

1 A bill to be entitled
2 An act relating to the operation of vehicles
3 and vessels; amending s. 213.053, F.S.;
4 authorizing the exchange of certain information
5 between the Department of Revenue and the
6 Department of Highway Safety and Motor
7 Vehicles; amending s. 234.02, F.S.; updating
8 the current allowable exception to the use of a
9 school bus; amending s. 316.0775, Florida
10 Statutes; providing increased penalties for
11 defacement, damage or removal of official
12 traffic control devices or railroad signs or
13 signals; amending s. 316.193, F.S.; revising
14 penalties for subsequent convictions of driving
15 under the influence; amending s. 316.1935,
16 F.S.; increasing penalties for fleeing or
17 attempting to elude a law enforcement officer
18 and aggravated fleeing and eluding a law
19 enforcement officer; providing for the person
20 whose license has been revoked the right to
21 petition for a restricted license for business
22 or employment purposes; amending s. 316.1936,
23 F.S.; defining the term "road"; revising
24 provisions relating to the possession of open
25 containers of alcoholic beverages in vehicles;
26 providing penalties; amending s. 316.212, F.S.;
27 providing that a person under the age of 14 may
28 not operate a golf cart on public roads;
29 amending s. 316.2125, F.S.; providing
30 restrictions on the operation of golf carts in
31 retirement communities; amending s. 316.220,

1 F.S.; prohibiting the covering of headlamps to
 2 alter the color of the lamp; amending s.
 3 316.221, F.S.; prohibiting the covering of
 4 taillamps; amending s. 316.228, F.S.; providing
 5 that any vehicle or trailer transporting logs,
 6 pulpwood, poles, or posts extending 4 feet or
 7 more from the rear of the vehicle must have an
 8 amber strobe light affixed to the projecting
 9 load; amending s. 316.234, F.S.; prohibiting
 10 the covering of signal lamps and signal
 11 devices; amending s. 316.237, F.S.; prohibiting
 12 the coverings of certain lamps; amending s.
 13 316.2954, F.S.; revising language with respect
 14 to restrictions on sunscreening material on a
 15 motor vehicle; providing applicability;
 16 providing a penalty; amending s. 316.515, F.S.;
 17 providing length limitations on boat trailers;
 18 revising width limits with respect to certain
 19 noncommercial travel trailers, camping
 20 trailers, truck campers, motor homes, and
 21 private motor coaches; providing a length limit
 22 on motor homes; amending s. 316.530, F.S.;
 23 authorizing the use of cables and other devices
 24 meeting federal safety standards in the towing
 25 of certain vehicles; amending s. 316.613, F.S.;
 26 authorizing the expenditure of certain funds
 27 for safety and public awareness campaigns;
 28 amending s. 318.1451, F.S.; eliminating a
 29 reference to traffic law and substance abuse
 30 education courses; amending s. 319.001, F.S.;
 31 redefining the term "new motor vehicle";

1 providing the Department of Highway Safety and
2 Motor Vehicles regulatory authority over the
3 approval process for courses related to basic
4 driver improvement courses that use technology
5 as the delivery method; redefining the term
6 "approved courses" to mean those courses which
7 have passed and have maintained standards
8 approved for statewide delivery; amending s.
9 319.17, F.S.; providing for the use of
10 electronic records; revising language with
11 respect to certain liens on motor vehicles;
12 amending s. 319.24; revising record-retention
13 requirements; amending s. 319.30, F.S. ;
14 providing a certificate of destruction to be
15 assigned to a motor vehicle or mobile home;
16 requires the dismantling or destruction of a
17 motor vehicle or mobile home after the second
18 reassignment of the certificate of destruction;
19 amending s. 320.01, F.S.; increasing the length
20 limit for the definition of a "motor home";
21 amending s. 320.031, F.S.; providing for the
22 deposit of certain fees into the Highway Safety
23 Operating Trust Fund; amending s. 320.04;
24 providing for the deposit of certain funds into
25 the Highway Safety Operating Trust Fund;
26 providing for fees charged by financial
27 institutions relating to a credit or debit card
28 transaction; amending s. 320.05, F.S.; providing
29 for the use of electronic records; amending s.
30 320.0605, F.S.; providing for the issuance of a
31 temporary receipt for electronic registration

1 renewal via the Internet; amending s.
 2 320.08058, F.S.; revising provisions relating
 3 to the United States Marine Corp License Plate;
 4 amending s. 320.27, F.S.; revising language
 5 with respect to certificate of title to provide
 6 additional indicia of ownership; amending s.
 7 320.27, F.S.; revising language with respect to
 8 supplemental licenses for motor vehicle
 9 dealers; amending s. 320.833, F.S.; providing
 10 for the electronic retention of records;
 11 amending s. 320.865, F.S.; providing for the
 12 electronic retention of certain records;
 13 amending s. 322.051, F.S.; providing conditions
 14 for the issuance of identification cards;
 15 amending s. 322.08, F.S.; providing for proof
 16 of identity for the issuance of driver's
 17 licenses; providing for voluntary contribution
 18 on a driver's license application; amending s.
 19 322.292, F.S.; revising DUI program eligibility
 20 requirements; amending s. 320.60, F.S.;
 21 redefining the term "motor vehicle"; amending
 22 s. 328.15, F.S.; revising records-retention
 23 requirements; amending s. 328.40, F.S.;
 24 providing for electronic retention of records;
 25 amending ss. 328.48, 328.72, 328.73, and
 26 328.735, F.S.; creating an interim task force
 27 committee on motor vehicles within the
 28 Department of Highway Safety and Motor
 29 Vehicles; provides for membership,
 30 organization, and meetings of task force;
 31 provides purposes and duties; provides for

1 interim and final reports; provides for
2 termination of task force; providing an
3 effective date
4

5 Be It Enacted by the Legislature of the State of Florida:
6

7 Section 1. Paragraph (r) is added to subsection (7) of
8 section 213.053, Florida Statutes, to read:

9 213.053 Confidentiality and information sharing.--

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

12 (r) Names, addresses, and federal employer
13 identification numbers, or such similar identifiers, to the
14 Department of Highway Safety and Motor Vehicles for use in the
15 conduct of its official business.
16

17 Disclosure of information under this subsection shall be
18 pursuant to a written agreement between the executive director
19 and the agency. Such agencies, governmental or
20 nongovernmental, shall be bound by the same requirements of
21 confidentiality as the Department of Revenue. Breach of
22 confidentiality is a misdemeanor of the first degree,
23 punishable as provided by s. 775.082 or s. 775.083.

24 Section 2. Subsection (1) of section 234.02, Florida
25 Statutes, is amended to read:

26 234.02 Safety and health of pupils.--Maximum regard
27 for safety and adequate protection of health are primary
28 requirements that must be observed by school boards in routing
29 buses, appointing drivers, and providing and operating
30 equipment, in accordance with all requirements of law and
31

1 regulations of the commissioner in providing transportation
2 pursuant to s. 234.01:

3 (1) School boards shall use school buses, as defined
4 in s. 234.051, for all regular transportation. Regular
5 transportation or regular use means transportation of students
6 to and from school or school-related activities that are part
7 of a scheduled series or sequence of events to the same
8 location. "Students" means, for the purposes of this section,
9 students enrolled in the public schools in prekindergarten
10 programs through grade 12. School boards may regularly use
11 motor vehicles other than school buses only under the
12 following conditions:

13 (a) When the transportation is for physically
14 handicapped or isolated students and the district has elected
15 to provide for the transportation of the student through
16 written or oral contracts or agreements.

17 (b) When the transportation is a part of a
18 comprehensive contract for a specialized educational program
19 between a school board and a service provider who provides
20 instruction, transportation, and other services.

21 (c) When the transportation is provided through a
22 public transit system.

23 (d) When the transportation of students is necessary
24 or practical in a motor vehicle owned or operated by a school
25 board other than a school bus, ~~and~~ such transportation must be
26 ~~is~~ provided in designated seating positions in a passenger car
27 not to exceed 8 students or in a multipurpose passenger
28 vehicle ~~any other motor vehicle~~ designed to transport 10 or
29 fewer persons which meets all applicable federal motor vehicle
30 safety standards ~~for passenger cars~~. Multipurpose passenger
31 vehicles classified as utility vehicles with a wheelbase of

1 110 inches or less which are required by federal motor vehicle
2 standards to display a rollover warning label may not be used.

3
4 When students are transported in motor vehicles, the occupant
5 crash protection system provided by the vehicle manufacturer
6 must be used unless the student's physical condition prohibits
7 such use.

8 Section 3. Section 316.0775 Florida Statutes is
9 amended to read:

10 316.0775 Interference with official traffic control
11 devices or railroad signs or signals.--No person shall,
12 without lawful authority, attempt to or in fact alter, deface,
13 injure, knock down or remove any official traffic control
14 device or any railroad sign or signal or any inscription,
15 shield or insignia thereon, or any other part thereof. A
16 violation of this section is a criminal violation, pursuant to
17 s. 318.17 and shall be punishable as set forth in s. 806.13
18 related to criminal mischief and graffiti, beginning on or
19 after July 1, 2000 ~~noncriminal traffic infraction, punishable~~
20 ~~as provided in chapter 318.~~

21 Section 4. Subsection (6) of section 316.193, Florida
22 Statutes, is amended to read:

23 316.193 Driving under the influence; penalties.--

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

27 (a) For the first conviction, the court shall place
28 the defendant on probation for a period not to exceed 1 year
29 and, as a condition of such probation, shall order the
30 defendant to participate in public service or a community work
31 project for a minimum of 50 hours; or the court may order

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

19 (b) For the second conviction for an offense that
20 occurs within a period of 5 years after the date of a prior
21 conviction for violation of this section, the court shall
22 order imprisonment for not less than 10 days. The court must
23 also, as a condition of probation, order the impoundment or
24 immobilization of all vehicles owned by the defendant ~~the~~
25 ~~vehicle that was operated by or in the actual control of the~~
26 ~~defendant or any one vehicle registered in the defendant's~~
27 ~~name~~ at the time of impoundment or immobilization, for a
28 period of 30 days or for the unexpired term of any lease or
29 rental agreement that expires within 30 days. The impoundment
30 or immobilization must not occur concurrently with the
31 incarceration of the defendant and must occur concurrently

1 with the driver's license revocation imposed under s.
 2 322.28(2)(a)2. The impoundment or immobilization order may be
 3 dismissed in accordance with paragraph (e), paragraph (f), ~~or~~
 4 paragraph (g), or paragraph (h). At least 48 hours of
 5 confinement must be consecutive.

6 (c) For the third or subsequent conviction for an
 7 offense that occurs within a period of 10 years after the date
 8 of a prior conviction for violation of this section, the court
 9 shall order imprisonment for not less than 30 days. The court
 10 must also, as a condition of probation, order the impoundment
 11 or immobilization of all vehicles owned by the defendant ~~the~~
 12 ~~vehicle that was operated by or in the actual control of the~~
 13 ~~defendant or any one vehicle registered in the defendant's~~
 14 ~~name~~ at the time of impoundment or immobilization, for a
 15 period of 90 days or for the unexpired term of any lease or
 16 rental agreement that expires within 90 days. The impoundment
 17 or immobilization must not occur concurrently with the
 18 incarceration of the defendant and must occur concurrently
 19 with the driver's license revocation imposed under s.

20 322.28(2)(a)3. The impoundment or immobilization order may be
 21 dismissed in accordance with paragraph (e), paragraph (f), ~~or~~
 22 paragraph (g), or paragraph (h). At least 48 hours of
 23 confinement must be consecutive.

24 (d) The court must at the time of sentencing the
 25 defendant issue an order for the impoundment or immobilization
 26 of a vehicle. Within 7 business days after the date that the
 27 court issues the order of impoundment or immobilization, the
 28 clerk of the court must send notice by certified mail, return
 29 receipt requested, to the registered owner of each vehicle, if
 30 the registered owner is a person other than the defendant, and
 31 to each person of record claiming a lien against the vehicle.

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

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

27 (g) The court shall also dismiss the order of
28 impoundment or immobilization of the vehicle if the court
29 finds that the family of the owner of the vehicle has no other
30 private or public means of transportation.

31

1 (h) The court may also dismiss the order of
2 impoundment or immobilization of any vehicles that are owned
3 by the defendant but that are operated solely by the employees
4 of the defendant or any business owned by the defendant.

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

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

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

8
9 For the purposes of this section, any conviction for a
10 violation of s. 327.35; a previous conviction for the
11 violation of former s. 316.1931, former s. 860.01, or former
12 s. 316.028; or a previous conviction outside this state for
13 driving under the influence, driving while intoxicated,
14 driving with an unlawful blood-alcohol level, driving with an
15 unlawful breath-alcohol level, or any other similar
16 alcohol-related or drug-related traffic offense, is also
17 considered a previous conviction for violation of this
18 section. However, in satisfaction of the fine imposed pursuant
19 to this section, the court may, upon a finding that the
20 defendant is financially unable to pay either all or part of
21 the fine, order that the defendant participate for a specified
22 additional period of time in public service or a community
23 work project in lieu of payment of that portion of the fine
24 which the court determines the defendant is unable to pay. In
25 determining such additional sentence, the court shall consider
26 the amount of the unpaid portion of the fine and the
27 reasonable value of the services to be ordered; however, the
28 court may not compute the reasonable value of services at a
29 rate less than the federal minimum wage at the time of
30 sentencing.

31

1 Section 5. Subsection (5) of section 316.1935, Florida
2 Statutes, is amended to read:

3 316.1935 Fleeing or attempting to elude a law
4 enforcement officer; aggravated fleeing and eluding.--

5 (5)(a) The court may revoke, for a period not to exceed
6 1 year, the driver's license of any operator of a motor
7 vehicle convicted of a violation of subsection (1).

8 (b) The court shall revoke, for a period of not less
9 than 1 year and not more than 5 years, the driver's license of
10 any operator of a motor vehicle convicted of a violation of
11 subsection (2) or subsection (3).

12 (c) The court shall revoke, for a period of not less
13 than 5 years and not more than 25 years, the driver's license
14 of any operator of a motor vehicle convicted of a violation of
15 subsection (4). The period of revocation shall begin upon
16 release from imprisonment.

17 ~~The court may revoke, for a period not to exceed 1 year, the~~
18 ~~driver's license of any operator of a motor vehicle convicted~~
19 ~~of a violation of subsection (1), subsection (2), subsection~~
20 ~~(3), or subsection (4).~~

21 (6) A person whose driving privilege has been revoked
22 under this section may petition the department for
23 reinstatement of his or her driving privilege on a restricted
24 basis solely for business or employment purposes as provided
25 in s. 322.271(1)(b).

26 Section 6. Subsections (1) and (2) of section
27 316.1936, Florida Statutes, are amended to read:

28 316.1936 Possession of open containers of alcoholic
29 beverages in vehicles prohibited; penalties.--

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

31

1 (a) "Open container" means any container of alcoholic
2 beverage which is immediately capable of being consumed from,
3 or the seal of which has been broken.

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

11 (2)(a) It is unlawful and punishable as provided in
12 this section for any person to possess an open container of an
13 alcoholic beverage or consume an alcoholic beverage while
14 operating a vehicle in the state or while a passenger in or on
15 a vehicle being operated in the state.

16 (b) It is unlawful and punishable as provided in this
17 section for any person to possess an open container of an
18 alcoholic beverage or consume an alcoholic beverage while
19 seated in or on a motor vehicle that is parked or stopped
20 within a road as defined in this section.

21 Section 7. Section 316.212, Florida Statutes, is
22 amended to read:

23 316.212 Operation of golf carts on certain
24 roadways.--The operation of a golf cart upon the public roads
25 or streets of this state is prohibited except as provided
26 herein:

27 (1) A golf cart may be operated only upon a county
28 road that has been designated by a county, or a city street
29 that has been designated by a city, for use by golf carts.
30 Prior to making such a designation, the responsible local
31 governmental entity must first determine that golf carts may

1 safely travel on or cross the public road or street,
2 considering factors including the speed, volume, and character
3 of motor vehicle traffic using the road or street. Upon a
4 determination that golf carts may be safely operated on a
5 designated road or street, the responsible governmental entity
6 shall post appropriate signs to indicate that such operation
7 is allowed.

8 (2) A golf cart may be operated on a part of the State
9 Highway System only under the following conditions:

10 (a) To cross a portion of the State Highway System
11 which intersects a county road or city street that has been
12 designated for use by golf carts if the Department of
13 Transportation has reviewed and approved the location and
14 design of the crossing and any traffic control devices needed
15 for safety purposes.

16 (b) To cross, at midblock, a part of the State Highway
17 System where a golf course is constructed on both sides of the
18 highway if the Department of Transportation has reviewed and
19 approved the location and design of the crossing and any
20 traffic control devices needed for safety purposes.

21 (c) A golf cart may be operated on a state road that
22 has been designated for transfer to a local government unit
23 pursuant to s. 335.0415 if the Department of Transportation
24 determines that the operation of a golf cart within the
25 right-of-way of the road will not impede the safe and
26 efficient flow of motor vehicular traffic. The department may
27 authorize the operation of golf carts on such a road if:

28 1. The road is the only available public road along
29 which golf carts may travel or cross or the road provides the
30 safest travel route among alternative routes available; and
31

1 2. The speed, volume, and character of motor vehicular
2 traffic using the road is considered in making such a
3 determination.

4
5 Upon its determination that golf carts may be operated on a
6 given road, the department shall post appropriate signs on the
7 road to indicate that such operation is allowed.

8 (3) Any other provision of this section to the
9 contrary notwithstanding, a golf cart may be operated for the
10 purpose of crossing a street or highway where a single mobile
11 home park is located on both sides of the street or highway
12 and is divided by that street or highway, provided that the
13 governmental entity having original jurisdiction over such
14 street or highway shall review and approve the location of the
15 crossing and require implementation of any traffic controls
16 needed for safety purposes. This subsection shall apply only
17 to residents or guests of the mobile home park. Any other
18 provision of law to the contrary notwithstanding, if notice is
19 posted at the entrance and exit to any mobile home park that
20 residents of the park utilize golf carts or electric vehicles
21 within the confines of the park it shall not be necessary that
22 the park have a gate or other device at the entrance and exit
23 in order for such golf carts or electric vehicles to be
24 lawfully operated in the park.

25 (4) A golf cart may be operated only during the hours
26 between sunrise and sunset, unless the responsible
27 governmental entity has determined that a golf cart may be
28 operated during the hours between sunset and sunrise and the
29 golf cart is equipped with headlights, brake lights, turn
30 signals, and a windshield.

31

1 (5) A golf cart must be equipped with efficient
2 brakes, reliable steering apparatus, safe tires, a rearview
3 mirror, and red reflectorized warning devices in both the
4 front and rear.

5 (6) A golf cart may not be operated on public roads or
6 streets by any person under the age of 14.

7 (7)~~(6)~~ A violation of this section is a noncriminal
8 traffic infraction, punishable pursuant to chapter 318 as
9 either a moving violation for infractions of subsection (1),
10 subsection (2), subsection (3), or subsection (4), or as a
11 nonmoving violation for infractions of subsections ~~subsection~~
12 (5) and (6).

13 Section 8. Subsection (1) of section 316.2125, Florida
14 Statutes, is amended to read:

15 316.2125 Operation of golf carts within a retirement
16 community.--

17 (1) Notwithstanding the provisions of s. 316.212, the
18 reasonable operation of a golf cart, equipped and operated as
19 provided in s. 316.212(4), (5), and (6)~~s. 316.212(5)~~, within
20 any self-contained retirement community is permitted unless
21 prohibited under subsection (2).

22 Section 9. Subsection (1) of section 316.220, Florida
23 Statutes, is amended to read:

24 316.220 Headlamps on motor vehicles.--

25 (1) Every motor vehicle shall be equipped with at
26 least two headlamps with at least one on each side of the
27 front of the motor vehicle, which headlamps shall comply with
28 the requirements and limitations set forth in this chapter,
29 and shall show a white light. An object, material, or covering
30 that alters the headlamp's light color may not be placed,
31 displayed, installed, affixed, or applied over a headlamp.

1 Section 10. Subsection (1) of section 316.221, Florida
2 Statutes, is amended to read:

3 316.221 Taillamps.--

4 (1) Every motor vehicle, trailer, semitrailer, and
5 pole trailer, and any other vehicle which is being drawn at
6 the end of a combination of vehicles, shall be equipped with
7 at least two taillamps mounted on the rear, which, when
8 lighted as required in s. 316.217, shall emit a red light
9 plainly visible from a distance of 1,000 feet to the rear,
10 except that passenger cars and pickup trucks manufactured or
11 assembled prior to January 1, 1972, which were originally
12 equipped with only one taillamp shall have at least one
13 taillamp. On a combination of vehicles, only the taillamps on
14 the rearmost vehicle need actually be seen from the distance
15 specified. On vehicles equipped with more than one taillamp,
16 the lamps shall be mounted on the same level and as widely
17 spaced laterally as practicable. An object, material, or
18 covering that alters the taillamp's visibility from 1,000 feet
19 may not be placed, displayed, installed, affixed, or applied
20 over a taillamp.

21 Section 11. Section 316.228, Florida Statutes, is
22 amended to read:

23 316.228 Lamps or flags on projecting load.--

24 (1) Except as provided in subsection (2), whenever the
25 load upon any vehicle extends to the rear 4 feet or more
26 beyond the bed or body of such vehicle, there shall be
27 displayed at the extreme rear end of the load, at the times
28 specified in s. 316.217, two red lamps visible from a distance
29 of at least 500 feet to the rear, two red reflectors visible
30 at night from all distances within 600 feet to 100 feet to the
31 rear when directly in front of lawful lower beams of headlamps

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

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

27 Section 12. Subsections (1) and (2) of section
28 316.234, Florida Statutes, are amended to read:

29 316.234 Signal lamps and signal devices.--

30 (1) Any vehicle may be equipped and, when required
31 under this chapter, shall be equipped with a stop lamp or

1 lamps on the rear of the vehicle which shall display a red or
2 amber light, visible from a distance of not less than 300 feet
3 to the rear in normal sunlight, and which shall be actuated
4 upon application of the service (foot) brake, and which may
5 but need not be incorporated with one or more other rear
6 lamps. An object, material, or covering that alters the stop
7 lamp's visibility from 300 feet to the rear in normal sunlight
8 may not be placed, displayed, installed, affixed, or applied
9 over a stop lamp.

10 (2) Any vehicle may be equipped and, when required
11 under s. 316.222(2), shall be equipped with electric turn
12 signals which shall indicate an intention to turn by flashing
13 lights showing to the front and rear of a vehicle or on a
14 combination of vehicles on the side of the vehicle or
15 combination toward which the turn is to be made. The lamps
16 showing to the front shall be mounted on the same level and as
17 widely spaced laterally as practicable and, when signaling,
18 shall emit white or amber light. The lamps showing to the rear
19 shall be mounted on the same level and as widely spaced
20 laterally as practicable, and, when signaling, shall emit a
21 red or amber light. Turn signal lamps on vehicles 80 inches
22 or more in overall width shall be visible from a distance of
23 not less than 500 feet to the front and rear in normal
24 sunlight, and an object, material, or covering that alters the
25 lamp's visibility from a distance of 500 feet to the front or
26 rear in normal sunlight may not be placed, displayed,
27 installed, affixed, or applied over a turn signal lamp. Turn
28 signal lamps on vehicles less than 80 inches wide shall be
29 visible at a distance of not less than 300 feet to the front
30 and rear in normal sunlight, and an object, material, or
31 covering that alters the lamp's visibility from a distance of

1 300 feet to the front or rear in normal sunlight may not be
2 placed, displayed, installed, affixed, or applied over a turn
3 signal lamp. Turn signal lamps may, but need not be,
4 incorporated in other lamps on the vehicle.

5 Section 13. Subsection (1) of section 316.237, Florida
6 Statutes, is amended to read:

7 316.237 Multiple-beam road-lighting equipment.--

8 (1) Except as hereinafter provided, the headlamps or
9 the auxiliary driving lamp or the auxiliary passing lamp or
10 combination thereof on motor vehicles shall be so arranged
11 that the driver may select at will between distributions of
12 light projected to different elevations and such lamps may, in
13 addition, be so arranged that such selection can be made
14 automatically, subject to the following limitations:

15 (a) There shall be an uppermost distribution of light,
16 or composite beam, so aimed and of such intensity as to reveal
17 persons and vehicles at a distance of at least 450 feet ahead
18 for all conditions of loading.

19 (b) There shall be a lowermost distribution of light,
20 or composite beam, so aimed and of sufficient intensity to
21 reveal persons and vehicles at a distance of at least 150 feet
22 ahead; and on a straight level road under any condition of
23 loading none of the high intensity portion of the beam shall
24 be directed to strike the eyes of an approaching driver.

25
26 An object, material, or covering that alters the headlamp's
27 visibility from at least 450 feet for an uppermost
28 distribution of light or at least 150 feet for a lowermost
29 distribution of light may not be placed, displayed, installed,
30 affixed, or applied over a headlamp.

31

1 Section 14. Section 316.29545, Florida Statutes, is
2 amended 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 sunscreening material on the
10 windshield, side windows, and windows behind the driver which
11 is in violation of the requirements of
12 ss.316.2951-316.2957. The department shall provide, by rule,
13 for the form of the medical certificate authorized by this
14 section. At a minimum, the medical exemption certificate
15 shall include a vehicle description with the make, model,
16 year, vehicle identification number, medical exemption decal
17 number issued for the vehicle, and the name of the person or
18 persons who are the registered owners of the vehicle. A
19 medical exemption certificate shall be nontransferable and
20 shall become null and void upon the sale or transfer of the
21 vehicle identified on the certificate.

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

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

28 Section 15. Paragraph (a) of subsection (3) of section
29 316.515, Florida Statutes, is amended to read:

30 316.515 Maximum width, height, length.--

31

1 (3) LENGTH LIMITATION.--Except as otherwise provided
2 in this section, length limitations apply solely to a
3 semitrailer or trailer, and not to a truck tractor or to the
4 overall length of a combination of vehicles. No combination
5 of commercial motor vehicles coupled together and operating on
6 the public roads may consist of more than one truck tractor
7 and two trailing units. Unless otherwise specifically provided
8 for in this section, a combination of vehicles not qualifying
9 as commercial motor vehicles may consist of no more than two
10 units coupled together; such nonqualifying combination of
11 vehicles may not exceed a total length of 65 feet, inclusive
12 of the load carried thereon, but exclusive of safety and
13 energy conservation devices approved by the department for use
14 on vehicles using public roads. Notwithstanding any other
15 provision of this section, a truck tractor-semitrailer
16 combination engaged in the transportation of automobiles or
17 boats may transport motor vehicles or boats on part of the
18 power unit; and, except as may otherwise be mandated under
19 federal law, an automobile or boat transporter semitrailer may
20 not exceed 50 feet in length, exclusive of the load; however,
21 the load may extend up to an additional 6 feet beyond the rear
22 of the trailer. The 50-foot length limitation does not apply
23 to non-stinger-steered automobile or boat transporters that
24 are 65 feet or less in overall length, exclusive of the load
25 carried thereon, or to stinger-steered automobile or boat
26 transporters that are 75 feet or less in overall length,
27 exclusive of the load carried thereon. For purposes of this
28 subsection, a "stinger-steered automobile or boat transporter"
29 is an automobile or boat transporter configured as a
30 semitrailer combination wherein the fifth wheel is located on
31 a drop frame located behind and below the rearmost axle of the

1 power unit. Notwithstanding paragraphs (a) and (b), any
 2 straight truck or truck tractor-semitrailer combination
 3 engaged in the transportation of horticultural trees may allow
 4 the load to extend up to an additional 10 feet beyond the rear
 5 of the vehicle, provided said trees are resting against a
 6 retaining bar mounted above the truck bed so that the root
 7 balls of the trees rest on the floor and to the front of the
 8 truck bed and the tops of the trees extend up over and to the
 9 rear of the truck bed, and provided the overhanging portion of
 10 the load is covered with protective fabric.

11 (a) Straight trucks.--No straight truck may exceed a
 12 length of 40 feet in extreme overall dimension, exclusive of
 13 safety and energy conservation devices approved by the
 14 department for use on vehicles using public roads. A straight
 15 truck may tow no more than one trailer, and such trailer may
 16 not exceed a length of 28 feet. However, such trailer
 17 limitation does not apply if the overall length of the
 18 truck-trailer combination is 65 feet or less, including the
 19 load thereon. Notwithstanding any other provisions of this
 20 section, a truck-trailer combination engaged in the
 21 transportation of boats, or boat trailers whose design
 22 dictates a front-to-rear stacking method shall not exceed the
 23 length limitations of this paragraph exclusive of the load;
 24 however, the load may extend up to an additional 6 feet beyond
 25 the rear of the trailer.

26 Section 16. Subsection (1) and paragraph (a) of
 27 subsection (3) of section 316.515, Florida Statutes, are
 28 amended, and subsection (15) is added to said section, to
 29 read:

30 316.515 Maximum width, height, length.--
 31

1 (1) WIDTH LIMITATION.--The total outside width of any
2 vehicle or the load thereon may not exceed 102 inches,
3 exclusive of safety devices determined by the department to be
4 necessary for the safe and efficient operation of motor
5 vehicles. The use of public roads that do not have at least
6 one through lane of 12 feet or more in width in each
7 direction, and the use of public roads deemed unsafe for wider
8 vehicles on the basis of safety and engineering analyses, by
9 vehicles exceeding 96 inches in width may be restricted by the
10 Department of Transportation or by local officials for streets
11 and roads under their respective jurisdictions. The total
12 outside width of a noncommercial travel trailer, camping
13 trailer, truck camper, motor home, or private motor coach as
14 defined in s. 320.01 may be more than 102 inches if:

15 (a) The excess width is attributable to appurtenances
16 that do not extend beyond the exterior rearview mirrors
17 installed on the motor home by the manufacturer or the
18 exterior rearview mirrors of the tow vehicle; and

19 (b) The exterior rearview mirrors only extend the
20 distance necessary to provide the appropriate field of view
21 for the vehicle before the appurtenances are attached.

22 (3) LENGTH LIMITATION.--Except as otherwise provided
23 in this section, length limitations apply solely to a
24 semitrailer or trailer, and not to a truck tractor or to the
25 overall length of a combination of vehicles. No combination
26 of commercial motor vehicles coupled together and operating on
27 the public roads may consist of more than one truck tractor
28 and two trailing units. Unless otherwise specifically provided
29 for in this section, a combination of vehicles not qualifying
30 as commercial motor vehicles may consist of no more than two
31 units coupled together; such nonqualifying combination of

1 vehicles may not exceed a total length of 65 feet, inclusive
2 of the load carried thereon, but exclusive of safety and
3 energy conservation devices approved by the department for use
4 on vehicles using public roads. Notwithstanding any other
5 provision of this section, a truck tractor-semitrailer
6 combination engaged in the transportation of automobiles or
7 boats may transport motor vehicles or boats on part of the
8 power unit; and, except as may otherwise be mandated under
9 federal law, an automobile or boat transporter semitrailer may
10 not exceed 50 feet in length, exclusive of the load; however,
11 the load may extend up to an additional 6 feet beyond the rear
12 of the trailer. The 50-foot length limitation does not apply
13 to non-stinger-steered automobile or boat transporters that
14 are 65 feet or less in overall length, exclusive of the load
15 carried thereon, or to stinger-steered automobile or boat
16 transporters that are 75 feet or less in overall length,
17 exclusive of the load carried thereon. For purposes of this
18 subsection, a "stinger-steered automobile or boat transporter"
19 is an automobile or boat transporter configured as a
20 semitrailer combination wherein the fifth wheel is located on
21 a drop frame located behind and below the rearmost axle of the
22 power unit. Notwithstanding paragraphs (a) and (b), any
23 straight truck or truck tractor-semitrailer combination
24 engaged in the transportation of horticultural trees may allow
25 the load to extend up to an additional 10 feet beyond the rear
26 of the vehicle, provided said trees are resting against a
27 retaining bar mounted above the truck bed so that the root
28 balls of the trees rest on the floor and to the front of the
29 truck bed and the tops of the trees extend up over and to the
30 rear of the truck bed, and provided the overhanging portion of
31 the load is covered with protective fabric.

1 (a) Straight trucks.--No straight truck may exceed a
2 length of 40 feet in extreme overall dimension, exclusive of
3 safety and energy conservation devices approved by the
4 department for use on vehicles using public roads. A straight
5 truck may tow no more than one trailer, and such trailer may
6 not exceed a length of 28 feet. However, such trailer
7 limitation does not apply if the overall length of the
8 truck-trailer combination is 65 feet or less, including the
9 load thereon. Notwithstanding any other provisions of this
10 section, a truck-trailer combination engaged in the
11 transportation of boats, or boat trailers whose design
12 dictates a front-to-rear stacking method shall not exceed the
13 length limitations of this paragraph exclusive of the load;
14 however, the load may extend up to an additional 6 feet beyond
15 the rear of the trailer.

16 (15) MOTOR HOMES.--No motor home may exceed a length
17 of 45 feet exclusive of bumpers and safety devices.

18 Section 17. Subsection (2) of section 316.530, Florida
19 Statutes, is amended to read:

20 316.530 Towing requirements.--

21 (2) When a vehicle is towing a trailer or semitrailer
22 on a public road or highway by means of a trailer hitch to the
23 rear of the vehicle, there shall be attached in addition
24 thereto safety chains, cables, or other safety devices that
25 comply with 49 C.F.R. sub f 393.71(g)(2)(1) and 393.71(h)(10)
26 from the trailer or semitrailer to the vehicle. These safety
27 chains, cables, or other safety devices shall be of sufficient
28 strength to maintain connection of the trailer or semitrailer
29 to the pulling vehicle under all conditions while the trailer
30 or semitrailer is being towed by the vehicle. The provisions
31 of this subsection shall not apply to trailers or semitrailers

1 using a hitch known as a fifth wheel nor to farm equipment
2 traveling less than 20 miles per hour.

3 Section 18. Subsection (4) of section 316.613, Florida
4 Statutes, is amended to read:

5 316.613 Child restraint requirements.--

6 (4)(a) It is the legislative intent that all state,
7 county, and local law enforcement agencies, and safety
8 councils, in recognition of the problems with child death and
9 injury from unrestrained occupancy in motor vehicles, conduct
10 a continuing safety and public awareness campaign as to the
11 magnitude of the problem.

12 (b) The department may authorize the expenditure of
13 funds for the purchase of promotional items as part of the
14 public information and education campaigns provided for in
15 this subsection, s. 316.614, s. 322.025, and s. 403.7145.

16 Section 19. Subsections (1) and (2) of section
17 318.1451, Florida Statutes, are amended to read:

18 318.1451 Driver improvement schools.--

19 (1)(a) The Department of Highway Safety and Motor
20 Vehicles shall approve the courses of all driver improvement
21 schools, as the courses relate to ss. 318.14(9), 322.0261,
22 ~~322.095~~, and 322.291. The chief judge of the applicable
23 judicial circuit may establish requirements regarding the
24 location of schools within the judicial circuit. A person may
25 engage in the business of operating a driver improvement
26 school that offers department-approved courses related to ss.
27 318.14(9), 322.0261, ~~322.095~~, and 322.291.

28 (b) The Department of Highway Safety and Motor
29 Vehicles shall approve and regulate courses that use
30 technology as the delivery method of all driver improvement
31 schools as the courses relate to ss. 318.14(9) and 322.0261.

1 (2)(a) In determining whether to approve the courses
2 referenced in this section, the department shall consider
3 course content designed to promote safety, driver awareness,
4 crash avoidance techniques, and other factors or criteria to
5 improve driver performance from a safety viewpoint.

6 (b) In determining whether to approve courses of
7 driver improvement schools that use technology as the delivery
8 method as the courses relate to ss. 318.14(9) and 322.0261,
9 the department shall consider only those courses submitted by
10 a person, business, or entity which have approval for
11 statewide delivery.

12 Section 20. Subsection (4) of section 319.001, Florida
13 Statutes, is amended to read:

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

16 (4) "New motor vehicle" means a motor vehicle the
17 equitable or legal title to which has never been transferred
18 by a manufacturer, distributor, importer, or dealer to an
19 ultimate purchaser; however, when legal title is not
20 transferred but possession of a motor vehicle is transferred
21 pursuant to a conditional sales contract or lease and the
22 conditions are not satisfied and the vehicle is returned to
23 the motor vehicle dealer, the motor vehicle may be resold by
24 the motor vehicle dealer as a new motor vehicle, provided the
25 selling motor vehicle dealer gives the following written
26 notice to the purchaser: "THIS VEHICLE WAS DELIVERED TO A
27 PREVIOUS PURCHASER." The purchaser shall sign an
28 acknowledgement, a copy of which is kept in the selling
29 dealer's file.

30 Section 21. Subsection (3) of section 319.17, Florida
31 Statutes, is amended to read:

1 319.17 Rules; forms; indexes and records.--

2 (3) The department shall maintain indexes of motor
3 vehicles and mobile homes by name of owner, by title number,
4 and by manufacturer's motor number or vehicle identification
5 number. The department shall keep an electronic ~~a permanent~~
6 record of notices of liens and satisfactions thereof. Such
7 indexes and records shall be open to the inspection of the
8 public at all reasonable times, except as provided in chapter
9 119.

10 Section 22. Subsections (8), (9), and (10) of section
11 319.24, Florida Statutes, are amended to read:

12 319.24 Issuance in duplicate; delivery; liens and
13 encumbrances.--

14 ~~(8) The department shall not be required to retain on
15 file any bill of sale or duplicate thereof, notice of lien, or
16 satisfaction of lien covering any motor vehicle or mobile home
17 for a period longer than 7 years after the date of the filing
18 thereof; and thereafter the same may be destroyed.~~

19 (8)(9) Notwithstanding any requirements in this
20 section or in s. 319.27 indicating that a lien on a motor
21 vehicle or mobile home shall be noted on the face of the
22 Florida certificate of title, if there are one or more liens
23 or encumbrances on the motor vehicle or mobile home, the
24 department may electronically transmit the lien to the first
25 lienholder and notify the first lienholder of any additional
26 liens. Subsequent lien satisfactions may be electronically
27 transmitted to the department and shall include the name and
28 address of the person or entity satisfying the lien. When
29 electronic transmission of liens and lien satisfactions are
30 used, the issuance of a certificate of title may be waived
31 until the last lien is satisfied and a clear certificate of

1 title is issued to the owner of the vehicle. In subsequent
2 transfer of ownership of the motor vehicle it shall be
3 presumed that the motor vehicle title is subject to a lien as
4 set forth in s. 319.225(6)(a) until the title to be issued
5 pursuant to this subsection is received by the person or
6 entity satisfying the lien.

7 (9)~~(10)~~ The department shall in the sending of any
8 notice only be required to use the last known address as shown
9 by its records.

10 Section 23. Subsection (2) of section 319.27, Florida
11 Statutes, is amended to read:

12 319.27 Notice of lien on motor vehicles or mobile
13 homes; notation on certificate; recording of lien.--

14 (2) No lien for purchase money or as security for a
15 debt in the form of a security agreement, retain title
16 contract, conditional bill of sale, chattel mortgage, or other
17 similar instrument or any other nonpossessory lien, including
18 a lien for child support, upon a motor vehicle or mobile home
19 upon which a Florida certificate of title has been issued
20 shall be enforceable in any of the courts of this state
21 against creditors or subsequent purchasers for a valuable
22 consideration and without notice, unless a sworn notice of
23 such lien has been filed in the department and such lien has
24 been noted upon the certificate of title of the motor vehicle
25 or mobile home. Such notice shall be effective as constructive
26 notice when filed. No interest of a statutory nonpossessory
27 lienor; the interest of a nonpossessory execution, attachment,
28 or equitable lienor; or the interest of a lien creditor as
29 defined in s. 679.301(3), if nonpossessory, shall be
30 enforceable against creditors or subsequent purchasers for a
31 valuable consideration unless such interest becomes a

1 possessory lien or is noted upon the certificate of title for
2 the subject motor vehicle or mobile home prior to the
3 occurrence of the subsequent transaction. Provided the
4 provisions of this subsection relating to a nonpossessory
5 statutory lienor; a nonpossessory execution, attachment, or
6 equitable lienor; or the interest of a lien creditor as
7 defined in s. 679.301(3) shall not apply to liens validly
8 perfected prior to October 1, 1988. The notice of lien shall
9 provide the following information:

10 (a) The date of the lien if a security agreement,
11 retain title contract, conditional bill of sale, chattel
12 mortgage, or other similar instrument was executed prior to
13 the filing of the notice of lien;

14 (b) The name and address of the registered owner;

15 (c) A description of the motor vehicle or mobile home,
16 showing the make, type, and vehicle identification number; and

17 (d) The name and address of the lienholder.

18 Section 24. Paragraph (b) of subsection (3) of section
19 319.30, Florida Statutes, is amended to read:

20 319.30 Definitions; dismantling, destruction, change of
21 identity of motor vehicle or mobile home; salvage.--

22 (3)

23 (b) The owner of any motor vehicle or mobile home which
24 is considered to be salvage shall, within 72 hours after the
25 motor vehicle or mobile home becomes salvage, forward the
26 title to the motor vehicle or mobile home to the department
27 for processing. However, an insurance company which pay money
28 as compensation for total loss of a motor vehicle or mobile
29 home shall obtain the certificate of title for the motor
30 vehicle or mobile home and, within 72 hours after receiving
31 such certificate of title, shall forward such title to the

1 department for processing. The owner or insurance company, as
2 the case may be, may not dispose of a vehicle or mobile home
3 that is a total loss before it has obtained a salvage
4 certificate of title or certificate of destruction from the
5 department. When applying for a salvage certificate of title
6 or certificate of destruction, the owner or insurance company
7 must provide the department with an estimate of the costs of
8 repairing the physical and mechanical damage suffered by the
9 vehicle for which a salvage certificate of title or
10 certificate of destruction is sought. If the estimated costs
11 of repairing the physical and mechanical damage to the vehicle
12 is equal to 80 percent or more of the current retail cost of
13 the vehicle, as established in any official used car or used
14 mobile home guide, the department shall declare the vehicle
15 unbuildable and print a certificate of destruction, which
16 authorizes the dismantling or destruction of the motor vehicle
17 or mobile home described therein. This certificate of
18 destruction shall be reassignable a maximum of two times
19 before dismantling or destruction of the vehicle shall be
20 required, and shall accompany the motor vehicle or mobile home
21 for which it is issued, when such motor vehicle or mobile home
22 is sold for such purposes, in lieu of a certificate of title
23 ~~notice on the salvage certificate of title that the vehicle is~~
24 ~~unbuildable~~, and, thereafter, the department shall refuse
25 issuance of any certificate of title for that
26 vehicle. Nothing in this subsection shall be applicable when
27 a vehicle is worth less than \$1,500 retail in undamaged
28 condition in any official used motor vehicle guide or used
29 mobile home guide or when a stolen motor vehicle or mobile
30 home is recovered in substantially intact condition and is
31 readily resalable without extensive repairs to or replacement

1 of the frame or engine. Any person who willfully and
2 deliberately violates this paragraph or falsifies any document
3 to avoid the requirements of this paragraph commits a
4 misdemeanor of the first degree, punishable as provided in s.
5 775.082 or s. 775.083.

6 Section 25. Subsection (2) of section 320.031, Florida
7 Statutes, is amended to read:

8 320.031 Mailing of registration certificates, license
9 plates, and validation stickers.--

10 (2) A mail service charge may be collected for each
11 registration certificate, license plate, mobile home sticker,
12 and validation sticker mailed by the department or any tax
13 collector. Each registration certificate, license plate,
14 mobile home sticker, and validation sticker shall be mailed by
15 first-class mail unless otherwise requested by the applicant.
16 The amount of the mail service charge shall be the actual
17 postage required, rounded to the nearest 5 cents, plus a
18 25-cent handling charge. The mail service charge is in
19 addition to the service charge provided by s. 320.04. All
20 charges collected by the department under this section shall
21 be deposited into the Highway Safety Operating Trust Fund.

22 Section 26. Subsection (2) of section 320.04, Florida
23 Statutes, is amended, and subsection (3) is added to said
24 section to read:

25 320.04 Registration service charge.--

26 (2) The service charges shall be collected by the
27 department on all applications handled directly from its
28 office; and the proceeds thereof, together with any fees
29 returned to it by the tax collector, shall be paid into the
30 Highway Safety Operating Trust ~~General Revenue~~ Fund. No tax
31 collector, deputy tax collector, or employee of the state or

1 any county shall charge, collect, or receive any fee or
2 compensation for services performed as notary public in
3 connection with or incidental to the issuance of license
4 plates or titles. The provisions of this subsection and of s.
5 116.38(2) prohibiting the charging, collecting, or receiving
6 of notary public fees do not apply to any privately owned
7 license plate agency appointed by the county manager of a
8 charter county which has an appointed tax collector.

9 (3) The department may absorb all or any portion of
10 any interchange, assessment, charge back, authorization or
11 settlement or equivalent fees charged by financial
12 institutions relating to a credit or debit card transaction.
13 The department may request approval to establish additional
14 budget authority to pay additional fees related to credit and
15 debit card transactions pursuant to s. 216.177.

16 Section 27. Paragraph (b) of subsection (1) of section
17 320.01, Florida Statutes, is amended to read:

18 320.01 Definitions, general.--As used in the Florida
19 Statutes, except as otherwise provided, the term:

20 (1) "Motor vehicle" means:

21 (b) A recreational vehicle-type unit primarily
22 designed as temporary living quarters for recreational,
23 camping, or travel use, which either has its own motive power
24 or is mounted on or drawn by another vehicle. Recreational
25 vehicle-type units, when traveling on the public roadways of
26 this state, must comply with the length and width provisions
27 of s. 316.515, as that section may hereafter be amended. As
28 defined below, the basic entities are:

29 1. The "travel trailer," which is a vehicular portable
30 unit, mounted on wheels, of such a size or weight as not to
31 require special highway movement permits when drawn by a

1 motorized vehicle. It is primarily designed and constructed to
2 provide temporary living quarters for recreational, camping,
3 or travel use. It has a body width of no more than 8 1/2 feet
4 and an overall body length of no more than 40 feet when
5 factory-equipped for the road.

6 2. The "camping trailer," which is a vehicular
7 portable unit mounted on wheels and constructed with
8 collapsible partial sidewalls which fold for towing by another
9 vehicle and unfold at the campsite to provide temporary living
10 quarters for recreational, camping, or travel use.

11 3. The "truck camper," which is a truck equipped with
12 a portable unit designed to be loaded onto, or affixed to, the
13 bed or chassis of the truck and constructed to provide
14 temporary living quarters for recreational, camping, or travel
15 use.

16 4. The "motor home," which is a vehicular unit which
17 does not exceed 45 ~~40~~ feet in length and the height and the
18 width limitations provided in s. 316.515, is a self-propelled
19 motor vehicle, and is primarily designed to provide temporary
20 living quarters for recreational, camping, or travel use.

21 5. The "private motor coach," which is a vehicular
22 unit which does not exceed the length, width, and height
23 limitations provided in s. 316.515(9), is built on a
24 self-propelled bus type chassis having no fewer than three
25 load-bearing axles, and is primarily designed to provide
26 temporary living quarters for recreational, camping, or travel
27 use.

28 6. The "van conversion," which is a vehicular unit
29 which does not exceed the length and width limitations
30 provided in s. 316.515, is built on a self-propelled motor
31

1 vehicle chassis, and is designed for recreation, camping, and
2 travel use.

3 7. The "park trailer," which is a transportable unit
4 which has a body width not exceeding 14 feet and which is
5 built on a single chassis and is designed to provide seasonal
6 or temporary living quarters when connected to utilities
7 necessary for operation of installed fixtures and appliances.
8 The total area of the unit in a setup mode, when measured from
9 the exterior surface of the exterior stud walls at the level
10 of maximum dimensions, not including any bay window, does not
11 exceed 400 square feet when constructed to ANSI A-119.5
12 standards, and 500 square feet when constructed to United
13 States Department of Housing and Urban Development Standards.
14 The length of a park trailer means the distance from the
15 exterior of the front of the body (nearest to the drawbar and
16 coupling mechanism) to the exterior of the rear of the body
17 (at the opposite end of the body), including any protrusions.

18 8. The "fifth-wheel trailer," which is a vehicular
19 unit mounted on wheels, designed to provide temporary living
20 quarters for recreational, camping, or travel use, of such
21 size or weight as not to require a special highway movement
22 permit, of gross trailer area not to exceed 400 square feet in
23 the setup mode, and designed to be towed by a motorized
24 vehicle that contains a towing mechanism that is mounted above
25 or forward of the tow vehicle's rear axle.

26 Section 28. Subsection (2) of section 320.05, Florida
27 Statutes, is amended to read:

28 320.05 Records of the department; inspection
29 procedure; lists and searches; fees.--

30 (2) Upon receipt of an application for the
31 registration of a motor vehicle or mobile home, as herein

1 provided for, the department shall register the motor vehicle
2 or mobile home under the distinctive number assigned to such
3 motor vehicle or mobile home by the department. Electronic,
4 ~~which~~ registration records ~~record~~ shall be open to the
5 inspection of the public during business hours. Information on
6 a motor vehicle registration may not be made available to a
7 person unless the person requesting the information furnishes
8 positive proof of identification. The agency that furnishes a
9 motor vehicle registration record shall record the name and
10 address of any person other than a representative of a law
11 enforcement agency who requests and receives information from
12 a motor vehicle registration record and shall also record the
13 name and address of the person who is the subject of the
14 inquiry or other information identifying the entity about
15 which information is requested. A record of each such inquiry
16 must be maintained for a period of 6 months from the date upon
17 which the information was released to the inquirer. Nothing in
18 this section shall prohibit any financial institution,
19 insurance company, motor vehicle dealer, licensee under
20 chapter 493, attorney, or other agency which the department
21 determines has the right to know from obtaining, for
22 professional or business use only, information in such records
23 from the department through any means of telecommunication
24 pursuant to a code developed by the department providing all
25 fees specified in subsection (3) have been paid. The
26 department shall disclose records or information to the child
27 support enforcement agency to assist in the location of
28 individuals who owe or potentially owe child support or to
29 whom such an obligation is owed pursuant to Title IV-D of the
30 Social Security Act.
31

1 Section 29. Section 320.0605, Florida Statutes, is
2 amended to read:

3 320.0605 Certificate of registration; possession
4 required; exception.--The registration certificate or an
5 official copy thereof, a true copy of a rental or lease
6 agreement issued for a motor vehicle or issued for a
7 replacement vehicle in the same registration period, a
8 temporary receipt printed upon self-initiated electronic
9 renewal of a registration via the Internet, or a cab card
10 issued for a vehicle registered under the International
11 Registration Plan shall, at all times while the vehicle is
12 being used or operated on the roads of this state, be in the
13 possession of the operator thereof or be carried in the
14 vehicle for which issued and shall be exhibited upon demand of
15 any authorized law enforcement officer or any agent of the
16 department. The provisions of this section do not apply during
17 the first 30 days after purchase of a replacement vehicle. A
18 violation of this section is a noncriminal traffic infraction,
19 punishable as a nonmoving violation as provided in chapter
20 318.

21 Section 30. Subsection (29) of section 320.08058,
22 Florida Statutes, is amended to read:

23 320.08058 Specialty license plates.--

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

25 (a) The department shall develop a United States
26 Marine Corps license plate as provided in this section. The
27 word "Florida" must appear at the top center of the plate, and
28 the words "Marine Corps" ~~"First to Fight"~~ must appear at the
29 bottom center of the plate. The United States Marine Corps
30 logo, 3 inches in diameter, must appear on the left side
31 centered top to bottom of the plate in proper colors.

1 (b) The department shall distribute the United States
2 Marine Corps license plate annual use fees in the following
3 manner:

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

9 2. Any additional fees collected annually shall be
10 deposited in the Marine Corps Scholarship Foundation, Inc.,
11 successor to the USMC ~~USMV~~ Tag/Scholarship Fund, Inc., which
12 shall use the fees to fund scholarships and assist Marine
13 Corps Junior ROTC and Young Marine programs of this state. The
14 foundation shall develop a plan to distribute the funds to
15 recipients nominated by residents of the state to receive
16 scholarships, and to the Marine Corps Junior ROTC and Young
17 Marine programs in the state.

18 Section 31. Subsection (7) of section 320.27, Florida
19 Statutes, is amended to read:

20 320.27 Motor vehicle dealers.--

21 (7) CERTIFICATE OF TITLE REQUIRED.--For each used
22 motor vehicle in the possession of a licensee and offered for
23 sale by him or her, the licensee either shall have in his or
24 her possession a duly assigned certificate of title from the
25 owner in accordance with the provisions of chapter 319, from
26 the time when the motor vehicle is delivered to the licensee
27 and offered for sale by him or her until it has been disposed
28 of by the licensee, or shall have reasonable indicia of
29 ownership or right of possession, or shall have made proper
30 application for a certificate of title or duplicate
31 certificate of title in accordance with the provisions of

1 chapter 319. A motor vehicle dealer may not sell or offer for
 2 sale a vehicle in his or her possession unless the dealer
 3 satisfies the requirements of this subsection. Reasonable
 4 indicia of ownership shall include a duly assigned certificate
 5 of title; in the case of a new motor vehicle, a manufacturer's
 6 certificate of origin issued to or reassigned to the dealer; a
 7 consignment contract between the owner and the dealer along
 8 with a secure power of attorney from the owner to the dealer
 9 authorizing the dealer to apply for a duplicate certificate of
 10 title and assign the title on behalf of the owner; a court
 11 order awarding title to the vehicle to the dealer; a salvage
 12 certificate of title; a photocopy of a duly assigned
 13 certificate of title being held by a financial institution as
 14 collateral for a business loan of money to the dealer ("floor
 15 plan"); a copy of a canceled check or other documentation
 16 evidencing that an outstanding lien on a vehicle taken in
 17 trade by a licensed dealer has been satisfied and that the
 18 certificate of title will be, but has not yet been, received
 19 by the dealer; a vehicle purchase order or installment
 20 contract for a specific vehicle identifying that vehicle as a
 21 trade-in on a replacement vehicle; or a duly executed odometer
 22 disclosure statement as required by Title IV of the Motor
 23 Vehicle Information and Cost Savings Act of 1972 (Pub. L. No.
 24 92-513, as amended by Pub. L. No. 94-364 and Pub. L. No.
 25 100-561) and by Part 580, Title 49, Code of Federal
 26 Regulations, bearing the signatures of the titled owners of a
 27 traded-in vehicle.

28 Section 32. Subsection (5) of section 320.27, Florida
 29 Statutes, is amended to read:

30 320.27 Motor vehicle dealers.--

31

1 (5) SUPPLEMENTAL LICENSE.--Any person licensed
2 hereunder shall obtain a supplemental license for each
3 permanent additional place or places of business not
4 contiguous to the premises for which the original license is
5 issued, on a form to be furnished by the department, and upon
6 payment of a fee of \$50 for each such additional location.
7 Upon making renewal applications for such supplemental
8 licenses, such applicant shall pay \$50 for each additional
9 location. A supplemental license authorizing off-premises
10 sales shall be issued, at no charge to the dealer, for a
11 period not to exceed 10 consecutive calendar days. To obtain
12 such a temporary supplemental license for off-premises sales,
13 the applicant must be a licensed dealer; must notify the
14 applicable local department office of the specific dates and
15 location for which such license is requested, display a sign
16 at the licensed location clearly identifying the dealer, and
17 provide staff to work at the temporary location for the
18 duration of the off-premises sale; must meet any local
19 government permitting requirements; and must have permission
20 of the property owner to sell at that location. In the case of
21 an off-premises sale by a motor vehicle dealer licensed under
22 s. 320.27(1)(c)1. for the sale of new motor vehicles, the
23 applicant must also include documentation notifying the
24 applicable licensee licensed under s. 320.61 of the intent to
25 engage in an off-premises sale 5 working days prior to the
26 date of the off-premises sale. The licensee shall either
27 approve or disapprove of the off-premises sale with 2 working
28 days after receiving notice; otherwise, it will be deemed
29 approved. This section does not apply to a nonselling motor
30 vehicle show or public display of new motor vehicles.
31

1 Section 33. Subsection (10) of section 320.60, Florida
2 Statutes, is amended to read:

3 320.60 Definitions for ss. 320.61-320.70.--Whenever
4 used in ss. 320.61-320.70, unless the context otherwise
5 requires, the following words and terms have the following
6 meanings:

7 (10) "Motor vehicle" means any new automobile,
8 motorcycle, or truck the equitable or legal title to which has
9 never been transferred by a manufacturer, distributor,
10 importer, or dealer to an ultimate purchaser; however, when
11 legal title is not transferred but possession of a motor
12 vehicle is transferred pursuant to a conditional sales
13 contract or lease and the conditions are not satisfied and the
14 vehicle is returned to the motor vehicle dealer, the motor
15 vehicle may be resold by the motor vehicle dealer as a new
16 motor vehicle, provided the selling motor vehicle dealer gives
17 the following written notice to the purchaser, "THIS VEHICLE
18 WAS DELIVERED TO A PREVIOUS PURCHASER." The purchaser shall
19 sign an acknowledgement, a copy of which is kept in the
20 selling dealer's file.

21 Section 34. Section 320.833, Florida Statutes, is
22 amended to read:

23 320.833 Retention, destruction, and reproduction of
24 records; electronic retention.--Records and documents of the
25 Department of Highway Safety and Motor Vehicles, created in
26 compliance with, and in the implementation of, chapter 319 and
27 this chapter, shall be retained by the department as specified
28 in record retention schedules established under the general
29 provisions of chapter 119. Further, the department is hereby
30 authorized:

1 (1) To destroy, or otherwise dispose of, those records
2 and documents, in conformity with the approved retention
3 schedules.

4 (2) To photograph, microphotograph, or reproduce on
5 film, as authorized and directed by the approved retention
6 schedules, whereby each page will be exposed in exact
7 conformity with the original records and documents retained in
8 compliance with the provisions of this section. Photographs
9 or microphotographs in the form of film or print of any
10 records, made in compliance with the provisions of this
11 section, shall have the same force and effect as the originals
12 thereof would have and shall be treated as originals for the
13 purpose of their admissibility in evidence. Duly certified or
14 authenticated reproductions of such photographs or
15 microphotographs shall be admitted in evidence equally with
16 the original photographs or microphotographs.

17 (3) Beginning December 1, 2001, the department may
18 maintain all records required or obtained in compliance with,
19 and in the implementation of, chapter 319 and this chapter
20 exclusively by electronic means.

21 Section 35. Section 320.865, Florida Statutes, is
22 amended to read:

23 320.865 Maintenance of records by the
24 department.--Beginning December 1, 2001,the department shall
25 maintain electronic ~~uniform~~ records of all complaints filed
26 against licensees licensed under the provisions of ss. 320.27,
27 320.61, 320.77, 320.771, and 320.8225, any other provision of
28 this chapter to the contrary notwithstanding. The records
29 shall contain all enforcement actions taken against licensees
30 and against unlicensed persons acting in a capacity which
31 would require them to be licensed under those sections. The

1 electronic ~~permanent~~ file of each licensee and unlicensed
2 person shall contain a record of any complaints filed against
3 him or her and a record of any enforcement actions taken
4 against him or her. ~~All complaints and satisfactions thereof~~
5 ~~and enforcement actions on each licensee and unlicensed person~~
6 ~~shall be entered into the central database in such a manner~~
7 ~~that rapid retrieval will be facilitated.~~ The complainant and
8 the referring agency, if there is one, shall be advised of the
9 disposition by the department of the complaint within 10 days
10 of such action.

11 Section 36. Paragraph (a) of subsection (1) of section
12 322.051, Florida Statutes, is amended to read:

13 322.051 Identification cards.--

14 (1)

15 (a) Each such application shall include the following
16 information regarding the applicant:

17 1. Full name (first, middle or maiden, and last),
18 gender, social security card number, residence and mailing
19 address, and a brief description.

20 2. Proof of birth date satisfactory to the department.

21 3. Proof of identity satisfactory to the department.

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

31

1 Section 37. Paragraph (c) of subsection (2) is
2 amended, and paragraphs (d) and (e) are added to subsection
3 (6), of section 322.08, Florida Statutes, to read:

4 322.08 Application for license.--

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

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

17 (6) The application form for a driver's license or
18 duplicate thereof shall include language permitting the
19 following:

20 (a) A voluntary contribution of \$5 per applicant, which
21 contribution shall be transferred into the Election Campaign
22 Financing Trust Fund.

23 (b) A voluntary contribution of \$1 per applicant, which
24 contribution shall be deposited into the Florida Organ and
25 Tissue Donor Education and Procurement Trust Fund for organ
26 and tissue donor education and for maintaining the organ and
27 tissue donor registry.

28 (c) A voluntary contribution of \$1 per applicant, which
29 contribution shall be distributed to the Florida Council of
30 the Blind.

31

1 (d) A voluntary contribution of \$2 per applicant, which
2 shall be distributed to the Hearing Research Institute,
3 Incorporated for the purpose of infant hearing screening in
4 Florida.

5 (e) A voluntary contribution of \$1 per applicant, which
6 shall be distributed to the Juvenile Diabetes Foundation
7 International.

8 A statement providing an explanation of the purpose of
9 the trust funds shall also be included.

10 Section 38. Subsection (3) of section 322.292, Florida
11 Statutes, is hereby repealed.

12 Section 39. Subsection (10) of section 328.15, Florida
13 Statutes, is repealed.

14 Section 40. Subsections (2) and (3) of section 328.40,
15 Florida Statutes, are amended to read:

16 328.40 Administration of vessel registration and
17 titling laws; records.--

18 (2) The Department of Highway Safety and Motor
19 Vehicles shall keep electronic records and perform such other
20 clerical duties as required pertaining to:

21 (a) Vessel registration and titling.

22 (b) Suspension of the vessel operating privilege under
23 ss. 327.35-327.355.

24 (3) All records made or kept by the Department of
25 Highway Safety and Motor Vehicles under this law are public
26 records except for confidential reports.

27 Section 41. Subsection (3) of section 328.48, Florida
28 Statutes, is amended to read:

29 (3) The Department of Highway Safety and Motor Vehicles
30 shall issue certificates of registration and numbers for city,
31 county, and state-owned vessels, charging only the service

1 fees required in s. 328.72(7) and (8)~~s. 327.25(7) and (8)~~,
2 provided the vessels are used for purposes other than
3 recreation.

4 Section 42. Paragraph (c) of subsection (2) of section
5 328.72, Florida Statutes is amended to read:

6 328.72 Classification; registration; fees and charges;
7 surcharge, disposition of fees; fines; marine turtle
8 stickers.--

9 (2) ANTIQUE VESSEL REGISTRATION FEE.--

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

14 Section 43. Subsection (3) of section 328.73, Florida
15 Statutes is amended to read:

16 328.73 Registration; duties of tax collectors.--

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

24 Section 44. Subsection (2) of section 328.735, Florida
25 Statutes, is amended to read:

26 328.735 Advanced registration renewal; procedures.--

27 (2) Upon the filing of the application and payment of
28 the appropriate vessel registration fee and service charges
29 required by s. 328.72 ~~s. 327.25~~ and any additional fees
30 required by law, the department or its agents shall issue to
31 the owner of the vessel a decal and registration. When the

1 decal is affixed to the vessel, the registration is renewed
2 for the appropriate registration period.

3 Section 45. (1) TASK FORCE ON THE MOTOR VEHICLE
4 INDUSTRY.--There is hereby created within the Department of
5 Highway Safety and Motor Vehicles the Task Force on the Motor
6 Vehicle Industry. The task force shall be charged with
7 examining and evaluating the motor vehicle industry in the
8 state, specifically the licensing of motor vehicle dealers,
9 the enforcement of motor vehicle dealer regulations, and the
10 structure and manner in which the Department of Highway Safety
11 and Motor Vehicles carries out its regulatory purpose.

12 (2) MEMBERSHIP; ORGANIZATION; MEETINGS.--

13 (a) The task force shall be composed of 15 members, to
14 be appointed by the Governor, the President of the Senate, and
15 the Speaker of the House of Representatives, as follows:

16 1. One representative of the Division of Motor
17 Vehicles of the Department of Highway Safety and Motor
18 Vehicles, to be appointed by the Governor.

19 2. One representative of independent motor vehicle
20 dealers recommended by the Florida Independent Automobile
21 Dealers Association, to be appointed by the Governor.

22 3. One representative of motor vehicle franchise
23 dealers recommended by the Florida Automobile Dealers
24 Association, to be appointed by the Governor.

25 4. One representative from an auto auction chain
26 recommended by a group affiliated with the National Auto
27 Auction Association, to be appointed by the Governor.

28 5. One representative of the Florida Auto Dismantlers
29 and Recyclers Association, to be appointed by the Governor.

30 6. One representative from the Department of Revenue,
31 to be appointed by the President of the Senate.

1 7. One representative of independent motor vehicle
2 dealers recommended by the Florida Independent Automobile
3 Dealers Association, to be appointed by the President of the
4 Senate.

5 8. A Florida tax collector recommended by the Florida
6 Tax Collectors Association, to be appointed by the President
7 of the Senate.

8 9. One representative from a Better Business Bureau
9 within the state, to be appointed by the President of the
10 Senate.

11 10. One representative of motor vehicle franchise
12 dealers recommended by the Tampa Bay Auto Dealers Association,
13 to be appointed by the President of the Senate.

14 11. One representative from the Division of Consumer
15 Services of the Department of Agriculture and Consumer
16 Services, to be appointed by the Speaker of the House of
17 Representatives.

18 12. One representative of independent motor vehicle
19 dealers recommended by the Florida Independent Automobile
20 Dealers Association, to be appointed by the Speaker of the
21 House of Representatives.

22 13. One representative of the motor vehicle auction
23 industry who is affiliated with an independent motor vehicle
24 auction concern and is recommended by a group affiliated with
25 the National Auto Auction Association, to be appointed by the
26 Speaker of the House of Representatives.

27 14. One representative of the insurance industry that
28 writes motor vehicle dealer surety bonds, to be appointed by
29 the Speaker of the House of Representatives.

30 15. One representative of motor vehicle franchise
31 dealers recommended by the South Florida Auto Dealers

1 Association, to be appointed by the Speaker of the House of
2 Representatives.

3
4 The Division of Motor Vehicles of the Department of Highway
5 Safety and Motor Vehicles, the Division of Consumer Services
6 of the Department of Agriculture and Consumer Services, the
7 Department of Revenue, the Florida Independent Automobile
8 Dealers Association, the Florida Tax Collectors Association,
9 and the Florida Automobile Dealers Association, and the
10 Florida Auto Dismantlers and Recyclers Association shall
11 submit to the Department of Highway Safety and Motor Vehicles
12 the names of their recommended representatives for selection
13 as appointees to the task force. A person who desires to be
14 considered for appointment to the task force as a
15 representative of the insurance industry or a Better Business
16 Bureau shall submit his or her name and a statement of the
17 designated category he or she proposes to represent to the
18 Department of Highway Safety and Motor Vehicles, which shall
19 forward all recommended names to the appointing authority for
20 the designated category. In order to facilitate and coordinate
21 the efforts of the task force, the Governor, the President of
22 the Senate, and the Speaker of the House of Representatives
23 shall each name a liaison whom the task force may contact for
24 assistance and information during the course of the task
25 force's existence. Members of the task force shall be
26 appointed no later than July 1, 2000.

27 (b) The Governor shall appoint the chair of the task
28 force. Any vacancy in the task force membership shall be
29 filled in the manner of the original appointment.

30 (c) Upon appointment of the members, the task force
31 shall schedule an organizational meeting to be held no later

1 than July 20, 2000. Thereafter, the task force shall meet at
2 least once a month, at the call of the chair, or at the call
3 of a quorum of the task force, at various locations throughout
4 the state to be determined by the task force. A quorum is
5 necessary for the purpose of conducting official business of
6 the task force. Eight members of the task force shall
7 constitute a quorum.

8 (d) The task force shall use accepted rules of
9 procedure to conduct its meetings. The department shall keep
10 on file a complete record of each meeting.

11 (e) Members of the task force from the private sector
12 shall not be entitled to per diem or travel expenses. Members
13 of the task force who are employees of state agencies shall
14 receive per diem and travel expenses from the budgets of their
15 respective agencies.

16 (f) The Department of Highway Safety and Motor
17 Vehicles shall provide administrative and staff support
18 services relating to the functions of the task force, and
19 members of the task force may request assistance from the
20 Department of Highway Safety and Motor Vehicles as necessary.

21 (3) PURPOSES; DUTIES.--

22 (a) The task force shall conduct an in-depth review of
23 the motor vehicle industry in the state, which shall include,
24 but not be limited to, problems associated with licensing
25 requirements for motor vehicle dealers, unlicensed persons
26 engaging in business as motor vehicle dealers, and enforcement
27 of statutes and rules regulating the motor vehicle industry.
28 The task force shall, in its review, analyze the provisions of
29 chapter 320, Florida Statutes, and any other applicable
30 provisions of state law as they relate to the motor vehicle
31

1 industry and motor vehicle dealer licensing requirements and
2 enforcement.

3 (b) The task force may, in its discretion:

4 1. Conduct meetings, hearings, and workshops in
5 Tallahassee, and at different locations throughout the state,
6 and take evidence, testimony, and argument at such meetings,
7 hearings, and workshops from state agencies and consumer
8 organizations.

9 2. Examine and evaluate the procedures and methods for
10 approval of an applicant for licensure as a motor vehicle
11 dealer, for establishment of motor vehicle dealer locations,
12 for enforcement actions against unlicensed persons engaging in
13 business as motor vehicle dealers, and for enforcement of
14 existing statutes and rules regulating motor vehicle dealers.

15 3. Assess the roles of the Department of Highway
16 Safety and Motor Vehicles and county tax collectors regarding
17 the motor vehicle industry.

18 (c) The in-depth review established in this section
19 shall not include the relationship between motor vehicle
20 dealers licensed under s. 320.27(1)(c)1., Florida Statutes,
21 and their respective line-make licensees licensed under s.
22 320.61, Florida Statutes, or the provisions of ss.
23 320.60-320.70, Florida Statutes.

24 (d) Upon completing the review, assessment, and
25 evaluation pursuant to this act, the task force may meet
26 further to consider its accomplishments and to compile its
27 findings into legislative recommendations.

28 (4) INTERIM AND FINAL REPORT; TERMINATION OF TASK
29 FORCE.--By January 31, 2001, the task force shall submit its
30 interim findings and recommendations in the form of a written
31 report to the Governor, the President of the Senate, and the

1 Speaker of the House of Representatives. The task force shall
2 make a final report of its findings and recommendations, which
3 may include proposed legislation, to the Governor, the
4 President of the Senate, and the Speaker of the House of
5 Representatives by March 1, 2001, at which time the task force
6 shall cease to exist.

7 Section 46. Except as otherwise provided in this act,
8 this act shall take effect October 1, 2000.

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