

By the Council for Ready Infrastructure and Representative Gardiner

1 A bill to be entitled
2 An act relating to motor vehicles, vessels, and
3 enforcement of laws related thereto; amending
4 s. 316.003, F.S.; providing that certain
5 vehicles of the Department of Health are
6 authorized emergency vehicles; amending s.
7 316.006, F.S.; authorizing the installation of
8 multiparty stop signs on certain roads;
9 providing guidelines for the installation of
10 such signage; amending s. 316.061, F.S.;
11 authorizing certain entities to remove crashed
12 motor vehicles from roadways under certain
13 circumstances; providing a limitation of
14 liability; amending s. 316.066, F.S.; providing
15 for access to vehicle crash reports by local,
16 state, and federal entities under certain
17 circumstances; requiring said entities to
18 maintain confidential status of such reports;
19 amending s. 316.1975, F.S.; exempting operators
20 of solid waste and recovered materials vehicles
21 from provisions regarding unattended motor
22 vehicles under certain circumstances; creating
23 s. 316.2127, F.S.; providing for operation of
24 utility vehicles on city streets, county roads,
25 or the State Highway System under certain
26 circumstances; amending s. 316.2397, F.S.;
27 authorizing emergency response vehicles of the
28 Department of Health to use red flashing
29 lights; amending s. 316.520, F.S.; clarifying
30 that a violation of a provision governing loads
31 on vehicles is a moving rather than a nonmoving

1 violation; exempting certain vehicles carrying
2 agricultural products; amending s. 316.640,
3 F.S.; revising traffic law enforcement
4 authority of university police officers;
5 revising the powers and duties of traffic crash
6 investigation officers; amending s. 318.1451,
7 F.S.; providing traffic school reference guide
8 requirements; amending s. 318.18, F.S.;
9 providing for assessment of doubled fines for
10 speeding in toll collection zones; amending s.
11 319.23, F.S.; deleting certain requirements for
12 the transfer of ownership of an antique
13 vehicle; requiring the Department of Highway
14 Safety and Motor Vehicles to retain certain
15 evidence of title; amending s. 319.28, F.S.;
16 revising requirements for processing an
17 application for title based on a contractual
18 default; amending s. 320.025, F.S.; providing
19 for confidential registration and issuance
20 under fictitious name of decals for vessels
21 operated by a law enforcement agency; requiring
22 registration number and decal to be affixed to
23 such vessel; amending s. 320.05, F.S.;
24 providing for release of vessel registration
25 information; providing exceptions; amending s.
26 320.055, F.S.; providing registration period
27 for certain nonapportioned vehicles; amending
28 s. 320.06, F.S.; revising form of license plate
29 validation stickers; reducing the number of
30 required validation stickers per plate;
31 amending s. 320.072, F.S.; revising initial

1 registration fee exemptions; amending s.
2 320.0805, F.S.; reducing the timeframe for a
3 personalized license plate to remain out of
4 circulation prior to reassignment; amending s.
5 320.08056, F.S.; providing for a use fee;
6 amending s. 320.08058, F.S.; directing the
7 Department of Highway Safety and Motor Vehicles
8 to develop a Florida Golf license plate;
9 providing for the distribution and use of fees;
10 authorizing the Florida Sports Foundation to
11 establish a youth golf program; providing for
12 an advisory committee; amending s. 320.083,
13 F.S.; revising requirements for the Amateur
14 Radio Operator specialty license plate;
15 amending s. 320.089, F.S.; revising weight
16 restriction for the Ex-POW and Purple Heart
17 license plates; amending s. 321.02, F.S.;
18 providing for colors for use on Florida Highway
19 Patrol motor vehicles and motorcycles; amending
20 s. 322.051, F.S.; requiring acceptance of the
21 Florida identification card as proof of
22 identification by persons accepting the Florida
23 driver license as proof of identification;
24 amending s. 322.095, F.S.; deleting provision
25 prohibiting governmental entities or courts
26 from providing information regarding traffic
27 law and substance abuse education program
28 schools or course providers; authorizing the
29 Department of Highway Safety and Motor Vehicles
30 to provide a list of approved traffic law and
31 substance abuse education course providers with

1 a single phone number for each provider;
2 requiring the Department of Highway Safety and
3 Motor Vehicles to approve and regulate certain
4 courses for driver improvement schools;
5 amending s. 322.25, F.S.; correcting a cross
6 reference; amending s. 322.27, F.S.; revising
7 language relating to habitual traffic offender
8 license revocation; amending s. 322.271, F.S.;
9 correcting a cross reference; amending s.
10 322.28, F.S.; deleting obsolete language
11 relating to revocation of a driver's license;
12 repealing s. 322.282, F.S., relating to
13 procedure when court revokes or suspends
14 license or driving privilege and orders
15 reinstatement, and s. 322.331, F.S., relating
16 to restoration of license for habitual traffic
17 offenders; amending s. 324.091, F.S.; providing
18 for electronic access to vehicle insurer
19 information; prohibiting compilation and
20 retention of such information; amending s.
21 328.01, F.S.; deleting the requirement that a
22 copy of a contract upon which a claim of
23 ownership of a vessel is made be submitted if
24 an application for transfer of title is based
25 on a contractual default; amending s. 328.42,
26 F.S.; authorizing the department to deny or
27 cancel a vessel registration, license plate, or
28 fuel-use tax decal when given a dishonored
29 check by the customer; amending s. 328.56,
30 F.S.; revising language relating to display of
31 vessel registration number; amending s. 328.72,

1 F.S.; deleting certain requirements for the
2 transfer of ownership of an antique vessel;
3 amending s. 832.09, F.S.; requiring the
4 department to create a standardized form for
5 notification from clerks of courts of
6 satisfaction of a worthless check; providing an
7 effective date.

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

10

11 Section 1. Subsection (1) of section 316.003, Florida
12 Statutes, is amended to read:

13 316.003 Definitions.--The following words and phrases,
14 when used in this chapter, shall have the meanings
15 respectively ascribed to them in this section, except where
16 the context otherwise requires:

17 (1) AUTHORIZED EMERGENCY VEHICLES.--Vehicles of the
18 fire department (fire patrol), police vehicles, and such
19 ambulances and emergency vehicles of municipal departments,
20 public service corporations operated by private corporations,
21 the Department of Environmental Protection, the Department of
22 Health, and the Department of Transportation as are designated
23 or authorized by their respective department or the chief of
24 police of an incorporated city or any sheriff of any of the
25 various counties.

26 Section 2. Paragraph (b) of subsection (2) and
27 paragraph (b) of subsection (3) of section 316.006, Florida
28 Statutes, are amended to read:

29 316.006 Jurisdiction.--Jurisdiction to control traffic
30 is vested as follows:

31 (2) MUNICIPALITIES.--

1 (b) A municipality may exercise jurisdiction over any
2 private road or roads, or over any limited access road or
3 roads owned or controlled by a special district, located
4 within its boundaries if the municipality and party or parties
5 owning or controlling such road or roads provide, by written
6 agreement approved by the governing body of the municipality,
7 for municipal traffic control jurisdiction over the road or
8 roads encompassed by such agreement. Pursuant thereto:

9 1. Provision for reimbursement for actual costs of
10 traffic control and enforcement and for liability insurance
11 and indemnification by the party or parties, and such other
12 terms as are mutually agreeable, may be included in such an
13 agreement.

14 2. The exercise of jurisdiction provided for herein
15 shall be in addition to jurisdictional authority presently
16 exercised by municipalities under law, and nothing in this
17 paragraph shall be construed to limit or remove any such
18 jurisdictional authority. Such jurisdiction includes
19 regulation of access to such road or roads by security devices
20 or personnel.

21 3. Any such agreement may provide for the installation
22 of multiparty stop signs by the parties controlling the roads
23 covered by the agreement if a determination is made by such
24 parties that the signage will enhance traffic safety.
25 Multiparty stop signs must conform to the manual and
26 specifications of the Department of Transportation; however,
27 minimum traffic volumes may not be required for the
28 installation of such signage. Enforcement for the signs shall
29 be as provided in s. 316.123.

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1 This subsection shall not limit those counties which have the
2 charter powers to provide and regulate arterial, toll, and
3 other roads, bridges, tunnels, and related facilities from the
4 proper exercise of those powers by the placement and
5 maintenance of traffic control devices which conform to the
6 manual and specifications of the Department of Transportation
7 on streets and highways located within municipal boundaries.

8 (3) COUNTIES.--

9 (b) A county may exercise jurisdiction over any
10 private road or roads, or over any limited access road or
11 roads owned or controlled by a special district, located in
12 the unincorporated area within its boundaries if the county
13 and party or parties owning or controlling such road or roads
14 provide, by written agreement approved by the governing body
15 of the county, for county traffic control jurisdiction over
16 the road or roads encompassed by such agreement. Pursuant
17 thereto:

18 1. Provision for reimbursement for actual costs of
19 traffic control and enforcement and for liability insurance
20 and indemnification by the party or parties, and such other
21 terms as are mutually agreeable, may be included in such an
22 agreement.

23 2. Prior to entering into an agreement which provides
24 for enforcement of the traffic laws of the state over a
25 private road or roads, or over any limited access road or
26 roads owned or controlled by a special district, the governing
27 body of the county shall consult with the sheriff. No such
28 agreement shall take effect prior to October 1, the beginning
29 of the county fiscal year, unless this requirement is waived
30 in writing by the sheriff.

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1 3. The exercise of jurisdiction provided for herein
2 shall be in addition to jurisdictional authority presently
3 exercised by counties under law, and nothing in this paragraph
4 shall be construed to limit or remove any such jurisdictional
5 authority.

6 4. Any such agreement may provide for the installation
7 of multiparty stop signs by the parties controlling the roads
8 covered by the agreement if a determination is made by such
9 parties that the signage will enhance traffic safety.
10 Multiparty stop signs must conform to the manual and
11 specifications of the Department of Transportation; however,
12 minimum traffic volumes may not be required for the
13 installation of such signage. Enforcement for the signs shall
14 be as provided in s. 316.123.

15
16 Notwithstanding the provisions of subsection (2), each county
17 shall have original jurisdiction to regulate parking, by
18 resolution of the board of county commissioners and the
19 erection of signs conforming to the manual and specifications
20 of the Department of Transportation, in parking areas located
21 on property owned or leased by the county, whether or not such
22 areas are located within the boundaries of chartered
23 municipalities.

24 Section 3. Subsection (3) is added to section 316.061,
25 Florida Statutes, to read:

26 316.061 Crashes involving damage to vehicle or
27 property.--

28 (3) Employees or authorized agents of the Department
29 of Transportation, law enforcement with proper jurisdiction,
30 and an expressway authority created pursuant to chapter 348,
31 in the exercise, management, control, and maintenance of its

1 highway system, may undertake the removal from the main
2 traveled way of roads on its highway system of all vehicles
3 incapacitated as a result of a motor vehicle crash and of
4 debris caused thereby. Such removal is applicable when such a
5 crash results only in damage to a vehicle or other property,
6 and where such removal can be accomplished safely and will
7 result in the improved safety or convenience of travel upon
8 the road. The driver or any other person who has removed a
9 vehicle from the main traveled way of the road as provided in
10 this subsection shall not be considered liable or at fault
11 regarding the cause of the accident solely by reason of moving
12 the vehicle.

13 Section 4. Paragraph (c) of subsection (3) of section
14 316.066, Florida Statutes, is amended to read:

15 316.066 Written reports of crashes.--

16 (3)

17 (c) Crash reports required by this section which
18 reveal the identity, home or employment telephone number or
19 home or employment address of, or other personal information
20 concerning the parties involved in the crash and which are
21 received or prepared by any agency that regularly receives or
22 prepares information from or concerning the parties to motor
23 vehicle crashes are confidential and exempt from s. 119.07(1)
24 and s. 24(a), Art. I of the State Constitution for a period of
25 60 days after the date the report is filed. However, such
26 reports may be made immediately available to the parties
27 involved in the crash, their legal representatives, their
28 licensed insurance agents, their insurers or insurers to which
29 they have applied for coverage, persons under contract with
30 such insurers to provide claims or underwriting information,
31 prosecutorial authorities, radio and television stations

1 licensed by the Federal Communications Commission, newspapers
2 qualified to publish legal notices under ss. 50.011 and
3 50.031, and free newspapers of general circulation, published
4 once a week or more often, available and of interest to the
5 public generally for the dissemination of news. For the
6 purposes of this section, the following products or
7 publications are not newspapers as referred to in this
8 section: those intended primarily for members of a particular
9 profession or occupational group; those with the primary
10 purpose of distributing advertising; and those with the
11 primary purpose of publishing names and other personally
12 identifying information concerning parties to motor vehicle
13 crashes. Any local, state, or federal agency, agent, or
14 employee that is authorized to have access to such reports by
15 any provision of law shall be granted such access in the
16 furtherance of the agency's statutory duties notwithstanding
17 the provisions of this paragraph. Any local, state, or federal
18 agency, agent, or employee receiving such crash reports shall
19 maintain the confidential and exempt status of those reports
20 and shall not disclose such crash reports to any person or
21 entity. Any person attempting to access crash reports within
22 60 days after the date the report is filed must present
23 legitimate credentials or identification that demonstrates his
24 or her qualifications to access that information. This
25 exemption is subject to the Open Government Sunset Review Act
26 of 1995 in accordance with s. 119.15, and shall stand repealed
27 on October 2, 2006, unless reviewed and saved from repeal
28 through reenactment by the Legislature.

29 Section 5. Subsection (2) of section 316.1975, Florida
30 Statutes, is amended to read:

31 316.1975 Unattended motor vehicle.--

- 1 (2) This section does not apply to the operator of:
2 (a) An authorized emergency vehicle while in the
3 performance of official duties and the vehicle is equipped
4 with an activated antitheft device that prohibits the vehicle
5 from being driven; ~~or~~
6 (b) A licensed delivery truck or other delivery
7 vehicle while making deliveries; or
8 (c) A solid waste or recovered materials vehicle while
9 collecting such items.

10 Section 6. Section 316.2127, Florida Statutes, is
11 created to read:

12 316.2127 Operation of utility vehicles on certain
13 roadways by homeowners' associations.--The operation of a
14 utility vehicle, as defined in s. 320.01, upon the public
15 roads or streets of this state by a homeowners' association,
16 as defined in s. 720.301, or its agents is prohibited except
17 as provided herein:

18 (1) A utility vehicle may be operated by a homeowners'
19 association or its agents only upon a county road that has
20 been designated by a county, or a city street that has been
21 designated by a city, for use by a utility vehicle for general
22 maintenance, security, and landscaping purposes. Prior to
23 making such a designation, the responsible local governmental
24 entity must first determine that utility vehicles may safely
25 travel on or cross the public road or street, considering
26 factors including the speed, volume, and character of motor
27 vehicle traffic on the road or street. Upon a determination
28 that utility vehicles may be safely operated on a designated
29 road or street, the responsible governmental entity shall post
30 appropriate signs to indicate that such operation is allowed.

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1 (2) A utility vehicle may be operated by a homeowners'
2 association or its agents on a portion of the State Highway
3 System only under the following conditions:
4 (a) To cross a portion of the State Highway System
5 which intersects a county road or a city street that has been
6 designated for use by utility vehicles if the Department of
7 Transportation has reviewed and approved the location and
8 design of the crossing and any traffic control devices needed
9 for safety purposes.
10 (b) To cross, at midblock, a portion of the State
11 Highway System where the highway bisects property controlled
12 or maintained by a homeowners' association if the Department
13 of Transportation has reviewed and approved the location and
14 design of the crossing and any traffic control devices needed
15 for safety purposes.
16 (c) To travel on a state road that has been designated
17 for transfer to a local government unit pursuant to s.
18 335.0415 if the Department of Transportation determines that
19 the operation of a utility vehicle within the right-of-way of
20 the road will not impede the safe and efficient flow of motor
21 vehicle traffic. The department may authorize the operation of
22 utility vehicles on such a road if:
23 1. The road is the only available public road on which
24 utility vehicles may travel or cross or the road provides the
25 safest travel route among alternative routes available; and
26 2. The speed, volume, and character of motor vehicle
27 traffic on the road is considered in making such a
28 determination.
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1 Upon its determination that utility vehicles may be operated
2 on a given road, the department shall post appropriate signs
3 on the road to indicate that such operation is allowed.

4 (3) A utility vehicle may be operated by a homeowners'
5 association or its agents only during the hours between
6 sunrise and sunset, unless the responsible governmental entity
7 has determined that a utility vehicle may be operated during
8 the hours between sunset and sunrise and the utility vehicle
9 is equipped with headlights, brake lights, turn signals, and a
10 windshield.

11 (4) A utility vehicle must be equipped with efficient
12 brakes, a reliable steering apparatus, safe tires, a rearview
13 mirror, and red reflectorized warning devices in both the
14 front and the rear.

15 (5) A utility vehicle may not be operated on public
16 roads or streets by any person under the age of 14.

17
18 A violation of this section is a noncriminal traffic
19 infraction, punishable pursuant to chapter 318 as either a
20 moving violation for infractions of subsection (1), subsection
21 (2), subsection (3), or subsection (4) or as a nonmoving
22 violation for infractions of subsection (5).

23 Section 7. Subsection (9) of section 316.2397, Florida
24 Statutes, is amended to read:

25 316.2397 Certain lights prohibited; exceptions.--

26 (9) Flashing red lights may be used by emergency
27 response vehicles of the Department of Environmental
28 Protection and the Department of Health when responding to an
29 emergency in the line of duty.

30 Section 8. Section 316.520, Florida Statutes, is
31 amended to read:

1 316.520 Loads on vehicles.--

2 (1) A vehicle may not be driven or moved on any
3 highway unless the vehicle is so constructed or loaded as to
4 prevent any of its load from dropping, shifting, leaking,
5 blowing, or otherwise escaping therefrom, except that sand may
6 be dropped only for the purpose of securing traction or water
7 or other substance may be sprinkled on a roadway in cleaning
8 or maintaining the roadway.

9 (2) It is the duty of every owner and driver,
10 severally, of any vehicle hauling, upon any public road or
11 highway open to the public, dirt, sand, lime rock, gravel,
12 silica, or other similar aggregate or trash, garbage, or any
13 similar material that could fall or blow from such vehicle, to
14 prevent such materials from falling, blowing, or in any way
15 escaping from such vehicle. Covering and securing the load
16 with a close-fitting tarpaulin or other appropriate cover is
17 required.

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

21 (4) The provisions of subsection (2) requiring
22 covering and securing the load with a close-fitting tarpaulin
23 or other appropriate cover does not apply to vehicles carrying
24 agricultural products locally from a harvest site or to or
25 from a farm on roads where the posted speed limit is 65 miles
26 per hour or less and the distance driven on public roads is
27 less than 20 miles.

28 Section 9. Paragraph (a) of subsection (1), paragraph
29 (b) of subsection (2), and paragraphs (b) and (c) of
30 subsection (3) of section 316.640, Florida Statutes, are
31 amended to read:

1 316.640 Enforcement.--The enforcement of the traffic
2 laws of this state is vested as follows:
3 (1) STATE.--
4 (a)1.a. The Division of Florida Highway Patrol of the
5 Department of Highway Safety and Motor Vehicles, the Division
6 of Law Enforcement of the Fish and Wildlife Conservation
7 Commission, the Division of Law Enforcement of the Department
8 of Environmental Protection, and law enforcement officers of
9 the Department of Transportation each have authority to
10 enforce all of the traffic laws of this state on all the
11 streets and highways thereof and elsewhere throughout the
12 state wherever the public has a right to travel by motor
13 vehicle. The Division of the Florida Highway Patrol may employ
14 as a traffic accident investigation officer any individual who
15 successfully completes at least 200 hours of instruction in
16 traffic accident investigation and court presentation through
17 the Selective Traffic Enforcement Program as approved by the
18 Criminal Justice Standards and Training Commission and funded
19 through the National Highway Traffic Safety Administration or
20 a similar program approved by the commission, but who does not
21 necessarily meet the uniform minimum standards established by
22 the commission for law enforcement officers or auxiliary law
23 enforcement officers under chapter 943. Any such traffic
24 accident investigation officer who makes an investigation at
25 the scene of a traffic accident may issue traffic citations,
26 based upon personal investigation, when he or she has
27 reasonable and probable grounds to believe that a person who
28 was involved in the accident committed an offense under this
29 chapter, chapter 319, chapter 320, or chapter 322 in
30 connection with the accident. This paragraph does not permit
31 the carrying of firearms or other weapons, nor do such

1 officers have arrest authority ~~other than for the issuance of~~
2 ~~a traffic citation as authorized in this paragraph.~~

3 b. University police officers shall have authority to
4 enforce all of the traffic laws of this state when such
5 violations occur on or about any property or facilities that
6 are under the guidance, supervision, regulation, or control of
7 a state university, a direct-support organization of such
8 state university, or any other organization controlled by the
9 state university or a direct-support organization of the state
10 university ~~System~~, except that traffic laws may be enforced
11 off-campus when hot pursuit originates on or adjacent to any
12 such property or facilities ~~on-campus~~.

13 c. Community college police officers shall have the
14 authority to enforce all the traffic laws of this state only
15 when such violations occur on any property or facilities that
16 are under the guidance, supervision, regulation, or control of
17 the community college system.

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

22 (I) An airport authority may employ as a parking
23 enforcement specialist any individual who successfully
24 completes a training program established and approved by the
25 Criminal Justice Standards and Training Commission for parking
26 enforcement specialists but who does not otherwise meet the
27 uniform minimum standards established by the commission for
28 law enforcement officers or auxiliary or part-time officers
29 under s. 943.12. Nothing in this sub-sub-subparagraph shall be
30 construed to permit the carrying of firearms or other weapons,
31

1 nor shall such parking enforcement specialist have arrest
2 authority.

3 (II) A parking enforcement specialist employed by an
4 airport authority is authorized to enforce all state, county,
5 and municipal laws and ordinances governing parking only when
6 such violations are on property or facilities owned or
7 operated by the airport authority employing the specialist, by
8 appropriate state, county, or municipal traffic citation.

9 e. The Office of Agricultural Law Enforcement of the
10 Department of Agriculture and Consumer Services shall have the
11 authority to enforce traffic laws of this state only as
12 authorized by the provisions of chapter 570. However, nothing
13 in this section shall expand the authority of the Office of
14 Agricultural Law Enforcement at its agricultural inspection
15 stations to issue any traffic tickets except those traffic
16 tickets for vehicles illegally passing the inspection station.

17 f. School safety officers shall have the authority to
18 enforce all of the traffic laws of this state when such
19 violations occur on or about any property or facilities which
20 are under the guidance, supervision, regulation, or control of
21 the district school board.

22 2. An agency of the state as described in subparagraph
23 1. is prohibited from establishing a traffic citation quota. A
24 violation of this subparagraph is not subject to the penalties
25 provided in chapter 318.

26 3. Any disciplinary action taken or performance
27 evaluation conducted by an agency of the state as described in
28 subparagraph 1. of a law enforcement officer's traffic
29 enforcement activity must be in accordance with written
30 work-performance standards. Such standards must be approved by
31 the agency and any collective bargaining unit representing

1 such law enforcement officer. A violation of this subparagraph
2 is not subject to the penalties provided in chapter 318.

3 (2) COUNTIES.--

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

26 (3) MUNICIPALITIES.--

27 (b) The police department of a chartered municipality
28 may employ as a traffic crash investigation officer any
29 individual who successfully completes at least 200 hours of
30 instruction in traffic crash investigation and court
31 presentation through the Selective Traffic Enforcement Program

1 (STEP) as approved by the Criminal Justice Standards and
2 Training Commission and funded through the National Highway
3 Traffic Safety Administration (NHTSA) or a similar program
4 approved by the commission, but who does not otherwise meet
5 the uniform minimum standards established by the commission
6 for law enforcement officers or auxiliary law enforcement
7 officers under chapter 943. Any such traffic crash
8 investigation officer who makes an investigation at the scene
9 of a traffic crash is authorized to issue traffic citations
10 when, based upon personal investigation, he or she has
11 reasonable and probable grounds to believe that a person
12 involved in the crash has committed an offense under the
13 provisions of this chapter, chapter 319, chapter 320, or
14 chapter 322 in connection with the crash. ~~Nothing in This~~
15 ~~paragraph does not shall be construed to~~ permit the carrying
16 of firearms or other weapons, nor do ~~shall~~ such officers have
17 arrest authority ~~other than for the issuance of a traffic~~
18 ~~citation as authorized above.~~

19 (c)1. A chartered municipality or its authorized
20 agency or instrumentality may employ as a parking enforcement
21 specialist any individual who successfully completes a
22 training program established and approved by the Criminal
23 Justice Standards and Training Commission for parking
24 enforcement specialists, but who does not otherwise meet the
25 uniform minimum standards established by the commission for
26 law enforcement officers or auxiliary or part-time officers
27 under s. 943.12.

28 2. A parking enforcement specialist employed by a
29 chartered municipality or its authorized agency or
30 instrumentality is authorized to enforce all state, county,
31 and municipal laws and ordinances governing parking within the

1 boundaries of the municipality employing the specialist, by
2 appropriate state, county, or municipal traffic citation.
3 ~~Nothing in this paragraph shall be construed to permit the~~
4 ~~carrying of firearms or other weapons, nor shall such a~~
5 ~~parking enforcement specialist have arrest authority.~~

6 3. A parking enforcement specialist employed pursuant
7 to this subsection may not carry firearms or other weapons or
8 have arrest authority.

9 Section 10. Subsection (5) of section 318.1451,
10 Florida Statutes, is amended to read:

11 318.1451 Driver improvement schools.--

12 (5)(a) ~~No governmental entity or court shall provide,~~
13 ~~issue, or maintain any information or orders regarding driver~~
14 ~~improvement schools or course providers, with the exception of~~
15 ~~directing inquiries or requests to the local telephone~~
16 ~~directory heading of driving instruction or the traffic school~~
17 ~~reference guide. However, The department is authorized to~~
18 maintain the information and records necessary to administer
19 its duties and responsibilities for driver improvement
20 courses. Where such information is a public record as defined
21 in chapter 119, it shall be made available to the public upon
22 request pursuant to s. 119.07(1).

23 (b) The department or court may ~~shall~~ prepare for ~~any~~
24 ~~governmental entity to distribute~~ a traffic school reference
25 guide which lists ~~shall list~~ the benefits of attending a
26 driver improvement school and contains the names of the fully
27 approved course providers with a single telephone number for
28 each such provider, as furnished by the provider, ~~but under no~~
29 ~~circumstance may any list of course providers or schools be~~
30 ~~included, and shall refer further inquiries to the telephone~~
31 ~~directory under driving instruction.~~

1 Section 11. Paragraph (f) is added to subsection (3)
2 of section 318.18, Florida Statutes, to read:

3 318.18 Amount of civil penalties.--The penalties
4 required for a noncriminal disposition pursuant to s. 318.14
5 are as follows:

6 (3)

7 (b) For moving violations involving unlawful speed,
8 the fines are as follows:

9

10 For speed exceeding the limit by:	Fine:
11 1-5 m.p.h.....	Warning
12 6-9 m.p.h.....	\$ 25
13 10-14 m.p.h.....	\$100
14 15-19 m.p.h.....	\$125
15 20-29 m.p.h.....	\$150
16 30 m.p.h. and above.....	\$250

17

18 (f) A person cited for exceeding the speed limit
19 within a zone posted for any electronic or manual toll
20 collection facility will be assessed a fine double the amount
21 listed in paragraph (b). However, no person cited for
22 exceeding the speed limit in any toll collection zone shall be
23 subject to a doubled fine unless the governmental entity or
24 authority controlling the toll collection zone first installs
25 a traffic control device providing warning that speeding fines
26 are doubled. Any such traffic control device must meet the
27 requirements of the uniform system of traffic control devices.

28 Section 12. Paragraph (c) of subsection (3) and
29 subsections (5) and (11) of section 319.23, Florida Statutes,
30 are amended to read:

31

1 319.23 Application for, and issuance of, certificate
2 of title.--

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

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

20
21 Verification of the vehicle identification number is not
22 required for any new motor vehicle; any mobile home; any
23 trailer or semitrailer with a net weight of less than 2,000
24 pounds; or any travel trailer, camping trailer, truck camper,
25 or fifth-wheel recreation trailer.

26 (5) The certificate of title issued by the department
27 for a motor vehicle or mobile home previously registered
28 outside this state shall give the name of the state or country
29 in which the vehicle was last registered outside this state.
30 The department shall retain the evidence of title presented by
31 the applicant upon which the certificate of title is issued.

1 The department shall use reasonable diligence in ascertaining
2 whether or not the facts in the application are true; and, if
3 satisfied that the applicant is the owner of the motor vehicle
4 or mobile home and that the application is in the proper form,
5 it shall issue a certificate of title.

6 ~~(11) The department is not required to retain any~~
7 ~~evidence of title presented by the applicant and based on~~
8 ~~which the certificate of title is issued.~~

9 Section 13. Paragraph (a) of subsection (1) of section
10 319.28, Florida Statutes, is amended to read:

11 319.28 Transfer of ownership by operation of law.--

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

1 ~~however, if an owner under a chattel mortgage voluntarily~~
2 ~~surrenders possession of the motor vehicle or mobile home, the~~
3 ~~original or a certified copy of the chattel mortgage shall~~
4 ~~accompany the application for a certificate of title and it~~
5 ~~shall not be necessary to institute proceedings in any court~~
6 ~~to foreclose such mortgage.~~

7 Section 14. Section 320.025, Florida Statutes, is
8 amended to read:

9 320.025 Registration certificate and license plate or
10 decal issued under fictitious name; application.--

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

29 (2) Except as provided in subsection (1), any motor
30 vehicle owned or exclusively operated by the state or any
31 county, municipality, or other governmental entity must at all

1 times display a license plate of the type prescribed in s.
2 320.0655. Any vessel owned or exclusively operated by the
3 state or any county, municipality, or other governmental
4 entity must at all times display a registration number as
5 required in s. 328.56 and a vessel decal as required in s.
6 328.48(5).

7 (3) This section constitutes an exception to other
8 statutes relating to falsification of public records, false
9 swearing, and similar matters. All records relating to the
10 registration application of the Attorney General's Medicaid
11 Fraud Control Unit, a law enforcement agency, or any state
12 public defender's office, and records necessary to carry out
13 the intended purpose of this section, are exempt from the
14 provisions of s. 119.07(1), and s. 24(a), Art. I of the State
15 Constitution as long as the information is retained by the
16 department. This section does not prohibit other personations,
17 fabrications, or creations of false identifications by the
18 Attorney General's Medicaid Fraud Control Unit, or law
19 enforcement or public defender's officers in the official
20 performance of covert operations.

21 Section 15. Subsections (1) and (2) of section 320.05,
22 Florida Statutes, are amended to read:

23 320.05 Records of the department; inspection
24 procedure; lists and searches; fees.--

25 (1) Except as provided in ~~ss. s-119.07(3)~~ and
26 320.025(3), the department may release records as provided in
27 this section.

28 (2) Upon receipt of an application for the
29 registration of a motor vehicle, vessel, or mobile home, as
30 herein provided for, the department shall register the motor
31 vehicle, vessel, or mobile home under the distinctive number

1 assigned to such motor vehicle, vessel, or mobile home by the
2 department. Electronic registration records shall be open to
3 the inspection of the public during business hours.
4 Information on a motor vehicle or vessel registration may not
5 be made available to a person unless the person requesting the
6 information furnishes positive proof of identification. The
7 agency that furnishes a motor vehicle or vessel registration
8 record shall record the name and address of any person other
9 than a representative of a law enforcement agency who requests
10 and receives information from a motor vehicle or vessel
11 registration record and shall also record the name and address
12 of the person who is the subject of the inquiry or other
13 information identifying the entity about which information is
14 requested. A record of each such inquiry must be maintained
15 for a period of 6 months from the date upon which the
16 information was released to the inquirer. Nothing in this
17 section shall prohibit any financial institution, insurance
18 company, motor vehicle dealer, licensee under chapter 493,
19 attorney, or other agency which the department determines has
20 the right to know from obtaining, for professional or business
21 use only, information in such records from the department
22 through any means of telecommunication pursuant to a code
23 developed by the department providing all fees specified in
24 subsection (3) have been paid. The department shall disclose
25 records or information to the child support enforcement agency
26 to assist in the location of individuals who owe or
27 potentially owe support, as defined in s. 409.2554, or to whom
28 such an obligation is owed pursuant to Title IV-D of the
29 Social Security Act.

30 Section 16. Subsection (5) of section 320.055, Florida
31 Statutes, is amended to read:

1 320.055 Registration periods; renewal periods.--The
2 following registration periods and renewal periods are
3 established:
4 (5) For a vehicle subject to apportioned registration
5 under s. 320.08(4), (5)(a)1., (e), (6)(b), or (14), the
6 registration period shall be a period of 12 months beginning
7 in a month designated by the department and ending on the last
8 day of the 12th month. For a vehicle subject to this
9 registration period, the renewal period is the last month of
10 the registration period. The registration period may be
11 shortened or extended at the discretion of the department, on
12 receipt of the appropriate prorated fees, in order to evenly
13 distribute such registrations on a monthly basis. For a
14 vehicle subject to nonapportioned registration under s.
15 320.08(4), (5)(a)1., (6)(b), or (14), the registration period
16 begins December 1 and ends November 30. The renewal period is
17 the 31-day period beginning December 1.

18 Section 17. Paragraphs (b) and (c) of subsection (1)
19 of section 320.06, Florida Statutes, are amended to read:

20 320.06 Registration certificates, license plates, and
21 validation stickers generally.--

22 (1)

23 (b) Registration license plates bearing a graphic
24 symbol and the alphanumeric system of identification shall be
25 issued for a 5-year period. At the end of said 5-year period,
26 upon renewal, the plate shall be replaced. The fee for such
27 replacement shall be \$10, \$2 of which shall be paid each year
28 before the plate is replaced, to be credited towards the next
29 \$10 replacement fee. The fees shall be deposited into the
30 Highway Safety Operating Trust Fund. A credit or refund shall
31 not be given for any prior years' payments of such prorated

1 replacement fee when the plate is replaced or surrendered
2 before the end of the 5-year period. With each license plate,
3 there shall be issued a validation sticker showing the owner's
4 birth month, license plate number, and the year of expiration
5 or the appropriate renewal period if the owner is not a
6 natural person. ~~The~~ This validation sticker ~~is to~~ shall be
7 placed on the upper right ~~left~~ corner of the license plate ~~and~~
8 ~~shall be issued one time during the life of the license plate,~~
9 ~~or upon request when it has been damaged or destroyed. There~~
10 ~~shall also be issued with each license plate a serially~~
11 ~~numbered validation sticker showing the year of expiration,~~
12 ~~which sticker shall be placed on the upper right corner of the~~
13 ~~license plate.~~ Such license plate and validation sticker
14 ~~stickers~~ shall be issued based on the applicant's appropriate
15 renewal period. The registration period shall be a period of
16 12 months, and all expirations shall occur based on the
17 applicant's appropriate registration period. A vehicle with an
18 apportioned registration shall be issued an annual license
19 plate and a cab card that denote the declared gross vehicle
20 weight for each apportioned jurisdiction in which the vehicle
21 is authorized to operate.

22 (c) Registration license plates equipped with
23 validation stickers shall be valid for not more than 12 months
24 and shall expire at midnight on the last day of the
25 registration period. For each registration period after the
26 one in which the metal registration license plate is issued,
27 and until the license plate is required to be replaced, a
28 validation sticker showing the month and year of expiration
29 shall be issued upon payment of the proper license tax amount
30 and fees and shall be valid for not more than 12 months. When
31 license plates equipped with validation stickers are issued in

1 any month other than the owner's birth month or the designated
2 registration period for any other motor vehicle, the effective
3 date shall reflect the birth month or month and the year of
4 renewal. However, when a license plate or validation sticker
5 is issued for a period of less than 12 months, the applicant
6 shall pay the appropriate amount of license tax and the
7 applicable fee under the provisions of s. 320.14 in addition
8 to all other fees. Validation stickers issued for vehicles
9 taxed under the provisions of s. 320.08(6)(a), for any company
10 which owns 250 vehicles or more, or for semitrailers taxed
11 under the provisions of s. 320.08(5)(a), for any company which
12 owns 50 vehicles or more, may be placed on any vehicle in the
13 fleet so long as the vehicle receiving the validation sticker
14 has the same owner's name and address as the vehicle to which
15 the validation sticker was originally assigned.

16 Section 18. Paragraph (a) of subsection (2) of section
17 320.072, Florida Statutes, is amended to read:

18 320.072 Additional fee imposed on certain motor
19 vehicle registration transactions.--

20 (2) The fee imposed by subsection (1) shall not apply
21 to:

22 (a) Any registration renewal transaction, except that
23 this exemption shall not apply if the plate being renewed
24 expired 10 or more years prior to the transaction date.

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

27 320.0805 Personalized prestige license plates.--

28 (6) A personalized prestige license plate shall be
29 issued for the exclusive continuing use of the applicant. An
30 exact duplicate of any plate may not be issued to any other
31 applicant during the same registration period. An exact

1 duplicate may not be issued for any succeeding year unless the
2 previous owner of a specific plate relinquishes it by failure
3 to apply for renewal or reissuance for 1 year ~~three~~
4 ~~consecutive annual registration periods~~ following the last
5 ~~original~~ year of issuance.

6 Section 20. Paragraph (hh) is added to subsection (4)
7 of section 320.08056, Florida Statutes, as amended by chapter
8 2001-355, Laws of Florida, to read:

9 320.08056 Specialty license plates.--

10 (4) The following license plate annual use fees shall
11 be collected for the appropriate specialty license plates:

12 (hh) Florida Golf license plate, \$25.

13 Section 21. Subsection (34) is added to section
14 320.08058, Florida Statutes, as amended by chapter 2001-355,
15 Laws of Florida, to read:

16 320.08058 Specialty license plates.--

17 (34) FLORIDA GOLF LICENSE PLATES.--

18 (a) The Department of Highway Safety and Motor
19 Vehicles shall develop a Florida Golf license plate as
20 provided in this section. The word "Florida" must appear at
21 the bottom of the plate. The Dade Amateur Golf Association,
22 following consultation with the PGA TOUR, the Florida Sports
23 Foundation, the LPGA, and the PGA of America may submit a
24 revised sample plate for consideration by the department.

25 (b) The department shall distribute the Florida Golf
26 license plate annual use fee to the Florida Sports Foundation,
27 a direct-support organization of the Office of Tourism, Trade,
28 and Economic Development. The license plate annual use fees
29 are to be annually allocated as follows:

30
31

1 1. Up to 5 percent of the proceeds from the annual use
2 fees may be used by the Florida Sports Foundation for the
3 administration of the Florida Youth Golf Program.

4 2. The Dade Amateur Golf Association shall receive the
5 first \$80,000 in proceeds from the annual use fees for the
6 operation of youth golf programs in Miami-Dade County.
7 Thereafter, 15 percent of the proceeds from the annual use
8 fees shall be provided to the Dade Amateur Golf Association
9 for the operation of youth golf programs in Miami-Dade County.

10 3. The remaining proceeds from the annual use fees
11 shall be available for grants to nonprofit organizations to
12 operate youth golf programs and for marketing the Florida Golf
13 license plates. All grant recipients, including the Dade
14 Amateur Golf Association, shall be required to provide to the
15 Florida Sports Foundation an annual program and financial
16 report regarding the use of grant funds. Such reports shall
17 be made available to the public.

18 (c) The Florida Sports Foundation may establish a
19 Florida Youth Golf Program. The Florida Youth Golf Program
20 shall assist organizations for the benefit of youth, introduce
21 young people to golf, instruct young people in golf, teach the
22 values of golf, and stress life skills, fair play, courtesy,
23 and self-discipline.

24 (d) The Florida Sports Foundation shall establish a
25 seven-member advisory committee to offer advice regarding the
26 distribution of the annual use fees for grants to nonprofit
27 organizations. The advisory committee shall consist of one
28 member from a group serving youth, one member from a group
29 serving disabled youth, and five members at large.

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

1 320.083 Amateur radio operators; special license
2 plates; fees.--

3 (1) A person who is the owner or lessee of an
4 automobile or truck for private use, a truck weighing not more
5 than 7,999 ~~5,000~~ pounds, or a recreational vehicle as
6 specified in s. 320.08(9)(c) or (d), which is not used for
7 hire or commercial use; who is a resident of the state; and
8 who holds a valid official amateur radio station license
9 issued by the Federal Communications Commission shall be
10 issued a special license plate upon application, accompanied
11 by proof of ownership of such radio station license, and
12 payment of the following tax and fees:

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

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

18 Section 23. Subsections (2) and (3) of section
19 320.089, Florida Statutes, are amended to read:

20 320.089 Members of National Guard and active United
21 States Armed Forces reservists; former prisoners of war;
22 survivors of Pearl Harbor; Purple Heart medal recipients;
23 special license plates; fee.--

24 (2) Each owner or lessee of an automobile or truck for
25 private use, truck weighing not more than 7,999 ~~5,000~~ pounds,
26 or recreational vehicle as specified in s. 320.08(9)(c) or
27 (d), which is not used for hire or commercial use, who is a
28 resident of the state and who is a former prisoner of war, or
29 their unremarried surviving spouse, shall, upon application
30 therefor to the department, be issued a license plate as
31 provided in s. 320.06, on which license plate are stamped the

1 words "Ex-POW" followed by the serial number. Each application
2 shall be accompanied by proof that the applicant meets the
3 qualifications specified in paragraph (a) or paragraph (b).

4 (a) A citizen of the United States who served as a
5 member of the Armed Forces of the United States or the armed
6 forces of a nation allied with the United States who was held
7 as a prisoner of war at such time as the Armed Forces of the
8 United States were engaged in combat, or their unremarried
9 surviving spouse, may be issued the special license plate
10 provided for in this subsection without payment of the license
11 tax imposed by s. 320.08.

12 (b) A person who was serving as a civilian with the
13 consent of the United States Government, or a person who was a
14 member of the Armed Forces of the United States who was not a
15 United States citizen and was held as a prisoner of war when
16 the Armed Forces of the United States were engaged in combat,
17 or their unremarried surviving spouse, may be issued the
18 special license plate provided for in this subsection upon
19 payment of the license tax imposed by s. 320.08.

20 (3) Each owner or lessee of an automobile or truck for
21 private use, truck weighing not more than 7,999 ~~5,000~~ pounds,
22 or recreational vehicle as specified in s. 320.08(9)(c) or
23 (d), which is not used for hire or commercial use, who is a
24 resident of this state and who is the unremarried surviving
25 spouse of a recipient of the Purple Heart medal shall, upon
26 application therefor to the department, with the payment of
27 the required fees, be issued a license plate as provided in s.
28 320.06, on which license plate are stamped the words "Purple
29 Heart" and the likeness of the Purple Heart medal followed by
30 the serial number. Each application shall be accompanied by
31

1 proof that the applicant is the unremarried surviving spouse
2 of a recipient of the Purple Heart medal.

3 Section 24. Section 321.02, Florida Statutes, is
4 amended to read:

5 321.02 Powers and duties of department, highway
6 patrol.--The director of the Division of Highway Patrol of the
7 Department of Highway Safety and Motor Vehicles shall also be
8 the commander of the Florida Highway Patrol. The said
9 department shall set up and promulgate rules and regulations
10 by which the personnel of the Florida Highway Patrol officers
11 shall be examined, employed, trained, located, suspended,
12 reduced in rank, discharged, recruited, paid and pensioned,
13 subject to civil service provisions hereafter set out. The
14 department may enter into contracts or agreements, with or
15 without competitive bidding or procurement, to make available,
16 on a fair, reasonable, nonexclusive, and nondiscriminatory
17 basis, property and other structures under division control
18 for the placement of new facilities by any wireless provider
19 of mobile service as defined in 47 U.S.C. s. 153(n) or s.
20 332(d), and any telecommunications company as defined in s.
21 364.02 when it is determined to be practical and feasible to
22 make such property or other structures available. The
23 department may, without adopting a rule, charge a just,
24 reasonable, and nondiscriminatory fee for placement of the
25 facilities, payable annually, based on the fair market value
26 of space used by comparable communications facilities in the
27 state. The department and a wireless provider or
28 telecommunications company may negotiate the reduction or
29 elimination of a fee in consideration of services provided to
30 the division by the wireless provider or the
31 telecommunications company. All such fees collected by the

1 department shall be deposited directly into the State Agency
2 Law Enforcement Radio System Trust Fund, and may be used to
3 construct, maintain, or support the system. The department is
4 further specifically authorized to purchase, sell, trade,
5 rent, lease and maintain all necessary equipment, uniforms,
6 motor vehicles, communication systems, housing facilities,
7 office space, and perform any other acts necessary for the
8 proper administration and enforcement of this chapter.
9 However, all supplies and equipment consisting of single items
10 or in lots shall be purchased under the requirements of s.
11 287.057. Purchases shall be made by accepting the bid of the
12 lowest responsive bidder, the right being reserved to reject
13 all bids. The department shall prescribe a distinctive uniform
14 and distinctive emblem to be worn by all officers of the
15 Florida Highway Patrol. It shall be unlawful for any other
16 person or persons to wear a similar uniform or emblem, or any
17 part or parts thereof. The department shall also prescribe a
18 distinctive ~~color or~~ colors for use on all motor vehicles and
19 motorcycles operated to be used by the Florida Highway Patrol.
20 The prescribed colors shall be referred to as "Florida Highway
21 Patrol black and tan."

22 Section 25. Subsection (7) is added to section
23 322.051, Florida Statutes, to read:

24 322.051 Identification cards.--

25 (7) Any person accepting the Florida driver license as
26 proof of identification must accept a Florida identification
27 card as proof of identification when the bearer of the
28 identification card does not also have a driver license.

29 Section 26. Subsection (7) of section 322.095, Florida
30 Statutes, is amended, and subsections (8) and (9) are added to
31 said section, to read:

1 322.095 Traffic law and substance abuse education
2 program for driver's license applicants.--

3 ~~(7)(a) No governmental entity or court shall provide,~~
4 ~~issue, or maintain any information or orders regarding traffic~~
5 ~~law and substance abuse education program schools or course~~
6 ~~providers, with the exception of directing inquiries or~~
7 ~~requests to the local telephone directory heading of driving~~
8 ~~instruction or the driver's license applicant reference guide.~~

9 ~~However,~~The department is authorized to maintain the
10 information and records necessary to administer its duties and
11 responsibilities for the program. Where such information is a
12 public record as defined in chapter 119, it shall be made
13 available to the public upon request pursuant to s. 119.07(1).

14 The department may prepare a list of fully approved traffic
15 law and substance abuse education course providers with a
16 single telephone number for each such provider, as furnished
17 by the provider.

18 ~~(b) The department shall prepare for any governmental~~
19 ~~entity to distribute a driver's license applicant reference~~
20 ~~guide which shall list the benefits of attending a traffic law~~
21 ~~and substance abuse education school, but under no~~
22 ~~circumstance may include any list of course providers or~~
23 ~~schools. The department shall refer further inquiries to the~~
24 ~~telephone directory heading of driving instruction.~~

25 (8) The department shall approve and regulate courses
26 of all traffic law and substance abuse education schools that
27 use technology as the delivery method as the courses relate to
28 this section.

29 (9) In determining whether to approve courses of
30 traffic law and substance abuse education schools that use
31 technology as the delivery method as the courses relate to

1 this section, for courses submitted on or after May 1, 2002,
2 the department shall consider only those courses submitted by
3 a person, business, or entity that has received:

4 (a) Approval for statewide delivery; and

5 (b) Independent scientific research evidence of course
6 effectiveness.

7 Section 27. Subsection (7) of section 322.25, Florida
8 Statutes, is amended to read:

9 322.25 When court to forward license to department and
10 report convictions; temporary reinstatement of driving
11 privileges.--

12 (7) Any licensed driver convicted of driving, or being
13 in the actual physical control of, a vehicle within this state
14 while under the influence of alcoholic beverages, any chemical
15 substance set forth in s. 877.111, or any substance controlled
16 under chapter 893, when affected to the extent that his or her
17 normal faculties are impaired, and whose license and driving
18 privilege have been revoked as provided in subsection (1) may
19 be issued a court order for reinstatement of a driving
20 privilege on a temporary basis; provided that, as a part of
21 the penalty, upon conviction, the defendant is required to
22 enroll in and complete a driver improvement course for the
23 rehabilitation of drinking drivers and the driver is otherwise
24 eligible for reinstatement of the driving privilege ~~as~~
25 ~~provided by s. 322.282.~~ The court order for reinstatement
26 shall be on a form provided by the department and must be
27 taken by the person convicted to a Florida driver's license
28 examining office, where a temporary driving permit may be
29 issued. The period of time for which a temporary permit issued
30 in accordance with this subsection is valid shall be deemed to
31 be part of the period of revocation imposed by the court.

1 Section 28. Subsection (5) of section 322.27, Florida
2 Statutes, is amended to read:

3 322.27 Authority of department to suspend or revoke
4 license.--

5 (5) The department shall revoke the license of any
6 person designated a habitual offender, as set forth in s.
7 322.264, and such person shall not be eligible to be
8 relicensed for ~~a minimum of 5 years~~ after ~~from~~ the date of
9 revocation, except as provided for in s. 322.271. Any person
10 whose license is revoked may, by petition to the department,
11 show cause why his or her license should not be revoked.

12 Section 29. Subsection (4) of section 322.271, Florida
13 Statutes, is amended to read:

14 322.271 Authority to modify revocation, cancellation,
15 or suspension order.--

16 (4) Notwithstanding the provisions of s.
17 322.28(2)~~(d)(e)~~, a person whose driving privilege has been
18 permanently revoked because he or she has been convicted of
19 DUI manslaughter in violation of s. 316.193 and has no prior
20 convictions for DUI-related offenses may, upon the expiration
21 of 5 years after the date of such revocation or the expiration
22 of 5 years after the termination of any term of incarceration
23 under s. 316.193 or former s. 316.1931, whichever date is
24 later, petition the department for reinstatement of his or her
25 driving privilege.

26 (a) Within 30 days after the receipt of such a
27 petition, the department shall afford the petitioner an
28 opportunity for a hearing. At the hearing, the petitioner must
29 demonstrate to the department that he or she:

30 1. Has not been arrested for a drug-related offense
31 during the 5 years preceding the filing of the petition;

1 2. Has not driven a motor vehicle without a license
2 for at least 5 years prior to the hearing;
3 3. Has been drug-free for at least 5 years prior to
4 the hearing; and
5 4. Has completed a DUI program licensed by the
6 department.
7 (b) At such hearing, the department shall determine
8 the petitioner's qualification, fitness, and need to drive.
9 Upon such determination, the department may, in its
10 discretion, reinstate the driver's license of the petitioner.
11 Such reinstatement must be made subject to the following
12 qualifications:
13 1. The license must be restricted for employment
14 purposes for not less than 1 year; and
15 2. Such person must be supervised by a DUI program
16 licensed by the department and report to the program for such
17 supervision and education at least four times a year or
18 additionally as required by the program for the remainder of
19 the revocation period. Such supervision shall include
20 evaluation, education, referral into treatment, and other
21 activities required by the department.
22 (c) Such person must assume the reasonable costs of
23 supervision. If such person fails to comply with the required
24 supervision, the program shall report the failure to the
25 department, and the department shall cancel such person's
26 driving privilege.
27 (d) If, after reinstatement, such person is convicted
28 of an offense for which mandatory revocation of his or her
29 license is required, the department shall revoke his or her
30 driving privilege.
31

1 (e) The department shall adopt rules regulating the
2 providing of services by DUI programs pursuant to this
3 section.

4 Section 30. Paragraphs (d) and (e) of subsection (2)
5 of section 322.28, Florida Statutes, are amended to read:

6 322.28 Period of suspension or revocation.--

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

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

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

1 occurred after July 1, 1982. For the purposes of this
2 paragraph, a conviction for violation of former s. 316.028,
3 former s. 316.1931, or former s. 860.01 is also considered a
4 conviction for violation of s. 316.193. Also, a conviction of
5 driving under the influence, driving while intoxicated,
6 driving with an unlawful blood-alcohol level, or any other
7 similar alcohol-related or drug-related traffic offense
8 outside this state is considered a conviction for the purposes
9 of this paragraph.

10 Section 31. Sections 322.282 and 322.331, Florida
11 Statutes, are repealed.

12 Section 32. Subsection (3) is added to section
13 324.091, Florida Statutes, to read:

14 324.091 Notice to department; notice to insurer.--

15 (3) Electronic access to the vehicle insurer
16 information maintained in the department's vehicle database
17 may be provided by an approved third-party provider to
18 insurers, lawyers, and financial institutions in compliance
19 with s. 627.736(9)(a) and for subrogation and claims purposes
20 only. The compilation and retention of this information is
21 strictly prohibited.

22 Section 33. Paragraph (b) of subsection (3) of section
23 328.01, Florida Statutes, is amended to read:

24 328.01 Application for certificate of title.--

25 (3)

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

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

25 Section 34. Subsection (2) of section 328.42, Florida
26 Statutes, is amended to read:

27 328.42 Suspension or denial of a vessel registration
28 due to support delinquency; dishonored checks.--

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

1 decal, or any tax liability, penalty, or interest specified in
2 chapter 207 by a dishonored check.

3 Section 35. Section 328.56, Florida Statutes, is
4 amended to read:

5 328.56 Vessel registration number.--Each vessel that
6 is used on the waters of the state must display a ~~commercial~~
7 ~~or recreational~~ Florida registration number, unless it is:

8 (1) A vessel used exclusively on private lakes and
9 ponds.

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

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

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

13 (5) A federally documented vessel.

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

21 (7) A vessel operating under a valid temporary
22 certificate of number.

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

25 (9) An undocumented vessel used exclusively for
26 racing.

27 Section 36. Subsection (4) of section 328.72, Florida
28 Statutes, is amended to read:

29 328.72 Classification; registration; fees and charges;
30 surcharge; disposition of fees; fines; marine turtle
31 stickers.--

1 (4) TRANSFER OF OWNERSHIP.--

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

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

18 Section 37. Subsection (3) is added to section 832.09,
19 Florida Statutes, to read:

20 832.09 Suspension of driver license after warrant or
21 capias is issued in worthless check case.--

22 (3) The Department of Highway Safety and Motor
23 Vehicles shall create a standardized form to be distributed to
24 the clerks of the court in each county for the purpose of
25 notifying the department that a person has satisfied the
26 requirements of the court. Notices of compliance with the
27 court's requirements shall be on the standardized form
28 provided by the department.

29 Section 38. This act shall take effect October 1,
30 2002.

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