

By Senator Sebesta

20-620A-01

1                                   A bill to be entitled  
2           An act relating to highway safety, motor  
3           vehicles, and vessels; amending s. 316.1945,  
4           F.S.; revising provisions relating to the  
5           parking of vehicles in specified areas;  
6           amending s. 316.1975, F.S.; revising provisions  
7           relating to unattended motor vehicles; amending  
8           s. 316.228, F.S.; revising provisions relating  
9           to the use of lamps on vehicles transporting  
10          certain loads; amending s. 316.520, F.S.;  
11          revising penalties for violation of load limits  
12          on vehicles; amending s. 316.640, F.S.;  
13          revising the powers and duties of traffic crash  
14          investigation officers; amending s. 319.001,  
15          F.S.; revising definitions with respect to  
16          component parts of motor vehicles; amending s.  
17          319.14, F.S.; revising provisions relating to  
18          the sale of certain vehicles; authorizing the  
19          Department of Highway Safety and Motor Vehicles  
20          to affix a decal on rebuilt vehicles;  
21          redefining the term "assembled from parts" and  
22          deleting the term "combined"; providing a  
23          penalty for the removal of rebuilt decals;  
24          amending s. 319.14, F.S.; revising provisions  
25          relating to the sale of certain vehicles;  
26          authorizing the Department of Highway Safety  
27          and Motor Vehicles to affix a decal on rebuilt  
28          vehicles; amending s. 319.23, F.S.; revising  
29          provisions relating to the transfer of  
30          ownership of an antique vehicle; amending s.  
31          319.27, F.S.; revising provisions with respect

1 to the filing of liens on motor vehicles and  
2 mobile homes; amending s. 319.28, F.S.;  
3 revising requirements relating to the transfer  
4 of ownership by operation of law; amending s.  
5 319.30, F.S.; redefining the terms "major  
6 component part"; providing standards for the  
7 sale of certain vehicles; amending s. 320.025,  
8 F.S.; revising provisions relating to the  
9 issuance of confidential registration  
10 certificates and license plates; amending s.  
11 320.05, F.S.; revising provisions relating to  
12 vessel registration records; amending s.  
13 320.055, F.S.; revising registration periods  
14 for certain vehicles; amending s. 320.06, F.S.;  
15 providing for the placement of registration  
16 validation stickers; amending s. 320.0605,  
17 F.S.; revising provisions relating to fleet  
18 vehicles and registration certificates;  
19 amending s. 320.072, F.S.; revising provisions  
20 relating to the exemption of certain  
21 registration fees; amending s. 320.0805, F.S.;  
22 revising provisions relating to the issuance of  
23 personalized license plates; amending s.  
24 320.083, F.S.; revising vehicle weight  
25 restrictions relating to the amateur radio  
26 operator's license plate; amending s. 320.089,  
27 F.S.; revising vehicle weight restrictions  
28 relating to the Ex-POW and Purple Heart license  
29 plates; amending s. 320.27, F.S.; redefining  
30 the term "motor vehicle auction"; revising  
31 requirements relating to motor vehicle dealers;

1           amending s. 322.05, F.S.; conforming a  
2           statutory cross-reference; amending s. 322.126,  
3           F.S.; revising provisions relating to the  
4           reporting of a disability to the department;  
5           creating s. 322.222, F.S.; authorizing the  
6           department to conduct hearings for medical  
7           review cases; amending s. 322.2615, F.S.;  
8           revising provisions relating to temporary  
9           driving permits; amending s. 322.27, F.S.;  
10          revising provisions relating to the revocation  
11          of license for habitual traffic offenders;  
12          amending s. 322.28, F.S.; deleting obsolete  
13          language; amending s. 322.292, F.S.; revising  
14          requirements relating to the operation of DUI  
15          programs; amending s. 322.61, F.S.; revising  
16          provisions relating to the disqualification  
17          from operating a commercial motor vehicle;  
18          amending s. 322.64, F.S.; revising provisions  
19          relating to commercial vehicle operators and  
20          driving under the influence; amending s.  
21          328.01, F.S.; revising requirements relating to  
22          the application for certificate of title;  
23          amending s. 328.42, F.S.; revising provisions  
24          relating to the payment of certain transactions  
25          by dishonored check; amending s. 328.56, F.S.;  
26          revising provisions relating to the display of  
27          vessel registration numbers; amending s.  
28          328.72, F.S.; revising requirements relating to  
29          the transfer of an antique vessel; amending s.  
30          328.76, F.S.; providing for an annual  
31          appropriation to the Highway Safety Operating

1 Trust Fund; amending s. 328.76, F.S.; providing  
2 an annual appropriation to the Highway Safety  
3 Operating Trust Fund; amending s. 713.78, F.S.;  
4 providing for the notification of insurers when  
5 a vehicle is towed; amending s. 715.07, F.S.;  
6 redefining the term "vessel"; providing for the  
7 removal of undocumented vessels from private  
8 property; amending s. 832.09, F.S.; providing  
9 for the use of a standardized form in reporting  
10 certain information to the department;  
11 repealing s. 322.282, F.S., which provides  
12 procedures for the revocation and reinstatement  
13 of certain licenses; repealing s. 322.331,  
14 F.S., which provides for hearings for  
15 reinstatement of license for habitual traffic  
16 offenders; repealing s. 715.05, F.S., which  
17 provides for the reporting of unclaimed motor  
18 vehicles; providing effective dates.

19

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

21

22 Section 1. Paragraph (a) of subsection (1) of section  
23 316.1945, Florida Statutes, is amended to read:

24 316.1945 Stopping, standing, or parking prohibited in  
25 specified places.--

26 (1) Except when necessary to avoid conflict with other  
27 traffic, or in compliance with law or the directions of a  
28 police officer or official traffic control device, no person  
29 shall:

30 (a) Stop, stand, or park a vehicle:

31

- 1           1. On the roadway side of any vehicle stopped or  
2 parked at the edge or curb of a street.
- 3           2. On a sidewalk.
- 4           3. Within an intersection.
- 5           4. On a crosswalk.
- 6           5. Between a safety zone and the adjacent curb or  
7 within 30 feet of points on the curb immediately opposite the  
8 ends of a safety zone, unless the Department of Transportation  
9 indicates a different length by signs or markings.
- 10          6. Alongside or opposite any street excavation or  
11 obstruction when stopping, standing, or parking would obstruct  
12 traffic.
- 13          7. Upon any bridge or other elevated structure upon a  
14 highway or within a highway tunnel.
- 15          8. On any railroad tracks.
- 16          9. On a bicycle path.
- 17          10. At any place where official traffic control  
18 devices prohibit stopping.
- 19          11. On the roadway or shoulder of a limited access  
20 facility, except as provided by regulation of the Department  
21 of Transportation, or on the paved portion of a connecting  
22 ramp; except that a vehicle which is disabled or in a  
23 condition improper to be driven as a result of mechanical  
24 failure or crash may be parked on such shoulder for a period  
25 not to exceed 6 hours. This provision is not applicable to a  
26 person stopping a vehicle to render aid to an injured person  
27 or assistance to a disabled vehicle in obedience to the  
28 directions of a law enforcement officer or to a person  
29 stopping a vehicle in compliance with applicable traffic laws.
- 30          12. For the purpose of loading or unloading a  
31 passenger on the paved roadway or shoulder of a limited access

1 facility or on the paved portion of any connecting ramp. This  
2 provision is not applicable to a person stopping a vehicle to  
3 render aid to an injured person or assistance to a disabled  
4 vehicle.

5 13. Within a roadway, to include the paved or unpaved  
6 median, in areas not designated for parking.

7 Section 2. Subsection (2) of section 316.1975, Florida  
8 Statutes, is amended to read:

9 316.1975 Unattended motor vehicle.--

10 (2) This section does not apply to the operator of:

11 (a) An authorized emergency vehicle while in the  
12 performance of official duties and the vehicle is equipped  
13 with an activated antitheft device that prohibits the vehicle  
14 from being driven; or

15 (b) A licensed delivery truck or other delivery  
16 vehicle while making deliveries.

17 (c) A solid waste or recovered materials vehicle while  
18 collecting such items.

19 Section 3. Subsection (2) of section 316.228, Florida  
20 Statutes, is amended to read:

21 316.228 Lamps or flags on projecting load.--

22 (2) Any commercial motor vehicle or trailer, ~~except as~~  
23 ~~stated in s. 316.515(7),~~ transporting a load of unprocessed  
24 logs, or long pulpwood, poles, or posts which load extends  
25 ~~extend~~ more than 4 feet beyond the rear of the body or bed of  
26 such vehicle, must have securely fixed as close as practical  
27 to the end of any such projection one amber strobe-type lamp  
28 equipped with a multidirectional type lens so mounted as to be  
29 visible from the rear and both sides of the projecting load.  
30 If the mounting of one strobe lamp cannot be accomplished so  
31 that it is visible from the rear and both sides of the

1 projecting load, multiple strobe lights must be used to meet  
2 the visibility requirements of this subsection.The strobe  
3 lamp must flash at a rate of at least 60 flashes per minute  
4 and must be plainly visible from a distance of at least 500  
5 feet to the rear and sides of the projecting load at any time  
6 of the day or night. The lamp must be operating at any time of  
7 the day or night when the vehicle is operated on any highway  
8 or parked on the shoulder or immediately adjacent to the  
9 traveled portion of any public roadway. The projecting load  
10 must also be marked with a red flag as described in subsection  
11 (1).

12 Section 4. Subsection (3) of section 316.520, Florida  
13 Statutes, is amended to read:

14 316.520 Loads on vehicles.--

15 (3) A violation of this section is a noncriminal  
16 traffic infraction, punishable as a moving ~~nonmoving~~ violation  
17 as provided in chapter 318.

18 Section 5. Subsections (1), (2), and (3) of section  
19 316.640, Florida Statutes, are amended to read:

20 316.640 Enforcement.--The enforcement of the traffic  
21 laws of this state is vested as follows:

22 (1) STATE.--

23 (a)1.

24 a. The Division of Florida Highway Patrol of the  
25 Department of Highway Safety and Motor Vehicles, the Division  
26 of Law Enforcement of the Fish and Wildlife Conservation  
27 Commission, the Division of Law Enforcement of the Department  
28 of Environmental Protection, and law enforcement officers of  
29 the Department of Transportation each have authority to  
30 enforce all of the traffic laws of this state on all the  
31 streets and highways thereof and elsewhere throughout the

1 state wherever the public has a right to travel by motor  
2 vehicle. The Division of the Florida Highway Patrol may employ  
3 as a traffic accident investigation officer any individual who  
4 successfully completes at least 200 hours of instruction in  
5 traffic accident investigation and court presentation through  
6 the Selective Traffic Enforcement Program as approved by the  
7 Criminal Justice Standards and Training Commission and funded  
8 through the National Highway Traffic Safety Administration or  
9 a similar program approved by the commission, but who does not  
10 necessarily meet the uniform minimum standards established by  
11 the commission for law enforcement officers or auxiliary law  
12 enforcement officers under chapter 943. Any such traffic  
13 accident investigation officer who makes an investigation at  
14 the scene of a traffic accident may issue traffic citations,  
15 based upon personal investigation, when he or she has  
16 reasonable and probable grounds to believe that a person who  
17 was involved in the accident committed an offense under this  
18 chapter, chapter 319, chapter 320, or chapter 322 in  
19 connection with the accident. This paragraph does not permit  
20 the carrying of firearms or other weapons, nor do such  
21 officers have arrest authority ~~other than for the issuance of~~  
22 ~~a traffic citation as authorized in this paragraph.~~

23       b. University police officers shall have authority to  
24 enforce all of the traffic laws of this state when such  
25 violations occur on or about any property or facilities that  
26 are under the guidance, supervision, regulation, or control of  
27 the State University System, except that traffic laws may be  
28 enforced off-campus when hot pursuit originates on-campus.

29       c. Community college police officers shall have the  
30 authority to enforce all the traffic laws of this state only  
31 when such violations occur on any property or facilities that



1 are under the guidance, supervision, regulation, or control of  
2 the community college system.

3 d. Police officers employed by an airport authority  
4 shall have the authority to enforce all of the traffic laws of  
5 this state only when such violations occur on any property or  
6 facilities that are owned or operated by an airport authority.

7 (I) An airport authority may employ as a parking  
8 enforcement specialist any individual who successfully  
9 completes a training program established and approved by the  
10 Criminal Justice Standards and Training Commission for parking  
11 enforcement specialists but who does not otherwise meet the  
12 uniform minimum standards established by the commission for  
13 law enforcement officers or auxiliary or part-time officers  
14 under s. 943.12. Nothing in this sub-sub-subparagraph shall be  
15 construed to permit the carrying of firearms or other weapons,  
16 nor shall such parking enforcement specialist have arrest  
17 authority.

18 (II) A parking enforcement specialist employed by an  
19 airport authority is authorized to enforce all state, county,  
20 and municipal laws and ordinances governing parking only when  
21 such violations are on property or facilities owned or  
22 operated by the airport authority employing the specialist, by  
23 appropriate state, county, or municipal traffic citation.

24 e. The Office of Agricultural Law Enforcement of the  
25 Department of Agriculture and Consumer Services shall have the  
26 authority to enforce traffic laws of this state only as  
27 authorized by the provisions of chapter 570. However, nothing  
28 in this section shall expand the authority of the Office of  
29 Agricultural Law Enforcement at its agricultural inspection  
30 stations to issue any traffic tickets except those traffic  
31 tickets for vehicles illegally passing the inspection station.

1           f. School safety officers shall have the authority to  
2 enforce all of the traffic laws of this state when such  
3 violations occur on or about any property or facilities which  
4 are under the guidance, supervision, regulation, or control of  
5 the district school board.

6           2. An agency of the state as described in subparagraph  
7 1. is prohibited from establishing a traffic citation quota. A  
8 violation of this subparagraph is not subject to the penalties  
9 provided in chapter 318.

10          3. Any disciplinary action taken or performance  
11 evaluation conducted by an agency of the state as described in  
12 subparagraph 1. of a law enforcement officer's traffic  
13 enforcement activity must be in accordance with written  
14 work-performance standards. Such standards must be approved by  
15 the agency and any collective bargaining unit representing  
16 such law enforcement officer. A violation of this subparagraph  
17 is not subject to the penalties provided in chapter 318.

18          (b)1. The Department of Transportation has authority  
19 to enforce on all the streets and highways of this state all  
20 laws applicable within its authority.

21          2.a. The Department of Transportation shall develop  
22 training and qualifications standards for toll enforcement  
23 officers whose sole authority is to enforce the payment of  
24 tolls pursuant to s. 316.1001. Nothing in this subparagraph  
25 shall be construed to permit the carrying of firearms or other  
26 weapons, nor shall a toll enforcement officer have arrest  
27 authority.

28          b. For the purpose of enforcing s. 316.1001,  
29 governmental entities, as defined in s. 334.03, which own or  
30 operate a toll facility may employ independent contractors or  
31 designate employees as toll enforcement officers; however, any

1 such toll enforcement officer must successfully meet the  
2 training and qualifications standards for toll enforcement  
3 officers established by the Department of Transportation.

4 (2) COUNTIES.--

5 (a) The sheriff's office of each of the several  
6 counties of this state shall enforce all of the traffic laws  
7 of this state on all the streets and highways thereof and  
8 elsewhere throughout the county wherever the public has the  
9 right to travel by motor vehicle. In addition, the sheriff's  
10 office may be required by the county to enforce the traffic  
11 laws of this state on any private or limited access road or  
12 roads over which the county has jurisdiction pursuant to a  
13 written agreement entered into under s. 316.006(3)(b).

14 (b) The sheriff's office of each county may employ as  
15 a traffic crash investigation officer any individual who  
16 successfully completes at least 200 hours of instruction in  
17 traffic crash investigation and court presentation through the  
18 Selective Traffic Enforcement Program (STEP) as approved by  
19 the Criminal Justice Standards and Training Commission and  
20 funded through the National Highway Traffic Safety  
21 Administration (NHTSA) or a similar program approved by the  
22 commission, but who does not necessarily otherwise meet the  
23 uniform minimum standards established by the commission for  
24 law enforcement officers or auxiliary law enforcement officers  
25 under chapter 943. Any such traffic crash investigation  
26 officer who makes an investigation at the scene of a traffic  
27 crash may issue traffic citations when, based upon personal  
28 investigation, he or she has reasonable and probable grounds  
29 to believe that a person who was involved in the accident has  
30 committed an offense under this chapter, chapter 319, chapter  
31 320, or chapter 322 in connection with the accident ~~crash~~.

1 This paragraph does not permit the carrying of firearms or  
2 other weapons, nor do such officers have arrest authority  
3 ~~other than for the issuance of a traffic citation as~~  
4 ~~authorized in this paragraph.~~

5 (c) The sheriff's office of each of the several  
6 counties of this state may employ as a parking enforcement  
7 specialist any individual who successfully completes a  
8 training program established and approved by the Criminal  
9 Justice Standards and Training Commission for parking  
10 enforcement specialists, but who does not necessarily  
11 otherwise meet the uniform minimum standards established by  
12 the commission for law enforcement officers or auxiliary or  
13 part-time officers under s. 943.12.

14 1. A parking enforcement specialist employed by the  
15 sheriff's office of each of the several counties of this state  
16 is authorized to enforce all state and county laws,  
17 ordinances, regulations, and official signs governing parking  
18 within the unincorporated areas of the county by appropriate  
19 state or county citation and may issue such citations for  
20 parking in violation of signs erected pursuant to s.  
21 316.006(3) at parking areas located on property owned or  
22 leased by a county, whether or not such areas are within the  
23 boundaries of a chartered municipality.

24 2. A parking enforcement specialist employed pursuant  
25 to this subsection shall not carry firearms or other weapons  
26 or have arrest authority.

27 (3) MUNICIPALITIES.--

28 (a) The police department of each chartered  
29 municipality shall enforce the traffic laws of this state on  
30 all the streets and highways thereof and elsewhere throughout  
31 the municipality wherever the public has the right to travel

1 by motor vehicle. In addition, the police department may be  
2 required by a municipality to enforce the traffic laws of this  
3 state on any private or limited access road or roads over  
4 which the municipality has jurisdiction pursuant to a written  
5 agreement entered into under s. 316.006(2)(b). However,  
6 nothing in this chapter shall affect any law, general,  
7 special, or otherwise, in effect on January 1, 1972, relating  
8 to "hot pursuit" without the boundaries of the municipality.

9 (b) The police department of a chartered municipality  
10 may employ as a traffic crash investigation officer any  
11 individual who successfully completes at least 200 hours of  
12 instruction in traffic crash investigation and court  
13 presentation through the Selective Traffic Enforcement Program  
14 (STEP) as approved by the Criminal Justice Standards and  
15 Training Commission and funded through the National Highway  
16 Traffic Safety Administration (NHTSA) or a similar program  
17 approved by the commission, but who does not otherwise meet  
18 the uniform minimum standards established by the commission  
19 for law enforcement officers or auxiliary law enforcement  
20 officers under chapter 943. Any such traffic crash  
21 investigation officer who makes an investigation at the scene  
22 of a traffic accident ~~may crash is authorized to~~ issue traffic  
23 citations when, based upon personal investigation, he or she  
24 has reasonable and probable grounds to believe that a person  
25 involved in the accident has committed an offense under the  
26 provisions of this chapter, chapter 319, chapter 320, or  
27 chapter 322 in connection with the accident ~~crash. Nothing in~~  
28 This paragraph does not ~~shall be construed to~~ permit the  
29 carrying of firearms or other weapons, nor do ~~shall~~ such  
30 officers have arrest authority ~~other than for the issuance of~~  
31 ~~a traffic citation as authorized above.~~

1           ~~(c)1. A chartered municipality or its authorized~~  
2 ~~agency or instrumentality may employ as a parking enforcement~~  
3 ~~specialist any individual who successfully completes a~~  
4 ~~training program established and approved by the Criminal~~  
5 ~~Justice Standards and Training Commission for parking~~  
6 ~~enforcement specialists, but who does not otherwise meet the~~  
7 ~~uniform minimum standards established by the commission for~~  
8 ~~law enforcement officers or auxiliary or part-time officers~~  
9 ~~under s. 943.12.~~

10           1.2. A parking enforcement specialist employed by a  
11 chartered municipality or its authorized agency or  
12 instrumentality is authorized to enforce all state, county,  
13 and municipal laws and ordinances governing parking within the  
14 boundaries of the municipality employing the specialist, by  
15 appropriate state, county, or municipal traffic citation.  
16 ~~Nothing in this paragraph shall be construed to permit the~~  
17 ~~carrying of firearms or other weapons, nor shall such a~~  
18 ~~parking enforcement specialist have arrest authority.~~

19           2. A parking enforcement specialist employed pursuant  
20 to this subsection may not carry firearms or other weapons or  
21 have arrest authority.

22           Section 6. Section 319.001, Florida Statutes, is  
23 amended to read:

24           319.001 Definitions.--As used in this chapter, the  
25 term:

26           (1) "Department" means the Department of Highway  
27 Safety and Motor Vehicles.

28           (2) "Front-end assembly" means fenders, hood, grill,  
29 and bumper.

30           (3)(2) "Licensed dealer," unless otherwise  
31 specifically provided, means a motor vehicle dealer licensed

1 under s. 320.27, a mobile home dealer licensed under s.  
2 320.77, or a recreational vehicle dealer licensed under s.  
3 320.771.

4 (4) "Motorcycle body assembly" means frame, fenders,  
5 and gas tanks.

6 (5) "Motorcycle engine" means cylinder block, heads,  
7 engine case, and crank case.

8 (6) "Motorcycle transmission" means drive train.

9 (7)~~(3)~~ "New mobile home" means a mobile home the  
10 equitable or legal title to which has never been transferred  
11 by a manufacturer, distributor, importer, or dealer to an  
12 ultimate purchaser.

13 (8)~~(4)~~ "New motor vehicle" means a motor vehicle the  
14 equitable or legal title to which has never been transferred  
15 by a manufacturer, distributor, importer, or dealer to an  
16 ultimate purchaser; however, when legal title is not  
17 transferred but possession of a motor vehicle is transferred  
18 pursuant to a conditional sales contract or lease and the  
19 conditions are not satisfied and the vehicle is returned to  
20 the motor vehicle dealer, the motor vehicle may be resold by  
21 the motor vehicle dealer as a new motor vehicle, provided the  
22 selling motor vehicle dealer gives the following written  
23 notice to the purchaser: "THIS VEHICLE WAS DELIVERED TO A  
24 PREVIOUS PURCHASER." The purchaser shall sign an  
25 acknowledgment, a copy of which is kept in the selling  
26 dealer's file.

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

29 (10)~~(5)~~ "Satisfaction of lien" means full payment of a  
30 debt or release of a debtor from a lien by the lienholder.

31

1           (11)~~(6)~~ "Used motor vehicle" means any motor vehicle  
2 that is not a "new motor vehicle" as defined in subsection(8)  
3 ~~(4)~~.

4           Section 7. Paragraphs (b) and (c) of subsection (1)  
5 and subsections (2) and (3) of section 319.14, Florida  
6 Statutes, are amended, present subsections (6), (7), and (8)  
7 of that section are redesignated as subsections (7), (8), and  
8 (9), respectively, and a new subsection (6) is added to that  
9 section to read:

10           319.14 Sale of motor vehicles registered or used as  
11 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles  
12 and nonconforming vehicles.--

13           (1)

14           (b) No person shall knowingly offer for sale, sell, or  
15 exchange a rebuilt vehicle until the department has stamped in  
16 a conspicuous place on the certificate of title for the  
17 vehicle words stating that the vehicle has been rebuilt, or  
18 assembled from parts, ~~or combined~~, or is a kit car, glider  
19 kit, replica, or flood vehicle, unless proper application for  
20 a certificate of title for a vehicle that is rebuilt, or  
21 assembled from parts, ~~or combined~~, or is a kit car, glider  
22 kit, replica, or flood vehicle, has been made to the  
23 department in accordance with this chapter and the department  
24 or its agent has, moreover, conducted the physical examination  
25 of the vehicle to assure the identification identity of the  
26 vehicle and of all major component parts, as defined in s.  
27 319.30(1)(e), which have been repaired or replaced.  
28 Thereafter, the department shall affix a decal to the vehicle  
29 in the manner prescribed by the department, showing that the  
30 vehicle has been rebuilt.

31           (c) As used in this section, the term:



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

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

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

11           c. "Lease vehicle" includes both short-term-lease  
12 vehicles and long-term-lease vehicles.

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

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

21           ~~5. "Combined" means assembled by combining two motor~~  
22 ~~vehicles neither of which has been titled and branded as~~  
23 ~~"Salvage Unrebuildable."~~

24           ~~5.6.~~ "Kit car" means a motor vehicle assembled with a  
25 kit supplied by a manufacturer to rebuild a wrecked or  
26 outdated motor vehicle with a new body kit.

27           ~~6.7.~~ "Glider kit" means a vehicle assembled with a kit  
28 supplied by a manufacturer to rebuild a wrecked or outdated  
29 truck or truck tractor.

30           ~~7.8.~~ "Replica" means a complete new motor vehicle  
31 manufactured to look like an old vehicle.

1           8.9. "Flood vehicle" means a motor vehicle or mobile  
2 home that has been declared to be a total loss pursuant to s.  
3 319.30(3)(a) resulting from damage caused by water.

4           9.10. "Nonconforming vehicle" means a motor vehicle  
5 which has been purchased by a manufacturer pursuant to a  
6 settlement, determination, or decision under chapter 681.

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

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

23           (3) Any person who, with intent to offer for sale or  
24 exchange any vehicle referred to in subsection (1), knowingly  
25 or intentionally advertises, publishes, disseminates,  
26 circulates, or places before the public in any communications  
27 medium, whether directly or indirectly, any offer to sell or  
28 exchange the vehicle shall clearly and precisely state in each  
29 such offer that the vehicle has previously been titled,  
30 registered, or used as a taxicab, police vehicle, or  
31 short-term-lease vehicle or that the vehicle or mobile home is

1 a vehicle that is rebuilt, or assembled from parts, ~~or~~  
2 ~~combined~~, or is a kit car, glider kit, replica, or flood  
3 vehicle, or a nonconforming vehicle, ~~as the case may be~~. Any  
4 person who violates this subsection is guilty of a misdemeanor  
5 of the second degree, punishable as provided in s. 775.082 or  
6 s. 775.083.

7 (6) Any person who removes a rebuilt decal from a  
8 rebuilt vehicle or who knowingly possesses a rebuilt vehicle  
9 from which a rebuilt decal has been removed commits a felony  
10 of the third degree, punishable as provided in s. 775.082, s.  
11 775.083, or s. 775.084.

12 Section 8. Effective July 1, 2001, paragraph (b) of  
13 subsection (1) of section 319.14, Florida Statutes, is amended  
14 to read:

15 319.14 Sale of motor vehicles registered or used as  
16 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles  
17 and nonconforming vehicles.--

18 (1)

19 (b) No person shall knowingly offer for sale, sell, or  
20 exchange a rebuilt vehicle until the department has stamped in  
21 a conspicuous place on the certificate of title for the  
22 vehicle words stating that the vehicle has been rebuilt, or  
23 assembled from parts, ~~or combined~~, or is a kit car, glider  
24 kit, replica, or flood vehicle unless proper application for a  
25 certificate of title for a vehicle that is rebuilt, or  
26 assembled from parts, ~~or combined~~, or is a kit car, glider  
27 kit, replica, or flood vehicle has been made to the department  
28 in accordance with this chapter and the department has,  
29 moreover, conducted the physical examination of the vehicle to  
30 assure the identification identity of the vehicle and of all  
31 major component parts, as defined in s. 319.30(1)(e), which

1 have been repaired or replaced. Thereafter, the department  
2 shall affix a decal to the vehicle in the manner prescribed by  
3 the department, showing that the vehicle has been rebuilt.

4 Section 9. Subsection (3) of section 319.23, Florida  
5 Statutes, is amended to read:

6 319.23 Application for, and issuance of, certificate  
7 of title.--

8 (3) If a certificate of title has not previously been  
9 issued for a motor vehicle or mobile home in this state, the  
10 application, unless otherwise provided for in this chapter,  
11 shall be accompanied by a proper bill of sale or sworn  
12 statement of ownership, or a duly certified copy thereof, or  
13 by a certificate of title, bill of sale, or other evidence of  
14 ownership required by the law of the state or county from  
15 which the motor vehicle or mobile home was brought into this  
16 state. The application shall also be accompanied by:

17 (a)1. A sworn affidavit from the seller and purchaser  
18 verifying that the vehicle identification number shown on the  
19 affidavit is identical to the vehicle identification number  
20 shown on the motor vehicle; or

21 2. An appropriate departmental form evidencing that a  
22 physical examination has been made of the motor vehicle by the  
23 owner and by a duly constituted law enforcement officer in any  
24 state, a licensed motor vehicle dealer, a license inspector as  
25 provided by s. 320.58, or a notary public commissioned by this  
26 state and that the vehicle identification number shown on such  
27 form is identical to the vehicle identification number shown  
28 on the motor vehicle; and

29 (b) If the vehicle is a used car original, a sworn  
30 affidavit from the owner verifying that the odometer reading  
31 shown on the affidavit is identical to the odometer reading

1 shown on the motor vehicle in accordance with the requirements  
2 of 49 C.F.R. s. 580.5 at the time that application for title  
3 is made. For the purposes of this section, the term "used car  
4 original" means a used vehicle coming into and being titled in  
5 this state for the first time.

6 ~~(c) If the vehicle is an ancient or antique vehicle,~~  
7 ~~as defined in s. 320.086, the application shall be accompanied~~  
8 ~~by a certificate of title; a bill of sale and a registration;~~  
9 ~~or a bill of sale and an affidavit by the owner defending the~~  
10 ~~title from all claims. The bill of sale must contain a~~  
11 ~~complete vehicle description to include the vehicle~~  
12 ~~identification or engine number, year make, color, selling~~  
13 ~~price, and signatures of the seller and purchaser.~~

14  
15 Verification of the vehicle identification number is not  
16 required for any new motor vehicle; any mobile home; any  
17 trailer or semitrailer with a net weight of less than 2,000  
18 pounds; or any travel trailer, camping trailer, truck camper,  
19 or fifth-wheel recreation trailer.

20 Section 10. Subsection (4) of section 319.27, Florida  
21 Statutes, is amended to read:

22 319.27 Notice of lien on motor vehicles or mobile  
23 homes; notation on certificate; recording of lien.--

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

1 ~~recording of such lien as constructive notice of such lien to~~  
2 ~~creditors and purchasers of such motor vehicle or mobile home~~  
3 ~~in this state provided such lienholder files a sworn notice of~~  
4 ~~such lien in the department, showing the following~~  
5 ~~information:~~

- 6 ~~1. The date of the lien;~~
- 7 ~~2. The name and address of the registered owner;~~
- 8 ~~3. A description of the motor vehicle or mobile home,~~  
9 ~~showing the make, type, and vehicle identification number; and~~
- 10 ~~4. The name and address of the lienholder.~~

11  
12 ~~Upon the filing of such notice of lien and the payment of the~~  
13 ~~fee provided in s. 319.32, the lien shall be recorded in the~~  
14 ~~department.~~

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

- 19 ~~1. Any lien shown on the application for Florida~~  
20 ~~certificate of title; and~~
- 21 ~~2. Any lien filed in the department in accordance with~~  
22 ~~paragraph (a); and~~
- 23 ~~2.3.~~ Any lien shown on the existing certificate of  
24 title issued by another state.

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

31

1           Section 11. Paragraph (a) of subsection (1) of section  
2 319.28, Florida Statutes, is amended to read:

3           319.28 Transfer of ownership by operation of law.--

4           (1)(a) In the event of the transfer of ownership of a  
5 motor vehicle or mobile home by operation of law as upon  
6 inheritance, devise or bequest, order in bankruptcy,  
7 insolvency, replevin, attachment, execution or other judicial  
8 sale or whenever the engine of a motor vehicle is replaced by  
9 another engine or whenever a motor vehicle is sold to satisfy  
10 storage or repair charges or repossession is had upon default  
11 in performance of the terms of a security agreement, chattel  
12 mortgage, conditional sales contract, trust receipt, or other  
13 like agreement, and upon the surrender of the prior  
14 certificate of title or, when that is not possible,  
15 presentation of satisfactory proof to the department of  
16 ownership and right of possession to such motor vehicle or  
17 mobile home, and upon payment of the fee prescribed by law and  
18 presentation of an application for certificate of title, the  
19 department may issue to the applicant a certificate of title  
20 thereto. ~~If the application is predicated upon a security~~  
21 ~~agreement, chattel mortgage, conditional sales contract, trust~~  
22 ~~receipt, or other like agreement, the original instrument or a~~  
23 ~~certified copy thereof shall accompany the application;~~  
24 ~~however, if an owner under a chattel mortgage voluntarily~~  
25 ~~surrenders possession of the motor vehicle or mobile home, the~~  
26 ~~original or a certified copy of the chattel mortgage shall~~  
27 ~~accompany the application for a certificate of title and it~~  
28 ~~shall not be necessary to institute proceedings in any court~~  
29 ~~to foreclose such mortgage.~~

30  
31

1           Section 12. Paragraphs (e) and (f) of subsection (1)  
2 and paragraph (b) of subsection (3) of section 319.30, Florida  
3 Statutes, are amended to read:

4           319.30 Definitions; dismantling, destruction, change  
5 of identity of motor vehicle or mobile home; salvage.--

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

7           (e) "Major component parts" means:

8           1. For motor vehicles other than motorcycles: the  
9 front-end assembly, fenders, hood, grill, bumper, cowl  
10 assembly, rear body section, both quarter panels, decklid,  
11 bumper, floor pan, door assemblies, engine, frame,  
12 transmission, dashboard, hard-top roof, sunroof, t-top,  
13 airbag, wheels, windshield, and interior.

14           2. For trucks, in addition to the items specified in  
15 subparagraph 1.: the truck bed.

16           3. For motorcycles: body assembly, frame, fenders, gas  
17 tanks, engine, cylinder block, heads, engine case, crank case,  
18 transmission, drive train, front fork assembly, and wheels.

19           4. For mobile homes: the frame.~~the front-end assembly~~  
20 ~~(fenders, hood, grill, and bumper); cowl assembly; rear body~~  
21 ~~section (both quarter panels, decklid, bumper, and floor pan);~~  
22 ~~door assemblies; engine; frame; or transmission.~~

23           (f) "Major part" means the front-end assembly  
24 ~~(fenders, hood, grill, and bumper); cowl assembly; or rear~~  
25 ~~body section (both quarter panels, decklid, bumper, and floor~~  
26 ~~pan).~~

27           (3)

28           (b) The owner of any motor vehicle or mobile home  
29 which is considered to be salvage shall, within 72 hours after  
30 the motor vehicle or mobile home becomes salvage, forward the  
31 title to the motor vehicle or mobile home to the department



1 for processing. However, an insurance company which pays money  
2 as compensation for total loss of a motor vehicle or mobile  
3 home shall obtain the certificate of title for the motor  
4 vehicle or mobile home and, within 72 hours after receiving  
5 such certificate of title, shall forward such title to the  
6 department for processing. The owner or insurance company, as  
7 the case may be, may not dispose of a vehicle or mobile home  
8 that is a total loss before it has obtained a salvage  
9 certificate of title or certificate of destruction from the  
10 department. When applying for a salvage certificate of title  
11 or certificate of destruction, the owner or insurance company  
12 must provide the department with an estimate of the costs of  
13 repairing the physical and mechanical damage suffered by the  
14 vehicle for which a salvage certificate of title or  
15 certificate of destruction is sought. If the estimated costs  
16 of repairing the physical and mechanical damage to the vehicle  
17 are equal to 80 percent or more of the current retail cost of  
18 the vehicle, as established in any official used car or used  
19 mobile home guide, the department shall declare the vehicle  
20 unbuildable and print a certificate of destruction, which  
21 authorizes the dismantling or destruction of the motor vehicle  
22 or mobile home described therein. This certificate of  
23 destruction shall be reassignable a maximum of two times  
24 before dismantling or destruction of the vehicle shall be  
25 required, and shall accompany the motor vehicle or mobile home  
26 for which it is issued, when such motor vehicle or mobile home  
27 is sold for such purposes, in lieu of a certificate of title,  
28 and, thereafter, the department shall refuse issuance of any  
29 certificate of title for that vehicle. ~~Nothing in This~~  
30 subsection does not apply ~~shall be applicable~~ when a vehicle  
31 is worth less than \$1,500 retail in undamaged condition in any

1 official used motor vehicle guide or used mobile home guide.  
2 An insurer paying a total loss claim may obtain a certificate  
3 of destruction for such vehicle. When ~~or when~~ a stolen motor  
4 vehicle or mobile home is recovered in substantially intact  
5 condition and is readily resalable without extensive repairs  
6 to or replacement of the frame or engine, the insurer must  
7 obtain a certificate in its own name before the vehicle may be  
8 sold or transferred. Any person who willfully and deliberately  
9 violates this paragraph or falsifies any document to avoid the  
10 requirements of this paragraph commits a misdemeanor of the  
11 first degree, punishable as provided in s. 775.082 or s.  
12 775.083.

13 Section 13. Subsections (1) and (2) of section  
14 320.025, Florida Statutes, are amended to read:

15 320.025 Registration certificate and license plate  
16 issued under fictitious name; application.--

17 (1) A confidential registration certificate and  
18 registration license plate or decal shall be issued under a  
19 fictitious name only for a motor vehicle or vessel owned or  
20 operated by a law enforcement agency of state, county,  
21 municipal, or federal government, the Attorney General's  
22 Medicaid Fraud Control Unit, or any state public defender's  
23 office. The requesting agency shall file a written application  
24 with the department on forms furnished by the department,  
25 which includes a statement that the license plate will be used  
26 for the Attorney General's Medicaid Fraud Control Unit, or law  
27 enforcement or any state public defender's office activities  
28 requiring concealment of publicly leased or owned motor  
29 vehicles or vessels and a statement of the position  
30 classifications of the individuals who are authorized to use  
31 the license plate. The department may modify its records to

1 reflect the fictitious identity of the owner or lessee until  
2 such time as the license plate and registration certificate  
3 are surrendered to it.

4 (2) Except as provided in subsection (1), any motor  
5 vehicle owned or exclusively operated by the state or any  
6 county, municipality, or other governmental entity must at all  
7 times display a license plate of the type prescribed in s.  
8 320.0655. Any vessel owned or exclusively operated by the  
9 state or any county, municipality, or other governmental  
10 entity must at all times display a registration number as  
11 required in s. 328.56 and a vessel decal as required in s.  
12 328.48(5).

13 Section 14. Subsections (1) and (2) of section 320.05,  
14 Florida Statutes, are amended to read:

15 320.05 Records of the department; inspection  
16 procedure; lists and searches; fees.--

17 (1) Except as provided in ss. ~~s.~~119.07(3) and  
18 320.025(3), the department may release records as provided in  
19 this section.

20 (2) Upon receipt of an application for the  
21 registration of a motor vehicle, vessel, or mobile home, as  
22 herein provided for, the department shall register the motor  
23 vehicle, vessel, or mobile home under the distinctive number  
24 assigned to such motor vehicle, vessel, or mobile home by the  
25 department. Electronic registration records shall be open to  
26 the inspection of the public during business hours.  
27 Information on a motor vehicle or vessel registration may not  
28 be made available to a person unless the person requesting the  
29 information furnishes positive proof of identification. The  
30 agency that furnishes a motor vehicle or vessel registration  
31 record shall record the name and address of any person other

1 than a representative of a law enforcement agency who requests  
2 and receives information from a motor vehicle or vessel  
3 registration record and shall also record the name and address  
4 of the person who is the subject of the inquiry or other  
5 information identifying the entity about which information is  
6 requested. A record of each such inquiry must be maintained  
7 for a period of 6 months from the date upon which the  
8 information was released to the inquirer. Nothing in this  
9 section shall prohibit any financial institution, insurance  
10 company, motor vehicle dealer, licensee under chapter 493,  
11 attorney, or other agency which the department determines has  
12 the right to know from obtaining, for professional or business  
13 use only, information in such records from the department  
14 through any means of telecommunication pursuant to a code  
15 developed by the department providing all fees specified in  
16 subsection (3) have been paid. The department shall disclose  
17 records or information to the child support enforcement agency  
18 to assist in the location of individuals who owe or  
19 potentially owe child support or to whom such an obligation is  
20 owed pursuant to Title IV-D of the Social Security Act.

21 Section 15. Subsection (5) of section 320.055, Florida  
22 Statutes, is amended to read:

23 320.055 Registration periods; renewal periods.--The  
24 following registration periods and renewal periods are  
25 established:

26 (5) For a vehicle subject to apportioned registration  
27 under s. 320.08(4), (5)(a)1., (e), (6)(b), or (14), the  
28 registration period shall be a period of 12 months beginning  
29 in a month designated by the department and ending on the last  
30 day of the 12th month. For a vehicle subject to this  
31 registration period, the renewal period is the last month of

1 the registration period. The registration period may be  
2 shortened or extended at the discretion of the department, on  
3 receipt of the appropriate prorated fees, in order to evenly  
4 distribute such registrations on a monthly basis. For vehicles  
5 subject to registration other than vehicles apportioned under  
6 s. 320.08(4), (5)(a)1., (6)(b), or (14), the registration  
7 period begins December 1 and ends November 30. The renewal  
8 period is the 31-day period beginning December 1.

9 Section 16. Paragraphs (b) and (c) of subsection (1)  
10 of section 320.06, Florida Statutes, are amended to read:

11 320.06 Registration certificates, license plates, and  
12 validation stickers generally.--

13 (1)

14 (b) Registration license plates bearing a graphic  
15 symbol and the alphanumeric system of identification shall be  
16 issued for a 5-year period. At the end of said 5-year period,  
17 upon renewal, the plate shall be replaced. The fee for such  
18 replacement shall be \$10, \$2 of which shall be paid each year  
19 before the plate is replaced, to be credited towards the next  
20 \$10 replacement fee. The fees shall be deposited into the  
21 Highway Safety Operating Trust Fund. A credit or refund shall  
22 not be given for any prior years' payments of such prorated  
23 replacement fee when the plate is replaced or surrendered  
24 before the end of the 5-year period. With each license plate,  
25 there shall be issued a validation sticker showing the owner's  
26 birth month, license plate number and the year of expiration,  
27 or the appropriate renewal period if the owner is not a  
28 natural person. The validation sticker is to be placed on the  
29 upper right corner of the license plate.~~This validation~~  
30 ~~sticker shall be placed on the upper left corner of the~~  
31 ~~license plate and shall be issued one time during the life of~~

1 ~~the license plate, or upon request when it has been damaged or~~  
2 ~~destroyed. There shall also be issued with each license plate~~  
3 ~~a serially numbered validation sticker showing the year of~~  
4 ~~expiration, which sticker shall be placed on the upper right~~  
5 ~~corner of the license plate.~~ Such license plate and validation  
6 stickers shall be issued based on the applicant's appropriate  
7 renewal period. The registration period shall be a period of  
8 12 months, and all expirations shall occur based on the  
9 applicant's appropriate registration period. A vehicle with  
10 an apportioned registration shall be issued an annual license  
11 plate and a cab card that denote the declared gross vehicle  
12 weight for each apportioned jurisdiction in which the vehicle  
13 is authorized to operate.

14 (c) Registration license plates equipped with  
15 validation stickers shall be valid for not more than 12 months  
16 and shall expire at midnight on the last day of the  
17 registration period. For each registration period after the  
18 one in which the metal registration license plate is issued,  
19 and until the license plate is required to be replaced, a  
20 validation sticker showing the month and year of expiration  
21 shall be issued upon payment of the proper license tax amount  
22 and fees and shall be valid for not more than 12 months. When  
23 license plates equipped with validation stickers are issued in  
24 any month other than the owner's birth month or the designated  
25 registration period for any other motor vehicle, the effective  
26 date shall reflect the birth month or month and the year of  
27 renewal. However, when a license plate or validation sticker  
28 is issued for a period of less than 12 months, the applicant  
29 shall pay the appropriate amount of license tax and the  
30 applicable fee under the provisions of s. 320.14 in addition  
31 to all other fees. Validation stickers issued for vehicles

1 | taxed under the provisions of s. 320.08(6)(a), for any company  
2 | which owns 250 vehicles or more, or for semitrailers taxed  
3 | under the provisions of s. 320.08(5)(a), for any company which  
4 | owns 50 vehicles or more, may be placed on any vehicle in the  
5 | fleet so long as the vehicle receiving the validation sticker  
6 | has the same owner's name and address as the vehicle to which  
7 | the validation sticker was originally assigned.

8 |         Section 17. Section 320.0605, Florida Statutes, is  
9 | amended to read:

10 |         320.0605 Certificate of registration; possession  
11 | required; exception.--The registration certificate or an  
12 | official copy thereof, a true copy of a rental or lease  
13 | agreement issued for a motor vehicle or issued for a  
14 | replacement vehicle in the same registration period, a  
15 | temporary receipt printed upon self-initiated electronic  
16 | renewal of a registration via the Internet, or a cab card  
17 | issued for a vehicle registered under the International  
18 | Registration Plan shall, at all times while the vehicle is  
19 | being used or operated on the roads of this state, be in the  
20 | possession of the operator thereof or be carried in the  
21 | vehicle for which issued and shall be exhibited upon demand of  
22 | any authorized law enforcement officer or any agent of the  
23 | department. The provisions of this section do not apply during  
24 | the first 30 days after purchase of a replacement vehicle or  
25 | any fleet vehicles registered under s. 320.0657. A violation  
26 | of this section is a noncriminal traffic infraction,  
27 | punishable as a nonmoving violation as provided in chapter  
28 | 318.

29 |         Section 18. Paragraphs (h) and (i) are added to  
30 | subsection (2) of section 320.072, Florida Statutes, to read:

31 |

1           320.072 Additional fee imposed on certain motor  
2 vehicle registration transactions.--

3           (2) The fee imposed by subsection (1) shall not apply  
4 to:

5           (h) Any license issued in the previous 10-year period  
6 from the date the transaction is being processed.

7           (i) Any license place issued to a vehicle taxed under  
8 s. 320.08(2), (3), or (9)(c) or (d) at any time during the  
9 previous 10-year period.

10           Section 19. Subsection (6) of section 320.0805,  
11 Florida Statutes, is amended to read:

12           320.0805 Personalized prestige license plates.--

13           (6) A personalized prestige license plate shall be  
14 issued for the exclusive continuing use of the applicant. An  
15 exact duplicate of any plate may not be issued to any other  
16 applicant during the same registration period. An exact  
17 duplicate may not be issued for any succeeding year unless the  
18 previous owner of a specific plate relinquishes it by failure  
19 to apply for renewal or reissuance after 1 year following the  
20 last year of issuance for three consecutive annual  
21 registration periods following the original year of issuance.

22           Section 20. Subsection (1) of section 320.083, Florida  
23 Statutes, is amended to read:

24           320.083 Amateur radio operators; special license  
25 plates; fees.--

26           (1) A person who is the owner or lessee of an  
27 automobile or truck for private use, a truck weighing not more  
28 than 7,999 ~~5,000~~ pounds, or a recreational vehicle as  
29 specified in s. 320.08(9)(c) or (d), which is not used for  
30 hire or commercial use; who is a resident of the state; and  
31 who holds a valid official amateur radio station license



1 issued by the Federal Communications Commission shall be  
2 issued a special license plate upon application, accompanied  
3 by proof of ownership of such radio station license, and  
4 payment of the following tax and fees:

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

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

10 Section 21. Subsections (2) and (3) of section  
11 320.089, Florida Statutes, are amended to read:

12 320.089 Members of National Guard and active United  
13 States Armed Forces reservists; former prisoners of war;  
14 survivors of Pearl Harbor; Purple Heart medal recipients;  
15 special license plates; fee.--

16 (2) Each owner or lessee of an automobile or truck for  
17 private use, truck weighing not more than 7,999 ~~5,000~~ pounds,  
18 or recreational vehicle as specified in s. 320.08(9)(c) or  
19 (d), which is not used for hire or commercial use, who is a  
20 resident of the state and who is a former prisoner of war, or  
21 their unremarried surviving spouse, shall, upon application  
22 therefor to the department, be issued a license plate as  
23 provided in s. 320.06, on which license plate are stamped the  
24 words "Ex-POW" followed by the serial number. Each application  
25 shall be accompanied by proof that the applicant meets the  
26 qualifications specified in paragraph (a) or paragraph (b).

27 (a) A citizen of the United States who served as a  
28 member of the Armed Forces of the United States or the armed  
29 forces of a nation allied with the United States who was held  
30 as a prisoner of war at such time as the Armed Forces of the  
31 United States were engaged in combat, or their unremarried

1 surviving spouse, may be issued the special license plate  
2 provided for in this subsection without payment of the license  
3 tax imposed by s. 320.08.

4 (b) A person who was serving as a civilian with the  
5 consent of the United States Government, or a person who was a  
6 member of the Armed Forces of the United States who was not a  
7 United States citizen and was held as a prisoner of war when  
8 the Armed Forces of the United States were engaged in combat,  
9 or their unremarried surviving spouse, may be issued the  
10 special license plate provided for in this subsection upon  
11 payment of the license tax imposed by s. 320.08.

12 (3) Each owner or lessee of an automobile or truck for  
13 private use, truck weighing not more than 7,999 ~~5,000~~ pounds,  
14 or recreational vehicle as specified in s. 320.08(9)(c) or  
15 (d), which is not used for hire or commercial use, who is a  
16 resident of this state and who is the unremarried surviving  
17 spouse of a recipient of the Purple Heart medal shall, upon  
18 application therefor to the department, with the payment of  
19 the required fees, be issued a license plate as provided in s.  
20 320.06, on which license plate are stamped the words "Purple  
21 Heart" and the likeness of the Purple Heart medal followed by  
22 the serial number. Each application shall be accompanied by  
23 proof that the applicant is the unremarried surviving spouse  
24 of a recipient of the Purple Heart medal.

25 Section 22. Paragraph (c) of subsection (1) and  
26 subsection (7) of section 320.27, Florida Statutes, are  
27 amended to read:

28 320.27 Motor vehicle dealers.--

29 (1) DEFINITIONS.--The following words, terms, and  
30 phrases when used in this section have the meanings

31

1 respectively ascribed to them in this subsection, except where  
2 the context clearly indicates a different meaning:

3       (c) "Motor vehicle dealer" means any person engaged in  
4 the business of buying, selling, or dealing in motor vehicles  
5 or offering or displaying motor vehicles for sale at wholesale  
6 or retail, or who may service and repair motor vehicles  
7 pursuant to an agreement as defined in s. 320.60(1). Any  
8 person who buys, sells, or deals in three or more motor  
9 vehicles in any 12-month period or who offers or displays for  
10 sale three or more motor vehicles in any 12-month period shall  
11 be prima facie presumed to be engaged in such business. The  
12 terms "selling" and "sale" include lease-purchase  
13 transactions. A motor vehicle dealer may, at retail or  
14 wholesale, sell a recreational vehicle as described in s.  
15 320.01(1)(b)1.-6. and 8., acquired in exchange for the sale of  
16 a motor vehicle, provided such acquisition is incidental to  
17 the principal business of being a motor vehicle dealer.  
18 However, a motor vehicle dealer may not buy a recreational  
19 vehicle for the purpose of resale unless licensed as a  
20 recreational vehicle dealer pursuant to s. 320.771. A motor  
21 vehicle dealer may apply for a certificate of title to a motor  
22 vehicle required to be registered under s. 320.08(2)(b), (c),  
23 and (d), using a manufacturer's statement of origin as  
24 permitted by s. 319.23(1), only if such dealer is authorized  
25 by a franchised agreement as defined in s. 320.60(1), to buy,  
26 sell, or deal in such vehicle and is authorized by such  
27 agreement to perform delivery and preparation obligations and  
28 warranty defect adjustments on the motor vehicle; provided  
29 this limitation shall not apply to recreational vehicles, van  
30 conversions, or any other motor vehicle manufactured on a  
31 truck chassis. The transfer of a motor vehicle by a dealer not

1 meeting these qualifications shall be titled as a used  
2 vehicle. The classifications of motor vehicle dealers are  
3 defined as follows:

4           1. "Franchised motor vehicle dealer" means any person  
5 who engages in the business of repairing, servicing, buying,  
6 selling, or dealing in motor vehicles pursuant to an agreement  
7 as defined in s. 320.60(1).

8           2. "Independent motor vehicle dealer" means any person  
9 other than a franchised or wholesale motor vehicle dealer who  
10 engages in the business of buying, selling, or dealing in  
11 motor vehicles, and who may service and repair motor vehicles.

12           3. "Wholesale motor vehicle dealer" means any person  
13 who engages exclusively in the business of buying, selling, or  
14 dealing in motor vehicles at wholesale or with motor vehicle  
15 auctions. Such person shall be licensed to do business in this  
16 state, shall not sell or auction a vehicle to any person who  
17 is not a licensed dealer, and shall not have the privilege of  
18 the use of dealer license plates. Any person who buys, sells,  
19 or deals in motor vehicles at wholesale or with motor vehicle  
20 auctions on behalf of a licensed motor vehicle dealer and as a  
21 bona fide employee of such licensed motor vehicle dealer is  
22 not required to be licensed as a wholesale motor vehicle  
23 dealer. In such cases it shall be prima facie presumed that a  
24 bona fide employer-employee relationship exists. A wholesale  
25 motor vehicle dealer shall be exempt from the display  
26 provisions of this section but shall maintain an office  
27 wherein records are kept in order that those records may be  
28 inspected.

29           4. "Motor vehicle auction" means any person offering  
30 motor vehicles or recreational vehicles for sale to the  
31 highest bidder where ~~both sellers and~~ buyers are licensed

1 motor vehicle dealers. Such person shall not sell a vehicle to  
2 anyone other than a licensed motor vehicle dealer.

3 5. "Salvage motor vehicle dealer" means any person who  
4 engages in the business of acquiring salvaged or wrecked motor  
5 vehicles for the purpose of reselling them and their parts.

6  
7 The term "motor vehicle dealer" does not include persons not  
8 engaged in the purchase or sale of motor vehicles as a  
9 business who are disposing of vehicles acquired for their own  
10 use or for use in their business or acquired by foreclosure or  
11 by operation of law, provided such vehicles are acquired and  
12 sold in good faith and not for the purpose of avoiding the  
13 provisions of this law; persons engaged in the business of  
14 manufacturing, selling, or offering or displaying for sale at  
15 wholesale or retail no more than 25 trailers in a 12-month  
16 period; public officers while performing their official  
17 duties; receivers; trustees, administrators, executors,  
18 guardians, or other persons appointed by, or acting under the  
19 judgment or order of, any court; banks, finance companies, or  
20 other loan agencies that acquire motor vehicles as an incident  
21 to their regular business; motor vehicle brokers; and motor  
22 vehicle rental and leasing companies that sell motor vehicles  
23 to motor vehicle dealers licensed under this section. Vehicles  
24 owned under circumstances described in this paragraph may be  
25 disposed of at retail, wholesale, or auction, unless otherwise  
26 restricted. A manufacturer of fire trucks, ambulances, or  
27 school buses may sell such vehicles directly to governmental  
28 agencies or to persons who contract to perform or provide  
29 firefighting, ambulance, or school transportation services  
30 exclusively to governmental agencies without processing such  
31 sales through dealers if such fire trucks, ambulances, school

1 buses, or similar vehicles are not presently available through  
2 motor vehicle dealers licensed by the department.

3 (7) CERTIFICATE OF TITLE REQUIRED.--For each used  
4 motor vehicle in the possession of a licensee and offered for  
5 sale by him or her, the licensee either shall have in his or  
6 her possession or control a duly assigned certificate of title  
7 from the owner in accordance with the provisions of chapter  
8 319, from the time when the motor vehicle is delivered to the  
9 licensee and offered for sale by him or her until it has been  
10 disposed of by the licensee, or shall have reasonable indicia  
11 of ownership or right of possession, or shall have made proper  
12 application for a certificate of title or duplicate  
13 certificate of title in accordance with the provisions of  
14 chapter 319. A motor vehicle dealer may not sell or offer for  
15 sale a vehicle in his or her possession unless the dealer  
16 satisfies the requirements of this subsection. Reasonable  
17 indicia of ownership shall include a duly assigned certificate  
18 of title; in the case of a new motor vehicle, a manufacturer's  
19 certificate of origin issued to or reassigned to the dealer; a  
20 consignment contract between the owner and the dealer along  
21 with a secure power of attorney from the owner to the dealer  
22 authorizing the dealer to apply for a duplicate certificate of  
23 title and assign the title on behalf of the owner; a court  
24 order awarding title to the vehicle to the dealer; a salvage  
25 certificate of title; a photocopy of a duly assigned  
26 certificate of title being held by a financial institution as  
27 collateral for a business loan of money to the dealer ("floor  
28 plan"); a copy of a canceled check or other documentation  
29 evidencing that an outstanding lien on a vehicle taken in  
30 trade by a licensed dealer has been satisfied and that the  
31 certificate of title will be, but has not yet been, received

1 by the dealer; a vehicle purchase order or installment  
2 contract for a specific vehicle identifying that vehicle as a  
3 trade-in on a replacement vehicle; or a duly executed odometer  
4 disclosure statement as required by Title IV of the Motor  
5 Vehicle Information and Cost Savings Act of 1972 (Pub. L. No.  
6 92-513, as amended by Pub. L. No. 94-364 and Pub. L. No.  
7 100-561) and by 49 C.F.R. part 580 bearing the signatures of  
8 the titled owners of a traded-in vehicle.

9 Section 23. Subsection (4) of section 322.05, Florida  
10 Statutes, is amended to read:

11 322.05 Persons not to be licensed.--The department may  
12 not issue a license:

13 (4) Except as provided by this subsection, to any  
14 person, as a Class A licensee, Class B licensee, Class C  
15 licensee, or Class D licensee, who is under the age of 18  
16 years. A person age 16 or 17 years who applies for a Class D  
17 driver's license is subject to all the requirements and  
18 provisions of ss. 322.09, and 322.16(2) and (3), and  
19 322.05(2)(a) and (b). ~~Any person who applies for a Class D~~  
20 ~~driver's license who is age 16 or 17 years must have had a~~  
21 ~~learner's driver's license or a driver's license for at least~~  
22 ~~90 days before he or she is eligible to receive a Class D~~  
23 ~~driver's license.~~The department may require of any such  
24 applicant for a Class D driver's license such examination of  
25 the qualifications of the applicant as the department  
26 considers proper, and the department may limit the use of any  
27 license granted as it considers proper.

28 Section 24. Subsection (2) of section 322.126, Florida  
29 Statutes, is amended to read:

30 322.126 Report of disability to department; content;  
31 use.--

1           (2) Any physician, health care professional ~~person, or~~  
2 agency, or combination of two family members having knowledge  
3 of any licensed driver's or applicant's mental or physical  
4 disability to drive or need to obtain or to wear a medical  
5 identification bracelet is authorized to report such knowledge  
6 to the Department of Highway Safety and Motor Vehicles. Any  
7 person may in a sworn statement report a driver to any law  
8 enforcement agency. The law enforcement agency may investigate  
9 the basis of the report and determine if the driver should be  
10 reported to the department.The report should be made in  
11 writing giving the full name, date of birth, address, and a  
12 description of the alleged disability of any person over 15  
13 years of age having mental or physical disorders that could  
14 affect his or her driving ability.

15           Section 25. Section 322.222, Florida Statutes, is  
16 created to read:

17           322.222 Right to review.--A driver may request an  
18 administrative hearing to review a revocation under s.  
19 322.221(3). The hearing must be held in accordance with the  
20 department's administrative rules adopted under chapter 120.

21           Section 26. Subsections (1), (3), and (10) of section  
22 322.2615, Florida Statutes, are amended to read:

23           322.2615 Suspension of license; right to review.--

24           (1)(a) A law enforcement officer or correctional  
25 officer shall, on behalf of the department, suspend the  
26 driving privilege of a person who has been arrested by a law  
27 enforcement officer for a violation of s. 316.193, relating to  
28 unlawful blood-alcohol level or breath-alcohol level, or of a  
29 person who has refused to submit to a breath, urine, or blood  
30 test authorized by s. 316.1932. The officer shall take the  
31 person's driver's license and issue the person a 10-day ~~30-day~~



1 temporary permit if the person is otherwise eligible for the  
2 driving privilege and shall issue the person a notice of  
3 suspension. If a blood test has been administered, the results  
4 of which are not available to the officer at the time of the  
5 arrest, the agency employing the officer shall transmit such  
6 results to the department within 5 days after receipt of the  
7 results. If the department then determines that the person  
8 was arrested for a violation of s. 316.193 and that the person  
9 had a blood-alcohol level or breath-alcohol level of 0.08 or  
10 higher, the department shall suspend the person's driver's  
11 license pursuant to subsection (3).

12 (b) The suspension under paragraph (a) shall be  
13 pursuant to, and the notice of suspension shall inform the  
14 driver of, the following:

15 1.a. The driver refused to submit to a lawful breath,  
16 blood, or urine test and his or her driving privilege is  
17 suspended for a period of 1 year for a first refusal or for a  
18 period of 18 months if his or her driving privilege has been  
19 previously suspended as a result of a refusal to submit to  
20 such a test; or

21 b. The driver violated s. 316.193 by driving with an  
22 unlawful blood-alcohol level as provided in that section and  
23 his or her driving privilege is suspended for a period of 6  
24 months for a first offense or for a period of 1 year if his or  
25 her driving privilege has been previously suspended for a  
26 violation of s. 316.193.

27 2. The suspension period shall commence on the date of  
28 arrest or issuance of the notice of suspension, whichever is  
29 later.

30 3. The driver may request a formal or informal review  
31 of the suspension by the department within 10 days after the

1 date of arrest or issuance of the notice of suspension,  
2 whichever is later.

3 4. The temporary permit issued at the time of arrest  
4 will expire at midnight of the 10th ~~30th~~ day following the  
5 date of arrest or issuance of the notice of suspension,  
6 whichever is later.

7 5. The driver may submit to the department any  
8 materials relevant to the arrest.

9 (3) If the department determines that the license of  
10 the person arrested should be suspended pursuant to this  
11 section and if the notice of suspension has not already been  
12 served upon the person by a law enforcement officer or  
13 correctional officer as provided in subsection (1), the  
14 department shall issue a notice of suspension and, unless the  
15 notice is mailed pursuant to s. 322.251, a temporary permit  
16 which expires 10 ~~30~~ days after the date of issuance if the  
17 driver is otherwise eligible.

18 (10) A person whose driver's license is suspended  
19 under subsection (1) or subsection (3) may apply for issuance  
20 of a license for business or employment purposes only if the  
21 person is otherwise eligible for the driving privilege  
22 pursuant to s. 322.271.

23 (a) If the suspension of the driver's license of the  
24 person for failure to submit to a breath, urine, or blood test  
25 is sustained, the person is not eligible to receive a license  
26 for business or employment purposes only, pursuant to s.  
27 322.271, until 90 days have elapsed after the expiration of  
28 the last temporary permit issued. If the driver is not issued  
29 a 10-day ~~30-day~~ permit pursuant to this section or s. 322.64  
30 because he or she is ineligible for the permit and the  
31 suspension for failure to submit to a breath, urine, or blood

1 test is not invalidated by the department, the driver is not  
2 eligible to receive a business or employment license pursuant  
3 to s. 322.271 until 90 days have elapsed from the date of the  
4 suspension.

5 (b) If the suspension of the driver's license of the  
6 person arrested for a violation of s. 316.193, relating to  
7 unlawful blood-alcohol level, is sustained, the person is not  
8 eligible to receive a license for business or employment  
9 purposes only pursuant to s. 322.271 until 30 days have  
10 elapsed after the expiration of the last temporary permit  
11 issued. If the driver is not issued a 10-day ~~30-day~~ permit  
12 pursuant to this section or s. 322.64 because he or she is  
13 ineligible for the permit and the suspension for a violation  
14 of s. 316.193, relating to unlawful blood-alcohol level, is  
15 not invalidated by the department, the driver is not eligible  
16 to receive a business or employment license pursuant to s.  
17 322.271 until 30 days have elapsed from the date of the  
18 arrest.

19 Section 27. Subsection (5) of section 322.27, Florida  
20 Statutes, is amended to read:

21 322.27 Authority of department to suspend or revoke  
22 license.--

23 (5) The department shall revoke the license of any  
24 person designated a habitual offender, as set forth in s.  
25 322.264, and such person shall not be eligible to be  
26 relicensed for ~~a minimum of~~ 5 years from the date of  
27 revocation, except as provided for in s. 322.271. Any person  
28 whose license is revoked may, by petition to the department,  
29 show cause why his or her license should not be revoked.

30 Section 28. Subsection (2) of section 322.28, Florida  
31 Statutes, is amended to read:

1           322.28 Period of suspension or revocation.--

2           (2) In a prosecution for a violation of s. 316.193 or  
3 former s. 316.1931, the following provisions apply:

4           (a) Upon conviction of the driver, the court, along  
5 with imposing sentence, shall revoke the driver's license or  
6 driving privilege of the person so convicted, effective on the  
7 date of conviction, and shall prescribe the period of such  
8 revocation in accordance with the following provisions:

9           1. Upon a first conviction for a violation of the  
10 provisions of s. 316.193, except a violation resulting in  
11 death, the driver's license or driving privilege shall be  
12 revoked for not less than 180 days or more than 1 year.

13           2. Upon a second conviction within a period of 5 years  
14 from the date of a prior conviction for a violation of the  
15 provisions of s. 316.193 or former s. 316.1931 or a  
16 combination of such sections, the driver's license or driving  
17 privilege shall be revoked for not less than 5 years.

18           3. Upon a third conviction within a period of 10 years  
19 from the date of conviction of the first of three or more  
20 convictions for the violation of the provisions of s. 316.193  
21 or former s. 316.1931 or a combination of such sections, the  
22 driver's license or driving privilege shall be revoked for not  
23 less than 10 years.

24  
25 For the purposes of this paragraph, a previous conviction  
26 outside this state for driving under the influence, driving  
27 while intoxicated, driving with an unlawful blood-alcohol  
28 level, or any other alcohol-related or drug-related traffic  
29 offense similar to the offense of driving under the influence  
30 as proscribed by s. 316.193 will be considered a previous  
31 conviction for violation of s. 316.193, and a conviction for

1 violation of former s. 316.028, former s. 316.1931, or former  
2 s. 860.01 is considered a conviction for violation of s.  
3 316.193.

4 (b) If the period of revocation was not specified by  
5 the court at the time of imposing sentence or within 30 days  
6 thereafter, and is not otherwise specified by law, the  
7 department shall forthwith revoke the driver's license or  
8 driving privilege for the maximum period applicable under  
9 paragraph (a) for a first conviction and for the minimum  
10 period applicable under paragraph (a) for any subsequent  
11 convictions. The driver may, within 30 days after such  
12 revocation by the department, petition the court for further  
13 hearing on the period of revocation, and the court may reopen  
14 the case and determine the period of revocation within the  
15 limits specified in paragraph (a).

16 (c) The forfeiture of bail bond, not vacated within 20  
17 days, in any prosecution for the offense of driving while  
18 under the influence of alcoholic beverages, chemical  
19 substances, or controlled substances to the extent of  
20 depriving the defendant of his or her normal faculties shall  
21 be deemed equivalent to a conviction for the purposes of this  
22 paragraph, and the department shall forthwith revoke the  
23 defendant's driver's license or driving privilege for the  
24 maximum period applicable under paragraph (a) for a first  
25 conviction and for the minimum period applicable under  
26 paragraph (a) for a second or subsequent conviction; however,  
27 if the defendant is later convicted of the charge, the period  
28 of revocation imposed by the department for such conviction  
29 shall not exceed the difference between the applicable maximum  
30 for a first conviction or minimum for a second or subsequent  
31 conviction and the revocation period under this subsection

1 that has actually elapsed; upon conviction of such charge, the  
2 court may impose revocation for a period of time as specified  
3 in paragraph (a). This paragraph does not apply if an  
4 appropriate motion contesting the forfeiture is filed within  
5 the 20-day period.

6 ~~(d) When any driver's license or driving privilege has~~  
7 ~~been revoked pursuant to the provisions of this section, the~~  
8 ~~department shall not grant a new license, except upon~~  
9 ~~reexamination of the licensee after the expiration of the~~  
10 ~~period of revocation so prescribed. However, the court may,~~  
11 ~~in its sound discretion, issue an order of reinstatement on a~~  
12 ~~form furnished by the department which the person may take to~~  
13 ~~any driver's license examining office for reinstatement by the~~  
14 ~~department pursuant to s. 322.282.~~

15 (d)~~(e)~~ The court shall permanently revoke the driver's  
16 license or driving privilege of a person who has been  
17 convicted four times for violation of s. 316.193 or former s.  
18 316.1931 or a combination of such sections. The court shall  
19 permanently revoke the driver's license or driving privilege  
20 of any person who has been convicted of DUI manslaughter in  
21 violation of s. 316.193. If the court has not permanently  
22 revoked such driver's license or driving privilege within 30  
23 days after imposing sentence, the department shall permanently  
24 revoke the driver's license or driving privilege pursuant to  
25 this paragraph. No driver's license or driving privilege may  
26 be issued or granted to any such person. This paragraph  
27 applies only if at least one of the convictions for violation  
28 of s. 316.193 or former s. 316.1931 was for a violation that  
29 occurred after July 1, 1982. For the purposes of this  
30 paragraph, a conviction for violation of former s. 316.028,  
31 former s. 316.1931, or former s. 860.01 is also considered a

1 conviction for violation of s. 316.193. Also, a conviction of  
2 driving under the influence, driving while intoxicated,  
3 driving with an unlawful blood-alcohol level, or any other  
4 similar alcohol-related or drug-related traffic offense  
5 outside this state is considered a conviction for the purposes  
6 of this paragraph.

7 Section 29. Subsection (3) is added to section  
8 322.292, Florida Statutes, to read:

9 322.292 DUI programs supervision; powers and duties of  
10 the department.--

11 (3) DUI programs must be operated by either  
12 governmental entities or not-for-profit corporations.

13 Section 30. Subsections (8), (9), and (10) are added  
14 to section 322.61, Florida Statutes, to read:

15 322.61 Disqualification from operating a commercial  
16 motor vehicle.--

17 (8) A driver who is convicted of violating an  
18 out-of-service order while driving a commercial motor vehicle  
19 is disqualified as follows:

20 (a) A driver is disqualified for not less than 90 days  
21 nor more than 1 year if the driver is convicted of a first  
22 violation of an out-of-service order.

23 (b) A driver is disqualified for not less than 1 year  
24 nor more than 5 years if, during any 10-year period, the  
25 driver is convicted of two violations of out-of-service orders  
26 in separate incidents.

27 (c) A driver is disqualified for not less than 3 years  
28 nor more than 5 years, if during any 10-year period, the  
29 driver is convicted of three or more violations of  
30 out-of-service orders in separate incidents.

31

1       (d) A driver is disqualified for a period of not less  
2 than 180 days nor more than 2 years if the driver is convicted  
3 of a first violation of an out-of-service order while  
4 transporting hazardous materials required to be placarded  
5 under the Hazardous Materials Transportation Act (49 U.S.C.  
6 5101 et. seq.), or while operating motor vehicles designed to  
7 transport more than 15 passengers including the driver. A  
8 driver is disqualified for a period of not less than 3 years  
9 nor more than 5 years if, during any 10-year period, the  
10 driver is convicted of any subsequent violations of  
11 out-of-service orders, in separate incidents, while  
12 transporting hazardous materials required to be placarded  
13 under the Hazardous Materials Transportation Act (49 U.S.C.  
14 5101 et. seq.), or while operating motor vehicles designed to  
15 transport more than 15 passengers including the driver.

16       (9) A driver who is convicted of operating a  
17 commercial motor vehicle in violation of federal, state, or  
18 local law or regulation pertaining to one of the following six  
19 offenses at a railroad-highway grade crossing is disqualified  
20 for the period of time specified in subsection (10).

21       (a) For drivers who are not required to always stop,  
22 failing to slow down and check that the tracks are clear of  
23 approaching trains;

24       (b) For drivers who are not required to always stop,  
25 failing to stop before reaching the crossing if the tracks are  
26 not clear;

27       (c) For drivers who are always required to stop,  
28 failing to stop before driving onto the crossing;

29       (d) For all drivers, failing to have sufficient space  
30 to drive completely through the crossing without stopping;

31



1       (e) For all drivers, failing to obey a traffic control  
2 device or all the directions of an enforcement official at the  
3 crossing;

4       (f) For all drivers, failing to negotiate a crossing  
5 because of insufficient undercarriage clearance.

6       (10)(a) A driver is disqualified for not less than 60  
7 days if the driver is convicted of a first violation of a  
8 railroad-highway grade crossing violation.

9       (b) A driver is disqualified for not less than 120  
10 days if, during any 3-year period, the driver is convicted of  
11 a second railroad-highway grade crossing violation in separate  
12 incidents.

13       (c) A driver is disqualified for not less than 1 year  
14 if, during any 3-year period, the driver is convicted of a  
15 third or subsequent railroad-highway grade crossing violation  
16 in separate incidents.

17       Section 31. Subsections (1) and (3) of section 322.64,  
18 Florida Statutes, are amended to read:

19       322.64 Holder of commercial driver's license; driving  
20 with unlawful blood-alcohol level; refusal to submit to  
21 breath, urine, or blood test.--

22       (1)(a) A law enforcement officer or correctional  
23 officer shall, on behalf of the department, disqualify from  
24 operating any commercial motor vehicle a person who while  
25 operating or in actual physical control of a commercial motor  
26 vehicle is arrested for a violation of s. 316.193, relating to  
27 unlawful blood-alcohol level or breath-alcohol level, or a  
28 person who has refused to submit to a breath, urine, or blood  
29 test authorized by s. 322.63 arising out of the operation or  
30 actual physical control of a commercial motor vehicle. Upon  
31 disqualification of the person, the officer shall take the

1 person's driver's license and issue the person a 10-day ~~30-day~~  
2 temporary permit if the person is otherwise eligible for the  
3 driving privilege and shall issue the person a notice of  
4 disqualification. If the person has been given a blood,  
5 breath, or urine test, the results of which are not available  
6 to the officer at the time of the arrest, the agency employing  
7 the officer shall transmit such results to the department  
8 within 5 days after receipt of the results. If the department  
9 then determines that the person was arrested for a violation  
10 of s. 316.193 and that the person had a blood-alcohol level or  
11 breath-alcohol level of 0.08 or higher, the department shall  
12 disqualify the person from operating a commercial motor  
13 vehicle pursuant to subsection (3).

14 (b) The disqualification under paragraph (a) shall be  
15 pursuant to, and the notice of disqualification shall inform  
16 the driver of, the following:

17 1.a. The driver refused to submit to a lawful breath,  
18 blood, or urine test and he or she is disqualified from  
19 operating a commercial motor vehicle for a period of 1 year,  
20 for a first refusal, or permanently, if he or she has  
21 previously been disqualified as a result of a refusal to  
22 submit to such a test; or

23 b. The driver violated s. 316.193 by driving with an  
24 unlawful blood-alcohol level and he or she is disqualified  
25 from operating a commercial motor vehicle for a period of 6  
26 months for a first offense or for a period of 1 year if he or  
27 she has previously been disqualified, or his or her driving  
28 privilege has been previously suspended, for a violation of s.  
29 316.193.

30  
31

1           2. The disqualification period shall commence on the  
2 date of arrest or issuance of notice of disqualification,  
3 whichever is later.

4           3. The driver may request a formal or informal review  
5 of the disqualification by the department within 10 days after  
6 the date of arrest or issuance of notice of disqualification,  
7 whichever is later.

8           4. The temporary permit issued at the time of arrest  
9 or disqualification will expire at midnight of the 10th ~~30th~~  
10 day following the date of disqualification.

11           5. The driver may submit to the department any  
12 materials relevant to the arrest.

13           (3) If the department determines that the person  
14 arrested should be disqualified from operating a commercial  
15 motor vehicle pursuant to this section and if the notice of  
16 disqualification has not already been served upon the person  
17 by a law enforcement officer or correctional officer as  
18 provided in subsection (1), the department shall issue a  
19 notice of disqualification and, unless the notice is mailed  
20 pursuant to s. 322.251, a temporary permit which expires 10 ~~30~~  
21 days after the date of issuance if the driver is otherwise  
22 eligible.

23           Section 32. Paragraph (b) of subsection (3) of section  
24 328.01, Florida Statutes, is amended to read:

25           328.01 Application for certificate of title.--

26           (3)

27           (b) If the application for transfer of title is based  
28 upon a contractual default, the recorded lienholder shall  
29 establish proof of right to ownership by submitting with the  
30 application the original certificate of title ~~and a copy of~~  
31 ~~the applicable contract upon which the claim of ownership is~~

1 ~~made~~. If the claim is based upon a court order or judgment, a  
2 copy of such document shall accompany the application for  
3 transfer of title. If, on the basis of departmental records,  
4 there appears to be any other lien on the vessel, the  
5 certificate of title must contain a statement of such a lien,  
6 unless the application for a certificate of title is either  
7 accompanied by proper evidence of the satisfaction or  
8 extinction of the lien or contains a statement certifying that  
9 any lienholder named on the last-issued certificate of title  
10 has been sent notice by certified mail, at least 5 days before  
11 the application was filed, of the applicant's intention to  
12 seek a repossessed title. If such notice is given and no  
13 written protest to the department is presented by a subsequent  
14 lienholder within 15 days after the date on which the notice  
15 was mailed, the certificate of title shall be issued showing  
16 no liens. If the former owner or any subsequent lienholder  
17 files a written protest under oath within the 15-day period,  
18 the department shall not issue the repossessed certificate for  
19 10 days thereafter. If, within the 10-day period, no  
20 injunction or other order of a court of competent jurisdiction  
21 has been served on the department commanding it not to deliver  
22 the certificate, the department shall deliver the repossessed  
23 certificate to the applicant, or as is otherwise directed in  
24 the application, showing no other liens than those shown in  
25 the application.

26 Section 33. Subsection (2) of section 328.42, Florida  
27 Statutes, is amended to read:

28 328.42 Suspension or denial of a vessel registration  
29 due to child support delinquency; dishonored checks.--

30 (2) The department may deny or cancel any vessel  
31 registration, license plate, or fuel-use tax decal if the

1 owner pays for the registration, license plate, fuel-use tax  
2 decal, or any tax liability, penalty, or interest specified in  
3 chapter 207 with ~~if the owner pays for the registration by a~~  
4 dishonored check.

5 Section 34. Section 328.56, Florida Statutes, is  
6 amended to read:

7 328.56 Vessel registration number.--Each vessel that  
8 is used on the waters of the state must display a ~~commercial~~  
9 ~~or recreational~~ Florida registration number, unless it is:

10 (1) A vessel used exclusively on private lakes and  
11 ponds.

12 (2) A vessel owned by the United States Government.

13 (3) A vessel used exclusively as a ship's lifeboat.

14 (4) A non-motor-powered vessel.

15 (5) A federally documented vessel.

16 (6) A vessel already covered by a registration number  
17 in full force and effect which has been awarded to it pursuant  
18 to a federally approved numbering system of another state or  
19 by the United States Coast Guard in a state without a  
20 federally approved numbering system, if the vessel has not  
21 been within this state for a period in excess of 90  
22 consecutive days.

23 (7) A vessel operating under a valid temporary  
24 certificate of number.

25 (8) A vessel from a country other than the United  
26 States temporarily using the waters of this state.

27 (9) An undocumented vessel used exclusively for  
28 racing.

29 Section 35. Subsection (4) of section 328.72, Florida  
30 Statutes, is amended to read:

31

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

4           (4) TRANSFER OF OWNERSHIP.--

5           (a) When the ownership of a registered vessel changes,  
6 an application for transfer of registration shall be filed  
7 with the county tax collector by the new owner within 30 days  
8 with a fee of \$3.25. The county tax collector shall retain  
9 \$2.25 of the fee and shall remit \$1 to the department. A  
10 refund may not be made for any unused portion of a  
11 registration period.

12           ~~(b) If a vessel is an antique as defined in subsection~~  
13 ~~(2), the application shall be accompanied by either a~~  
14 ~~certificate of title, a bill of sale and a registration, or a~~  
15 ~~bill of sale and an affidavit by the owner defending the title~~  
16 ~~from all claims. The bill of sale must contain a complete~~  
17 ~~vessel description to include the hull identification number~~  
18 ~~and engine number, if appropriate; the year, make, and color~~  
19 ~~of the vessel; the selling price; and the signatures of the~~  
20 ~~seller and purchaser.~~

21           Section 36. Effective July 1, 2001, subsection (1) of  
22 section 328.76, Florida Statutes, is amended to read:

23           328.76 Marine Resources Conservation Trust Fund;  
24 vessel registration funds; appropriation and distribution.--

25           (1) Except as otherwise specified and less\$1.4  
26 million for any administrative costs, which shall be deposited  
27 annually in the Highway Safety Operating Trust Fund,all funds  
28 collected from the registration of vessels through the  
29 Department of Highway Safety and Motor Vehicles and the tax  
30 collectors of the state shall be deposited in the Marine  
31 Resources Conservation Trust Fund for recreational channel

1 marking; public launching facilities; law enforcement and  
2 quality control programs; aquatic weed control; manatee  
3 protection, recovery, rescue, rehabilitation, and release; and  
4 marine mammal protection and recovery. The funds collected  
5 pursuant to s. 328.72(1) shall be transferred as follows:

6 (a) In each fiscal year, an amount equal to \$1.50 for  
7 each vessel registered in this state shall be transferred to  
8 the Save the Manatee Trust Fund and shall be used only for the  
9 purposes specified in s. 370.12(4).

10 (b) Two dollars from each noncommercial vessel  
11 registration fee, except that for class A-1 vessels, shall be  
12 transferred to the Invasive Plant Control Trust Fund for  
13 aquatic weed research and control.

14 (c) Forty percent of the registration fees from  
15 commercial vessels shall be transferred to the Invasive Plant  
16 Control Trust Fund for aquatic plant research and control.

17 (d) Forty percent of the registration fees from  
18 commercial vessels shall be transferred by the Department of  
19 Highway Safety and Motor Vehicles, on a monthly basis, to the  
20 General Inspection Trust Fund of the Department of Agriculture  
21 and Consumer Services. These funds shall be used for shellfish  
22 and aquaculture law enforcement and quality control programs.

23 Section 37. Effective July 1, 2001, subsection (1) of  
24 section 328.76, Florida Statutes, is amended to read:

25 328.76 Marine Resources Conservation Trust Fund;  
26 vessel registration funds; appropriation and distribution.--

27 (1) Except as otherwise specified and less \$1.4  
28 million for any administrative costs, which shall be deposited  
29 annually in the Highway Safety Operating Trust Fund, all funds  
30 collected from the registration of vessels through the  
31 Department of Highway Safety and Motor Vehicles and the tax

1 collectors of the state, except for those funds designated for  
2 the use of the counties pursuant to s. 328.72(1), shall be  
3 deposited in the Marine Resources Conservation Trust Fund for  
4 recreational channel marking; public launching facilities; law  
5 enforcement and quality control programs; aquatic weed  
6 control; manatee protection, recovery, rescue, rehabilitation,  
7 and release; and marine mammal protection and recovery. The  
8 funds collected pursuant to s. 328.72(1) shall be transferred  
9 as follows:

10 (a) In each fiscal year, an amount equal to \$1.50 for  
11 each vessel registered in this state shall be transferred to  
12 the Save the Manatee Trust Fund and shall be used only for the  
13 purposes specified in s. 370.12(4).

14 (b) Two dollars from each noncommercial vessel  
15 registration fee, except that for class A-1 vessels, shall be  
16 transferred to the Invasive Plant Control Trust Fund for  
17 aquatic weed research and control.

18 (c) Forty percent of the registration fees from  
19 commercial vessels shall be transferred to the Invasive Plant  
20 Control Trust Fund for aquatic plant research and control.

21 (d) Forty percent of the registration fees from  
22 commercial vessels shall be transferred by the Department of  
23 Highway Safety and Motor Vehicles, on a monthly basis, to the  
24 General Inspection Trust Fund of the Department of Agriculture  
25 and Consumer Services. These funds shall be used for shellfish  
26 and aquaculture law enforcement and quality control programs.

27 Section 38. Paragraph (a) of subsection (4) of section  
28 713.78, Florida Statutes, is amended to read:

29 713.78 Liens for recovering, towing, or storing  
30 vehicles and documented vessels.--

31



1           (4)(a) Any person regularly engaged in the business of  
2 recovering, towing, or storing vehicles or vessels who comes  
3 into possession of a vehicle or vessel pursuant to subsection  
4 (2), and who claims a lien for recovery, towing, or storage  
5 services, shall give notice to the registered owner, to the  
6 insurance company insuring the vehicle, notwithstanding the  
7 provisions of s. 627.36, and to all persons claiming a lien  
8 thereon, as disclosed by the records in the Department of  
9 Highway Safety and Motor Vehicles or of a corresponding agency  
10 in any other state.

11           Section 39. Section 715.07, Florida Statutes, is  
12 amended to read:

13           715.07 Vehicles parked on private property; towing.--

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

15           (a) "Vehicle" means any mobile item ~~that~~ ~~which~~  
16 normally uses wheels, whether motorized or not.

17           (b) "Vessel" means any form of watercraft, barge, or  
18 air boat used or capable of being used as a means of  
19 transportation on water, other than a seaplane or a documented  
20 vessel as defined in s. 327.02(8).

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

31

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

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

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

27           2. The person or firm towing or removing the vehicle  
28 or vessel shall, within 30 minutes of completion of such  
29 towing or removal, notify the municipal police department or,  
30 in an unincorporated area, the sheriff of such towing or  
31 removal, the storage site, the time the vehicle or vessel was

1 towed or removed, and the make, model, color, and license  
2 plate number of the vehicle or the make, model, color, and  
3 registration number of the vessel and shall obtain the name of  
4 the person at that department to whom such information was  
5 reported and note that name on the trip record.

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

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

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

1 vehicle or vessel from private property without the consent of  
2 the owner or other legally authorized person in control of  
3 that vehicle or vessel, must post a notice meeting the  
4 following requirements:

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

11 b. The notice must clearly indicate, in not less than  
12 2-inch high, light-reflective letters on a contrasting  
13 background, that unauthorized vehicles or vessels will be  
14 towed away at the owner's expense. The words "tow-away zone"  
15 must be included on the sign in not less than 4-inch high  
16 letters.

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

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

28 e. The local government may require permitting and  
29 inspection of these signs prior to any towing or removal of  
30 vehicles or vessels being authorized.

31

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

7  
8 A business owner or lessee may authorize the removal of a  
9 vehicle or vessel by a towing company when the vehicle or  
10 vessel is parked in such a manner that restricts the normal  
11 operation of business; and if a vehicle or vessel parked on a  
12 public right-of-way obstructs access to a private driveway the  
13 owner, lessee, or agent may have the vehicle or vessel removed  
14 by a towing company upon signing an order that the vehicle or  
15 vessel be removed without a posted tow-away zone sign.

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

27           7. Any person or firm towing or removing any vehicles  
28 or vessels from private property without the consent of the  
29 owner or other legally authorized person in control of the  
30 vehicles or vessels shall, on any trucks, wreckers as defined  
31 in s. 713.78(1)(b), or other vehicles or vessels used in the

1 towing or removal, have the name, address, and telephone  
2 number of the company performing such service clearly printed  
3 in contrasting colors on the driver and passenger sides of the  
4 vehicle or vessel. The name shall be in at least 3-inch  
5 permanently affixed letters, and the address and telephone  
6 number shall be in at least 1-inch permanently affixed  
7 letters.

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

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

29 (b) These requirements shall be the minimum standards  
30 and shall not preclude enactment of additional regulations by  
31 any municipality or county including the right to regulate

1 rates when vehicles or vessels are towed from private  
2 property.

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

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

13 (5) Failure to make good-faith best efforts to comply  
14 with the notice requirement of this section as appropriate  
15 precludes the imposition of any towing or storage charges  
16 against such vehicle or vessel.

17 ~~(6)~~(5)(a) Any person who violates the provisions of  
18 subparagraph (2)(a)2. or subparagraph (2)(a)6. is guilty of a  
19 misdemeanor of the first degree, punishable as provided in s.  
20 775.082 or s. 775.083.

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

25 Section 40. Subsection (3) is added to section 832.09,  
26 Florida Statutes, to read:

27 832.09 Suspension of driver license after warrant or  
28 capias is issued in worthless check case.--

29 (3) The Department of Highway Safety and Motor  
30 Vehicles shall create a standardized form to be distributed to  
31 the clerk of the circuit court in each county for the purpose

1 of notifying the department that a person has satisfied the  
2 requirements of the court. Notices of compliance with the  
3 court's requirements shall be on the standardized form  
4 provided by the department.

5 Section 41. Except as otherwise expressly provided in  
6 this act, this act shall take effect October 1, 2001.

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9

SENATE SUMMARY

10 Revises various provisions of law relating to the  
11 administration of highway safety regulations under the  
12 jurisdiction of the Department of Highway Safety and  
13 Motor Vehicles. Revises various provisions of law  
14 relating to the operation of motor vehicles and vessels.  
15 (See bill for details.)

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