feet or less in overall length,
4 exclusive of the load carried thereon. For purposes of this
5 subsection, a "stinger-steered automobile or boat transporter"
6 is an automobile or boat transporter configured as a
7 semitrailer combination wherein the fifth wheel is located on
8 a drop frame located behind and below the rearmost axle of the
9 power unit. Notwithstanding paragraphs (a) and (b), any
10 straight truck or truck tractor-semitrailer combination
11 engaged in the transportation of horticultural trees may allow
12 the load to extend up to an additional 10 feet beyond the rear
13 of the vehicle, provided said trees are resting against a
14 retaining bar mounted above the truck bed so that the root
15 balls of the trees rest on the floor and to the front of the
16 truck bed and the tops of the trees extend up over and to the
17 rear of the truck bed, and provided the overhanging portion of
18 the load is covered with protective fabric.

19 (a) Straight trucks.--No straight truck may exceed a
20 length of 40 feet in extreme overall dimension, exclusive of
21 safety and energy conservation devices approved by the
22 department for use on vehicles using public roads. A straight
23 truck may tow no more than one trailer, and such trailer may
24 not exceed a length of 28 feet. However, such trailer
25 limitation does not apply if the overall length of the
26 truck-trailer combination is 65 feet or less, including the
27 load thereon. Notwithstanding any other provisions of this
28 section, a truck-trailer combination engaged in the
29 transportation of boats, or boat trailers whose design
30 dictates a front-to-rear stacking method shall not exceed the
31 length limitations of this paragraph exclusive of the load;

1 however, the load may extend up to an additional 6 feet beyond
2 the rear of the trailer.

3 Section 10. Subsection (2) of section 316.530, Florida
4 Statutes, is amended to read:

5 316.530 Towing requirements.--

6 (2) When a vehicle is towing a trailer or semitrailer
7 on a public road or highway by means of a trailer hitch to the
8 rear of the vehicle, there shall be attached in addition
9 thereto safety chains, cables, or other safety devices that
10 comply with 49 C.F.R. sub f 393.71(g)(2)(1) and 393.71(h)(10)
11 from the trailer or semitrailer to the vehicle. These safety
12 chains, cables, or other safety devices shall be of sufficient
13 strength to maintain connection of the trailer or semitrailer
14 to the pulling vehicle under all conditions while the trailer
15 or semitrailer is being towed by the vehicle. The provisions
16 of this subsection shall not apply to trailers or semitrailers
17 using a hitch known as a fifth wheel nor to farm equipment
18 traveling less than 20 miles per hour.

19 Section 11. Subsection (1) of section 316.605, Florida
20 Statutes, is amended to read:

21 316.605 Licensing of vehicles.--

22 (1) Every vehicle, at all times while driven, stopped,
23 or parked upon any highways, roads, or streets of this state,
24 shall be licensed in the name of the owner thereof in
25 accordance with the laws of this state unless such vehicle is
26 not required by the laws of this state to be licensed in this
27 state and shall, except as otherwise provided in s. 320.0706
28 for front-end registration license plates on truck tractors,
29 display the license plate or both of the license plates
30 assigned to it by the state, one on the rear and, if two, the
31 other on the front of the vehicle, each to be securely

1 fastened to the vehicle outside the main body of the vehicle
2 in such manner as to prevent the plates from swinging, with
3 all letters, numerals, printing, writing, and other
4 identification marks upon the plates clear and distinct and
5 free from defacement, mutilation, grease, and other obscuring
6 matter, so that they will be plainly visible and legible at
7 all times 100 feet from the rear or front. No object,
8 material, or covering that obscures any of the letters,
9 numerals, or other identification marks of a license plate
10 shall be placed, displayed, installed, affixed, or applied
11 upon the license plate. Nothing shall be placed upon the face
12 of a Florida plate except as permitted by law or by rule or
13 regulation of a governmental agency. No license plates other
14 than those furnished by the state shall be used. However, if
15 the vehicle is not required to be licensed in this state, the
16 license plates on such vehicle issued by another state, by a
17 territory, possession, or district of the United States, or by
18 a foreign country, substantially complying with the provisions
19 hereof, shall be considered as complying with this chapter. A
20 violation of this subsection is a noncriminal traffic
21 infraction, punishable as a nonmoving violation as provided in
22 chapter 318.

23 Section 12. Subsection (4) of section 316.613, Florida
24 Statutes, is amended to read:

25 316.613 Child restraint requirements.--

26 (4)(a) It is the legislative intent that all state,
27 county, and local law enforcement agencies, and safety
28 councils, in recognition of the problems with child death and
29 injury from unrestrained occupancy in motor vehicles, conduct
30 a continuing safety and public awareness campaign as to the
31 magnitude of the problem.

1 **(b) The department may authorize the expenditure of**
2 **funds for the purchase of promotional items as part of the**
3 **public information and education campaigns in carrying out the**
4 **directives of this subsection and ss. 316.614(7) and 322.025.**

5 Section 13. Subsection (4) is added to section 318.32,
6 Florida Statutes, to read:

7 318.32 Jurisdiction; limitations.--

8 **(4) Duly appointed traffic infraction hearing officers**
9 **may administer oaths in the performance of their duties as a**
10 **hearing officer.**

11 Section 14. Section 319.001, Florida Statutes, is
12 amended to read:

13 319.001 Definitions.--As used in this chapter, the
14 term:

15 (1) "Department" means the Department of Highway
16 Safety and Motor Vehicles.

17 **(2) "Front-end assembly" means fenders, hood, grill,**
18 **and bumper.**

19 **(3)**~~(2)~~ "Licensed dealer," unless otherwise
20 specifically provided, means a motor vehicle dealer licensed
21 under s. 320.27, a mobile home dealer licensed under s.
22 320.77, or a recreational vehicle dealer licensed under s.
23 320.771.

24 **(4) "Motorcycle body assembly" means frame, fenders,**
25 **and gas tanks.**

26 **(5) "Motorcycle engine" means cylinder block, heads,**
27 **engine case, and crank case.**

28 **(6) "Motorcycle transmission" means drive train.**

29 **(7)**~~(3)~~ "New mobile home" means a mobile home the
30 equitable or legal title to which has never been transferred
31

1 by a manufacturer, distributor, importer, or dealer to an
2 ultimate purchaser.

3 (8)~~(4)~~ "New motor vehicle" means a motor vehicle the
4 equitable or legal title to which has never been transferred
5 by a manufacturer, distributor, importer, or dealer to an
6 ultimate purchaser.

7 (9) "Rear body section" means both quarter panels,
8 decklid, bumper, and floor pan.

9 (10)~~(5)~~ "Satisfaction of lien" means full payment of a
10 debt or release of a debtor from a lien by the lienholder.

11 (11)~~(6)~~ "Used motor vehicle" means any motor vehicle
12 that is not a "new motor vehicle" as defined in subsection
13 (8)~~(4)~~.

14 Section 15. Section 319.14, Florida Statutes, is
15 amended to read:

16 319.14 Sale of motor vehicles registered or used as
17 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles
18 and nonconforming vehicles.--

19 (1)(a) No person shall knowingly offer for sale, sell,
20 or exchange any vehicle that has been licensed, registered, or
21 used as a taxicab, police vehicle, or short-term-lease
22 vehicle, or a vehicle that has been repurchased by a
23 manufacturer pursuant to a settlement, determination, or
24 decision under chapter 681, until the department has stamped
25 in a conspicuous place on the certificate of title of the
26 vehicle, or its duplicate, words stating the nature of the
27 previous use of the vehicle or the title has been stamped
28 "Manufacturer's Buy Back" to reflect that the vehicle is a
29 nonconforming vehicle. If the certificate of title or
30 duplicate was not so stamped upon initial issuance thereof or
31 if, subsequent to initial issuance of the title, the use of

1 the vehicle is changed to a use requiring the notation
2 provided for in this section, the owner or lienholder of the
3 vehicle shall surrender the certificate of title or duplicate
4 to the department prior to offering the vehicle for sale, and
5 the department shall stamp the certificate or duplicate as
6 required herein. When a vehicle has been repurchased by a
7 manufacturer pursuant to a settlement, determination, or
8 decision under chapter 681, the title shall be stamped
9 "Manufacturer's Buy Back" to reflect that the vehicle is a
10 nonconforming vehicle.

11 (b) No person shall knowingly offer for sale, sell, or
12 exchange a rebuilt vehicle until the department has stamped in
13 a conspicuous place on the certificate of title for the
14 vehicle words stating that the vehicle has been rebuilt, or
15 ~~assembled from parts, or combined~~, or is a kit car, glider
16 kit, replica, or flood vehicle unless proper application for a
17 certificate of title for a vehicle that is rebuilt, or
18 ~~assembled from parts, or combined~~, or is a kit car, glider
19 kit, replica, or flood vehicle has been made to the department
20 in accordance with this chapter and the department has
21 conducted the physical examination of the vehicle to assure
22 the identity of the vehicle and all major component parts, as
23 defined in s. 319.30(1)(e), which have been repaired or
24 replaced. Thereafter, the department shall affix a decal to
25 the vehicle, in the manner prescribed by the department,
26 showing the vehicle to be rebuilt.

27 (c) As used in this section:

28 1. "Police vehicle" means a motor vehicle owned or
29 leased by the state or a county or municipality and used in
30 law enforcement.

31

1 2.a. "Short-term-lease vehicle" means a motor vehicle
2 leased without a driver and under a written agreement to one
3 or more persons from time to time for a period of less than 12
4 months.

5 b. "Long-term-lease vehicle" means a motor vehicle
6 leased without a driver and under a written agreement to one
7 person for a period of 12 months or longer.

8 c. "Lease vehicle" includes both short-term-lease
9 vehicles and long-term-lease vehicles.

10 3. "Rebuilt vehicle" means a motor vehicle or mobile
11 home built from salvage or junk, as defined in s. 319.30(1).

12 4. "Assembled from parts" means a motor vehicle or
13 mobile home assembled from parts or combined from parts of
14 motor vehicles or mobile homes, new or used. "Assembled from
15 parts" does not mean a motor vehicle defined as a "rebuilt
16 vehicle" in subparagraph 3., which has been declared a total
17 loss pursuant to s. 319.30.

18 ~~5. "Combined" means assembled by combining two motor~~
19 ~~vehicles neither of which has been titled and branded as~~
20 ~~"Salvage Unrebuildable."~~

21 5.6. "Kit car" means a motor vehicle assembled with a
22 kit supplied by a manufacturer to rebuild a wrecked or
23 outdated motor vehicle with a new body kit.

24 6.7. "Glider kit" means a vehicle assembled with a kit
25 supplied by a manufacturer to rebuild a wrecked or outdated
26 truck or truck tractor.

27 7.8. "Replica" means a complete new motor vehicle
28 manufactured to look like an old vehicle.

29 8.9. "Flood vehicle" means a motor vehicle or mobile
30 home that has been declared to be a total loss pursuant to s.
31 319.30(3)(a) resulting from damage caused by water.

1 9.10. "Nonconforming vehicle" means a motor vehicle
2 which has been purchased by a manufacturer pursuant to a
3 settlement, determination, or decision under chapter 681.

4 10.11. "Settlement" means an agreement entered into
5 between a manufacturer and a consumer that occurs after a
6 dispute is submitted to a program, or an informal dispute
7 settlement procedure established by a manufacturer or is
8 approved for arbitration before the New Motor Vehicle
9 Arbitration Board as defined in s. 681.102.

10 (2) No person shall knowingly sell, exchange, or
11 transfer a vehicle referred to in subsection (1) without,
12 prior to consummating the sale, exchange, or transfer,
13 disclosing in writing to the purchaser, customer, or
14 transferee the fact that the vehicle has previously been
15 titled, registered, or used as a taxicab, police vehicle, or
16 short-term-lease vehicle or is a vehicle that is rebuilt, or
17 assembled from parts, ~~or combined~~, or is a kit car, glider
18 kit, replica, or flood vehicle, or is a nonconforming vehicle,
19 as the case may be.

20 (3) Any person who, with intent to offer for sale or
21 exchange any vehicle referred to in subsection (1), knowingly
22 or intentionally advertises, publishes, disseminates,
23 circulates, or places before the public in any communications
24 medium, whether directly or indirectly, any offer to sell or
25 exchange the vehicle shall clearly and precisely state in each
26 such offer that the vehicle has previously been titled,
27 registered, or used as a taxicab, police vehicle, or
28 short-term-lease vehicle or that the vehicle or mobile home is
29 a vehicle that is rebuilt, or assembled from parts, ~~or~~
30 ~~combined~~, or is a kit car, glider kit, replica, or flood
31 vehicle, or a nonconforming vehicle, as the case may be. Any

1 person who violates this subsection commits ~~is guilty of~~ a
2 misdemeanor of the second degree, punishable as provided in s.
3 775.082 or s. 775.083.

4 (4) When a certificate of title, including a foreign
5 certificate, is branded to reflect a condition or prior use of
6 the titled vehicle, the brand must be noted ~~on the~~
7 ~~registration certificate of the vehicle~~ and such brand shall
8 be carried forward on all subsequent certificates of title ~~and~~
9 ~~registration certificates~~ issued for the life of the vehicle.

10 (5) Any person who knowingly sells, exchanges, or
11 offers to sell or exchange a motor vehicle or mobile home
12 contrary to the provisions of this section or any officer,
13 agent, or employee of a person who knowingly authorizes,
14 directs, aids in, or consents to the sale, exchange, or offer
15 to sell or exchange a motor vehicle or mobile home contrary to
16 the provisions of this section commits ~~is guilty of~~ a
17 misdemeanor of the second degree, punishable as provided in s.
18 775.082 or s. 775.083.

19 (6) Any person who removes a rebuilt decal from a
20 rebuilt vehicle with the intent to conceal the rebuilt status
21 of the vehicle commits a felony of the third degree,
22 punishable as provided in s. 775.082, s. 775.083, or s.
23 775.084.

24 (7)~~(6)~~ This section applies to a mobile home, travel
25 trailer, camping trailer, truck camper, or fifth-wheel
26 recreation trailer only when such mobile home or vehicle is a
27 rebuilt vehicle or is assembled from parts.

28 (8)~~(7)~~ No person shall be liable or accountable in any
29 civil action arising out of a violation of this section if the
30 designation of the previous use or condition of the motor
31 vehicle is not noted on the certificate of title and

1 registration certificate of the vehicle which was received by,
2 or delivered to, such person, unless such person has actively
3 concealed the prior use or condition of the vehicle from the
4 purchaser.

5 (9)~~(8)~~ Subsections (1), (2), and (3) do not apply to
6 the transfer of ownership of a motor vehicle after the motor
7 vehicle has ceased to be used as a lease vehicle and the
8 ownership has been transferred to an owner for private use or
9 to the transfer of ownership of a nonconforming vehicle with
10 36,000 or more miles on its odometer, or 34 months whichever
11 is later and the ownership has been transferred to an owner
12 for private use. Such owner, as shown on the title
13 certificate, may request the department to issue a corrected
14 certificate of title that does not contain the statement of
15 the previous use of the vehicle as a lease vehicle or
16 condition as a nonconforming vehicle.

17 Section 16. Subsection (4) of section 319.27, Florida
18 Statutes, is amended to read:

19 319.27 Notice of lien on motor vehicles or mobile
20 homes; notation on certificate; recording of lien.--

21 ~~(4)(a) Notwithstanding the provisions of subsection~~
22 ~~(2), any person holding a lien for purchase money or as~~
23 ~~security for a debt in the form of a security agreement,~~
24 ~~retain title contract, conditional bill of sale, chattel~~
25 ~~mortgage, or other similar instrument covering a motor vehicle~~
26 ~~or mobile home previously titled or registered outside this~~
27 ~~state upon which no Florida certificate of title has been~~
28 ~~issued may use the facilities of the department for the~~
29 ~~recording of such lien as constructive notice of such lien to~~
30 ~~creditors and purchasers of such motor vehicle or mobile home~~
31 ~~in this state provided such lienholder files a sworn notice of~~

1 ~~such lien in the department, showing the following~~
2 ~~information:~~
3 1. ~~The date of the lien;~~
4 2. ~~The name and address of the registered owner;~~
5 3. ~~A description of the motor vehicle or mobile home,~~
6 ~~showing the make, type, and vehicle identification number; and~~
7 4. ~~The name and address of the lienholder.~~

8
9 ~~Upon the filing of such notice of lien and the payment of the~~
10 ~~fee provided in s. 319.32, the lien shall be recorded in the~~
11 ~~department.~~

12 ~~(b)~~ When a Florida certificate of title is first
13 issued on a motor vehicle or mobile home previously titled or
14 registered outside this state, the department shall note on
15 the Florida certificate of title the following liens:

16 1. Any lien shown on the application for Florida
17 certificate of title; and
18 2. ~~Any lien filed in the department in accordance with~~
19 ~~paragraph (a); and~~
20 2.3. Any lien shown on the existing certificate of
21 title issued by another state.

22 ~~(b)~~(c) When a Florida certificate of title has been
23 issued on a motor vehicle or mobile home previously titled or
24 registered outside this state, liens valid in and registered
25 under the law of the state wherein such liens were created are
26 not valid in this state unless filed and noted upon the
27 certificate of title under the provisions of this section.

28 Section 17. Paragraphs (e) and (f) of subsection (1),
29 paragraph (b) of subsection (3), and subsections (4) and (5)
30 of section 319.30, Florida Statutes, are amended to read:

31

1 319.30 Definitions; dismantling, destruction, change
2 of identity of motor vehicle or mobile home; salvage.--
3 (1) As used in this section, the term:
4 (e) "Major component parts" means:
5 1. For motor vehicles other than motorcycles, the
6 front-end assembly, fenders, hood, grill, bumper, cowl
7 assembly, rear body section, both quarter panels, decklid,
8 bumper, floor pan, door assemblies, engine, frame,
9 transmission, dashboard, hard-top roof, sunroof, T-top,
10 airbag, wheels, windshield, and interior.
11 2. For trucks, in addition to those parts listed in
12 subparagraph 1., the truck bed.
13 3. For motorcycles, the body assembly, frame, fenders,
14 gas tanks, engine, cylinder block, heads, engine case, crank
15 case, transmission, drive train, front fork assembly, and
16 wheels.
17 4. For mobile homes, the frame.~~the front-end assembly~~
18 ~~(fenders, hood, grill, and bumper); cowl assembly; rear body~~
19 ~~section (both quarter panels, decklid, bumper, and floor pan);~~
20 ~~door assemblies; engine; frame; or transmission.~~
21 (f) "Major part" means the front-end assembly,
22 ~~(fenders, hood, grill, and bumper); cowl assembly,~~ or rear
23 ~~body section (both quarter panels, decklid, bumper, and floor~~
24 ~~pan).~~
25 (3)
26 (b) The owner of any motor vehicle or mobile home
27 which is considered to be salvage shall, within 72 hours after
28 the motor vehicle or mobile home becomes salvage, forward the
29 title to the motor vehicle or mobile home to the department
30 for processing. However, an insurance company which pays money
31 as compensation for total loss of a motor vehicle or mobile

1 | home shall obtain the certificate of title for the motor
2 | vehicle or mobile home and, within 72 hours after receiving
3 | such certificate of title, shall forward such title to the
4 | department for processing. The owner or insurance company, as
5 | the case may be, may not dispose of a vehicle or mobile home
6 | that is a total loss before it has obtained a salvage
7 | certificate of title from the department. When applying for a
8 | salvage certificate of title, the owner or insurance company
9 | must provide the department with an estimate of the costs of
10 | repairing the physical and mechanical damage suffered by the
11 | vehicle for which a salvage certificate of title is sought.
12 | If the estimated costs of repairing the physical and
13 | mechanical damage to the vehicle is equal to 80 percent or
14 | more of the current retail cost of the vehicle, as established
15 | in any official used car or used mobile home guide, the
16 | department shall declare the vehicle unrebuildable and print
17 | notice on the salvage certificate of title that the vehicle is
18 | unrebuildable; and, thereafter, the vehicle shall not be
19 | rebuilt or sold in a rebuilt condition and the department
20 | shall refuse issuance of any certificate of title for that
21 | vehicle. Nothing in this subsection shall be applicable when a
22 | vehicle is worth less than \$1,500 retail in undamaged
23 | condition in any official used motor vehicle guide or used
24 | mobile home guide or when a stolen motor vehicle or mobile
25 | home is recovered in substantially intact condition and is
26 | readily resalable without extensive repairs to or replacement
27 | of the frame or engine. Any person who willfully and
28 | deliberately violates this paragraph or falsifies any document
29 | to avoid the requirements of this paragraph commits a
30 | misdemeanor of the first degree, punishable as provided in s.
31 | 775.082 or s. 775.083.

1 (4) It is unlawful for any person to have in his or
2 her possession any motor vehicle or mobile home when the
3 manufacturer's or state-assigned identification number plate
4 or serial plate has been removed therefrom. However, nothing
5 in this subsection shall be applicable when a vehicle defined
6 in this section as a derelict or salvage was purchased or
7 acquired from a foreign state requiring such vehicle's
8 identification number plate to be surrendered to such state,
9 provided the person shall have an affidavit from the seller
10 describing the vehicle by manufacturer's serial number and the
11 state to which such vehicle's identification number plate was
12 surrendered.

13 (5)(a) It is unlawful for any person to knowingly
14 possess, sell, or exchange, offer to sell or exchange, or give
15 away any certificate of title or manufacturer's or
16 state-assigned identification number plate or serial plate of
17 any motor vehicle, mobile home, or derelict that has been sold
18 as salvage contrary to the provisions of this section, and it
19 is unlawful for any person to authorize, direct, aid in, or
20 consent to the possession, sale, or exchange or to offer to
21 sell, exchange, or give away such certificate of title or
22 manufacturer's or state-assigned identification number plate
23 or serial plate.

24 (b) It is unlawful for any person to knowingly
25 possess, sell, or exchange, offer to sell or exchange, or give
26 away any manufacturer's or state-assigned identification
27 number plate or serial plate of any motor vehicle or mobile
28 home that has been removed from the motor vehicle or mobile
29 home for which it was manufactured, and it is unlawful for any
30 person to authorize, direct, aid in, or consent to the
31 possession, sale, or exchange or to offer to sell, exchange,

1 or give away such manufacturer's or state-assigned
2 identification number plate or serial plate.

3 (c) This chapter does not apply to anyone who removes,
4 possesses, or replaces a manufacturer's or state-assigned
5 identification number plate, in the course of performing
6 repairs on a vehicle, that require such removal or
7 replacement. If the repair requires replacement of a vehicle
8 part that contains the manufacturer's or state-assigned
9 identification number plate, the manufacturer's or
10 state-assigned identification number plate that is assigned to
11 the vehicle being repaired will be installed on the
12 replacement part. The manufacturer's or state-assigned
13 identification number plate that was removed from this
14 replacement part will be installed on the part that was
15 removed from the vehicle being repaired.

16 Section 18. Subsection (5) and paragraph (b) of
17 subsection (7) of section 319.33, Florida Statutes, are
18 amended, and paragraph (c) is added to subsection (7) of said
19 section, to read:

20 319.33 Offenses involving vehicle identification
21 numbers, applications, certificates, papers; penalty.--

22 (5) It is unlawful for any person, firm, or
23 corporation to knowingly possess, manufacture, sell or
24 exchange, offer to sell or exchange, supply in blank, or give
25 away any counterfeit manufacturer's or state-assigned
26 identification number plates or serial plates or any decal
27 used for the purpose of identification of any motor vehicle;
28 or for any officer, agent, or employee of any person, firm, or
29 corporation, or any person who shall authorize, direct, aid in
30 exchange, or give away such counterfeit manufacturer's or
31 state-assigned identification number plates or serial plates

1 or any decal; or conspire to do any of the foregoing.
2 However, nothing in this subsection shall be applicable to any
3 approved replacement manufacturer's identification number
4 plates or serial plates or any decal issued by the department
5 or any state.

6 (7)

7 (b) If all numbers or other identifying marks
8 manufactured on a major component part on a mobile home or on
9 a motor vehicle, other than a motorcycle, have been altered,
10 defaced, destroyed, or otherwise removed for the purpose of
11 concealing the identity of the major component part, the part
12 shall constitute contraband and shall be subject to forfeiture
13 by a seizing law enforcement agency, pursuant to applicable
14 provisions of ss. 932.701-932.704. Any major component part
15 forfeited under this subsection shall be destroyed or disposed
16 of in a manner so as to make it unusable.

17 (c) If all numbers or other identifying marks
18 manufactured on a major component part of a motorcycle have
19 been altered, defaced, destroyed, or otherwise removed, there
20 shall be no property right in such major component part. The
21 part shall be confiscated by a seizing law enforcement agency
22 as contraband and shall not, under any circumstances, be
23 released. Any confiscated major component part shall be
24 retained until the seizing agency is advised by a prosecuting
25 officer with jurisdiction within the county in which the
26 confiscation occurred, that said part is no longer required as
27 evidence. Thereafter, upon order of a court of competent
28 jurisdiction, any major component part confiscated under this
29 section shall be destroyed or disposed of in a manner so as to
30 make it unusable.

31

1 Section 19. Subsection (2) of section 320.031, Florida
2 Statutes, is amended to read:
3 320.031 Mailing of registration certificates, license
4 plates, and validation stickers.--
5 (2) A mail service charge may be collected for each
6 registration certificate, license plate, mobile home sticker,
7 and validation sticker mailed by the department or any tax
8 collector. Each registration certificate, license plate,
9 mobile home sticker, and validation sticker shall be mailed by
10 first-class mail unless otherwise requested by the applicant.
11 The amount of the mail service charge shall be the actual
12 postage required, rounded to the nearest 5 cents, plus a
13 25-cent handling charge. The mail service charge is in
14 addition to the service charge provided by s. 320.04. All
15 charges collected by the department, as prescribed in this
16 section, shall be paid into the Highway Safety Operating Trust
17 Fund.

18 Section 20. Subsection (2) of section 320.04, Florida
19 Statutes, is amended to read:
20 320.04 Registration service charge.--
21 (2) The service charges shall be collected by the
22 department on all applications handled directly from its
23 office; and the proceeds thereof, together with any fees
24 returned to it by the tax collector, shall be paid into the
25 Highway Safety Operating Trust Fund ~~General Revenue Fund~~. No
26 tax collector, deputy tax collector, or employee of the state
27 or any county shall charge, collect, or receive any fee or
28 compensation for services performed as notary public in
29 connection with or incidental to the issuance of license
30 plates or titles. The provisions of this subsection and of s.
31 116.38(2) prohibiting the charging, collecting, or receiving

1 of notary public fees do not apply to any privately owned
2 license plate agency appointed by the county manager of a
3 charter county which has an appointed tax collector.

4 Section 21. Subsection (5) of section 320.055, Florida
5 Statutes, is amended to read:

6 320.055 Registration periods; renewal periods.--The
7 following registration periods and renewal periods are
8 established:

9 (5) For a vehicle subject to apportioned registration
10 under s. 320.08(4), (5)(a)1., (e), (6)(b), or (14), the
11 registration period shall be a period of 12 months beginning
12 in a month designated by the department and ending on the last
13 day of the 12th month. For a vehicle subject to this
14 registration period, the renewal period is the last month of
15 the registration period. The registration period may be
16 shortened or extended at the discretion of the department, on
17 receipt of the appropriate prorated fees, in order to evenly
18 distribute such registrations on a monthly basis. For vehicles
19 subject to registration other than apportioned under s.
20 320.08(4), (5)(a)1., (6)(b), or (14), the registration period
21 begins on December 1 of a year and ends November 30 of the
22 following year. The renewal period is the 31-day period
23 beginning December 1.

24 Section 22. Section 320.0605, Florida Statutes, is
25 amended to read:

26 320.0605 Certificate of registration; possession
27 required; exception.--The registration certificate or an
28 official copy thereof, a true copy of a rental or lease
29 agreement issued for a motor vehicle or issued for a
30 replacement vehicle in the same registration period, a
31 temporary receipt printed upon self-initiated electronic

1 renewal of a registration via the Internet, or a cab card
2 issued for a vehicle registered under the International
3 Registration Plan shall, at all times while the vehicle is
4 being used or operated on the roads of this state, be in the
5 possession of the operator thereof or be carried in the
6 vehicle for which issued and shall be exhibited upon demand of
7 any authorized law enforcement officer or any agent of the
8 department. The provisions of this section do not apply during
9 the first 30 days after purchase of a replacement vehicle. A
10 violation of this section is a noncriminal traffic infraction,
11 punishable as a nonmoving violation as provided in chapter
12 318.

13 Section 23. Paragraph (a) of subsection (4) of section
14 320.07, Florida Statutes, is amended to read:

15 320.07 Expiration of registration; annual renewal
16 required; penalties.--

17 (4)(a) In addition to a penalty provided in subsection
18 (3), a delinquent fee based on the following schedule of
19 license taxes shall be imposed on any applicant who fails to
20 renew a registration prior to the end of the month in which
21 renewal registration is due. The delinquent fee shall be
22 applied beginning at 12:01 a.m. on the day immediately
23 following the expiration of the registration period ~~on the~~
24 ~~11th calendar day of the month succeeding the renewal period.~~
25 The delinquent fee shall not apply to those vehicles which
26 have not been required to be registered during the preceding
27 registration period or as provided in s. 320.18(2). The
28 delinquent fee shall be imposed as follows:

- 29 1. License tax of \$5 but not more than \$25: \$5 flat.
30 2. License tax over \$25 but not more than \$50: \$10
31 flat.

- 1 3. License tax over \$50 but not more than \$100: \$15
2 flat.
3 4. License tax over \$100 but not more than \$400: \$50
4 flat.
5 5. License tax over \$400 but not more than \$600: \$100
6 flat.
7 6. License tax over \$600 and up: \$250 flat.

8 Section 24. Subsection (1) of section 320.083, Florida
9 Statutes, is amended to read:

10 320.083 Amateur radio operators; special license
11 plates; fees.--

12 (1) A person who is the owner or lessee of an
13 automobile or a truck for private use, ~~a truck weighing not~~
14 ~~more than 5,000 pounds~~, or a recreational vehicle as specified
15 in s. 320.08(9)(c) or (d), which is not used for hire or
16 commercial use; who is a resident of the state; and who holds
17 a valid official amateur radio station license issued by the
18 Federal Communications Commission shall be issued a special
19 license plate upon application, accompanied by proof of
20 ownership of such radio station license, and payment of the
21 following tax and fees:

22 (a) The license tax required for the vehicle, as
23 prescribed by s. 320.08(2), (3)(a), (b), or (c), (4)(a), (b),
24 (c), (d), (e), or (f), or (9); and

25 (b) An initial additional fee of \$5, and an additional
26 fee of \$1.50 thereafter.

27 Section 25. Subsection (6) of section 320.0805,
28 Florida Statutes, is amended to read:

29 320.0805 Personalized prestige license plates.--

30 (6) A personalized prestige license plate shall be
31 issued for the exclusive continuing use of the applicant. An

1 exact duplicate of any plate may not be issued to any other
2 applicant during the same registration period. An exact
3 duplicate may not be issued for any succeeding year unless the
4 previous owner of a specific plate relinquishes it by failure
5 to apply for renewal within 1 year of expiration of the
6 registration period ~~or reissuance for three consecutive annual~~
7 ~~registration periods following the original year of issuance.~~

8 Section 26. Subsections (19) and (29) of section
9 320.08058, Florida Statutes, are amended to read:

10 320.08058 Specialty license plates.--

11 (19) SEA TURTLE LICENSE PLATES.--

12 (a) The department shall develop a Sea Turtle license
13 plate as provided in this section. The word "Florida" must
14 appear at the top of the plate, the words "Helping Sea Turtles
15 Survive" must appear at the bottom of the plate, and the image
16 of a sea turtle must appear in the center of the plate.

17 (b) The annual use fees shall be deposited in the
18 Marine Resources Conservation Trust Fund in the Fish and
19 Wildlife Conservation Commission. The first \$500,000 in annual
20 revenue shall be used by the Florida Marine Turtle Protection
21 Program to conduct sea turtle protection, research, and
22 recovery programs. Additional annual use proceeds, up to an
23 amount not exceeding 30 percent of the total annual use
24 proceeds, shall be disbursed annually through the marine
25 turtle grants program as provided in s. 370.12(1)(h).The
26 remaining annual use proceeds shall be used by the commission
27 for sea turtle conservation activities, ~~except that up to 30~~
28 ~~percent of the remaining annual use fee proceeds shall be~~
29 ~~annually disbursed through the marine turtle grants program as~~
30 ~~provided in s. 370.12(1)(h).~~

31 (29) UNITED STATES MARINE CORPS LICENSE PLATES.--

1 (a) The department shall develop a United States
2 Marine Corps license plate as provided in this section. The
3 word "Florida" must appear at the top center of the plate, and
4 the words "Marine Corps ~~First to Fight~~" must appear at the
5 bottom center of the plate. The United States Marine Corps
6 logo, 3 inches in diameter, must appear on the left side
7 centered top to bottom of the plate in proper colors.

8 (b) The department shall distribute the United States
9 Marine Corps license plate annual use fees in the following
10 manner:

11 1. The first \$50,000 collected annually shall be
12 deposited in the State Homes for Veterans Trust Fund and must
13 be used solely for the purpose of constructing, operating, and
14 maintaining domiciliary and nursing homes for veterans subject
15 to the requirements of chapter 216.

16 2. Any additional fees collected annually shall be
17 deposited in the Marine Corps Scholarship Foundation, Inc.,
18 successor to the USMC ~~USMV~~ Tag/Scholarship Fund, Inc., which
19 shall use the fees to fund scholarships and assist Marine
20 Corps Junior ROTC and Young Marine programs of this state. The
21 foundation shall develop a plan to distribute the funds to
22 recipients nominated by residents of the state to receive
23 scholarships, and to the Marine Corps Junior ROTC programs in
24 the state.

25 Section 27. Subsections (2) and (3) of section
26 320.089, Florida Statutes, are amended to read:

27 320.089 Members of National Guard and active United
28 States Armed Forces reservists; former prisoners of war;
29 survivors of Pearl Harbor; Purple Heart medal recipients;
30 special license plates; fee.--
31

1 (2) Each owner or lessee of an automobile or a truck
2 for private use, ~~truck weighing not more than 5,000 pounds, or~~
3 a recreational vehicle as specified in s. 320.08(9)(c) or (d),
4 which is not used for hire or commercial use, who is a
5 resident of the state and who is a former prisoner of war, or
6 their unremarried surviving spouse, shall, upon application
7 therefor to the department, be issued a license plate as
8 provided in s. 320.06, on which license plate are stamped the
9 words "Ex-POW" followed by the serial number. Each application
10 shall be accompanied by proof that the applicant meets the
11 qualifications specified in paragraph (a) or paragraph (b).

12 (a) A citizen of the United States who served as a
13 member of the Armed Forces of the United States or the armed
14 forces of a nation allied with the United States who was held
15 as a prisoner of war at such time as the Armed Forces of the
16 United States were engaged in combat, or their unremarried
17 surviving spouse, may be issued the special license plate
18 provided for in this subsection without payment of the license
19 tax imposed by s. 320.08.

20 (b) A person who was serving as a civilian with the
21 consent of the United States Government, or a person who was a
22 member of the Armed Forces of the United States who was not a
23 United States citizen and was held as a prisoner of war when
24 the Armed Forces of the United States were engaged in combat,
25 or their unremarried surviving spouse, may be issued the
26 special license plate provided for in this subsection upon
27 payment of the license tax imposed by s. 320.08.

28 (3) Each owner or lessee of an automobile or a truck
29 for private use, ~~truck weighing not more than 5,000 pounds, or~~
30 a recreational vehicle as specified in s. 320.08(9)(c) or (d),
31 which is not used for hire or commercial use, who is a

1 resident of this state and who is the unremarried surviving
2 spouse of a recipient of the Purple Heart medal shall, upon
3 application therefor to the department, with the payment of
4 the required fees, be issued a license plate as provided in s.
5 320.06, on which license plate are stamped the words "Purple
6 Heart" and the likeness of the Purple Heart medal followed by
7 the serial number. Each application shall be accompanied by
8 proof that the applicant is the unremarried surviving spouse
9 of a recipient of the Purple Heart medal.

10 Section 28. Subsection (1) of section 320.18, Florida
11 Statutes, is amended to read:

12 320.18 Withholding registration.--

13 (1) The department may withhold the registration of
14 any motor vehicle or mobile home the owner of which has failed
15 to register it under the provisions of law for any previous
16 period or periods for which it appears registration should
17 have been made in this state, until the tax for such period or
18 periods is paid. The department may cancel any license plate
19 or fuel-use tax decal if the owner pays for the license plate,
20 fuel-use tax decal, or any tax liability, penalty, or interest
21 specified in chapter 207 by a dishonored check. The department
22 may cancel all other motor vehicle registrations and the
23 driver license of any person who pays for a license plate,
24 fuel-use tax decal, or any tax liability, penalty, or interest
25 specified in chapter 207 by a dishonored check, said
26 cancellations to continue until the registration fee and
27 service charges or tax liability, as the case may be, and all
28 applicable penalties, service charges, and reinstatement fees
29 have been paid for in certified funds.The Department of
30 Transportation and the Department of Highway Safety and Motor
31 Vehicles may impound any commercial motor vehicle that has a

1 canceled license plate or fuel-use tax decal until the tax
2 liability, penalty, and interest specified in chapter 207, the
3 license tax, or the fuel-use decal fee, and applicable
4 administrative fees have been paid for by certified funds.

5 Section 29. Subsection (5) of section 320.27, Florida
6 Statutes, is amended to read:

7 320.27 Motor vehicle dealers.--

8 (5) SUPPLEMENTAL LICENSE.--Any person licensed
9 hereunder shall obtain a supplemental license for each
10 permanent additional place or places of business not
11 contiguous to the premises for which the original license is
12 issued, on a form to be furnished by the department, and upon
13 payment of a fee of \$50 for each such additional location.
14 Upon making renewal applications for such supplemental
15 licenses, such applicant shall pay \$50 for each additional
16 location. A supplemental license authorizing off-premises
17 sales shall be issued, at no charge to the dealer, for a
18 period not to exceed 10 consecutive calendar days. To obtain
19 such a temporary supplemental license for off-premises sales,
20 the applicant must be a licensed dealer; must notify the
21 applicable local department office of the specific dates and
22 location for which such license is requested, display a sign
23 at the licensed location clearly identifying the dealer, and
24 provide staff to work at the temporary location for the
25 duration of the off-premises sale; must meet any local
26 government permitting requirements; and must have permission
27 of the property owner to sell at that location.

28 Section 30. Subsection (7) of section 320.77, Florida
29 Statutes, is amended to read:

30 320.77 License required of mobile home dealers.--

31

1 (7) SUPPLEMENTAL LICENSE.--Any person licensed
2 pursuant to this section shall be entitled to operate one or
3 more additional places of business under a supplemental
4 license for each such business if the ownership of each
5 business is identical to that of the principal business for
6 which the original license is issued. Each supplemental
7 license shall run concurrently with the original license and
8 shall be issued upon application by the licensee on a form to
9 be furnished by the department and payment of a fee of \$50 for
10 each such license. Only one licensed dealer shall operate at
11 the same place of business. A supplemental license
12 authorizing off-premises sales shall be issued, at no charge
13 to the dealer, for a period not to exceed 10 consecutive
14 calendar days. To obtain such a temporary supplemental license
15 for off-premises sales, the applicant must be a licensed
16 dealer; must notify the applicable local department office of
17 the specific dates and location for which such license is
18 requested, display a sign at the licensed location clearly
19 identifying the dealer, and provide staff to work at the
20 temporary location for the duration of the off-premises sale;
21 must meet any local government permitting requirements; and
22 must have permission of the property owner to sell at that
23 location.

24 Section 31. Subsection (7) of section 320.771, Florida
25 Statutes, is amended to read:

26 320.771 License required of recreational vehicle
27 dealers.--

28 (7) SUPPLEMENTAL LICENSE.--Any person licensed
29 pursuant to this section shall be entitled to operate one or
30 more additional places of business under a supplemental
31 license for each such business if the ownership of each

1 business is identical to that of the principal business for
2 which the original license is issued. Each supplemental
3 license shall run concurrently with the original license and
4 shall be issued upon application by the licensee on a form to
5 be furnished by the department and payment of a fee of \$50 for
6 each such license. Only one licensed dealer shall operate at
7 the same place of business. A supplemental license
8 authorizing off-premises sales shall be issued, at no charge
9 to the dealer, for a period not to exceed 10 consecutive
10 calendar days. To obtain such a temporary supplemental license
11 for off-premises sales, the applicant must be a licensed
12 dealer; must notify the applicable local department office of
13 the specific dates and locations for which such license is
14 requested, display a sign at the licensed location clearly
15 identifying the dealer, and provide staff to work at the
16 temporary location for the entire duration of the off-premises
17 sale; must meet any local government permitting requirements;
18 and must have permission of the property owner to sell at that
19 location.

20 Section 32. Subsection (26) of section 322.01, Florida
21 Statutes, is amended to read:

22 322.01 Definitions.--As used in this chapter:

23 (26) "Motor vehicle" means any self-propelled vehicle,
24 including a motor vehicle combination, not operated upon rails
25 or guideway, excluding vehicles moved solely by human power,
26 motorized wheelchairs, gopeds, and motorized bicycles as
27 defined in s. 316.003.

28 Section 33. Section 322.025, Florida Statutes, is
29 amended to read:

30 322.025 Driver improvement.--The department may
31 implement programs to improve the driving ability of the

1 drivers of this state. Such programs may include, but shall
2 not be limited to, safety awareness campaigns, driver
3 training, and licensing improvement. Motorcycle driver
4 improvement programs implemented pursuant to this section or
5 s. 322.0255 shall be funded by the motorcycle safety education
6 fee collected pursuant to s. 320.08(1)(~~c~~)(~~d~~), which shall be
7 deposited in the Highway Safety Operating Trust Fund of the
8 department and appropriated for that purpose.

9 Section 34. Paragraph (a) of subsection (1) of section
10 322.051, Florida Statutes, is amended to read:

11 322.051 Identification cards.--

12 (1) Any person who is 12 years of age or older, or any
13 person who has a disability, regardless of age, who applies
14 for a disabled parking permit under s. 320.0848, may be issued
15 an identification card by the department upon completion of an
16 application and payment of an application fee.

17 (a) Each such application shall include the following
18 information regarding the applicant:

- 19 1. Full name (first, middle or maiden, and last),
20 gender, social security card number, residence and mailing
21 address, and a brief description.
- 22 2. Proof of birth date satisfactory to the department.
- 23 3. Proof of identity satisfactory to the department.

24 Such proof shall include one of the following, unless a driver
25 license record or identification card record has already been
26 established, including one of the following: a certified copy
27 of a United States birth certificate, a valid United States
28 passport, an alien registration receipt card (green card), an
29 employment authorization card issued by the United States
30 Department of Justice, or proof of nonimmigrant classification

31

1 provided by the United States Department of Justice, for an
2 original identification card.

3 Section 35. Paragraph (c) of subsection (2) of section
4 322.08, Florida Statutes, is amended to read:

5 322.08 Application for license.--

6 (2) Each such application shall include the following
7 information regarding the applicant:

8 (c) Proof of identity satisfactory to the department.

9 Such proof shall include one of the following, unless a driver
10 license record or identification card record has already been
11 established, including one of the following: a certified copy
12 of a United States birth certificate, a valid United States
13 passport, an alien registration receipt card (green card), an
14 employment authorization card issued by the United States
15 Department of Justice, or proof of nonimmigrant classification
16 provided by the United States Department of Justice, for an
17 original license.

18 Section 36. Paragraph (a) of subsection (1) of section
19 322.161, Florida Statutes, is amended to read:

20 322.161 High-risk drivers; restricted licenses.--

21 (1)(a) Notwithstanding any provision of law to the
22 contrary, the department shall restrict the driving privilege
23 of any Class D or Class E licensee who is age 15 through 17
24 and who has accumulated five ~~four~~ or more points pursuant to
25 s. 318.14, excluding parking violations, within a 12-month
26 period.

27 Section 37. Subsection (1) of section 322.22, Florida
28 Statutes, is amended to read:

29 322.22 Authority of department to cancel license.--

30 (1) The department is authorized to cancel any
31 driver's license, upon determining that the licensee was not

1 entitled to the issuance thereof, or that the licensee failed
2 to give the required or correct information in his or her
3 application or committed any fraud in making such application,
4 or that the licensee has two or more licenses on file with the
5 department, each in a different name but bearing the
6 photograph of the licensee, unless the licensee has complied
7 with the requirements of this chapter in obtaining the
8 licenses. The department may cancel any driver's license if
9 the licensee fails to pay the correct fee or pays for the
10 license or pays any administrative, delinquency, or
11 reinstatement fee by a dishonored check. The department may
12 cancel all motor vehicle registrations of any person who pays
13 any administrative, delinquency, or reinstatement fee by a
14 dishonored check, said cancellations to continue until the
15 administrative, delinquency, or reinstatement fees, as the
16 case may be, and all applicable penalties, service charges,
17 and reinstatement fees have been paid for in certified funds.

18 Section 38. Paragraph (a) of subsection (2) of section
19 322.271, Florida Statutes, is amended to read:

20 322.271 Authority to modify revocation, cancellation,
21 or suspension order.--

22 (2)(a) Upon such hearing, the person whose license has
23 been suspended, canceled, or revoked may show that such
24 suspension, cancellation, or revocation of his or her license
25 causes a serious hardship and precludes the person's carrying
26 out his or her normal business occupation, trade, or
27 employment and that the use of the person's license in the
28 normal course of his or her business is necessary to the
29 proper support of the person or his or her family. Except as
30 otherwise provided in this subsection, the department shall
31 require proof of the successful completion of the applicable

1 department-approved driver training course operating pursuant
2 to s. 318.1451 or DUI program substance abuse education course
3 and evaluation as provided in s. 316.193(5). Letters of
4 recommendation from respected business persons in the
5 community, law enforcement officers, or judicial officers may
6 also be required to determine whether such person should be
7 permitted to operate a motor vehicle on a restricted basis for
8 business or employment use only and in determining whether
9 such person can be trusted to so operate a motor vehicle. If a
10 driver's license has been suspended under the point system or
11 pursuant to s. 322.2615, the department shall require proof of
12 enrollment in the applicable department-approved driver
13 training course or licensed DUI program substance abuse
14 education course, including evaluation and treatment, if
15 referred, and may require letters of recommendation described
16 in this subsection to determine if the driver should be
17 reinstated on a restricted basis. A person whose license was
18 suspended pursuant to s. 322.2616 shall, before the driving
19 privilege may be reinstated, present to the department proof
20 of current enrollment in a department-approved basic driver
21 improvement or traffic law and substance abuse education
22 course. If such person fails to complete the approved course
23 within 90 days after reinstatement or subsequently fails to
24 complete treatment, if applicable, the department shall cancel
25 his or her driver's license until the course and treatment, if
26 applicable, is successfully completed, notwithstanding the
27 terms of the court order or any suspension or revocation of
28 the driving privilege. The department may temporarily
29 reinstate the driving privilege on a restricted basis upon
30 verification from the DUI program that the offender has
31 reentered and is currently participating in treatment and has

1 completed the DUI education course and evaluation requirement.
2 If the DUI program notifies the department of the second
3 failure to complete treatment, the department shall reinstate
4 the driving privilege only after notice of completion of
5 treatment from the DUI program. The privilege of driving on a
6 limited or restricted basis for business or employment use
7 shall not be granted to a person who has been convicted of a
8 violation of s. 316.193 until completion of the DUI program
9 substance abuse education course and evaluations as provided
10 in s. 316.193(5). Except as provided in paragraph (b), the
11 privilege of driving on a limited or restricted basis for
12 business or employment use shall not be granted to a person
13 whose license is revoked pursuant to s. 322.28 or suspended
14 pursuant to s. 322.2615 and who has been convicted of a
15 violation of s. 316.193 two or more times or whose license has
16 been suspended two or more times for refusal to submit to a
17 test pursuant to s. 322.2615 or former s. 322.261.

18 Section 39. Subsection (3) of section 328.48, Florida
19 Statutes, is amended to read:

20 328.48 Vessel registration, application, certificate,
21 number, decal, duplicate certificate.--

22 (3) The Department of Highway Safety and Motor
23 Vehicles shall issue certificates of registration and numbers
24 for city, county, and state-owned vessels, charging only the
25 service fees required in s. 328.72(7) and (8)~~s. 327.25(7) and~~
26 ~~(8)~~, provided the vessels are used for purposes other than
27 recreation.

28 Section 40. Paragraph (c) of subsection (2) of section
29 328.72, Florida Statutes, is amended to read:

30
31

1 328.72 Classification; registration; fees and charges;
2 surcharge; disposition of fees; fines; marine turtle
3 stickers.--

4 (2) ANTIQUE VESSEL REGISTRATION FEE.--

5 (c) The Department of Highway Safety and Motor
6 Vehicles may issue a decal identifying the vessel as an
7 antique vessel. The decal shall be displayed as provided in s.
8 328.48 ~~ss. 327.11 and 327.14.~~

9 Section 41. Subsection (3) of section 328.73, Florida
10 Statutes, is amended to read:

11 328.73 Registration; duties of tax collectors.--

12 (3) A fee of 50 cents shall be charged in addition to
13 the fees required under s. 328.72 ~~s. 327.25~~ on every vessel
14 decal registration sold to cover the cost of the Florida Real
15 Time Vehicle Information System. The fees collected under this
16 section shall be deposited into the Highway Safety Operating
17 Trust Fund and shall be used to fund that system and may be
18 used to fund the general operations of the department.

19 Section 42. Subsection (2) of section 328.735, Florida
20 Statutes, is amended to read:

21 328.735 Advanced registration renewal; procedures.--

22 (2) Upon the filing of the application and payment of
23 the appropriate vessel registration fee and service charges
24 required by s. 328.72 ~~s. 327.25~~ and any additional fees
25 required by law, the department or its agents shall issue to
26 the owner of the vessel a decal and registration. When the
27 decal is affixed to the vessel, the registration is renewed
28 for the appropriate registration period.

29 Section 43. Subsections (1), (3), and (8) of section
30 713.585, Florida Statutes, are amended, and subsection (14) is
31 added to said section, to read:

1 713.585 Enforcement of lien by sale of motor
2 vehicle.--A person claiming a lien under s. 713.58 for
3 performing labor or services on a motor vehicle may enforce
4 such lien by sale of the vehicle in accordance with the
5 following procedures:

6 (1) The lienor must give notice, by certified mail,
7 return receipt requested, within 15 business days, excluding
8 Saturday and Sunday, from the beginning date of the assessment
9 of storage charges on said motor vehicle, to the registered
10 owner of the vehicle, to the customer at the address as
11 indicated on the order for repair, and to all other persons
12 claiming an interest in or lien thereon, as disclosed by the
13 records of the Department of Highway Safety and Motor Vehicles
14 or of a corresponding agency of any other state in which the
15 vehicle appears registered. Notice shall also be sent to the
16 registered owner at the most current known address even if
17 different from that disclosed by the records of the Department
18 of Highway Safety and Motor Vehicles or of a corresponding
19 agency of any other state in which the vehicle is registered.
20 Such notice must contain:

21 (a) A description of the vehicle (year, make, vehicle
22 identification number) and its location.

23 (b) The name and address of the owner of the vehicle,
24 the customer as indicated on the order for repair, and any
25 person claiming an interest in or lien thereon.

26 (c) The name, address, and telephone number of the
27 lienor.

28 (d) Notice that the lienor claims a lien on the
29 vehicle for labor and services performed and storage charges,
30 if any, and the cash sum which, if paid to the lienor, would
31

1 be sufficient to redeem the vehicle from the lien claimed by
2 the lienor.

3 (e) Notice that the lien claimed by the lienor is
4 subject to enforcement pursuant to this section and that the
5 vehicle may be sold to satisfy the lien.

6 (f) If known, the date, time, and location of any
7 proposed or scheduled sale of the vehicle. No vehicle may be
8 sold earlier than 60 days after completion of the repair work.

9 (g) Notice that the owner of the vehicle or any person
10 claiming an interest in or lien thereon has a right to a
11 hearing at any time prior to the scheduled date of sale by
12 filing a demand for hearing with the clerk of the circuit
13 court in the county in which the vehicle is held and mailing
14 copies of the demand for hearing to all other owners and
15 lienors as reflected on the notice.

16 (h) Notice that the owner of the vehicle has a right
17 to recover possession of the vehicle without instituting
18 judicial proceedings by posting bond in accordance with the
19 provisions of s. 559.917.

20 (i) Notice that any proceeds from the sale of the
21 vehicle remaining after payment of the amount claimed to be
22 due and owing to the lienor will be deposited with the clerk
23 of the circuit court for disposition upon court order pursuant
24 to subsection (8).

25 (3) If the date of the sale was not included in the
26 notice required in subsection (1), notice of the sale must be
27 sent by certified mail, return receipt requested, not less
28 than 15 days before the date of sale, to the customer as
29 indicated on the order for repair, and to all other persons
30 claiming an interest in or lien on the motor vehicle, as
31 disclosed by the records of the Department of Highway Safety

1 and Motor Vehicles or of a corresponding agency of any other
2 state in which the vehicle appears to have been registered or
3 at the most current known address, even if different from that
4 disclosed by the records of the Department of Highway Safety
5 and Motor Vehicles, or of a corresponding agency of any other
6 state in which the vehicle is registered. After diligent
7 search and inquiry, if the name and address of the registered
8 owner or the owner of the recorded lien cannot be ascertained,
9 the requirements for this notice may be disregarded.

10 (8) A vehicle subject to lien enforcement pursuant to
11 this section must be sold by the lienor at public sale. The
12 sale shall be held in the county in which the notice of sale
13 is published and in which the vehicle is held. The vehicle
14 shall be physically present for inspection at the time of the
15 public sale. Immediately upon the sale of the vehicle and
16 payment in cash of the purchase price, the lienor shall
17 deposit with the clerk of the circuit court the proceeds of
18 the sale less the amount claimed by the lienor for work done
19 and storage, if any, and all reasonable costs and expenses
20 incurred in conducting the sale, including any attorney's fees
21 and costs ordered by the court. Simultaneously with depositing
22 the proceeds of sale remaining after payment to the lienor,
23 the lienor shall file with the clerk a verified report of the
24 sale stating a description of the vehicle sold, including the
25 vehicle identification number; the name and address of the
26 purchaser; the date of the sale; and the selling price. The
27 report shall also itemize the amount retained by the lienor
28 pursuant to this section and shall indicate whether a hearing
29 was demanded and held. All proceeds held by the court shall be
30 held for the benefit of the owner of the vehicle or any
31 lienholder whose lien is discharged by the sale and shall be

1 disbursed only upon order of the court. Unless a proceeding is
2 initiated to validate a claim to such proceeds within 1 year
3 and a day from the date of the sale, the proceeds shall be
4 deemed abandoned property and disposition thereof shall be
5 governed by s. 705.103. The clerk shall receive 5 percent of
6 the proceeds deposited with her or him, not to exceed \$25, for
7 her or his services under this section.

8 (14) Any person who violates the provisions of this
9 section commits a misdemeanor of the first degree, punishable
10 as provided in s. 775.082 or s. 775.083. However, any person
11 who uses a false or fictitious name, gives a false or
12 fictitious address, or makes any false statements regarding
13 the requirements of this section commits a felony of the third
14 degree, punishable as provided in s. 775.082, s. 775.083, or
15 s. 775.084.

16 Section 44. Paragraph (b) of subsection (4),
17 subsection (6), and paragraph (a) of subsection (11) of
18 section 713.78, Florida Statutes, are amended, paragraph (d)
19 is added to subsection (12) of said section, and subsection
20 (13) is added to said section, to read:

21 713.78 Liens for recovering, towing, or storing
22 vehicles and undocumented vessels.--

23 (4)

24 (b) Notice by certified mail, return receipt
25 requested, shall be sent within 7 business days after the date
26 of storage of the vehicle or vessel to the registered owner
27 and to all persons of record claiming a lien against the
28 vehicle or vessel at the most current known address, even if
29 different from that disclosed by the records of the Department
30 of Highway Safety and Motor Vehicles. It shall state the fact
31 of possession of the vehicle or vessel, that a lien as

1 provided in subsection (2) is claimed, that charges have
2 accrued and the amount thereof, that the lien is subject to
3 enforcement pursuant to law, and that the owner or lienholder,
4 if any, has the right to a hearing as set forth in subsection
5 (5), and that any vehicle or vessel which remains unclaimed,
6 or for which the charges for recovery, towing, or storage
7 services remain unpaid, may be sold after 35 days free of all
8 prior liens.

9 (6) Any vehicle or vessel which is stored pursuant to
10 subsection (2) and which remains unclaimed, or for which
11 reasonable charges for recovery, towing, or storing remain
12 unpaid or for which a lot rental amount is due and owing to
13 the mobile home park owner, as evidenced by a judgment for
14 unpaid rent, and any contents not released pursuant to
15 subsection (10), may be sold by the owner or operator of the
16 storage space for such towing or storage charge or unpaid lot
17 rental amount after 35 days from the time the vehicle or
18 vessel is stored therein. The sale shall be at public auction
19 for cash. The vehicle shall be physically present for
20 inspection concurrently with the sale at public auction. If
21 the date of the sale was not included in the notice required
22 in subsection (4), notice of the sale shall be given to the
23 person in whose name the vehicle, vessel, or mobile home is
24 registered, to the mobile home park owner, and to all persons
25 claiming a lien on the vehicle or vessel as shown on the
26 records of the Department of Highway Safety and Motor Vehicles
27 or of the corresponding agency in any other state. Notice
28 shall be sent by certified mail, return receipt requested, to
29 the owner of the vehicle or vessel and the person having the
30 recorded lien on the vehicle or vessel at the address shown on
31 the records of the registering agency or at the most current

1 known address, even if different from that disclosed by the
2 records of the registering agency and shall be mailed not less
3 than 15 days before the date of the sale. After diligent
4 search and inquiry, if the name and address of the registered
5 owner or the owner of the recorded lien cannot be ascertained,
6 the requirements of notice by mail may be dispensed with. In
7 addition to the notice by mail, public notice of the time and
8 place of sale shall be made by publishing a notice thereof one
9 time, at least 10 days prior to the date of the sale, in a
10 newspaper of general circulation in the county in which the
11 vehicle is stored and in which the sale is to be held. Within
12 5 business days following the sale, the proceeds of the sale,
13 after payment of reasonable towing and storage charges, costs
14 of the sale, and the unpaid lot rental amount, in that order
15 of priority, shall be deposited with the clerk of the circuit
16 court for the county if the owner is absent, and the clerk
17 shall hold such proceeds subject to the claim of the person
18 legally entitled thereto. The clerk shall be entitled to
19 receive 5 percent of such proceeds for the care and
20 disbursement thereof. The certificate of title issued under
21 this law shall be discharged of all liens unless otherwise
22 provided by court order.

23 (11)(a) Any person regularly engaged in the business
24 of recovering, towing, or storing vehicles or vessels who
25 comes into possession of a vehicle or vessel pursuant to
26 subsection (2) and who has complied with the provisions of
27 subsections (3) and (6), when such vehicle or vessel is to be
28 sold for purposes of being dismantled, destroyed, or changed
29 in such manner that it is not the motor vehicle, vessel, or
30 mobile home described in the certificate of title, shall apply
31 to the county tax collector for a certificate of destruction.

1 A certificate of destruction, which authorizes the dismantling
2 or destruction of the vehicle or vessel described therein,
3 shall be reassignable a maximum of two times before
4 dismantling or destruction of the vehicle or vessel shall be
5 required, and shall accompany the vehicle or vessel for which
6 it is issued, when such vehicle or vessel is sold for such
7 purposes, in lieu of a certificate of title. The application
8 for a certificate of destruction must include an affidavit
9 from the applicant that it has complied with all applicable
10 requirements of this section and, if the vehicle or vessel is
11 not registered in this state, by a statement from a law
12 enforcement officer that the vehicle or vessel is not reported
13 stolen, and shall be accompanied by such documentation as may
14 be required by the department.

15 (12)

16 (d) Employees of the Department of Highway Safety and
17 Motor Vehicles and law enforcement officers are authorized to
18 inspect the records of any person regularly engaged in the
19 business of recovering, towing, or storing vehicles or
20 vessels, or transporting vehicles or vessels by wrecker, tow
21 truck, or car carrier, to ensure compliance with the
22 requirements of this section. Any person who fails to maintain
23 records or fails to produce records, when so required, in a
24 reasonable manner and at a reasonable time commits a
25 misdemeanor of the first degree, punishable as provided in s.
26 775.082 or s. 775.083.

27 (13) Any person who violates the provisions of this
28 section commits a misdemeanor of the first degree, punishable
29 as provided in s. 775.082 or s. 775.083. However, any person
30 who uses a false or fictitious name, gives a false or
31 fictitious address, or makes any false statements regarding

1 the requirements of this section commits a felony of the third
2 degree, punishable as provided in s. 775.082, s. 775.083, or
3 s. 775.084.

4 Section 45. Section 715.05, Florida Statutes, is
5 amended to read:

6 715.05 Reporting of unclaimed motor vehicles or
7 vessels.--

8 (1) Whenever any law enforcement agency authorizes the
9 removal of a vehicle or vessel or whenever any towing service,
10 garage, repair shop, marina, or automotive service, storage,
11 or parking place notifies the law enforcement agency of
12 possession of a vehicle or vessel pursuant to s.
13 715.07(2)(a)2., the applicable law enforcement agency shall
14 contact the Department of Highway Safety and Motor Vehicles,
15 or the appropriate agency of the state of registration, if
16 known, within 24 hours through the medium of electronic
17 communications giving the full description of the vehicle or
18 vessel. Upon receipt of the full description of the vehicle
19 or vessel, the department shall search its files to determine
20 the owner's name, the name of the insurance company insuring
21 the vehicle or vessel, and whether any person has filed a lien
22 upon the vehicle as provided in s. 319.27(2) and (3) or vessel
23 as provided in s. 328.15(1) and notify the applicable law
24 enforcement agency within 72 hours. The person in charge of
25 the towing service, garage, repair shop, marina, or automotive
26 service, storage, or parking place shall obtain such
27 information from the applicable law enforcement agency within
28 5 days from the date of storage and shall, by certified mail,
29 return receipt requested, notify the owner, the insurer, and
30 all lienholders of the location of the vehicle or vessel and
31 of the fact that it is unclaimed. Such notice shall be given

1 within 7 days, excluding Saturday and Sunday, from the date of
2 storage and shall be complete upon mailing; however, if the
3 state of registration is unknown, the person in charge of the
4 towing service, garage, repair shop, marina, or automotive
5 service, storage, or parking place shall make a good faith
6 best effort in so notifying the owner, the insurer, and any
7 lienholders, and such notice shall be given within a
8 reasonable period of time from the date of storage.

9 (2) Nothing herein contained shall apply to any
10 licensed public lodging establishment.

11 (3) Failure to make good faith best efforts to comply
12 with the notice requirement of this section or of s.
13 715.07(2)(a)2., as appropriate, shall preclude the imposition
14 of any storage charges against such vehicle or vessel.

15 Section 46. Section 715.07, Florida Statutes, is
16 amended to read:

17 715.07 Vehicles or vessels parked or located on
18 private property; towing.--

19 (1) As used in this section, the terms:~~term~~

20 (a) "Vehicle" means any mobile item which normally
21 uses wheels, whether motorized or not.

22 (b) "Vessel" means any watercraft as defined in s.
23 327.02, excluding "documented" vessels.

24 (2) The owner or lessee of real property, or any
25 person authorized by the owner or lessee, which person may be
26 the designated representative of the condominium association
27 if the real property is a condominium, may cause any vehicle
28 or vessel parked or located on such property without her or
29 his permission to be removed by a person regularly engaged in
30 the business of towing vehicles or vessels, without liability
31 for the costs of removal, transportation, or storage or

1 damages caused by such removal, transportation, or storage,
2 under any of the following circumstances:

3 (a) The towing or removal of any vehicle or vessel
4 from private property without the consent of the registered
5 owner or other legally authorized person in control of that
6 vehicle or vessel is subject to strict compliance with the
7 following conditions and restrictions:

8 1.a. Any towed or removed vehicle or vessel must be
9 stored at a site within 10 miles of the point of removal in
10 any county of 500,000 population or more, and within 15 miles
11 of the point of removal in any county of less than 500,000
12 population. That site must be open for the purpose of
13 redemption of vehicles or vessels on any day that the person
14 or firm towing such vehicle or vessel is open for towing
15 purposes, from 8:00 a.m. to 6:00 p.m., and, when closed, shall
16 have prominently posted a sign indicating a telephone number
17 where the operator of the site can be reached at all times.
18 Upon receipt of a telephoned request to open the site to
19 redeem a vehicle or vessel, the operator shall return to the
20 site within 1 hour or she or he will be in violation of this
21 section.

22 b. If no towing business providing such service is
23 located within the area of towing limitations set forth in
24 sub-subparagraph a., the following limitations apply: any
25 towed or removed vehicle or vessel must be stored at a site
26 within 20 miles of the point of removal in any county of
27 500,000 population or more, and within 30 miles of the point
28 of removal in any county of less than 500,000 population.

29 2. The person or firm towing or removing the vehicle
30 or vessel shall, within 30 minutes of completion of such
31 towing or removal, notify the municipal police department or,

1 in an unincorporated area, the sheriff of such towing or
2 removal, the storage site, the time the vehicle or vessel was
3 towed or removed, and the make, model, color, and license
4 plate number of the vehicle or the make, model, color, and
5 registration number of the vessel and shall obtain the name of
6 the person at that department to whom such information was
7 reported and note that name on the trip record.

8 3. If the registered owner or other legally authorized
9 person in control of the vehicle or vessel arrives at the
10 scene prior to removal or towing of the vehicle or vessel, the
11 vehicle or vessel shall be disconnected from the towing or
12 removal apparatus, and that person shall be allowed to remove
13 the vehicle or vessel without interference upon the payment of
14 a reasonable service fee of not more than one-half of the
15 posted rate for such towing service as provided in
16 subparagraph 6., for which a receipt shall be given, unless
17 that person refuses to remove the vehicle or vessel which is
18 otherwise unlawfully parked or located.

19 4. The rebate or payment of money or any other
20 valuable consideration from the individual or firm towing or
21 removing vehicles or vessels to the owners or operators of the
22 premises from which the vehicles or vessels are towed or
23 removed, for the privilege of removing or towing those
24 vehicles or vessels, is prohibited.

25 5. Except for property appurtenant to and obviously a
26 part of a single-family residence, and except for instances
27 when notice is personally given to the owner or other legally
28 authorized person in control of the vehicle or vessel that the
29 area in which that vehicle or vessel is parked is reserved or
30 otherwise unavailable for unauthorized vehicles or vessels and
31 subject to being removed at the owner's or operator's expense,

1 any property owner or lessee, or person authorized by the
2 property owner or lessee, prior to towing or removing any
3 vehicle or vessel from private property without the consent of
4 the owner or other legally authorized person in control of
5 that vehicle or vessel, must post a notice meeting the
6 following requirements:

7 a. The notice must be prominently placed at each
8 driveway access or curb cut allowing vehicular access to the
9 property, within 5 feet from the public right-of-way line. If
10 there are no curbs or access barriers, the signs must be
11 posted not less than one sign for each 25 feet of lot
12 frontage.

13 b. The notice must clearly indicate, in not less than
14 2-inch high, light-reflective letters on a contrasting
15 background, that unauthorized vehicles or vessels will be
16 towed away at the owner's expense. The words "tow-away zone"
17 must be included on the sign in not less than 4-inch high
18 letters.

19 c. The notice must also provide the name and current
20 telephone number of the person or firm towing or removing the
21 vehicles or vessels, if the property owner, lessee, or person
22 in control of the property has a written contract with the
23 towing company.

24 d. The sign structure containing the required notices
25 must be permanently installed with the words "tow-away zone"
26 not less than 3 feet and not more than 6 feet above ground
27 level and must be continuously maintained on the property for
28 not less than 24 hours prior to the towing or removal of any
29 vehicles or vessels.
30
31

1 e. The local government may require permitting and
2 inspection of these signs prior to any towing or removal of
3 vehicles or vessels being authorized.

4 f. A business with 20 or fewer parking spaces
5 satisfies the notice requirements of this subparagraph by
6 prominently displaying a sign stating "Reserved Parking for
7 Customers Only Unauthorized Vehicles or Vessels Will be Towed
8 Away At the Owner's Expense" in not less than 4-inch high,
9 light-reflective letters on a contrasting background.

10
11 A business owner or lessee may authorize the removal of a
12 vehicle or vessel by a towing company when the vehicle or
13 vessel is parked in such a manner that restricts the normal
14 operation of business; and if a vehicle or vessel parked on a
15 public right-of-way obstructs access to a private driveway the
16 owner, lessee, or agent may have the vehicle or vessel removed
17 by a towing company upon signing an order that the vehicle or
18 vessel be removed without a posted tow-away zone sign.

19 6. Any person or firm that tows or removes vehicles or
20 vessels and proposes to require an owner, operator, or person
21 in control of a vehicle or vessel to pay the costs of towing
22 and storage prior to redemption of the vehicle or vessel must
23 file and keep on record with the local law enforcement agency
24 a complete copy of the current rates to be charged for such
25 services and post at the storage site an identical rate
26 schedule and any written contracts with property owners,
27 lessees, or persons in control of property which authorize
28 such person or firm to remove vehicles or vessels as provided
29 in this section.

30 7. Any person or firm towing or removing any vehicles
31 or vessels from private property without the consent of the

1 owner or other legally authorized person in control of the
2 vehicles or vessels shall, on any trucks, wreckers as defined
3 in s. 713.78(1)(b), or other vehicles used in the towing or
4 removal, have the name, address, and telephone number of the
5 company performing such service clearly printed in contrasting
6 colors on the driver and passenger sides of the vehicle. The
7 name shall be in at least 3-inch permanently affixed letters,
8 and the address and telephone number shall be in at least
9 1-inch permanently affixed letters.

10 8. Vehicle entry for the purpose of removing the
11 vehicle or vessel shall be allowed with reasonable care on the
12 part of the person or firm towing the vehicle or vessel. Such
13 person or firm shall be liable for any damage occasioned to
14 the vehicle or vessel if such entry is not in accordance with
15 the standard of reasonable care.

16 9. When a vehicle or vessel has been towed or removed
17 pursuant to this section, it must be released to its owner or
18 custodian within one hour after requested. Any vehicle or
19 vessel owner, custodian, or agent shall have the right to
20 inspect the vehicle or vessel before accepting its return, and
21 no release or waiver of any kind which would release the
22 person or firm towing the vehicle or vessel from liability for
23 damages noted by the owner or other legally authorized person
24 at the time of the redemption may be required from any vehicle
25 or vessel owner, custodian, or agent as a condition of release
26 of the vehicle or vessel to its owner. A detailed, signed
27 receipt showing the legal name of the company or person towing
28 or removing the vehicle or vessel must be given to the person
29 paying towing or storage charges at the time of payment,
30 whether requested or not.

31

1 (b) These requirements shall be the minimum standards
2 and shall not preclude enactment of additional regulations by
3 any municipality or county including the right to regulate
4 rates when vehicles or vessels are towed from private
5 property.

6 (3) This section does not apply to law enforcement,
7 firefighting, rescue squad, ambulance, or other emergency
8 vehicles or vessels which are marked as such or to property
9 owned by any governmental entity.

10 (4) When a person improperly causes a vehicle or
11 vessel to be removed, such person shall be liable to the owner
12 or lessee of the vehicle or vessel for the cost of removal,
13 transportation, and storage; any damages resulting from the
14 removal, transportation, or storage of the vehicle or vessel;
15 attorneys' fees; and court costs.

16 (5)(a) Any person who violates the provisions of
17 subparagraph (2)(a)2. or subparagraph (2)(a)6. commits is
18 ~~guilty of~~ a misdemeanor of the first degree, punishable as
19 provided in s. 775.082 or s. 775.083.

20 (b) Any person who violates the provisions of
21 subparagraph (2)(a)7. commits is ~~guilty of~~ a felony of the
22 third degree, punishable as provided in s. 775.082, s.
23 775.083, or s. 775.084.

24 Section 47. Paragraph (r) is added to subsection (7)
25 of section 213.053, Florida Statutes, to read:

26 213.053 Confidentiality and information sharing.--

27 (7) Notwithstanding any other provision of this
28 section, the department may provide:

29 (r) Names, addresses, and federal employer
30 identification numbers, or such similar identifiers, to the
31

1 Department of Highway Safety and Motor Vehicles for use in the
2 conduct of its official duties.

3
4 Disclosure of information under this subsection shall be
5 pursuant to a written agreement between the executive director
6 and the agency. Such agencies, governmental or
7 nongovernmental, shall be bound by the same requirements of
8 confidentiality as the Department of Revenue. Breach of
9 confidentiality is a misdemeanor of the first degree,
10 punishable as provided by s. 775.082 or s. 775.083.

11 Section 48. Subsection (2) of section 316.251, Florida
12 Statutes, is amended to read:

13 316.251 Maximum bumper heights.--

14 (2) "New motor vehicles" as defined in s.
15 319.001~~(8)(4)~~, "antique automobiles" as defined in s. 320.08,
16 "horseless carriages" as defined in s. 320.086, and "street
17 rods" as defined in s. 320.0863 shall be excluded from the
18 requirements of this section.

19 Section 49. Paragraphs (k) and (l) of subsection (4)
20 of section 325.203, Florida Statutes, are amended to read:

21 325.203 Motor vehicles subject to annual inspection;
22 exemptions.--

23 (4) The following motor vehicles are not subject to
24 inspection:

25 (k) New motor vehicles, as defined in s.
26 319.001~~(8)(4)~~. Such vehicles are exempt from the inspection
27 requirements of this act at the time of the first registration
28 by the original owner and, thereafter, are subject to the
29 inspection requirements of this act. Beginning May 1, 2000,
30 such vehicles are exempt from those inspection requirements
31 for a period of 2 years from the date of purchase.

1 (1) New motor vehicles as defined in s. 319.001(8)~~(4)~~
2 which are utilized as short-term rental vehicles and licensed
3 under s. 320.08(6)(a). Such vehicles are exempt from the
4 inspection requirements of this act at the time of the first
5 registration. Said vehicles are also exempt from the
6 inspection requirements of this act at the time of the first
7 registration renewal by the original owner, provided this
8 renewal occurs prior to the expiration of 12 months from the
9 date of first registration of the motor vehicle. Beginning May
10 1, 2000, such vehicles are exempt from those inspection
11 requirements for a period of 2 years from the date of
12 purchase.

13 Section 50. Except as otherwise provided herein, this
14 act shall take effect October 1, 2000.

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