

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; revising the traffic control
11 jurisdiction of a county over certain roads and
12 rights-of-way dedicated in a residential
13 subdivision under certain circumstances;
14 creating s. 316.00825, F.S.; authorizing the
15 governing body of a county to abandon the roads
16 and rights-of-way dedicated in a recorded
17 subdivision plat under certain circumstances;
18 providing for traffic control jurisdiction of
19 such roads; amending s. 316.061, F.S.;
20 authorizing certain entities to remove crashed
21 motor vehicles from roadways under certain
22 circumstances; providing a limitation of
23 liability; amending s. 316.066, F.S.; providing
24 for access to vehicle crash reports by local,
25 state, and federal entities under certain
26 circumstances; requiring said entities to
27 maintain confidential status of such reports;
28 amending s. 316.1975, F.S.; exempting operators
29 of solid waste and recovered materials vehicles
30 from provisions regarding unattended motor
31 vehicles under certain circumstances; creating

1 s. 316.2127, F.S.; providing for operation of
 2 utility vehicles on city streets, county roads,
 3 or the State Highway System under certain
 4 circumstances; amending s. 316.2397, F.S.;
 5 authorizing emergency response vehicles of the
 6 Department of Health to use red flashing
 7 lights; amending s. 316.304, F.S.; revising
 8 requirements regarding the wearing of headsets
 9 while operating a vehicle; amending s. 316.520,
 10 F.S.; exempting certain vehicles carrying
 11 agricultural products; providing for criminal
 12 penalties for failure to secure loads on
 13 vehicles under certain circumstances; amending
 14 s. 316.640, F.S.; revising traffic law
 15 enforcement authority of university police
 16 officers; revising the powers and duties of
 17 traffic crash investigation officers; amending
 18 s. 318.1451, F.S.; providing traffic school
 19 reference guide requirements; amending s.
 20 318.18, F.S.; providing for assessment of
 21 doubled fines for speeding in toll collection
 22 zones; providing a minimum penalty for
 23 violations of s. 316.520, F.S.; amending s.
 24 318.19, F.S.; providing a mandatory hearing for
 25 violations of s. 316.520, F.S.; revising
 26 traffic law enforcement authority of the Office
 27 of Agricultural Law Enforcement; amending s.
 28 322.056, F.S.; authorizing the court to direct
 29 the Department of Highway Safety and Motor
 30 Vehicles to issue a driver's license restricted
 31 to business or employment purposes only to

1 certain persons under age 18 found guilty of
 2 certain alcohol, drug, or tobacco offenses;
 3 amending s. 570.073, F.S.; revising the powers
 4 and duties of the Office of Agricultural Law
 5 Enforcement; amending s. 319.23, F.S.;
 6 requiring the Department of Highway Safety and
 7 Motor Vehicles to retain certain evidence of
 8 title; amending s. 319.28, F.S.; revising
 9 requirements for processing an application for
 10 title based on a contractual default; amending
 11 s. 319.33, F.S.; revising the elements of the
 12 offense of possessing, selling or offering for
 13 sale, concealing, or disposing of a motor
 14 vehicle or mobile home, or major component part
 15 thereof, on which the motor number or vehicle
 16 identification number has been destroyed,
 17 removed, covered, altered, or defaced;
 18 providing penalties; amending s. 320.025, F.S.;
 19 providing for confidential registration and
 20 issuance under fictitious name of decals for
 21 vessels operated by a law enforcement agency;
 22 requiring registration number and decal to be
 23 affixed to such vessel; amending s. 320.05,
 24 F.S.; providing for release of vessel
 25 registration information; providing exceptions;
 26 amending s. 320.055, F.S.; providing
 27 registration period for certain nonapportioned
 28 vehicles; amending s. 320.06, F.S.; revising
 29 form of license plate validation stickers;
 30 reducing the number of required validation
 31 stickers per plate; amending s. 320.072, F.S.;

1 revising initial registration fee exemptions;
2 amending s. 320.0805, F.S.; reducing the
3 timeframe for a personalized license plate to
4 remain out of circulation prior to
5 reassignment; amending s. 320.08056, F.S.;
6 providing for a use fee; amending s. 320.08058,
7 F.S.; directing the Department of Highway
8 Safety and Motor Vehicles to develop a Florida
9 Golf license plate; providing for the
10 distribution and use of fees; authorizing the
11 Florida Sports Foundation to establish a youth
12 golf program; providing for an advisory
13 committee; amending s. 320.083, F.S.; revising
14 requirements for the Amateur Radio Operator
15 specialty license plate; amending s. 320.0848,
16 F.S.; revising fees for the 4-year disabled
17 parking permit and renewal permit; amending s.
18 320.089, F.S.; revising weight restriction for
19 the Ex-POW and Purple Heart license plates;
20 amending s. 320.275, F.S.; creating a technical
21 advisory committee to the Automobile Dealers
22 Industry Advisory Board; providing for its
23 duties and composition; requiring the office of
24 the Attorney General, the Department of
25 Agriculture and Consumer Services, and the
26 Department of Highway Safety and Motor Vehicles
27 to provide consumer education and information;
28 amending s. 321.02, F.S.; providing for colors
29 for use on Florida Highway Patrol motor
30 vehicles and motorcycles; amending s. 322.051,
31 F.S.; requiring acceptance of the Florida

1 identification card as proof of identification
2 by persons accepting the Florida driver license
3 as proof of identification; amending s.
4 322.095, F.S.; deleting provision prohibiting
5 governmental entities or courts from providing
6 information regarding traffic law and substance
7 abuse education program schools or course
8 providers; authorizing the Department of
9 Highway Safety and Motor Vehicles to provide a
10 list of approved traffic law and substance
11 abuse education course providers with a single
12 phone number for each provider; requiring the
13 Department of Highway Safety and Motor Vehicles
14 to approve and regulate certain courses for
15 driver improvement schools; amending s. 322.25,
16 F.S.; correcting a cross reference; amending s.
17 322.27, F.S.; revising language relating to
18 habitual traffic offender license revocation;
19 amending s. 322.271, F.S.; correcting a cross
20 reference; amending s. 322.28, F.S.; deleting
21 obsolete language relating to revocation of a
22 driver's license; repealing s. 322.282, F.S.,
23 relating to procedure when court revokes or
24 suspends license or driving privilege and
25 orders reinstatement, and s. 322.331, F.S.,
26 relating to restoration of license for habitual
27 traffic offenders; amending s. 324.091, F.S.;
28 providing for electronic access to vehicle
29 insurer information; prohibiting compilation
30 and retention of such information; amending s.
31 328.01, F.S.; deleting the requirement that a

1 copy of a contract upon which a claim of
2 ownership of a vessel is made be submitted if
3 an application for transfer of title is based
4 on a contractual default; amending s. 328.42,
5 F.S.; authorizing the department to deny or
6 cancel a vessel registration, license plate, or
7 fuel-use tax decal when given a dishonored
8 check by the customer; amending s. 328.56,
9 F.S.; revising language relating to display of
10 vessel registration number; amending s. 328.72,
11 F.S.; deleting certain requirements for the
12 transfer of ownership of an antique vessel;
13 amending s. 832.09, F.S.; requiring the
14 department to create a standardized form for
15 notification from clerks of courts of
16 satisfaction of a worthless check; providing an
17 effective date.

18

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

20

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

23 316.003 Definitions.--The following words and phrases,
24 when used in this chapter, shall have the meanings
25 respectively ascribed to them in this section, except where
26 the context otherwise requires:

27 (1) AUTHORIZED EMERGENCY VEHICLES.--Vehicles of the
28 fire department (fire patrol), police vehicles, and such
29 ambulances and emergency vehicles of municipal departments,
30 public service corporations operated by private corporations,
31 the Department of Environmental Protection, the Department of

1 Health, and the Department of Transportation as are designated
2 or authorized by their respective department or the chief of
3 police of an incorporated city or any sheriff of any of the
4 various counties.

5 Section 2. Paragraph (b) of subsection (2) and
6 paragraph (b) of subsection (3) are amended and paragraph (c)
7 is added to subsection (3) of section 316.006, Florida
8 Statutes, to read:

9 316.006 Jurisdiction.--Jurisdiction to control traffic
10 is vested as follows:

11 (2) MUNICIPALITIES.--

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

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

25 2. The exercise of jurisdiction provided for herein
26 shall be in addition to jurisdictional authority presently
27 exercised by municipalities under law, and nothing in this
28 paragraph shall be construed to limit or remove any such
29 jurisdictional authority. Such jurisdiction includes
30 regulation of access to such road or roads by security devices
31 or personnel.

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

10
11 This subsection shall not limit those counties which have the
12 charter powers to provide and regulate arterial, toll, and
13 other roads, bridges, tunnels, and related facilities from the
14 proper exercise of those powers by the placement and
15 maintenance of traffic control devices which conform to the
16 manual and specifications of the Department of Transportation
17 on streets and highways located within municipal boundaries.

18 (3) COUNTIES.--

19 (b) A county may exercise jurisdiction over any
20 private road or roads, or over any limited access road or
21 roads owned or controlled by a special district, located in
22 the unincorporated area within its boundaries if the county
23 and party or parties owning or controlling such road or roads
24 provide, by written agreement approved by the governing body
25 of the county, for county traffic control jurisdiction over
26 the road or roads encompassed by such agreement. Pursuant
27 thereto:

28 1. Provision for reimbursement for actual costs of
29 traffic control and enforcement and for liability insurance
30 and indemnification by the party or parties, and such other
31

1 terms as are mutually agreeable, may be included in such an
2 agreement.

3 2. Prior to entering into an agreement which provides
4 for enforcement of the traffic laws of the state over a
5 private road or roads, or over any limited access road or
6 roads owned or controlled by a special district, the governing
7 body of the county shall consult with the sheriff. No such
8 agreement shall take effect prior to October 1, the beginning
9 of the county fiscal year, unless this requirement is waived
10 in writing by the sheriff.

11 3. The exercise of jurisdiction provided for herein
12 shall be in addition to jurisdictional authority presently
13 exercised by counties under law, and nothing in this paragraph
14 shall be construed to limit or remove any such jurisdictional
15 authority.

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

25 (c) If the governing body of a county abandons the
26 roads and rights-of-way dedicated in a recorded residential
27 subdivision, and simultaneously conveys the county's interest
28 therein to a homeowners' association for the subdivision in
29 the manner prescribed in s. 316.00825, that county's traffic
30 control jurisdiction over the abandoned and conveyed roads
31 ceases unless the requirements of paragraph (b) are met.

1
2 Notwithstanding the provisions of subsection (2), each county
3 shall have original jurisdiction to regulate parking, by
4 resolution of the board of county commissioners and the
5 erection of signs conforming to the manual and specifications
6 of the Department of Transportation, in parking areas located
7 on property owned or leased by the county, whether or not such
8 areas are located within the boundaries of chartered
9 municipalities.

10 Section 3. Section 316.00825, Florida Statutes, is
11 created to read:

12 316.00825 Closing and abandonment of roads; optional
13 conveyance to homeowners' association; traffic control
14 jurisdiction.--

15 (1)(a) In addition to the authority provided in s.
16 336.12, the governing body of the county may abandon the roads
17 and rights-of-way dedicated in a recorded residential
18 subdivision plat and simultaneously convey the county's
19 interest in such roads, rights-of-way, and appurtenant
20 drainage facilities to a homeowners' association for the
21 subdivision, if the following conditions have been met:

22 1. The homeowners' association has requested the
23 abandonment and conveyance in writing for the purpose of
24 converting the subdivision to a gated neighborhood with
25 restricted public access.

26 2. No fewer than four-fifths of the owners of record
27 of property located in the subdivision have consented in
28 writing to the abandonment and simultaneous conveyance to the
29 homeowners' association.

30 3. The homeowners' association is both a corporation
31 not for profit organized and in good standing under chapter

1 617, and a "homeowners' association" as defined in s.
2 720.301(7) with the power to levy and collect assessments for
3 routine and periodic major maintenance and operation of street
4 lighting, drainage, sidewalks, and pavement in the
5 subdivision.

6 4. The homeowners' association has entered into and
7 executed such agreements, covenants, warranties, and other
8 instruments; has provided, or has provided assurance of, such
9 funds, reserve funds, and funding sources; and has satisfied
10 such other requirements and conditions as may be established
11 or imposed by the county with respect to the ongoing
12 operation, maintenance, and repair and the periodic
13 reconstruction or replacement of the roads, drainage, street
14 lighting, and sidewalks in the subdivision after the
15 abandonment by the county.

16 (b) The homeowners' association shall install,
17 operate, maintain, repair, and replace all signs, signals,
18 markings, striping, guardrails, and other traffic control
19 devices necessary or useful for the private roads unless an
20 agreement has been entered into between the county and the
21 homeowners' association, as authorized under s. 316.006(3)(b),
22 expressly providing that the county has traffic control
23 jurisdiction.

24 (2) Upon abandonment of the roads and rights-of-way
25 and the conveyance thereof to the homeowners' association, the
26 homeowners' association shall have all the rights, title, and
27 interest in the roads and rights-of-way, including all
28 appurtenant drainage facilities, as were previously vested in
29 the county. Thereafter, the homeowners' association shall
30 hold the roads and rights-of-way in trust for the benefit of
31 the owners of the property in the subdivision, and shall

1 operate, maintain, repair, and, from time to time, replace and
2 reconstruct the roads, street lighting, sidewalks, and
3 drainage facilities as necessary to ensure their use and
4 enjoyment by the property owners, tenants, and residents of
5 the subdivision and their guests and invitees. The provisions
6 of this section shall be regarded as supplemental and
7 additional to the provisions of s. 336.12, and shall not be
8 regarded as in derogation of that section.

9 Section 4. Subsection (3) is added to section 316.061,
10 Florida Statutes, to read:

11 316.061 Crashes involving damage to vehicle or
12 property.--

13 (3) Employees or authorized agents of the Department
14 of Transportation, law enforcement with proper jurisdiction,
15 and an expressway authority created pursuant to chapter 348,
16 in the exercise, management, control, and maintenance of its
17 highway system, may undertake the removal from the main
18 traveled way of roads on its highway system of all vehicles
19 incapacitated as a result of a motor vehicle crash and of
20 debris caused thereby. Such removal is applicable when such a
21 crash results only in damage to a vehicle or other property,
22 and where such removal can be accomplished safely and will
23 result in the improved safety or convenience of travel upon
24 the road. The driver or any other person who has removed a
25 vehicle from the main traveled way of the road as provided in
26 this subsection shall not be considered liable or at fault
27 regarding the cause of the accident solely by reason of moving
28 the vehicle.

29 Section 5. Paragraph (c) of subsection (3) of section
30 316.066, Florida Statutes, is amended to read:

31 316.066 Written reports of crashes.--

1 (3)
2 (c) Crash reports required by this section which
3 reveal the identity, home or employment telephone number or
4 home or employment address of, or other personal information
5 concerning the parties involved in the crash and which are
6 received or prepared by any agency that regularly receives or
7 prepares information from or concerning the parties to motor
8 vehicle crashes are confidential and exempt from s. 119.07(1)
9 and s. 24(a), Art. I of the State Constitution for a period of
10 60 days after the date the report is filed. However, such
11 reports may be made immediately available to the parties
12 involved in the crash, their legal representatives, their
13 licensed insurance agents, their insurers or insurers to which
14 they have applied for coverage, persons under contract with
15 such insurers to provide claims or underwriting information,
16 prosecutorial authorities, radio and television stations
17 licensed by the Federal Communications Commission, newspapers
18 qualified to publish legal notices under ss. 50.011 and
19 50.031, and free newspapers of general circulation, published
20 once a week or more often, available and of interest to the
21 public generally for the dissemination of news. For the
22 purposes of this section, the following products or
23 publications are not newspapers as referred to in this
24 section: those intended primarily for members of a particular
25 profession or occupational group; those with the primary
26 purpose of distributing advertising; and those with the
27 primary purpose of publishing names and other personally
28 identifying information concerning parties to motor vehicle
29 crashes. Any local, state, or federal agency, agent, or
30 employee that is authorized to have access to such reports by
31 any provision of law shall be granted such access in the

1 furtherance of the agency's statutory duties notwithstanding
 2 the provisions of this paragraph. Any local, state, or federal
 3 agency, agent, or employee receiving such crash reports shall
 4 maintain the confidential and exempt status of those reports
 5 and shall not disclose such crash reports to any person or
 6 entity. Any person attempting to access crash reports within
 7 60 days after the date the report is filed must present
 8 legitimate credentials or identification that demonstrates his
 9 or her qualifications to access that information. This
 10 exemption is subject to the Open Government Sunset Review Act
 11 of 1995 in accordance with s. 119.15, and shall stand repealed
 12 on October 2, 2006, unless reviewed and saved from repeal
 13 through reenactment by the Legislature.

14 Section 6. Subsection (2) of section 316.1975, Florida
 15 Statutes, is amended to read:

16 316.1975 Unattended motor vehicle.--

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

18 (a) An authorized emergency vehicle while in the
 19 performance of official duties and the vehicle is equipped
 20 with an activated antitheft device that prohibits the vehicle
 21 from being driven; ~~or~~

22 (b) A licensed delivery truck or other delivery
 23 vehicle while making deliveries; or

24 (c) A solid waste or recovered materials vehicle while
 25 collecting such items.

26 Section 7. Section 316.2127, Florida Statutes, is
 27 created to read:

28 316.2127 Operation of utility vehicles on certain
 29 roadways by homeowners' associations.--The operation of a
 30 utility vehicle, as defined in s. 320.01, upon the public
 31 roads or streets of this state by a homeowners' association,

1 as defined in s. 720.301, or its agents is prohibited except
2 as provided herein:

3 (1) A utility vehicle may be operated by a homeowners'
4 association or its agents only upon a county road that has
5 been designated by a county, or a city street that has been
6 designated by a city, for use by a utility vehicle for general
7 maintenance, security, and landscaping purposes. Prior to
8 making such a designation, the responsible local governmental
9 entity must first determine that utility vehicles may safely
10 travel on or cross the public road or street, considering
11 factors including the speed, volume, and character of motor
12 vehicle traffic on the road or street. Upon a determination
13 that utility vehicles may be safely operated on a designated
14 road or street, the responsible governmental entity shall post
15 appropriate signs to indicate that such operation is allowed.

16 (2) A utility vehicle may be operated by a homeowners'
17 association or its agents on a portion of the State Highway
18 System only under the following conditions:

19 (a) To cross a portion of the State Highway System
20 which intersects a county road or a city street that has been
21 designated for use by utility vehicles if the Department of
22 Transportation has reviewed and approved the location and
23 design of the crossing and any traffic control devices needed
24 for safety purposes.

25 (b) To cross, at midblock, a portion of the State
26 Highway System where the highway bisects property controlled
27 or maintained by a homeowners' association if the Department
28 of Transportation has reviewed and approved the location and
29 design of the crossing and any traffic control devices needed
30 for safety purposes.

31

1 (c) To travel on a state road that has been designated
2 for transfer to a local government unit pursuant to s.
3 335.0415 if the Department of Transportation determines that
4 the operation of a utility vehicle within the right-of-way of
5 the road will not impede the safe and efficient flow of motor
6 vehicle traffic. The department may authorize the operation of
7 utility vehicles on such a road if:

8 1. The road is the only available public road on which
9 utility vehicles may travel or cross or the road provides the
10 safest travel route among alternative routes available; and

11 2. The speed, volume, and character of motor vehicle
12 traffic on the road is considered in making such a
13 determination.

14
15 Upon its determination that utility vehicles may be operated
16 on a given road, the department shall post appropriate signs
17 on the road to indicate that such operation is allowed.

18 (3) A utility vehicle may be operated by a homeowners'
19 association or its agents only during the hours between
20 sunrise and sunset, unless the responsible governmental entity
21 has determined that a utility vehicle may be operated during
22 the hours between sunset and sunrise and the utility vehicle
23 is equipped with headlights, brake lights, turn signals, and a
24 windshield.

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

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

31

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

6 Section 8. Subsection (9) of section 316.2397, Florida
7 Statutes, is amended to read:

8 316.2397 Certain lights prohibited; exceptions.--

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

13 Section 9. Subsection (2) of section 316.304, Florida
14 Statutes, is amended to read:

15 316.304 Wearing of headsets.--

16 (2) This section does not apply to:

17 (a) Any law enforcement officer equipped with any
18 communication device necessary in performing his or her
19 assigned duties or to any emergency vehicle operator equipped
20 with any ear protection device.

21 (b) Any applicant for a license to operate a
22 motorcycle while taking the examination required by s.
23 322.12(5).

24 (c) Any person operating a motorcycle who is using a
25 headset that is installed in a helmet and worn so as to
26 prevent the speakers from making direct contact with the
27 user's ears so that the user can hear surrounding sounds.

28 (d) Any person using a headset in conjunction with a
29 cellular telephone that only provides sound through one ear
30 and allows surrounding sounds to be hear with the other ear.

31

1 (e) Any person using a headset in conjunction with
2 communicating with the central base operation that only
3 provides sound through one ear and allows surrounding sounds
4 to be heard with the other ear.

5 Section 10. Section 316.520, Florida Statutes, is
6 amended to read:

7 316.520 Loads on vehicles.--

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

15 (2) It is the duty of every owner and driver,
16 severally, of any vehicle hauling, upon any public road or
17 highway open to the public, dirt, sand, lime rock, gravel,
18 silica, or other similar aggregate or trash, garbage, any
19 inanimate object or objects, or any similar material that
20 could fall or blow from such vehicle, to prevent such
21 materials from falling, blowing, or in any way escaping from
22 such vehicle. Covering and securing the load with a
23 close-fitting tarpaulin or other appropriate cover or a load
24 securing device meeting the requirements of 49 C.F.R. s.
25 393.100 or a device designed to reasonably ensure that cargo
26 will not shift upon or fall from the vehicle is required and
27 shall constitute compliance with this section.

28 (3)(a) Except as provided in paragraph (b),a
29 violation of this section is a noncriminal traffic infraction,
30 punishable as a nonmoving violation as provided in chapter
31 318.

1 (b) Any person who willfully violates the provisions
2 of this section which offense results in serious bodily injury
3 or death to an individual and which offense occurs as a result
4 of failing to comply with subsections (1) and (2) commits a
5 criminal traffic offense and a misdemeanor of the second
6 degree, punishable as provided in s. 775.082 or s. 775.083.

7 (4) The provisions of subsection (2) requiring
8 covering and securing the load with a close-fitting tarpaulin
9 or other appropriate cover does not apply to vehicles carrying
10 agricultural products locally from a harvest site or to or
11 from a farm on roads where the posted speed limit is 65 miles
12 per hour or less and the distance driven on public roads is
13 less than 20 miles.

14 Section 11. Paragraph (f) is added to subsection (3)
15 of section 318.18, Florida Statutes, and subsection (12) is
16 added to said section, to read:

17 318.18 Amount of civil penalties.--The penalties
18 required for a noncriminal disposition pursuant to s. 318.14
19 are as follows:

20 (3)

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

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

1 (f) A person cited for exceeding the speed limit
2 within a zone posted for any electronic or manual toll
3 collection facility will be assessed a fine double the amount
4 listed in paragraph (b). However, no person cited for
5 exceeding the speed limit in any toll collection zone shall be
6 subject to a doubled fine unless the governmental entity or
7 authority controlling the toll collection zone first installs
8 a traffic control device providing warning that speeding fines
9 are doubled. Any such traffic control device must meet the
10 requirements of the uniform system of traffic control devices.

11 (12) One hundred dollars for a violation of s.
12 316.520(1) or (2). If, at a hearing, the alleged offender is
13 found to have committed this offense, the court shall impose a
14 minimum civil penalty of \$100. For a second or subsequent
15 adjudication within a period of 5 years, the department shall
16 suspend the driver's license of the person for not less than
17 180 days and not more than 1 year.

18 Section 12. Section 318.19, Florida Statutes, is
19 amended to read:

20 318.19 Infractions requiring a mandatory hearing.--Any
21 person cited for the infractions listed in this section shall
22 not have the provisions of s. 318.14(2), (4), and (9)
23 available to him or her but must appear before the designated
24 official at the time and location of the scheduled hearing:

25 (1) Any infraction which results in a crash that
26 causes the death of another; ~~or~~

27 (2) Any infraction which results in a crash that
28 causes "serious bodily injury" of another as defined in s.
29 316.1933(1); ~~or~~

30 (3) Any infraction of s. 316.172(1)(b); or

31 (4) Any infraction of s. 316.520(1) or (2).

1 Section 13. Subsection (1), paragraph (b) of
2 subsection (2), and paragraphs (b) and (c) of subsection (3)
3 of section 316.640, Florida Statutes, are amended to read:

4 316.640 Enforcement.--The enforcement of the traffic
5 laws of this state is vested as follows:

6 (1) STATE.--

7 (a)1.a. The Division of Florida Highway Patrol of the
8 Department of Highway Safety and Motor Vehicles, the Division
9 of Law Enforcement of the Fish and Wildlife Conservation
10 Commission, the Division of Law Enforcement of the Department
11 of Environmental Protection, and law enforcement officers of
12 the Department of Transportation each have authority to
13 enforce all of the traffic laws of this state on all the
14 streets and highways thereof and elsewhere throughout the
15 state wherever the public has a right to travel by motor
16 vehicle. The Division of the Florida Highway Patrol may employ
17 as a traffic accident investigation officer any individual who
18 successfully completes at least 200 hours of instruction in
19 traffic accident investigation and court presentation through
20 the Selective Traffic Enforcement Program as approved by the
21 Criminal Justice Standards and Training Commission and funded
22 through the National Highway Traffic Safety Administration or
23 a similar program approved by the commission, but who does not
24 necessarily meet the uniform minimum standards established by
25 the commission for law enforcement officers or auxiliary law
26 enforcement officers under chapter 943. Any such traffic
27 accident investigation officer who makes an investigation at
28 the scene of a traffic accident may issue traffic citations,
29 based upon personal investigation, when he or she has
30 reasonable and probable grounds to believe that a person who
31 was involved in the accident committed an offense under this

1 chapter, chapter 319, chapter 320, or chapter 322 in
2 connection with the accident. This paragraph does not permit
3 the carrying of firearms or other weapons, nor do such
4 officers have arrest authority ~~other than for the issuance of~~
5 ~~a traffic citation as authorized in this paragraph.~~

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

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

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

25 (I) An airport authority may employ as a parking
26 enforcement specialist any individual who successfully
27 completes a training program established and approved by the
28 Criminal Justice Standards and Training Commission for parking
29 enforcement specialists but who does not otherwise meet the
30 uniform minimum standards established by the commission for
31 law enforcement officers or auxiliary or part-time officers

1 under s. 943.12. Nothing in this sub-sub-subparagraph shall be
2 construed to permit the carrying of firearms or other weapons,
3 nor shall such parking enforcement specialist have arrest
4 authority.

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

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

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

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

28 3. Any disciplinary action taken or performance
29 evaluation conducted by an agency of the state as described in
30 subparagraph 1. of a law enforcement officer's traffic
31 enforcement activity must be in accordance with written

1 work-performance standards. Such standards must be approved by
2 the agency and any collective bargaining unit representing
3 such law enforcement officer. A violation of this subparagraph
4 is not subject to the penalties provided in chapter 318.

5 (2) COUNTIES.--

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

28 (3) MUNICIPALITIES.--

29 (b) The police department of a chartered municipality
30 may employ as a traffic crash investigation officer any
31 individual who successfully completes at least 200 hours of

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

21 (c)1. A chartered municipality or its authorized
22 agency or instrumentality may employ as a parking enforcement
23 specialist any individual who successfully completes a
24 training program established and approved by the Criminal
25 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.

30 2. A parking enforcement specialist employed by a
31 chartered municipality or its authorized agency or

1 instrumentality is authorized to enforce all state, county,
2 and municipal laws and ordinances governing parking within the
3 boundaries of the municipality employing the specialist, by
4 appropriate state, county, or municipal traffic citation.

5 ~~Nothing in this paragraph shall be construed to permit the~~
6 ~~carrying of firearms or other weapons, nor shall such a~~
7 ~~parking enforcement specialist have arrest authority.~~

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

11 Section 14. Subsection (1) of section 322.056, Florida
12 Statutes, is amended to read:

13 322.056 Mandatory revocation or suspension of, or
14 delay of eligibility for, driver's license for persons under
15 age 18 found guilty of certain alcohol, drug, or tobacco
16 offenses; prohibition.--

17 (1) Notwithstanding the provisions of s. 322.055, if a
18 person under 18 years of age is found guilty of or delinquent
19 for a violation of s. 562.11(2), s. 562.111, or chapter 893,
20 and:

21 (a) The person is eligible by reason of age for a
22 driver's license or driving privilege, the court shall direct
23 the department to revoke or to withhold issuance of his or her
24 driver's license or driving privilege for a period of:

25 1. Not less than 6 months and not more than 1 year for
26 the first violation.

27 2. Two years, for a subsequent violation.

28 (b) The person's driver's license or driving privilege
29 is under suspension or revocation for any reason, the court
30 shall direct the department to extend the period of suspension
31 or revocation by an additional period of:

1 1. Not less than 6 months and not more than 1 year for
2 the first violation.

3 2. Two years, for a subsequent violation.

4 (c) The person is ineligible by reason of age for a
5 driver's license or driving privilege, the court shall direct
6 the department to withhold issuance of his or her driver's
7 license or driving privilege for a period of:

8 1. Not less than 6 months and not more than 1 year
9 after the date on which he or she would otherwise have become
10 eligible, for the first violation.

11 2. Two years after the date on which he or she would
12 otherwise have become eligible, for a subsequent violation.

13
14 However, the court may, in its sound discretion, direct the
15 department to issue a license for driving privileges
16 restricted to business or employment purposes only, as defined
17 in s. 322.271, if the person is otherwise qualified for such a
18 license.

19 Section 15. Section 570.073, Florida Statutes, is
20 amended to read:

21 570.073 Department of Agriculture and Consumer
22 Services, law enforcement officers.--

23 (1) The commissioner may create an Office of
24 Agricultural Law Enforcement under the supervision of a senior
25 manager exempt under s. 110.205 in the Senior Management
26 Service. The commissioner may designate law enforcement
27 officers, as necessary, to enforce any criminal law or conduct
28 any criminal investigation or to enforce the provisions of any
29 statute or any other laws of this state ~~relating to any matter~~
30 ~~over which the department has jurisdiction or which occurs on~~
31 ~~property owned, managed, or occupied by the department.~~

1 Officers appointed under this section have the primary
2 responsibility for enforcing laws relating to agriculture and
3 consumer services as outlined below and violations of law that
4 threaten the overall security and safety of this state's
5 agriculture and consumer services.~~Those matters include~~ The
6 primary responsibilities include the enforcement of laws
7 relating to:

8 (a) Domesticated animals, including livestock,
9 poultry, aquaculture products, and other wild or domesticated
10 animals or animal products.

11 (b) Farms, farm equipment, livery tack, citrus or
12 citrus products, or horticultural products.

13 (c) Trespass, littering, forests, forest fires, and
14 open burning.

15 (d) Damage to or theft of forest products.

16 (e) Enforcement of a marketing order.

17 (f) Protection of consumers.

18 (g) Civil traffic offenses as outlined under Florida
19 law provided for in chapters 316, 320, and 322, subject to the
20 provisions of chapter 318, relating to any matter over which
21 the department has jurisdiction or committed on property
22 owned, managed, or occupied by the department.

23 (h) The use of alcohol or drugs which occurs on
24 property owned, managed, or occupied by the department.

25 (i) Any emergency situation in which the life, limb,
26 or property of any person is placed in immediate and serious
27 danger.

28 (j) Any crime incidental to or related to paragraphs
29 (a)-(i).

30 (k) Any law over which the Commissioner of Agriculture
31 has responsibility.

1 (2) Each law enforcement officer shall meet the
2 qualifications of law enforcement officers under s. 943.13 and
3 shall be certified as a law enforcement officer by the
4 Department of Law Enforcement under the provisions of chapter
5 943. Upon certification, each law enforcement officer is
6 subject to and shall have the same arrest and other authority
7 provided for law enforcement officers generally in chapter 901
8 and shall have statewide jurisdiction ~~as provided in~~
9 ~~subsection (1)~~. Each officer shall also have arrest authority
10 as provided for state law enforcement officers in s.
11 901.15~~(11)~~. Such officers have full law enforcement powers
12 granted to other peace officers of this state, including the
13 power to make arrests, carry firearms, serve court process,
14 and seize contraband and the proceeds of illegal activities.

15 (3) The Commissioner may also appoint part-time,
16 reserve or auxiliary law enforcement officers under chapter
17 943.

18 ~~(4)(3)~~ All department law enforcement officers, upon
19 certification under s. 943.1395, shall have the same right and
20 authority to carry arms as do the sheriffs of this state.

21 ~~(5)(4)~~ Each law enforcement officer in the state who
22 is certified pursuant to chapter 943 has the same authority as
23 law enforcement officers designated in this section to enforce
24 the laws of this state as described in subsection (1).

25 Section 16. Subsection (5) of section 318.1451,
26 Florida Statutes, is amended to read:

27 318.1451 Driver improvement schools.--

28 ~~(5)(a) No governmental entity or court shall provide,~~
29 ~~issue, or maintain any information or orders regarding driver~~
30 ~~improvement schools or course providers, with the exception of~~
31 ~~directing inquiries or requests to the local telephone~~

1 ~~directory heading of driving instruction or the traffic school~~
 2 ~~reference guide. However,~~The department is authorized to
 3 maintain the information and records necessary to administer
 4 its duties and responsibilities for driver improvement
 5 courses. Where such information is a public record as defined
 6 in chapter 119, it shall be made available to the public upon
 7 request pursuant to s. 119.07(1).

8 (b) The department or court may shall prepare for any
 9 ~~governmental entity to distribute~~ a traffic school reference
 10 guide which lists shall list the benefits of attending a
 11 driver improvement school and contains the names of the fully
 12 approved course providers with a single telephone number for
 13 each such provider, as furnished by the provider, but under no
 14 ~~circumstance may any list of course providers or schools be~~
 15 ~~included, and shall refer further inquiries to the telephone~~
 16 ~~directory under driving instruction.~~

17 Section 17. Subsections (5) and (11) of section
 18 319.23, Florida Statutes, are amended to read:

19 319.23 Application for, and issuance of, certificate
 20 of title.--

21 (5) The certificate of title issued by the department
 22 for a motor vehicle or mobile home previously registered
 23 outside this state shall give the name of the state or country
 24 in which the vehicle was last registered outside this state.
 25 The department shall retain the evidence of title presented by
 26 the applicant upon which the certificate of title is issued.
 27 The department shall use reasonable diligence in ascertaining
 28 whether or not the facts in the application are true; and, if
 29 satisfied that the applicant is the owner of the motor vehicle
 30 or mobile home and that the application is in the proper form,
 31 it shall issue a certificate of title.

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

4 Section 18. Paragraph (a) of subsection (1) of section
5 319.28, Florida Statutes, is amended to read:

6 319.28 Transfer of ownership by operation of law.--

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

31

1 ~~shall not be necessary to institute proceedings in any court~~
2 ~~to foreclose such mortgage.~~

3 Section 19. Paragraph (d) of subsection (1) of section
4 319.33, Florida Statutes, is amended, and subsection (6) of
5 said section is reenacted, to read:

6 319.33 Offenses involving vehicle identification
7 numbers, applications, certificates, papers; penalty.--

8 (1) It is unlawful:

9 (d) To possess, sell or offer for sale, conceal, or
10 dispose of in this state a motor vehicle or mobile home, or
11 major component part thereof, on which any ~~the~~ motor number or
12 vehicle identification number that has been affixed by the
13 manufacturer or by a state agency, such as the Department of
14 Highway Safety and Motor Vehicles, which regulates motor
15 vehicles has been destroyed, removed, covered, altered, or
16 defaced, with knowledge of such destruction, removal,
17 covering, alteration, or defacement, except as provided in s.
18 319.30(4).

19 (6) Any person who violates any provision of this
20 section is guilty of a felony of the third degree, punishable
21 as provided in s. 775.082, s. 775.083, or s. 775.084. Any
22 motor vehicle used in violation of this section shall
23 constitute contraband which may be seized by a law enforcement
24 agency and shall be subject to forfeiture proceedings pursuant
25 to ss. 932.701-932.704. This section is not exclusive of any
26 other penalties prescribed by any existing or future laws for
27 the larceny or unauthorized taking of motor vehicles or mobile
28 homes, but is supplementary thereto.

29 Section 20. Section 320.025, Florida Statutes, is
30 amended to read:

31

1 320.025 Registration certificate and license plate or
2 decal issued under fictitious name; application.--

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

21 (2) Except as provided in subsection (1), any motor
22 vehicle owned or exclusively operated by the state or any
23 county, municipality, or other governmental entity must at all
24 times display a license plate of the type prescribed in s.
25 320.0655. Any vessel owned or exclusively operated by the
26 state or any county, municipality, or other governmental
27 entity must at all times display a registration number as
28 required in s. 328.56 and a vessel decal as required in s.
29 328.48(5).

30 (3) This section constitutes an exception to other
31 statutes relating to falsification of public records, false

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

13 Section 21. 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 support, as defined in s. 409.2554, or to whom
20 such an obligation is owed pursuant to Title IV-D of the
21 Social Security Act.

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

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

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

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

10 Section 23. Paragraphs (b) and (c) of subsection (1)
11 of section 320.06, Florida Statutes, are amended to read:

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

14 (1)

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

1 ~~or upon request when it has been damaged or destroyed. There~~
2 ~~shall also be issued with each license plate a serially~~
3 ~~numbered validation sticker showing the year of expiration,~~
4 ~~which sticker shall be placed on the upper right corner of the~~
5 ~~license plate.~~ Such license plate and validation sticker
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 an
10 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 24. Paragraph (a) of subsection (2) of section
9 320.072, Florida Statutes, is amended to read:

10 320.072 Additional fee imposed on certain motor
11 vehicle registration transactions.--

12 (2) The fee imposed by subsection (1) shall not apply
13 to:

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

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

19 320.0805 Personalized prestige license plates.--

20 (6) A personalized prestige license plate shall be
21 issued for the exclusive continuing use of the applicant. An
22 exact duplicate of any plate may not be issued to any other
23 applicant during the same registration period. An exact
24 duplicate may not be issued for any succeeding year unless the
25 previous owner of a specific plate relinquishes it by failure
26 to apply for renewal or reissuance for 1 year ~~three~~
27 ~~consecutive annual registration periods~~ following the last
28 ~~original~~ year of issuance.

29 Section 26. Paragraph (hh) is added to subsection (4)
30 of section 320.08056, Florida Statutes, as amended by chapter
31 2001-355, Laws of Florida, to read:

1 320.08056 Specialty license plates.--

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

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

5 Section 27. Subsection (34) is added to section
6 320.08058, Florida Statutes, as amended by chapter 2001-355,
7 Laws of Florida, to read:

8 320.08058 Specialty license plates.--

9 (34) FLORIDA GOLF LICENSE PLATES.--

10 (a) The Department of Highway Safety and Motor
11 Vehicles shall develop a Florida Golf license plate as
12 provided in this section. The word "Florida" must appear at
13 the bottom of the plate. The Dade Amateur Golf Association,
14 following consultation with the PGA TOUR, the Florida Sports
15 Foundation, the LPGA, and the PGA of America may submit a
16 revised sample plate for consideration by the department.

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

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

25 2. The Dade Amateur Golf Association shall receive the
26 first \$80,000 in proceeds from the annual use fees for the
27 operation of youth golf programs in Miami-Dade County.

28 Thereafter, 15 percent of the proceeds from the annual use
29 fees shall be provided to the Dade Amateur Golf Association
30 for the operation of youth golf programs in Miami-Dade County.

31

1 3. The remaining proceeds from the annual use fees
2 shall be available for grants to nonprofit organizations to
3 operate youth golf programs and for marketing the Florida Golf
4 license plates. All grant recipients, including the Dade
5 Amateur Golf Association, shall be required to provide to the
6 Florida Sports Foundation an annual program and financial
7 report regarding the use of grant funds. Such reports shall
8 be made available to the public.

9 (c) The Florida Sports Foundation may establish a
10 Florida Youth Golf Program. The Florida Youth Golf Program
11 shall assist organizations for the benefit of youth, introduce
12 young people to golf, instruct young people in golf, teach the
13 values of golf, and stress life skills, fair play, courtesy,
14 and self-discipline.

15 (d) The Florida Sports Foundation shall establish a
16 seven-member advisory committee to offer advice regarding the
17 distribution of the annual use fees for grants to nonprofit
18 organizations. The advisory committee shall consist of one
19 member from a group serving youth, one member from a group
20 serving disabled youth, and five members at large.

21 Section 28. Subsection (1) of section 320.083, Florida
22 Statutes, is amended to read:

23 320.083 Amateur radio operators; special license
24 plates; fees.--

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

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

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

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

9 Section 29. Subsection (2) of section 320.0848,
10 Florida Statutes, is amended to read:

11 320.0848 Persons who have disabilities; issuance of
12 disabled parking permits; temporary permits; permits for
13 certain providers of transportation services to persons who
14 have disabilities.--

15 (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
16 MOBILITY PROBLEMS.--

17 (a) The disabled parking permit is a placard that can
18 be placed in a motor vehicle so as to be visible from the
19 front and rear of the vehicle. Each side of the placard must
20 have the international symbol of accessibility in a
21 contrasting color in the center so as to be visible. One side
22 of the placard must display the applicant's driver's license
23 number or state identification card number along with a
24 warning that the applicant must have such identification at
25 all times while using the parking permit. A validation sticker
26 must also be issued with each disabled parking permit, showing
27 the month and year of expiration on each side of the placard.
28 Validation stickers must be of the size specified by the
29 Department of Highway Safety and Motor Vehicles and must be
30 affixed to the disabled parking permits. The disabled parking
31 permits must use the same colors as license plate validations.

1 (b) License plates issued under ss. 320.084, 320.0842,
2 320.0843, and 320.0845 are valid for the same parking
3 privileges and other privileges provided under ss. 316.1955,
4 316.1964, and 526.141(5)(a).

5 (c) The administrative processing fee for each initial
6 4-year disabled parking permit or renewal permit shall be
7 \$1.50, and all proceeds of that fee shall be retained by the
8 tax collector of the county in which the fee was collected.

9 ~~(c)1. Except as provided in subparagraph 2., the fee~~
10 ~~for a disabled parking permit shall be:~~

11 ~~a. Fifteen dollars for each initial 4-year permit or~~
12 ~~renewal permit, of which the State Transportation Trust Fund~~
13 ~~shall receive \$13.50 and the tax collector of the county in~~
14 ~~which the fee was collected shall receive \$1.50.~~

15 ~~b. One dollar for each additional or additional~~
16 ~~renewal 4-year permit, of which the State Transportation Trust~~
17 ~~Fund shall receive all funds collected.~~

18 (d) The department shall not issue an additional
19 disabled parking permit unless the applicant states that he or
20 she is ~~they are~~ a frequent traveler or a quadriplegic. The
21 department may not issue to any one eligible applicant more
22 than two disabled parking permits except to an organization in
23 accordance with paragraph (1)(e). Subsections (1), (5), (6),
24 and (7) apply to this subsection.

25 (e)2. If an applicant who is a disabled veteran, is a
26 resident of this state, has been honorably discharged, and
27 either has been determined by the Department of Defense or the
28 United States Department of Veterans Affairs or its
29 predecessor to have a service-connected disability rating for
30 compensation of 50 percent or greater or has been determined
31 to have a service-connected disability rating of 50 percent or

1 greater and is in receipt of both disability retirement pay
2 from the United States Department of Veterans Affairs, he or
3 she must still provide and has a signed physician's statement
4 of qualification for the disabled parking permits., ~~the fee~~
5 ~~for a disabled parking permit shall be:~~

6 a. ~~One dollar and fifty cents for the initial 4-year~~
7 ~~permit or renewal permit.~~

8 b. ~~One dollar for each additional or additional~~
9 ~~renewal 4-year permit.~~

10
11 ~~The tax collector of the county in which the fee was collected~~
12 ~~shall retain all funds received pursuant to this subparagraph.~~

13 3. ~~If an applicant presents to the department a~~
14 ~~statement from the Federal Government or the State of Florida~~
15 ~~indicating the applicant is a recipient of supplemental~~
16 ~~security income, the fee for the disabled parking permit shall~~
17 ~~be \$9 for the initial 4-year permit or renewal permit, of~~
18 ~~which the State Transportation Trust Fund shall receive \$6.75~~
19 ~~and the tax collector of the county in which the fee was~~
20 ~~collected shall receive \$2.25.~~

21 (f)~~(d)~~ To obtain a replacement for a disabled parking
22 permit that has been lost or stolen, a person must submit an
23 application on a form prescribed by the department and must
24 pay a replacement fee in the amount of \$1.00, to be retained
25 by the issuing agency. If the person submits with the
26 application a police report documenting that the permit was
27 stolen, there is no replacement fee.

28 (g)~~(e)~~ A person who qualifies for a disabled parking
29 permit under this section may be issued an international
30 wheelchair user symbol license plate under s. 320.0843 in lieu
31 of the disabled parking permit; or, if the person qualifies

1 for a "DV" license plate under s. 320.084, such a license
2 plate may be issued to him or her in lieu of a disabled
3 parking permit.

4 Section 30. Subsections (2) and (3) of section
5 320.089, Florida Statutes, are amended to read:

6 320.089 Members of National Guard and active United
7 States Armed Forces reservists; former prisoners of war;
8 survivors of Pearl Harbor; Purple Heart medal recipients;
9 special license plates; fee.--

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

21 (a) A citizen of the United States who served as a
22 member of the Armed Forces of the United States or the armed
23 forces of a nation allied with the United States who was held
24 as a prisoner of war at such time as the Armed Forces of the
25 United States were engaged in combat, or their unremarried
26 surviving spouse, may be issued the special license plate
27 provided for in this subsection without payment of the license
28 tax imposed by s. 320.08.

29 (b) A person who was serving as a civilian with the
30 consent of the United States Government, or a person who was a
31 member of the Armed Forces of the United States who was not a

1 United States citizen and was held as a prisoner of war when
2 the Armed Forces of the United States were engaged in combat,
3 or their unremarried surviving spouse, may be issued the
4 special license plate provided for in this subsection upon
5 payment of the license tax imposed by s. 320.08.

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

19 Section 31. Subsection (4) and (5) are added to
20 section 320.275, Florida Statutes, to read:

21 320.275 Automobile Dealers Industry Advisory Board.--

22 (4) A technical advisory committee is created to
23 advise the Automobile Dealers Industry Advisory Board. The
24 committee, from its own initiative, may make recommendations
25 to the board on proposed legislation and proposed rules and
26 procedures, may consider any matters relating to the motor
27 vehicle dealer industry, and may make recommendations on
28 consumer education and information, and submit an annual
29 report to the board. The technical advisory committee shall
30 be composed of one representative from a senior citizens
31 organization; one representative from an organization

1 representing low-income Floridians; one representative from
2 the consumer affairs division of a county or city; one
3 representative from a nationally recognized consumer
4 organization; one representative from an organization
5 representing the disabled; and one representative from the
6 office of the Attorney General.

7 (5) The office of the Attorney General, the Department
8 of Agriculture and Consumer Services, and the Department of
9 Highway Safety and Motor Vehicles shall coordinate and provide
10 consumer education and information relative to this chapter.

11 Section 32. Section 321.02, Florida Statutes, is
12 amended to read:

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

1 reasonable, and nondiscriminatory fee for placement of the
2 facilities, payable annually, based on the fair market value
3 of space used by comparable communications facilities in the
4 state. The department and a wireless provider or
5 telecommunications company may negotiate the reduction or
6 elimination of a fee in consideration of services provided to
7 the division by the wireless provider or the
8 telecommunications company. All such fees collected by the
9 department shall be deposited directly into the State Agency
10 Law Enforcement Radio System Trust Fund, and may be used to
11 construct, maintain, or support the system. The department is
12 further specifically authorized to purchase, sell, trade,
13 rent, lease and maintain all necessary equipment, uniforms,
14 motor vehicles, communication systems, housing facilities,
15 office space, and perform any other acts necessary for the
16 proper administration and enforcement of this chapter.
17 However, all supplies and equipment consisting of single items
18 or in lots shall be purchased under the requirements of s.
19 287.057. Purchases shall be made by accepting the bid of the
20 lowest responsive bidder, the right being reserved to reject
21 all bids. The department shall prescribe a distinctive uniform
22 and distinctive emblem to be worn by all officers of the
23 Florida Highway Patrol. It shall be unlawful for any other
24 person or persons to wear a similar uniform or emblem, or any
25 part or parts thereof. The department shall also prescribe a
26 distinctive ~~color or~~ colors for use on all motor vehicles and
27 motorcycles operated to be used by the Florida Highway Patrol.
28 The prescribed colors shall be referred to as "Florida Highway
29 Patrol black and tan."

30 Section 33. Subsection (7) is added to section
31 322.051, Florida Statutes, to read:

1 322.051 Identification cards.--

2 (7) Any person accepting the Florida driver license as
3 proof of identification must accept a Florida identification
4 card as proof of identification when the bearer of the
5 identification card does not also have a driver license.

6 Section 34. Subsection (7) of section 322.095, Florida
7 Statutes, is amended, and subsections (8) and (9) are added to
8 said section, to read:

9 322.095 Traffic law and substance abuse education
10 program for driver's license applicants.--

11 ~~(7)(a) No governmental entity or court shall provide,~~
12 ~~issue, or maintain any information or orders regarding traffic~~
13 ~~law and substance abuse education program schools or course~~
14 ~~providers, with the exception of directing inquiries or~~
15 ~~requests to the local telephone directory heading of driving~~
16 ~~instruction or the driver's license applicant reference guide.~~
17 ~~However,~~The department is authorized to maintain the
18 information and records necessary to administer its duties and
19 responsibilities for the program. Where such information is a
20 public record as defined in chapter 119, it shall be made
21 available to the public upon request pursuant to s. 119.07(1).
22 The department may prepare a list of fully approved traffic
23 law and substance abuse education course providers with a
24 single telephone number for each such provider, as furnished
25 by the provider.

26 ~~(b) The department shall prepare for any governmental~~
27 ~~entity to distribute a driver's license applicant reference~~
28 ~~guide which shall list the benefits of attending a traffic law~~
29 ~~and substance abuse education school, but under no~~
30 ~~circumstance may include any list of course providers or~~

31

1 ~~schools. The department shall refer further inquiries to the~~
2 ~~telephone directory heading of driving instruction.~~

3 (8) The department shall approve and regulate courses
4 of all traffic law and substance abuse education schools that
5 use technology as the delivery method as the courses relate to
6 this section.

7 (9) In determining whether to approve courses of
8 traffic law and substance abuse education schools that use
9 technology as the delivery method as the courses relate to
10 this section, for courses submitted on or after May 1, 2002,
11 the department shall consider only those courses submitted by
12 a person, business, or entity that has received:

13 (a) Approval for statewide delivery; and

14 (b) Independent scientific research evidence of course
15 effectiveness.

16 Section 35. Subsection (7) of section 322.25, Florida
17 Statutes, is amended to read:

18 322.25 When court to forward license to department and
19 report convictions; temporary reinstatement of driving
20 privileges.--

21 (7) Any licensed driver convicted of driving, or being
22 in the actual physical control of, a vehicle within this state
23 while under the influence of alcoholic beverages, any chemical
24 substance set forth in s. 877.111, or any substance controlled
25 under chapter 893, when affected to the extent that his or her
26 normal faculties are impaired, and whose license and driving
27 privilege have been revoked as provided in subsection (1) may
28 be issued a court order for reinstatement of a driving
29 privilege on a temporary basis; provided that, as a part of
30 the penalty, upon conviction, the defendant is required to
31 enroll in and complete a driver improvement course for the

1 rehabilitation of drinking drivers and the driver is otherwise
2 eligible for reinstatement of the driving privilege ~~as~~
3 ~~provided by s. 322.282~~. The court order for reinstatement
4 shall be on a form provided by the department and must be
5 taken by the person convicted to a Florida driver's license
6 examining office, where a temporary driving permit may be
7 issued. The period of time for which a temporary permit issued
8 in accordance with this subsection is valid shall be deemed to
9 be part of the period of revocation imposed by the court.

10 Section 36. Subsection (5) of section 322.27, Florida
11 Statutes, is amended to read:

12 322.27 Authority of department to suspend or revoke
13 license.--

14 (5) The department shall revoke the license of any
15 person designated a habitual offender, as set forth in s.
16 322.264, and such person shall not be eligible to be
17 relicensed for ~~a minimum of~~ 5 years after ~~from~~ the date of
18 revocation, except as provided for in s. 322.271. Any person
19 whose license is revoked may, by petition to the department,
20 show cause why his or her license should not be revoked.

21 Section 37. Subsection (4) of section 322.271, Florida
22 Statutes, is amended to read:

23 322.271 Authority to modify revocation, cancellation,
24 or suspension order.--

25 (4) Notwithstanding the provisions of s.
26 322.28(2)(d)~~(e)~~, a person whose driving privilege has been
27 permanently revoked because he or she has been convicted of
28 DUI manslaughter in violation of s. 316.193 and has no prior
29 convictions for DUI-related offenses may, upon the expiration
30 of 5 years after the date of such revocation or the expiration
31 of 5 years after the termination of any term of incarceration

1 under s. 316.193 or former s. 316.1931, whichever date is
2 later, petition the department for reinstatement of his or her
3 driving privilege.

4 (a) Within 30 days after the receipt of such a
5 petition, the department shall afford the petitioner an
6 opportunity for a hearing. At the hearing, the petitioner must
7 demonstrate to the department that he or she:

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

10 2. Has not driven a motor vehicle without a license
11 for at least 5 years prior to the hearing;

12 3. Has been drug-free for at least 5 years prior to
13 the hearing; and

14 4. Has completed a DUI program licensed by the
15 department.

16 (b) At such hearing, the department shall determine
17 the petitioner's qualification, fitness, and need to drive.
18 Upon such determination, the department may, in its
19 discretion, reinstate the driver's license of the petitioner.
20 Such reinstatement must be made subject to the following
21 qualifications:

22 1. The license must be restricted for employment
23 purposes for not less than 1 year; and

24 2. Such person must be supervised by a DUI program
25 licensed by the department and report to the program for such
26 supervision and education at least four times a year or
27 additionally as required by the program for the remainder of
28 the revocation period. Such supervision shall include
29 evaluation, education, referral into treatment, and other
30 activities required by the department.

31

1 (c) Such person must assume the reasonable costs of
2 supervision. If such person fails to comply with the required
3 supervision, the program shall report the failure to the
4 department, and the department shall cancel such person's
5 driving privilege.

6 (d) If, after reinstatement, such person is convicted
7 of an offense for which mandatory revocation of his or her
8 license is required, the department shall revoke his or her
9 driving privilege.

10 (e) The department shall adopt rules regulating the
11 providing of services by DUI programs pursuant to this
12 section.

13 Section 38. Paragraphs (d) and (e) of subsection (2)
14 of section 322.28, Florida Statutes, are amended to read:

15 322.28 Period of suspension or revocation.--

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

18 ~~(d) When any driver's license or driving privilege has~~
19 ~~been revoked pursuant to the provisions of this section, the~~
20 ~~department shall not grant a new license, except upon~~
21 ~~reexamination of the licensee after the expiration of the~~
22 ~~period of revocation so prescribed. However, the court may, in~~
23 ~~its sound discretion, issue an order of reinstatement on a~~
24 ~~form furnished by the department which the person may take to~~
25 ~~any driver's license examining office for reinstatement by the~~
26 ~~department pursuant to s. 322.282.~~

27 (d)(e) The court shall permanently revoke the driver's
28 license or driving privilege of a person who has been
29 convicted four times for violation of s. 316.193 or former s.
30 316.1931 or a combination of such sections. The court shall
31 permanently revoke the driver's license or driving privilege

1 of any person who has been convicted of DUI manslaughter in
2 violation of s. 316.193. If the court has not permanently
3 revoked such driver's license or driving privilege within 30
4 days after imposing sentence, the department shall permanently
5 revoke the driver's license or driving privilege pursuant to
6 this paragraph. No driver's license or driving privilege may
7 be issued or granted to any such person. This paragraph
8 applies only if at least one of the convictions for violation
9 of s. 316.193 or former s. 316.1931 was for a violation that
10 occurred after July 1, 1982. For the purposes of this
11 paragraph, a conviction for violation of former s. 316.028,
12 former s. 316.1931, or former s. 860.01 is also considered a
13 conviction for violation of s. 316.193. Also, a conviction of
14 driving under the influence, driving while intoxicated,
15 driving with an unlawful blood-alcohol level, or any other
16 similar alcohol-related or drug-related traffic offense
17 outside this state is considered a conviction for the purposes
18 of this paragraph.

19 Section 39. Sections 322.282 and 322.331, Florida
20 Statutes, are repealed.

21 Section 40. Subsection (3) is added to section
22 324.091, Florida Statutes, to read:

23 324.091 Notice to department; notice to insurer.--

24 (3) Electronic access to the vehicle insurer
25 information maintained in the department's vehicle database
26 may be provided by an approved third-party provider to
27 insurers, lawyers, and financial institutions in compliance
28 with s. 627.736(9)(a) and for subrogation and claims purposes
29 only. The compilation and retention of this information is
30 strictly prohibited.

31

1 Section 41. Paragraph (b) of subsection (3) of section
2 328.01, Florida Statutes, is amended to read:

3 328.01 Application for certificate of title.--

4 (3)

5 (b) If the application for transfer of title is based
6 upon a contractual default, the recorded lienholder shall
7 establish proof of right to ownership by submitting with the
8 application the original certificate of title ~~and a copy of~~
9 ~~the applicable contract upon which the claim of ownership is~~
10 ~~made~~. If the claim is based upon a court order or judgment, a
11 copy of such document shall accompany the application for
12 transfer of title. If, on the basis of departmental records,
13 there appears to be any other lien on the vessel, the
14 certificate of title must contain a statement of such a lien,
15 unless the application for a certificate of title is either
16 accompanied by proper evidence of the satisfaction or
17 extinction of the lien or contains a statement certifying that
18 any lienholder named on the last-issued certificate of title
19 has been sent notice by certified mail, at least 5 days before
20 the application was filed, of the applicant's intention to
21 seek a repossessed title. If such notice is given and no
22 written protest to the department is presented by a subsequent
23 lienholder within 15 days after the date on which the notice
24 was mailed, the certificate of title shall be issued showing
25 no liens. If the former owner or any subsequent lienholder
26 files a written protest under oath within the 15-day period,
27 the department shall not issue the repossessed certificate for
28 10 days thereafter. If, within the 10-day period, no
29 injunction or other order of a court of competent jurisdiction
30 has been served on the department commanding it not to deliver
31 the certificate, the department shall deliver the repossessed

1 certificate to the applicant, or as is otherwise directed in
2 the application, showing no other liens than those shown in
3 the application.

4 Section 42. Subsection (2) of section 328.42, Florida
5 Statutes, is amended to read:

6 328.42 Suspension or denial of a vessel registration
7 due to support delinquency; dishonored checks.--

8 (2) The department may deny or cancel any vessel
9 registration, license plate, or fuel-use tax decal if the
10 owner pays for the registration, license plate, fuel-use tax
11 decal, or any tax liability, penalty, or interest specified in
12 chapter 207 by a dishonored check.

13 Section 43. Section 328.56, Florida Statutes, is
14 amended to read:

15 328.56 Vessel registration number.--Each vessel that
16 is used on the waters of the state must display a ~~commercial~~
17 ~~or recreational~~ Florida registration number, unless it is:

18 (1) A vessel used exclusively on private lakes and
19 ponds.

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

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

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

23 (5) A federally documented vessel.

24 (6) A vessel already covered by a registration number
25 in full force and effect which has been awarded to it pursuant
26 to a federally approved numbering system of another state or
27 by the United States Coast Guard in a state without a
28 federally approved numbering system, if the vessel has not
29 been within this state for a period in excess of 90
30 consecutive days.

31

1 (7) A vessel operating under a valid temporary
2 certificate of number.

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

5 (9) An undocumented vessel used exclusively for
6 racing.

7 Section 44. Subsection (4) of section 328.72, Florida
8 Statutes, is amended to read:

9 328.72 Classification; registration; fees and charges;
10 surcharge; disposition of fees; fines; marine turtle
11 stickers.--

12 (4) TRANSFER OF OWNERSHIP.--

13 ~~(a)~~ When the ownership of a registered vessel changes,
14 an application for transfer of registration shall be filed
15 with the county tax collector by the new owner within 30 days
16 with a fee of \$3.25. The county tax collector shall retain
17 \$2.25 of the fee and shall remit \$1 to the department. A
18 refund may not be made for any unused portion of a
19 registration period.

20 ~~(b) If a vessel is an antique as defined in subsection~~
21 ~~(2), the application shall be accompanied by either a~~
22 ~~certificate of title, a bill of sale and a registration, or a~~
23 ~~bill of sale and an affidavit by the owner defending the title~~
24 ~~from all claims. The bill of sale must contain a complete~~
25 ~~vessel description to include the hull identification number~~
26 ~~and engine number, if appropriate; the year, make, and color~~
27 ~~of the vessel; the selling price; and the signatures of the~~
28 ~~seller and purchaser.~~

29 Section 45. Subsection (3) is added to section 832.09,
30 Florida Statutes, to read:

31

1 832.09 Suspension of driver license after warrant or
2 capias is issued in worthless check case.--

3 (3) The Department of Highway Safety and Motor
4 Vehicles shall create a standardized form to be distributed to
5 the clerks of the court in each county for the purpose of
6 notifying the department that a person has satisfied the
7 requirements of the court. Notices of compliance with the
8 court's requirements shall be on the standardized form
9 provided by the department.

10 Section 46. This act shall take effect October 1,
11 2002.