



CHAMBER ACTION

The Committee on Transportation recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to motor vehicles; amending s. 261.03, F.S.; revising the definition of "off-highway vehicle"; defining "two-rider ATV"; amending s. 316.003, F.S.; revising the definition of "motorized scooter"; amending s. 316.1001, F.S.; revising provisions for mailing citations for violating toll facility; revising provisions to contest such citations; reducing the number of outstanding citations required before the department may deny issuance of a license plate or validation sticker; amending s. 316.650, F.S.; revising procedures for submission by the law enforcement agency of specified citations to the court or traffic violations bureau; amending s. 318.14, F.S.; revising procedures for payment of penalties for certain noncriminal traffic infractions; providing for payment of fine for specified infractions to the governmental entity issuing the citation; amending s. 316.183, F.S.; revising provisions relating to unlawful speed; amending s. 316.187, F.S.; deleting a penalty



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29 | provision for violation of specified state speed limits;  
30 | amending s. 316.189, F.S.; deleting a penalty provision  
31 | for violation of specified municipal and county speed  
32 | limits; amending s. 316.1895, F.S.; deleting a provision  
33 | prohibiting speeding in a posted school zone; deleting a  
34 | penalty provision for violations of specified school speed  
35 | zones; amending s. 316.2074, F.S.; revising the definition  
36 | of "all-terrain vehicle"; amending s. 316.605, F.S.;  
37 | revising requirements for placement of license plates on  
38 | certain vehicles; amending s. 317.0003, F.S.; revising the  
39 | definition of "off-highway vehicle"; defining "two-rider  
40 | ATV"; amending s. 317.0008, F.S.; deleting a provision for  
41 | expedited service for a duplicate certificate of title to  
42 | off-highway vehicles and a charge therefor; creating s.  
43 | 317.0014, F.S.; providing for issuance by the Department  
44 | of Highway Safety and Motor Vehicles of certificates of  
45 | title to off-highway vehicles in duplicate; providing for  
46 | delivery to the owner; providing for delivery to a  
47 | lienholder; requiring notice to all parties in certain  
48 | conflict; providing procedures and timeframes for  
49 | resolving conflict; providing for retention of certificate  
50 | by certain lienholder; providing for subsequent  
51 | encumbrance; providing for satisfaction of lien; providing  
52 | for issuance of duplicate certificate; limiting  
53 | notification responsibility of the department; creating s.  
54 | 317.0015, F.S.; limiting application of titling  
55 | requirements; creating s. 317.0016, F.S.; providing for  
56 | expedited service on described title transactions;



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57 providing fee for such service; creating s. 317.0017,  
58 F.S.; prohibiting described acts involving vehicle  
59 identification numbers, applications, certificates of  
60 title, and papers in relation to off-highway vehicles;  
61 providing penalties; creating s. 317.0018, F.S.;  
62 prohibiting transfer without delivery of certificate,  
63 operation or use without certificate, and failure to  
64 surrender off-highway vehicle certificates under described  
65 circumstances; providing penalties; amending s. 318.1215,  
66 F.S.; requiring that certain funds be used for enhancement  
67 of driver education program funds; requiring certain  
68 behind-the-wheel training; amending s. 319.23, F.S.;  
69 requiring certain dealers to report taking of motor  
70 vehicle or mobile home in trade; requiring the Department  
71 of Highway Safety and Motor Vehicles to update certain  
72 records; amending s. 319.30, F.S.; revising the definition  
73 of "major component parts"; amending s. 320.055, F.S.;  
74 revising registration requirements for certain leased  
75 motor vehicles; amending s. 320.0605, F.S.; exempting  
76 certain vehicles from specified requirement to possess and  
77 exhibit certificate of registration of motor vehicle;  
78 amending s. 320.07, F.S.; exempting certain service  
79 members from penalties for expiration of mobile home and  
80 motor vehicle registrations; amending s. 320.0706, F.S.;  
81 providing for display of license plate on wreckers;  
82 amending s. 320.08053, F.S.; revising requirements for  
83 establishing a specialty license plate; providing  
84 procedures and timeframes; requiring submission of a



85 | sample plate; requiring a financial analysis of  
86 | anticipated revenues and expenditures; requiring  
87 | submission of prepaid applications; providing for content  
88 | of prepaid applications; providing for legislative  
89 | approval; requiring the Department of Highway Safety and  
90 | Motor Vehicles to issue plates within a specified time  
91 | period; authorizing the department to retain prepayments  
92 | to cover certain costs; requiring refund of prepaid  
93 | applications under certain circumstances; providing for a  
94 | minimum number of prepaid applications; providing for  
95 | quarterly reports to the department; providing procedures  
96 | and requirements for collection of payments for prepaid  
97 | applications; authorizing the department to audit  
98 | organizations collecting prepaid applications; amending s.  
99 | 320.08056, F.S.; revising conditions and procedures for  
100 | discontinuance of specialty license plates; deleting an  
101 | exemption from the provisions for discontinuance of  
102 | specialty license plates; amending s. 320.0821, F.S.;  
103 | revising requirements for issuance and display of wrecker  
104 | license plates; amending s. 320.131, F.S.; authorizing the  
105 | department to administer an electronic system for licensed  
106 | motor vehicle dealers to use in issuing temporary tags;  
107 | providing procedures; providing penalties for failure to  
108 | comply with department requirements; amending s. 320.27,  
109 | F.S.; providing period of time motor vehicle dealers are  
110 | to maintain records of described transactions; providing  
111 | penalties for specified violations; amending s. 322.051,  
112 | F.S.; revising list of documents accepted for proof of



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113 identity of applicant for identification card; increasing  
114 the fee for application, renewal, and duplication of such  
115 cards; requiring described content on such cards; amending  
116 s. 322.08, F.S.; revising list of documents accepted for  
117 proof of identity of applicant for driver license;  
118 providing for a voluntary contribution to be made when  
119 applying for a driver license; providing for distribution  
120 of moneys collected for said contribution; amending s.  
121 322.12, F.S.; providing fees for certain second or  
122 subsequent examinations of specified applicants; revising  
123 language relating to fees for application for  
124 reinstatement of suspended or revoked licenses; amending  
125 s. 322.135, F.S.; providing procedures for payment of  
126 funds collected by driver license agents; amending s.  
127 322.142, F.S.; prohibiting waiver of certain driver  
128 license content requirements; amending s. 322.17, F.S.;  
129 revising language relating to replacement of a license due  
130 to a change of address; removing the requirement that a  
131 request for such replacement be in writing; removing a  
132 requirement regarding placement of an address sticker;  
133 amending ss. 322.18 and 322.19, F.S.; revising references;  
134 amending s. 322.21, F.S., relating to license fees and  
135 procedures for collection and disposition of the fees;  
136 providing for exceptions to those procedures; revising  
137 language relating to fees for application for  
138 reinstatement of suspended or revoked licenses; increasing  
139 said fees; providing for deposit of moneys collected into  
140 the General Revenue Fund and the Highway Safety Operating



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141 Trust Fund; amending s. 322.212, F.S.; revising provisions  
 142 for enforcement of specified violations by the Division of  
 143 Alcoholic Beverages and Tobacco; amending s. 322.251,  
 144 F.S.; revising a reference; amending s. 322.29, F.S.;  
 145 revising certain fees for application for return of  
 146 license; providing for deposit of moneys collected into  
 147 the General Revenue Fund and the Highway Safety Operating  
 148 Trust Fund; amending s. 812.16, F.S.; including airbags  
 149 and airbag assemblies within the definition of the term  
 150 "major component part" for purposes of provisions  
 151 prohibiting the operation of a chop shop; reenacting s.  
 152 318.121, F.S., relating to preemption of additional fees,  
 153 fines, surcharges, and costs, to incorporate amendments to  
 154 Florida Statutes in references; providing effective dates.

155  
 156 Be It Enacted by the Legislature of the State of Florida:

157  
 158 Section 1. Subsection (6) of section 261.03, Florida  
 159 Statutes, is amended, and subsection (11) is added to said  
 160 section, to read:

161 261.03 Definitions.--As used in this chapter, the term:

162 (6) "Off-highway vehicle" means any ATV, two-rider ATV, or  
 163 OHM that is used off the roads or highways of this state ~~for~~  
 164 ~~recreational purposes~~ and that is not registered and licensed  
 165 for highway use under chapter 320.

166 (11) "Two-rider ATV" means any ATV that is specifically  
 167 designed by the manufacturer for a single operator and one  
 168 passenger.



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169 Section 2. Subsection (82) of section 316.003, Florida  
170 Statutes, is amended to read:

171 316.003 Definitions.--The following words and phrases,  
172 when used in this chapter, shall have the meanings respectively  
173 ascribed to them in this section, except where the context  
174 otherwise requires:

175 (82) MOTORIZED SCOOTER.--Any vehicle ~~not having a seat or~~  
176 ~~saddle for the use of the rider,~~ designed to travel on not more  
177 than three wheels, and not capable of propelling the vehicle at  
178 a speed greater than 30 miles per hour on level ground.

179 Section 3. Section 316.1001, Florida Statutes, is amended  
180 to read:

181 316.1001 Payment of toll on toll facilities required;  
182 penalties.--

183 (1) A person may not use any toll facility without payment  
184 of tolls, except as provided in s. 338.155. Failure to pay a  
185 prescribed toll is a noncriminal traffic infraction, punishable  
186 as a moving violation under chapter 318.

187 (2)(a) For the purpose of enforcing this section, any  
188 governmental entity, as defined in s. 334.03, that owns or  
189 operates a toll facility may, by rule or ordinance, authorize a  
190 toll enforcement officer to issue a uniform traffic citation for  
191 a violation of this section. Toll enforcement officer means the  
192 designee of a governmental entity whose sole authority is to  
193 enforce the payment of tolls. The governmental entity may  
194 designate toll enforcement officers pursuant to s. 316.640(1).

195 (b) A citation issued under this subsection may be issued  
196 by mailing the citation by first class mail, or by certified



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197 mail, return receipt requested, to the address of the registered  
198 owner of the motor vehicle involved in the violation. Mailing  
199 the citation to this address constitutes notification. In the  
200 case of joint ownership of a motor vehicle, the traffic citation  
201 must be mailed to the first name appearing on the registration,  
202 unless the first name appearing on the registration is a  
203 business organization, in which case the second name appearing  
204 on the registration may be used. A citation issued under this  
205 paragraph must be mailed to the registered owner of the motor  
206 vehicle involved in the violation within 14 days after the date  
207 of the violation. In addition to the citation, notification must  
208 be sent to the registered owner of the motor vehicle involved in  
209 the violation specifying the remedies ~~remedy~~ available under ss.  
210 318.14(12) and ~~s.~~ 318.18(7).

211 (c) The owner of the motor vehicle involved in the  
212 violation is responsible and liable for payment of a citation  
213 issued for failure to pay a toll, unless the owner can establish  
214 the motor vehicle was, at the time of the violation, in the  
215 care, custody, or control of another person. In order to  
216 establish such facts, the owner of the motor vehicle is  
217 required, within 14 days after the date of issuance of the  
218 citation ~~notification of the alleged violation,~~ to furnish to  
219 the appropriate governmental entity an affidavit setting forth:

220 1. The name, address, date of birth, and, if known, the  
221 driver license number of the person who leased, rented, or  
222 otherwise had the care, custody, or control of the motor vehicle  
223 at the time of the alleged violation; or





224           2. If stolen, the police report indicating that the  
225 vehicle was stolen at the time of the alleged violation.

226  
227 Upon receipt of an affidavit the person designated as having  
228 care, custody, and control of the motor vehicle at the time of  
229 the violation may be issued a citation for failure to pay a  
230 required toll. The affidavit shall be admissible in a proceeding  
231 pursuant to this section for the purpose of providing that the  
232 person identified in the affidavit was in actual care, custody,  
233 or control of the motor vehicle.

234           (d) A written report of a toll enforcement officer or  
235 photographic evidence that indicates that a required toll was  
236 not paid is admissible in any proceeding to enforce this section  
237 and raises a rebuttable presumption that the motor vehicle named  
238 in the report or shown in the photographic evidence was used in  
239 violation of this section.

240           (3) The submission of a false affidavit is a misdemeanor  
241 of the second degree.

242           (4) Any governmental entity may supply the department with  
243 data that is machine readable by the department's computer  
244 system, listing persons who have one ~~three~~ or more outstanding  
245 violations of this section. Pursuant to s. 320.03(8), those  
246 persons may not be issued a license plate or revalidation  
247 sticker for any motor vehicle.

248           (5) Subsections (2)-(4) supplement the enforcement of this  
249 section by law enforcement officers, and this section does not  
250 prohibit a law enforcement officer from issuing a citation for a



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251 violation of this section in accordance with normal traffic  
252 enforcement techniques.

253 Section 4. Subsection (3) of section 316.650, Florida  
254 Statutes, is amended to read:

255 316.650 Traffic citations.--

256 (3) Except for a traffic citation issued pursuant to s.  
257 316.1001, every traffic enforcement officer, upon issuing a  
258 traffic citation to an alleged violator of any provision of the  
259 motor vehicle laws of this state or of any traffic ordinance of  
260 any city or town, shall deposit the original and one copy of  
261 such traffic citation or, in the case of a traffic enforcement  
262 agency which has an automated citation issuance system, shall  
263 provide an electronic facsimile with a court having jurisdiction  
264 over the alleged offense or with its traffic violations bureau  
265 within 5 days after issuance to the violator. If a traffic  
266 citation is issued pursuant to s. 316.1001, a traffic  
267 enforcement officer may deposit the original and one copy of  
268 such traffic citation, or, in the case of a traffic enforcement  
269 agency which has an automated citation system, may provide an  
270 electronic facsimile to a court having jurisdiction over the  
271 alleged offense or with its traffic violations bureau within 45  
272 days after the date of issuance of the citation to the violator.

273 Section 5. Subsection (4) of section 318.14, Florida  
274 Statutes, is amended, and subsection (12) is added to said  
275 section, to read:

276 318.14 Noncriminal traffic infractions; exception;  
277 procedures.--



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278           (4) Except as provided in subsection (12), any person  
279 charged with a noncriminal infraction under this section who  
280 does not elect to appear shall pay the civil penalty and  
281 delinquent fee, if applicable, either by mail or in person,  
282 within 30 days after the date of issuance of ~~receiving~~ the  
283 citation. If the person cited follows the above procedure, he or  
284 she shall be deemed to have admitted the infraction and to have  
285 waived his or her right to a hearing on the issue of commission  
286 of the infraction. Such admission shall not be used as evidence  
287 in any other proceedings. Any person who is cited for a  
288 violation of s. 320.0605 or s. 322.15(1), or subject to a  
289 penalty under s. 320.07(3)(a) or (b) or s. 322.065, and who  
290 makes an election under this subsection shall submit proof of  
291 compliance with the applicable section to the clerk of the  
292 court. For the purposes of this subsection, proof of compliance  
293 consists of a valid driver's license or a valid registration  
294 certificate.

295           (12) Any person cited for a violation of s. 316.1001 may,  
296 in lieu of making an election as set forth in subsection (4) and  
297 s. 318.18(7), elect to pay directly to the governmental entity  
298 that issued the citation a fine up to \$25 as set by the  
299 governmental entity that issued the citation, within 30 days  
300 after the date of issuance of the citation. Any person cited for  
301 a violation of s. 316.1001 who does not elect to pay the fine  
302 directly to the governmental entity that issued the citation as  
303 described herein shall have an additional 45 days after the date  
304 of the issuance of the citation in which to pay the civil  
305 penalty and delinquent fee, if applicable, as provided in s.



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306 318.18(7), either by mail or in person, in accordance with  
307 subsection (4).

308 Section 6. Section 316.183, Florida Statutes, is amended  
309 to read:

310 316.183 Unlawful speed.--

311 (1) No person shall drive a vehicle on a highway at a  
312 speed greater than is reasonable and prudent under the  
313 conditions and having regard to the actual and potential hazards  
314 then existing. In every event, speed shall be controlled as may  
315 be necessary to avoid colliding with any person, vehicle, or  
316 other conveyance or object on or entering the highway in  
317 compliance with legal requirements and the duty of all persons  
318 to use due care.

319 (2) It is unlawful to exceed the posted speed limit on any  
320 highway within this state.

321 (3)(2) Unless otherwise posted ~~On all streets or highways,~~  
322 the maximum speed limits for all vehicles must be 30 miles per  
323 hour in business or residence districts, and 55 miles per hour  
324 at any time at all other locations. ~~However, with respect to a~~  
325 ~~residence district, a county or municipality may set a maximum~~  
326 ~~speed limit of 20 or 25 miles per hour on local streets and~~  
327 ~~highways after an investigation determines that such a limit is~~  
328 ~~reasonable. It is not necessary to conduct a separate~~  
329 ~~investigation for each residence district.~~ The minimum speed  
330 limit on all highways that comprise a part of the National  
331 System of Interstate and Defense Highways and have not fewer  
332 than four lanes is 40 miles per hour.



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333           ~~(4)(3)~~ No school bus shall exceed the posted speed limits,  
334 not to exceed 55 miles per hour at any time.

335           ~~(5)(4)~~ The driver of every vehicle shall, consistent with  
336 the requirements of subsection (1), drive at an appropriately  
337 reduced speed when:

338           (a) Approaching and crossing an intersection or railway  
339 grade crossing;

340           (b) Approaching and going around a curve;

341           (c) Approaching a hill crest;

342           (d) Traveling upon any narrow or winding roadway; and

343           (e) Any special hazard exists with respect to pedestrians  
344 or other traffic or by reason of weather or highway conditions.

345           ~~(6)(5)~~ No person shall drive a motor vehicle at such a  
346 slow speed as to impede or block the normal and reasonable  
347 movement of traffic, except when reduced speed is necessary for  
348 safe operation or in compliance with law.

349           ~~(7)(6)~~ No driver of a vehicle shall exceed the posted  
350 maximum speed limit in a work zone area.

351           (8) A person may not drive a vehicle on a roadway  
352 designated as a school zone at a speed greater than that posted  
353 in the school zone in accordance with this section.

354           ~~(9)(7)~~ A violation of this section is a noncriminal  
355 traffic infraction, punishable as a moving violation as provided  
356 in chapter 318.

357           Section 7. Section 316.187, Florida Statutes, is amended  
358 to read:

359           316.187 Establishment of state speed zones.--



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360 (1) Whenever the Department of Transportation determines,  
361 upon the basis of an engineering and traffic investigation, that  
362 any speed is greater or less than is reasonable or safe under  
363 the conditions found to exist at any intersection or other  
364 place, or upon any part of a highway outside of a municipality  
365 or upon any state roads, connecting links or extensions thereof  
366 within a municipality, the Department of Transportation may  
367 determine and declare a reasonable and safe speed limit thereat  
368 which shall be effective when appropriate signs giving notice  
369 thereof are erected at the intersection or other place or part  
370 of the highway.

371 (2)(a) The maximum allowable speed limit on limited access  
372 highways is 70 miles per hour.

373 (b) The maximum allowable speed limit on any other highway  
374 which is outside an urban area of 5,000 or more persons and  
375 which has at least four lanes divided by a median strip is 65  
376 miles per hour.

377 (c) The Department of Transportation is authorized to set  
378 such maximum and minimum speed limits for travel over other  
379 roadways under its authority as it deems safe and advisable, not  
380 to exceed as a maximum limit 60 miles per hour.

381 ~~(3) Violation of the speed limits established under this~~  
382 ~~section must be cited as a moving violation, punishable as~~  
383 ~~provided in chapter 318.~~

384 Section 8. Section 316.189, Florida Statutes, is amended  
385 to read:

386 316.189 Establishment of municipal and county speed  
387 zones.--



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388 (1) MUNICIPAL SPEED.--The maximum speed within any  
 389 municipality is 30 miles per hour. With respect to residence  
 390 districts, a municipality may set a maximum speed limit of 20 or  
 391 25 miles per hour on local streets and highways after an  
 392 investigation determines that such a limit is reasonable. It  
 393 shall not be necessary to conduct a separate investigation for  
 394 each residence district. A municipality may set speed zones  
 395 altering the speed limit, both as to maximum, not to exceed 60  
 396 miles per hour, and minimum, after investigation determines such  
 397 a change is reasonable and in conformity to criteria promulgated  
 398 by the Department of Transportation, except that no changes  
 399 shall be made on state highways or connecting links or  
 400 extensions thereof, which shall be changed only by the  
 401 Department of Transportation.

402 (2) SPEED ON COUNTY ROADS.--The maximum speed on any  
 403 county-maintained road is:

404 (a) In any business or residence district, 30 miles per  
 405 hour in the daytime or nighttime; provided that with respect to  
 406 residence districts a county may set a maximum speed limit of 25  
 407 miles per hour after an investigation determines that such a  
 408 limit is reasonable; and it shall not be necessary to conduct a  
 409 separate investigation in each residence district.

410 (b) On any other part of a county road not a business or  
 411 residence district, as set forth in s. 316.183.

412  
 413 However, the board of county commissioners may set speed zones  
 414 altering such speeds, both as to maximum and minimum, after  
 415 investigation determines such a change is reasonable and in



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416 conformity to criteria promulgated by the Department of  
417 Transportation, except that no such speed zone shall permit a  
418 speed of more than 60 miles per hour.

419 (3) POSTING OF SPEED LIMITS.--All speed zones shall be  
420 posted with clearly legible signs. No change in speeds from 30  
421 miles per hour or from those established in s. 316.183 shall  
422 take effect until the zone is posted by the authority changing  
423 the speed pursuant to this section and s. 316.187. All signs  
424 which limit or establish speed limits, maximum and minimum,  
425 shall be so placed and so painted as to be plainly visible and  
426 legible in daylight or in darkness when illuminated by  
427 headlights.

428 ~~(4) PENALTY.--Violation of the speed limits established~~  
429 ~~under this section must be cited as a moving violation,~~  
430 ~~punishable as provided in chapter 318.~~

431 Section 9. Section 316.1895, Florida Statutes, is amended  
432 to read:

433 316.1895 Establishment of school speed zones, enforcement;  
434 designation.--

435 (1)(a) The Department of Transportation, pursuant to the  
436 authority granted under s. 316.0745, shall adopt a uniform  
437 system of traffic control devices and pedestrian control devices  
438 for use on the streets and highways in the state surrounding all  
439 schools, public and private.

440 (b) The Department of Transportation shall compile,  
441 publish, and transmit a manual containing all specifications and  
442 requirements with respect to the system of devices established  
443 pursuant to paragraph (a) to the governing body of each county





444 and municipality in the state, and the Department of  
 445 Transportation and each county and municipality in the state  
 446 shall install and maintain such traffic and pedestrian control  
 447 devices in conformity with such uniform system.

448 (2) Upon request from the appropriate local government,  
 449 the Department of Transportation shall install and maintain such  
 450 traffic and pedestrian control devices on state-maintained roads  
 451 as prescribed in this section for all prekindergarten early-  
 452 intervention schools that receive federal funding through the  
 453 Headstart program.

454 (3)(a) A school zone located on a state-maintained primary  
 455 or secondary road shall be maintained by the Department of  
 456 Transportation. However, nothing herein shall prohibit the  
 457 Department of Transportation from entering into agreements with  
 458 counties or municipalities whereby the local governmental  
 459 entities would maintain specified school zones on state-  
 460 maintained primary or secondary roads.

461 (b) The county shall have the responsibility to maintain a  
 462 school zone located outside of any municipality and on a county  
 463 road.

464 (c) A municipality shall have the responsibility to  
 465 maintain a school zone located in a municipality.

466 (d) For the purposes of this section, the term  
 467 "maintained" with respect to any school zone means the care and  
 468 maintenance of all school zone signs, markers, traffic control  
 469 devices, and pedestrian control devices.

470 (4)(a) A school zone maintained by a county shall be  
 471 periodically inspected by the county sheriff's office or any



472 other qualified agent to determine whether or not the school  
473 zone is being properly maintained.

474 (b) A school zone maintained by a municipality shall be  
475 periodically inspected by the municipal police department or any  
476 other qualified agent to determine whether or not the school  
477 zone is being properly maintained.

478 (5) A school zone speed limit may not be less than 15  
479 miles per hour except by local regulation. No school zone speed  
480 limit shall be more than 20 miles per hour in an urbanized area,  
481 as defined in s. 334.03. Such speed limit may be in force only  
482 during those times 30 minutes before, during, and 30 minutes  
483 after the periods of time when pupils are arriving at a  
484 regularly scheduled breakfast program or a regularly scheduled  
485 school session and leaving a regularly scheduled school session.

486 (6) Permanent signs designating school zones and school  
487 zone speed limits shall be uniform in size and color, and shall  
488 have the times during which the restrictive speed limit is  
489 enforced clearly designated thereon. The Department of  
490 Transportation shall establish adequate standards for the signs.

491 (7) Portable signs designating school zones and school  
492 zone speed limits shall be uniform in size and color. Such signs  
493 shall be erected on the roadway only during those hours when  
494 pupils are arriving at and leaving regularly scheduled school  
495 sessions. The Department of Transportation shall establish  
496 adequate standards for the signs.

497 (8) Nothing herein shall prohibit the use of automatic  
498 traffic control devices for the control of vehicular and  
499 pedestrian traffic at school crossings in lieu of permanent or



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500 portable school zone signs. The Department of Transportation  
501 shall establish standards for automatic flashing signals.

502 (9) All flags, belts, apparel, and devices issued,  
503 supplied, or furnished to pupils or persons acting in the  
504 capacity of school safety patrols, special school police, or  
505 special police appointed to control and direct traffic at or  
506 near schools, when used during periods of darkness, shall be  
507 made at least in part with retroreflective materials so as to be  
508 visible at night at 300 feet to approaching motorists when  
509 viewed under lawful low-beam headlights.

510 ~~(10) A person may not drive a vehicle on a roadway~~  
511 ~~designated as a school zone at a speed greater than that posted~~  
512 ~~in the school zone in accordance with this section. Violation of~~  
513 ~~the speed limits established pursuant to this section must be~~  
514 ~~cited as a moving violation, punishable as provided in chapter~~  
515 ~~318.~~

516 Section 10. Subsection (2) of section 316.2074, Florida  
517 Statutes, is amended to read:

518 316.2074 All-terrain vehicles.--

519 (2) As used in this section, the term "all-terrain  
520 vehicle" means any motorized off-highway vehicle 50 inches or  
521 less in width, having a dry weight of 900 pounds or less,  
522 designed to travel on three or more low-pressure tires, having a  
523 seat designed to be straddled by the operator and handlebars for  
524 steering control, and intended for use by a single operator with  
525 no passenger. For purposes of this section, "all-terrain  
526 vehicle" also includes any two-rider ATV as defined in s.  
527 317.0003.



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

530 316.605 Licensing of vehicles.--

531 (1) Every vehicle, at all times while driven, stopped, or  
532 parked upon any highways, roads, or streets of this state, shall  
533 be licensed in the name of the owner thereof in accordance with  
534 the laws of this state unless such vehicle is not required by  
535 the laws of this state to be licensed in this state and shall,  
536 except as otherwise provided in s. 320.0706 for front-end  
537 registration license plates on truck tractors or wreckers,  
538 display the license plate or both of the license plates assigned  
539 to it by the state, one on the rear and, if two, the other on  
540 the front of the vehicle, each to be securely fastened to the  
541 vehicle outside the main body of the vehicle in such manner as  
542 to prevent the plates from swinging, with all letters, numerals,  
543 printing, writing, and other identification marks upon the  
544 plates clear and distinct and free from defacement, mutilation,  
545 grease, and other obscuring matter, so that they will be plainly  
546 visible and legible at all times 100 feet from the rear or  
547 front. Further, when only one registration plate is issued for a  
548 motor vehicle and that motor vehicle has a mechanical loading  
549 device that may damage the plate, the plate may be attached to  
550 the front of the vehicle. Nothing shall be placed upon the face  
551 of a Florida plate except as permitted by law or by rule or  
552 regulation of a governmental agency. No license plates other  
553 than those furnished by the state shall be used. However, if the  
554 vehicle is not required to be licensed in this state, the  
555 license plates on such vehicle issued by another state, by a



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556 territory, possession, or district of the United States, or by a  
 557 foreign country, substantially complying with the provisions  
 558 hereof, shall be considered as complying with this chapter.  
 559 Government license plates that are issued to any truck tractor  
 560 or heavy truck owned by a government entity with a GVWR of  
 561 26,001 or more may be placed on the front of the vehicle and  
 562 shall be considered as complying with this chapter. A violation  
 563 of this subsection is a noncriminal traffic infraction,  
 564 punishable as a nonmoving violation as provided in chapter 318.

565 Section 12. Subsection (6) of section 317.0003, Florida  
 566 Statutes, is amended, and subsection (9) is added to said  
 567 section, to read:

568 317.0003 Definitions.--As used in ss. 317.0001-317.0013,  
 569 the term:

570 (6) "Off-highway vehicle" means any ATV, two-rider ATV, or  
 571 OHM that is used off the roads or highways of this state ~~for~~  
 572 ~~recreational purposes~~ and that is not registered and licensed  
 573 for highway use pursuant to chapter 320.

574 (9) "Two-rider ATV" means any ATV that is specifically  
 575 designed by the manufacturer for a single operator and one  
 576 passenger.

577 Section 13. Section 317.0008, Florida Statutes, is amended  
 578 to read:

579 317.0008 Duplicate certificate of title.--

580 (1) The department may issue a duplicate certificate of  
 581 title upon application by the person entitled to hold such a  
 582 certificate if the department is satisfied that the original



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583 certificate has been lost, destroyed, or mutilated. A fee of \$15  
584 shall be charged for issuing a duplicate certificate.

585 ~~(2) In addition to the fee imposed by subsection (1), a~~  
586 ~~fee of \$7 shall be charged for expedited service in issuing a~~  
587 ~~duplicate certificate of title. Application for such expedited~~  
588 ~~service may be made by mail or in person. The department shall~~  
589 ~~issue each certificate of title applied for under this~~  
590 ~~subsection within 5 working days after receipt of a proper~~  
591 ~~application or shall refund the additional \$7 fee upon written~~  
592 ~~request by the applicant.~~

593 (2)~~(3)~~ If, following the issuance of an original,  
594 duplicate, or corrected certificate of title by the department,  
595 the certificate is lost in transit and is not delivered to the  
596 addressee, the owner of the off-highway vehicle or the holder of  
597 a lien thereon may, within 180 days after the date of issuance  
598 of the certificate, apply to the department for reissuance of  
599 the certificate. An additional fee may not be charged for  
600 reissuance under this subsection.

601 (3)~~(4)~~ The department shall implement a system to verify  
602 that the application is signed by a person authorized to receive  
603 a duplicate certificate of title under this section if the  
604 address shown on the application is different from the address  
605 shown for the applicant on the records of the department.

606 Section 14. Section 317.0014, Florida Statutes, is created  
607 to read:

608 317.0014 Issuance in duplicate; delivery; liens and  
609 encumbrances.--



610       (1) The department shall assign a number to each  
611 certificate of title and shall issue each certificate of title  
612 and each corrected certificate in duplicate. The database record  
613 shall serve as the duplicate title certificate required herein.  
614 One printed copy may be retained on file by the department.

615       (2) A duly authorized person shall sign the original  
616 certificate of title and each corrected certificate and, if  
617 there are no liens or encumbrances on the off-highway vehicle,  
618 as shown in the records of the department or as shown in the  
619 application, shall deliver the certificate to the applicant or  
620 to another person as directed by the applicant or person, agent,  
621 or attorney submitting such application. If there are one or  
622 more liens or encumbrances on the off-highway vehicle, the  
623 certificate shall be delivered by the department to the first  
624 lienholder as shown by department records or to the owner as  
625 indicated in the notice of lien filed by the first lienholder.  
626 If the notice of lien filed by the first lienholder indicates  
627 that the certificate should be delivered to the first  
628 lienholder, the department shall deliver to the first  
629 lienholder, along with the certificate, a form to be  
630 subsequently used by the lienholder as a satisfaction. If the  
631 notice of lien filed by the first lienholder directs the  
632 certificate of title to be delivered to the owner, then, upon  
633 delivery of the certificate of title by the department to the  
634 owner, the department shall deliver to the first lienholder  
635 confirmation of the receipt of the notice of lien and the date  
636 the certificate of title was issued to the owner at the owner's  
637 address shown on the notice of lien and a form to be



638 subsequently used by the lienholder as a satisfaction. If the  
639 application for certificate shows the name of a first lienholder  
640 different from the name of the first lienholder as shown by the  
641 records of the department, the certificate shall not be issued  
642 to any person until after all parties who appear to hold a lien  
643 and the applicant for the certificate have been notified of the  
644 conflict in writing by the department by certified mail. If the  
645 parties do not amicably resolve the conflict within 10 days  
646 after the date such notice was mailed, then the department shall  
647 serve notice in writing by certified mail on all persons  
648 appearing to hold liens on that particular vehicle, including  
649 the applicant for the certificate, to show cause within 15 days  
650 after the date the notice is mailed why it should not issue and  
651 deliver the certificate to the person indicated in the notice of  
652 lien filed by the lienholder whose name appears in the  
653 application as the first lienholder without showing any lien or  
654 liens as outstanding other than those appearing in the  
655 application or those which may have been filed subsequent to the  
656 filing of the application for the certificate. If, within the  
657 15-day period, any person other than the lienholder shown in the  
658 application or a party filing a subsequent lien, in answer to  
659 such notice to show cause, appears in person or by a  
660 representative, or responds in writing, and files a written  
661 statement under oath that his or her lien on that particular  
662 vehicle is still outstanding, the department shall not issue the  
663 certificate to anyone until after such conflict has been settled  
664 by the lien claimants involved or by a court of competent  
665 jurisdiction. If the conflict is not settled amicably within 10





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666 days after the final date for filing an answer to the notice to  
667 show cause, the complaining party shall have 10 days to obtain a  
668 ruling, or a stay order, from a court of competent jurisdiction.  
669 If no ruling or stay order is issued and served on the  
670 department within the 10-day period, the department shall issue  
671 the certificate showing no liens except those shown in the  
672 application or thereafter filed to the original applicant if  
673 there are no liens shown in the application and none are  
674 thereafter filed, or to the person indicated in the notice of  
675 lien filed by the lienholder whose name appears in the  
676 application as the first lienholder if there are liens shown in  
677 the application or thereafter filed. A duplicate certificate or  
678 corrected certificate shall only show such lien or liens as were  
679 shown in the application and subsequently filed liens that may  
680 be outstanding.

681 (3) Except as provided in subsection (4), the certificate  
682 of title shall be retained by the first lienholder or the owner  
683 as indicated in the notice of lien filed by the first  
684 lienholder. If the first lienholder is in possession of the  
685 certificate, the first lienholder shall be entitled to retain  
686 the certificate until the first lien is satisfied.

687 (4) If the owner of the vehicle, as shown on the title  
688 certificate, desires to place a second or subsequent lien or  
689 encumbrance against the vehicle when the title certificate is in  
690 the possession of the first lienholder, the owner shall send a  
691 written request to the first lienholder by certified mail, and  
692 such first lienholder shall forward the certificate to the  
693 department for endorsement. If the title certificate is in the



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694 possession of the owner, the owner shall forward the certificate  
695 to the department for endorsement. The department shall return  
696 the certificate to either the first lienholder or to the owner,  
697 as indicated in the notice of lien filed by the first  
698 lienholder, after endorsing the second or subsequent lien on the  
699 certificate and on the duplicate. If the first lienholder or  
700 owner fails, neglects, or refuses to forward the certificate of  
701 title to the department within 10 days after the date of the  
702 owner's request, the department, on the written request of the  
703 subsequent lienholder or an assignee thereof, shall demand of  
704 the first lienholder the return of such certificate for the  
705 notation of the second or subsequent lien or encumbrance.

706 (5)(a) Upon satisfaction of any first lien or encumbrance  
707 recorded at the department, the owner of the vehicle, as shown  
708 on the title certificate, or the person satisfying the lien  
709 shall be entitled to demand and receive from the lienholder a  
710 satisfaction of the lien. If the lienholder, upon satisfaction  
711 of the lien and upon demand, fails or refuses to furnish a  
712 satisfaction thereof within 30 days after demand, he or she  
713 shall be held liable for all costs, damages, and expenses,  
714 including reasonable attorney's fees, lawfully incurred by the  
715 titled owner or person satisfying the lien in any suit brought  
716 in this state for cancellation of the lien. The lienholder  
717 receiving final payment as defined in s. 674.215 shall mail or  
718 otherwise deliver a lien satisfaction and the certificate of  
719 title indicating the satisfaction within 10 working days after  
720 receipt of such final payment or notify the person satisfying  
721 the lien that the title is not available within 10 working days



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722 after receipt of such final payment. If the lienholder is unable  
723 to provide the certificate of title and notifies the person of  
724 such, the lienholder shall provide a lien satisfaction and shall  
725 be responsible for the cost of a duplicate title, including fast  
726 title charges as provided in s. 317.0016. The provisions of this  
727 paragraph shall not apply to electronic transactions pursuant to  
728 subsection (8).

729 (b) Following satisfaction of a lien, the lienholder shall  
730 enter a satisfaction thereof in the space provided on the face  
731 of the certificate of title. If the certificate of title was  
732 retained by the owner, the owner shall, within 5 days after the  
733 satisfaction of a lien, deliver the certificate of title to the  
734 lienholder and the lienholder shall enter a satisfaction thereof  
735 in the space provided on the face of the certificate of title.  
736 If there are no subsequent liens shown thereon, the certificate  
737 shall be delivered by the lienholder to the person satisfying  
738 the lien or encumbrance and an executed satisfaction on a form  
739 provided by the department shall be forwarded to the department  
740 by the lienholder within 10 days after satisfaction of the lien.

741 (c) If the certificate of title shows a subsequent lien  
742 not then being discharged, an executed satisfaction of the first  
743 lien shall be delivered by the lienholder to the person  
744 satisfying the lien and the certificate of title showing  
745 satisfaction of the first lien shall be forwarded by the  
746 lienholder to the department within 10 days after satisfaction  
747 of the lien.

748 (d) If, upon receipt of a title certificate showing  
749 satisfaction of the first lien, the department determines from



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750 its records that there are no subsequent liens or encumbrances  
751 upon the vehicle, the department shall forward to the owner, as  
752 shown on the face of the title, a corrected certificate showing  
753 no liens or encumbrances. If there is a subsequent lien not  
754 being discharged, the certificate of title shall be reissued  
755 showing the second or subsequent lienholder as the first  
756 lienholder and shall be delivered to either the new first  
757 lienholder or to the owner as indicated in the notice of lien  
758 filed by the new first lienholder. If the certificate of title  
759 is to be retained by the first lienholder on the reissued  
760 certificate, the first lienholder shall be entitled to retain  
761 the certificate of title except as provided in subsection (4)  
762 until his or her lien is satisfied. Upon satisfaction of the  
763 lien, the lienholder shall be subject to the procedures required  
764 of a first lienholder by subsection (4) and this subsection.

765 (6) When the original certificate of title cannot be  
766 returned to the department by the lienholder and evidence  
767 satisfactory to the department is produced that all liens or  
768 encumbrances have been satisfied, upon application by the owner  
769 for a duplicate copy of the certificate on the form prescribed  
770 by the department and accompanied by the fee prescribed in this  
771 chapter, a duplicate copy of the certificate of title, without  
772 statement of liens or encumbrances, shall be issued by the  
773 department and delivered to the owner.

774 (7) Any person who fails, within 10 days after receipt of  
775 a demand by the department by certified mail, to return a  
776 certificate of title to the department as required by subsection  
777 (4) or who, upon satisfaction of a lien, fails within 10 days



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778 after receipt of such demand to forward the appropriate document  
779 to the department as required by paragraph (5)(b) or paragraph  
780 (5)(c) commits a misdemeanor of the second degree, punishable as  
781 provided in s. 775.082 or s. 775.073.

782 (8) Notwithstanding any requirements in this section or in  
783 s. 319.27 indicating that a lien on a vehicle shall be noted on  
784 the face of the Florida certificate of title, if there are one  
785 or more liens or encumbrances on the off-highway vehicle, the  
786 department may electronically transmit the lien to the first  
787 lienholder and notify the first lienholder of any additional  
788 liens. Subsequent lien satisfactions may be electronically  
789 transmitted to the department and shall include the name and  
790 address of the person or entity satisfying the lien. When  
791 electronic transmission of liens and lien satisfactions are  
792 used, the issuance of a certificate of title may be waived until  
793 the last lien is satisfied and a clear certificate of title is  
794 issued to the owner of the vehicle.

795 (9) The department shall, in the sending of any notice,  
796 only be required to use the last known address as shown by its  
797 records.

798 Section 15. Section 317.0015, Florida Statutes, is created  
799 to read:

800 317.0015 Application of law.--The provisions of ss.  
801 319.235, 319.241, 319.25, 319.27, 319.28, and 319.40 shall apply  
802 to all off-highway vehicles which are required to be titled by  
803 the provisions of this chapter.

804 Section 16. Section 317.0016, Florida Statutes, is created  
805 to read:



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806       317.0016 Expedited service; applications; fees.--The  
807 department shall establish a separate title office which may be  
808 utilized by private citizens to receive expedited service on  
809 title transfers, title issuances, duplicate titles, and  
810 recording of liens and certificates of repossession. A fee of \$7  
811 shall be charged for this service, which is in addition to the  
812 fees imposed by ss. 317.0007 and 317.0008, and \$3.50 of this fee  
813 shall be retained by the processing agency. All remaining fees  
814 shall be deposited in the Incidental Trust Fund of the Division  
815 of Forestry of the Department of Agriculture and Consumer  
816 Services. Application for such expedited service may be made by  
817 mail or in person. The department shall issue each title applied  
818 for pursuant to this section within 5 working days after receipt  
819 of the application, except for an application for a duplicate  
820 title certificate covered by s. 317.0008(3), in which case the  
821 title must be issued within 5 working days after compliance with  
822 the department's verification requirements.

823       Section 17. Section 317.0017, Florida Statutes, is created  
824 to read:

825       317.0017 Offenses involving vehicle identification  
826 numbers, applications, certificates, papers; penalty.--

827       (1) It is unlawful:

828       (a) To alter or forge any certificate of title to an off-  
829 highway vehicle or any assignment thereof or any cancellation of  
830 any lien on an off-highway vehicle.

831       (b) To retain or use such certificate, assignment, or  
832 cancellation knowing that it has been altered or forged.



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833        (c) To procure or attempt to procure a certificate of  
834 title to an off-highway vehicle, or pass or attempt to pass a  
835 certificate of title or any assignment thereof to an off-highway  
836 vehicle, knowing or having reason to believe that such off-  
837 highway vehicle has been stolen.

838        (d) To possess, sell or offer for sale, conceal, or  
839 dispose of in this state an off-highway vehicle, or major  
840 component part thereof, on which any motor number or vehicle  
841 identification number that has been affixed by the manufacturer  
842 or by a state agency, has been destroyed, removed, covered,  
843 altered, or defaced, with knowledge of such destruction,  
844 removal, covering, alteration, or defacement, except as provided  
845 in s. 319.30(4).

846        (e) To use a false or fictitious name, give a false or  
847 fictitious address, or make any false statement in any  
848 application or affidavit required under the provisions of this  
849 chapter or in a bill of sale or sworn statement of ownership or  
850 otherwise commit a fraud in any application.

851        (2) It is unlawful for any person knowingly to obtain  
852 goods, services, credit, or money by means of an invalid,  
853 duplicate, fictitious, forged, counterfeit, stolen, or  
854 unlawfully obtained certificate of title, registration, bill of  
855 sale, or other indicia of ownership of an off-highway vehicle.

856        (3) It is unlawful for any person knowingly to obtain  
857 goods, services, credit, or money by means of a certificate of  
858 title to an off-highway vehicle, which certificate is required  
859 by law to be surrendered to the department.



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860       (4) It is unlawful for any person knowingly and with  
861 intent to defraud to have in his or her possession, sell, offer  
862 to sell, counterfeit, or supply a blank, forged, fictitious,  
863 counterfeit, stolen, or fraudulently or unlawfully obtained  
864 certificate of title, bill of sale, or other indicia of  
865 ownership of an off-highway vehicle or to conspire to do any of  
866 the foregoing.

867       (5) It is unlawful for any person, firm, or corporation to  
868 knowingly possess, manufacture, sell or exchange, offer to sell  
869 or exchange, supply in blank, or give away any counterfeit  
870 manufacturer's or state-assigned identification number plates or  
871 serial plates or any decal used for the purpose of  
872 identification of any off-highway vehicle; or for any officer,  
873 agent, or employee of any person, firm, or corporation, or any  
874 person who shall authorize, direct, aid in exchange, or give  
875 away such counterfeit manufacturer's or state-assigned  
876 identification number plates or serial plates or any decal; or  
877 conspire to do any of the foregoing. However, nothing in this  
878 subsection shall be applicable to any approved replacement  
879 manufacturer's or state-assigned identification number plates,  
880 serial plates, or any decal issued by the department or any  
881 state.

882       (6) Any person who violates any provision of this section  
883 commits a felony of the third degree, punishable as provided in  
884 s. 775.082, s. 775.083, or s. 775.084. Any off-highway vehicle  
885 used in violation of this section shall constitute contraband  
886 which may be seized by a law enforcement agency and shall be  
887 subject to forfeiture proceedings pursuant to ss. 932.701-





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888 932.704. This section is not exclusive of any other penalties  
 889 prescribed by any existing or future laws for the larceny or  
 890 unauthorized taking of off-highway vehicles, but is  
 891 supplementary thereto.

892 Section 18. Section 317.0018, Florida Statutes, is created  
 893 to read:

894 317.0018 Transfer without delivery of certificate;  
 895 operation or use without certificate; failure to surrender;  
 896 other violations.--Whoever, except as otherwise provided for in  
 897 this chapter, purports to sell or transfer an off-highway  
 898 vehicle without delivering to the purchaser or transferee  
 899 thereof a certificate of title thereto duly assigned to such  
 900 purchaser as provided in this chapter or operates or uses in  
 901 this state an off-highway vehicle for which a certificate of  
 902 title is required without such certificate having been obtained  
 903 in accordance with the provisions of this chapter, or upon which  
 904 the certificate of title has been canceled; whoever fails to  
 905 surrender any certificate of title upon cancellation of the same  
 906 by the department and notice thereof as prescribed in this  
 907 chapter; whoever fails to surrender the certificate of title to  
 908 the department as provided in this chapter in case of the  
 909 destruction or dismantling or change of an off-highway vehicle  
 910 in such respect that it is not the off-highway vehicle described  
 911 in the certificate of title; or whoever violates any of the  
 912 other provisions of this chapter, or any lawful rule adopted  
 913 pursuant to the provisions of this chapter, shall be fined not  
 914 more than \$500 or imprisoned for not more than 6 months, or  
 915 both, for each offense.



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916 Section 19. Section 318.1215, Florida Statutes, is amended  
917 to read:

918 318.1215 Dori Slosberg Driver Education Safety  
919 Act.--Effective October 1, 2002, notwithstanding the provisions  
920 of s. 318.121, a board of county commissioners may require, by  
921 ordinance, that the clerk of the court collect an additional \$3  
922 with each civil traffic penalty, which shall be used to fund  
923 driver ~~traffie~~ education programs in public and nonpublic  
924 schools. The ordinance shall provide for the board of county  
925 commissioners to administer the funds, which shall be used for  
926 enhancement, and not replacement, of driver education program  
927 funds. The funds shall be used for direct educational expenses  
928 and shall not be used for administration. Each driver education  
929 program receiving funds pursuant to this section shall require  
930 that a minimum of 30 percent of a student's time in the program  
931 shall be behind-the-wheel training. This section may be cited as  
932 the "Dori Slosberg Driver Education Safety Act."

933 Section 20. Subsection (6) of section 319.23, Florida  
934 Statutes, is amended to read:

935 319.23 Application for, and issuance of, certificate of  
936 title.--

937 (6) In the case of the sale of a motor vehicle or mobile  
938 home by a licensed dealer to a general purchaser, the  
939 certificate of title shall be obtained in the name of the  
940 purchaser by the dealer upon application signed by the  
941 purchaser, and in each other case such certificate shall be  
942 obtained by the purchaser. In each case of transfer of a motor  
943 vehicle or mobile home, the application for certificate of



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944 title, or corrected certificate, or assignment or reassignment,  
945 shall be filed within 30 days from the delivery of such motor  
946 vehicle or mobile home to the purchaser. An applicant shall be  
947 required to pay a fee of \$10, in addition to all other fees and  
948 penalties required by law, for failing to file such application  
949 within the specified time. When a licensed dealer takes a motor  
950 vehicle or mobile home in trade, the dealer must file with the  
951 department a notice of sale signed by the seller. The department  
952 shall then update its database for that title record to reflect  
953 "sold." A licensed dealer need not apply for a certificate of  
954 title for any motor vehicle or mobile home in stock acquired for  
955 stock purposes except as provided in s. 319.225.

956 Section 21. Paragraph (e) of subsection (1) of section  
957 319.30, Florida Statutes, is amended to read:

958 319.30 Definitions; dismantling, destruction, change of  
959 identity of motor vehicle or mobile home; salvage.--

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

961 (e) "Major component parts" means:

962 1. For motor vehicles other than motorcycles, the front-  
963 end assembly (fenders, hood, grill, and bumper), cowl assembly,  
964 rear body section (both quarter panels, trunk lid, door,  
965 decklid, and bumper), floor pan, door assemblies, engine, frame,  
966 transmission, chassis connected to a frame, and airbag.

967 2. For trucks, in addition to those parts listed in  
968 subparagraph 1., any truck bed, including dump, wrecker, crane,  
969 mixer, cargo box, or any bed which mounts to a truck frame.



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970 3. For motorcycles, the body assembly, frame, fenders, gas  
971 tanks, engine, cylinder block, heads, engine case, crank case,  
972 transmission, drive train, front fork assembly, and wheels.

973 4. For mobile homes, the frame.

974 Section 22. Effective July 1, 2003, subsection (6) of  
975 section 320.055, Florida Statutes, is amended to read:

976 320.055 Registration periods; renewal periods.--The  
977 following registration periods and renewal periods are  
978 established:

979 (6) For those vehicles subject to registration under s.  
980 320.08(6)(a) which are not short-term rental vehicles, the  
981 department shall develop and implement a registration renewal  
982 system that, where practicable, evenly distributes the  
983 registration renewal period throughout the year. For a vehicle  
984 subject to this registration period, the renewal period is the  
985 first month of the assigned registration period. All original  
986 and transfer transactions of long-term leased motor vehicles  
987 must be registered in the name of the lessee.

988 Section 23. Section 320.0605, Florida Statutes, is amended  
989 to read:

990 320.0605 Certificate of registration; possession required;  
991 exception.--The registration certificate or an official copy  
992 thereof, a true copy of a rental or lease agreement issued for a  
993 motor vehicle or issued for a replacement vehicle in the same  
994 registration period, a temporary receipt printed upon self-  
995 initiated electronic renewal of a registration via the Internet,  
996 or a cab card issued for a vehicle registered under the  
997 International Registration Plan shall, at all times while the



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998 vehicle is being used or operated on the roads of this state, be  
999 in the possession of the operator thereof or be carried in the  
1000 vehicle for which issued and shall be exhibited upon demand of  
1001 any authorized law enforcement officer or any agent of the  
1002 department, except for vehicles registered under s. 320.0657.

1003 The provisions of this section do not apply during the first 30  
1004 days after purchase of a replacement vehicle. A violation of  
1005 this section is a noncriminal traffic infraction, punishable as  
1006 a nonmoving violation as provided in chapter 318.

1007 Section 24. Paragraph (e) is added to subsection (3) of  
1008 section 320.07, Florida Statutes, present subsection (5) is  
1009 renumbered as subsection (7), and new subsections (5) and (6)  
1010 are added to said section, to read:

1011 320.07 Expiration of registration; annual renewal required;  
1012 penalties.--

1013 (3) The operation of any motor vehicle without having  
1014 attached thereto a registration license plate and validation  
1015 stickers, or the use of any mobile home without having attached  
1016 thereto a mobile home sticker, for the current registration  
1017 period shall subject the owner thereof, if he or she is present,  
1018 or, if the owner is not present, the operator thereof to the  
1019 following penalty provisions:

1020 (e) Any service member, as defined in subsection (6),  
1021 whose mobile home registration has expired while serving on  
1022 active duty shall not be charged with a violation of this  
1023 subsection if, at the time of the offense, the service member  
1024 was serving on federal or state active duty more than 35 miles  
1025 from the service member's home of record prior to entering



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1026 active duty. The service member must present to the department  
1027 either a copy of the official military orders or a written  
1028 verification signed by the service member's commanding officer  
1029 to waive charges.

1030 (5) Any service member, as defined in subsection (6),  
1031 whose motor vehicle or mobile home registration has expired  
1032 while serving on active duty, shall be able to renew his or her  
1033 registration upon return from active duty without penalty, if  
1034 the service member served on federal or state active duty more  
1035 than 35 miles from the service member's home of record prior to  
1036 entering active duty. The service member must provide to the  
1037 department either a copy of the official military orders or a  
1038 written verification signed by the service member's commanding  
1039 officer to waive delinquent fees.

1040 (6) As used in this section, "service member" means any  
1041 person serving as a member of the United States Armed Forces on  
1042 active duty or state active duty and all members of the Florida  
1043 National Guard and the United States Reserve Forces.

1044 (7)~~(5)~~ Delinquent fees imposed under this section shall not  
1045 be apportionable under the International Registration Plan.

1046 Section 25. Section 320.0706, Florida Statutes, is amended  
1047 to read:

1048 320.0706 Display of license plates on trucks.--The owner  
1049 of any commercial truck of gross vehicle weight of 26,001 pounds  
1050 or more shall display the registration license plate on both the  
1051 front and rear of the truck in conformance with all the  
1052 requirements of s. 316.605 that do not conflict with this  
1053 section. However, the owner of a truck tractor shall be required



1054 to display the registration license plate only on the front of  
 1055 such vehicle. Wreckers shall be required to display the  
 1056 registration license plate only on the front of such vehicle.

1057 Section 26. Section 320.08053, Florida Statutes, is  
 1058 amended to read:

1059 320.08053 Requirements for requests to establish specialty  
 1060 license plates.--

1061 (1) An organization that seeks authorization to establish  
 1062 a new specialty license plate for which an annual use fee is to  
 1063 be charged must submit to the department:

1064 (a) A request for the particular specialty license plate  
 1065 being sought, describing the proposed specialty license plate in  
 1066 specific general terms, including a sample plate as it will  
 1067 appear in final form and conforming to the specifications set by  
 1068 the department and this chapter.

1069 (b) A financial analysis outlining the anticipated  
 1070 revenues and the planned expenditures of the revenues to be  
 1071 derived from the sale of the requested specialty license plate  
 1072 ~~The results of a scientific sample survey of Florida motor~~  
 1073 ~~vehicle owners that indicates at least 15,000 motor vehicle~~  
 1074 ~~owners intend to purchase the proposed specialty license plate~~  
 1075 ~~at the increased cost. The sample survey of registered motor~~  
 1076 ~~vehicle owners must be performed independently of the requesting~~  
 1077 ~~organization by an organization that conducts similar sample~~  
 1078 ~~surveys as a normal course of business. Prior to conducting a~~  
 1079 ~~sample survey for the purposes of this section, a requesting~~  
 1080 ~~organization must obtain a determination from the department~~  
 1081 ~~that the organization selected to conduct the survey performs~~



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1082 ~~similar surveys as a normal course of business and is~~  
1083 ~~independent of the requesting organization.~~

1084 ~~(c) An application fee, not to exceed \$60,000, to defray~~  
1085 ~~the department's cost for reviewing the application and~~  
1086 ~~developing the specialty license plate, if authorized. State~~  
1087 ~~funds may not be used to pay the application fee, except for~~  
1088 ~~collegiate specialty license plates authorized in s.~~  
1089 ~~320.08058(3) and (13). The specialty license plate application~~  
1090 ~~provisions of this act shall not apply to any organization which~~  
1091 ~~has requested and received the required forms for obtaining a~~  
1092 ~~specialty license plate authorization from the Department of~~  
1093 ~~Highway Safety and Motor Vehicles, has opened a bank account for~~  
1094 ~~the funds collected for the specialty license tag and has made~~  
1095 ~~deposits to such an account, and has obtained signatures toward~~  
1096 ~~completing the requirements for the specialty license tag. All~~  
1097 ~~applications requested on or after the effective date of this~~  
1098 ~~act must meet the requirements of this act.~~

1099 ~~(d) A marketing strategy outlining short-term and long-~~  
1100 ~~term marketing plans for the requested specialty license plate~~  
1101 ~~and a financial analysis outlining the anticipated revenues and~~  
1102 ~~the planned expenditures of the revenues to be derived from the~~  
1103 ~~sale of the requested specialty license plates.~~

1104  
1105 ~~The information required under this subsection must be submitted~~  
1106 ~~to the department at least 90 days before the convening of the~~  
1107 ~~next regular session of the Legislature.~~

1108 ~~(2) From the date the request for the specialty license~~  
1109 ~~plate is acknowledged in writing by the department, the~~





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1110 organization seeking to establish the new plate shall have 24  
1111 months to submit to the department no less than 8,000 prepaid  
1112 applications for the particular plate being proposed along with  
1113 any necessary fees. Applications submitted to the department  
1114 must:

1115 (a) Include the applicant's name, address, and the current  
1116 Florida license plate number that is to be replaced by the  
1117 proposed specialty license plate.

1118 (b) Be forwarded to the department, collectively, in  
1119 electronic format as determined by the department.

1120 (c) Be accompanied by all prepayments for the proposed  
1121 specialty license plate collected by the organization.

1122 (3) Upon compliance with subsection (2), the organization  
1123 requesting the specialty license plate may seek legislative  
1124 approval of the plate. From the date of enactment of the  
1125 specialty license plate by the Legislature, the department shall  
1126 begin issuing the approved plates within 1 year to all prepaid  
1127 applicants and provide additional plates for purchase. Upon  
1128 enactment of the specialty license plate, the department is  
1129 authorized to retain prepayment amounts sufficient to cover the  
1130 costs incurred developing the plate; however, the department may  
1131 not retain an amount greater than \$60,000. If the proposed  
1132 specialty license plate is not enacted by the Legislature, the  
1133 department shall return to the organization all applications and  
1134 prepayments submitted by the organization, and the organization  
1135 shall immediately refund to all applicants any payments that  
1136 have been collected.



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1137        (4) If, after 24 months, the organization seeking to  
1138 establish the new specialty license plate has not obtained at  
1139 least 8,000 prepaid applications, the organization shall  
1140 immediately refund to all applicants any fees or deposits that  
1141 have been collected.

1142        (5) After the department has acknowledged in writing the  
1143 organization's request to establish a new specialty license  
1144 plate, the organization requesting the plate shall file  
1145 quarterly financial reports to the department detailing all  
1146 collections made in conjunction with the proposed plate. The  
1147 department shall determine the form and content of the reports.  
1148 All payments collected must be deposited in a separate account  
1149 maintained by the organization solely for receipt of prepaid  
1150 application fees and shall not be commingled with other funds of  
1151 the organization. The department is authorized to conduct any  
1152 audits necessary to verify the accuracy of the quarterly reports  
1153 ~~If the specialty license plate requested by the organization is~~  
1154 ~~approved by law, the organization must submit the proposed art~~  
1155 ~~design for the specialty license plate to the department as soon~~  
1156 ~~as practicable, but no later than 60 days after the act~~  
1157 ~~approving the specialty license plate becomes a law. If the~~  
1158 ~~specialty license plate requested by the organization is not~~  
1159 ~~approved by the Legislature, the application fee shall be~~  
1160 ~~refunded to the requesting organization.~~

1161        Section 27. Subsection (8) of section 320.08056, Florida  
1162 Statutes, is amended to read:

1163        320.08056 Specialty license plates.--



1164           (8)(a) The department must discontinue the issuance of an  
 1165 approved specialty license plate if, after the second year of  
 1166 sales, the number of currently outstanding and valid specialty  
 1167 license plates for any particular organization provided for in  
 1168 this chapter is less than 8,000. The department shall notify the  
 1169 organization that if the number is less than 8,000 1 year after  
 1170 the date of the notification, the department will no longer  
 1171 issue or replace those specialty license plates.÷

1172           ~~1. Less than 8,000 plates, including annual renewals, are~~  
 1173 ~~issued for that specialty license plate by the end of the 5th~~  
 1174 ~~year of sales.~~

1175           ~~2. Less than 8,000 plates, including annual renewals, are~~  
 1176 ~~issued for that specialty license plate during any subsequent 5-~~  
 1177 ~~year period.~~

1178           (b) The department is authorized to discontinue the  
 1179 issuance of a specialty license plate and distribution of  
 1180 associated annual use fee proceeds if the organization no longer  
 1181 exists, if the organization has stopped providing services that  
 1182 are authorized to be funded from the annual use fee proceeds, or  
 1183 pursuant to an organizational recipient's request. Organizations  
 1184 are required to notify the department immediately to stop all  
 1185 warrants for plate sales if any of the conditions in this  
 1186 section exist, and must meet the requirements of s. 320.08062  
 1187 for any period of operation during a fiscal year.

1188           (c) The requirements of paragraph (a) shall not apply to  
 1189 collegiate specialty license plates authorized in s.  
 1190 320.08058~~(3)~~, (13), (21), and (26).



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1191 Section 28. Subsection (1) of section 320.0821, Florida  
1192 Statutes, is amended, and subsection (5) is added to said  
1193 section, to read:

1194 320.0821 Wrecker license plates.--

1195 (1) The department shall issue one a wrecker license  
1196 plate, regardless of gross vehicle weight, to the owner of any  
1197 motor vehicle that is used to tow, carry, or otherwise transport  
1198 motor vehicles and that is equipped for that purpose with a  
1199 boom, winch, carrier, or other similar equipment, except a motor  
1200 vehicle registered under the International Registration Plan,  
1201 upon application and payment of the appropriate license tax and  
1202 fees in accordance with s. 320.08(5)(d) or (e).

1203 (5) A wrecker license plate shall be displayed on the  
1204 front of such vehicle.

1205 Section 29. Subsection (8) is added to section 320.131,  
1206 Florida Statutes, to read:

1207 320.131 Temporary tags.--

1208 (8) The department may administer an electronic system for  
1209 licensed motor vehicle dealers to use in issuing temporary tags.  
1210 Upon issuing a temporary tag, the dealer shall access the  
1211 electronic system and enter the appropriate vehicle and owner  
1212 information within the timeframe specified by department rule.  
1213 If a dealer fails to comply with the department's requirements  
1214 for issuing temporary tags using the electronic system, the  
1215 department may deny, suspend, or revoke a license issued  
1216 pursuant to s. 320.27(9)(b)16. upon proof that a licensee has  
1217 failed to comply with this subsection.



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1218 Section 30. Subsection (6) and paragraph (b) of subsection  
1219 (9) of section 320.27, Florida Statutes, are amended to read:

1220 320.27 Motor vehicle dealers.--

1221 (6) RECORDS TO BE KEPT BY LICENSEE.--Every licensee shall  
1222 keep a book or record in such form as shall be prescribed or  
1223 approved by the department, for a period of 5 years, in which  
1224 the licensee shall keep a record of the purchase, sale, or  
1225 exchange, or receipt for the purpose of sale, of any motor  
1226 vehicle, the date upon which any temporary tag was issued, the  
1227 date of title transfer, and a description of such motor vehicle  
1228 together with the name and address of the seller, the purchaser,  
1229 and the alleged owner or other person from whom such motor  
1230 vehicle was purchased or received or to whom it was sold or  
1231 delivered, as the case may be. Such description shall include  
1232 the identification or engine number, maker's number, if any,  
1233 chassis number, if any, and such other numbers or identification  
1234 marks as may be thereon and shall also include a statement that  
1235 a number has been obliterated, defaced, or changed, if such is  
1236 the fact.

1237 (9) DENIAL, SUSPENSION, OR REVOCATION.--

1238 (b) The department may deny, suspend, or revoke any  
1239 license issued hereunder or under the provisions of s. 320.77 or  
1240 s. 320.771 upon proof that a licensee has committed, with  
1241 sufficient frequency so as to establish a pattern of wrongdoing  
1242 on the part of a licensee, violations of one or more of the  
1243 following activities:

1244 1. Representation that a demonstrator is a new motor  
1245 vehicle, or the attempt to sell or the sale of a demonstrator as



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1246 a new motor vehicle without written notice to the purchaser that  
 1247 the vehicle is a demonstrator. For the purposes of this section,  
 1248 a "demonstrator," a "new motor vehicle," and a "used motor  
 1249 vehicle" shall be defined as under s. 320.60.

1250 2. Unjustifiable refusal to comply with a licensee's  
 1251 responsibility under the terms of the new motor vehicle warranty  
 1252 issued by its respective manufacturer, distributor, or importer.  
 1253 However, if such refusal is at the direction of the  
 1254 manufacturer, distributor, or importer, such refusal shall not  
 1255 be a ground under this section.

1256 3. Misrepresentation or false, deceptive, or misleading  
 1257 statements with regard to the sale or financing of motor  
 1258 vehicles which any motor vehicle dealer has, or causes to have,  
 1259 advertised, printed, displayed, published, distributed,  
 1260 broadcast, televised, or made in any manner with regard to the  
 1261 sale or financing of motor vehicles.

1262 4. Failure by any motor vehicle dealer to provide a  
 1263 customer or purchaser with an odometer disclosure statement and  
 1264 a copy of any bona fide written, executed sales contract or  
 1265 agreement of purchase connected with the purchase of the motor  
 1266 vehicle purchased by the customer or purchaser.

1267 5. Failure of any motor vehicle dealer to comply with the  
 1268 terms of any bona fide written, executed agreement, pursuant to  
 1269 the sale of a motor vehicle.

1270 6. Failure to apply for transfer of a title as prescribed  
 1271 in s. 319.23(6).

1272 7. Use of the dealer license identification number by any  
 1273 person other than the licensed dealer or his or her designee.



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1274 8. Failure to continually meet the requirements of the  
1275 licensure law.

1276 9. Representation to a customer or any advertisement to  
1277 the public representing or suggesting that a motor vehicle is a  
1278 new motor vehicle if such vehicle lawfully cannot be titled in  
1279 the name of the customer or other member of the public by the  
1280 seller using a manufacturer's statement of origin as permitted  
1281 in s. 319.23(1).

1282 10. Requirement by any motor vehicle dealer that a  
1283 customer or purchaser accept equipment on his or her motor  
1284 vehicle which was not ordered by the customer or purchaser.

1285 11. Requirement by any motor vehicle dealer that any  
1286 customer or purchaser finance a motor vehicle with a specific  
1287 financial institution or company.

1288 12. Requirement by any motor vehicle dealer that the  
1289 purchaser of a motor vehicle contract with the dealer for  
1290 physical damage insurance.

1291 13. Perpetration of a fraud upon any person as a result of  
1292 dealing in motor vehicles, including, without limitation, the  
1293 misrepresentation to any person by the licensee of the  
1294 licensee's relationship to any manufacturer, importer, or  
1295 distributor.

1296 14. Violation of any of the provisions of s. 319.35 by any  
1297 motor vehicle dealer.

1298 15. Sale by a motor vehicle dealer of a vehicle offered in  
1299 trade by a customer prior to consummation of the sale, exchange,  
1300 or transfer of a newly acquired vehicle to the customer, unless  
1301 the customer provides written authorization for the sale of the



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1302 trade-in vehicle prior to delivery of the newly acquired  
1303 vehicle.

1304 16. Willful failure to comply with any administrative rule  
1305 adopted by the department or the provisions of s. 320.131(8).

1306 17. Violation of chapter 319, this chapter, or ss.  
1307 559.901-559.9221, which has to do with dealing in or repairing  
1308 motor vehicles or mobile homes. Additionally, in the case of  
1309 used motor vehicles, the willful violation of the federal law  
1310 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to  
1311 the consumer sales window form.

1312 Section 31. Paragraphs (a) and (b) of subsection (1) and  
1313 subsections (2) and (3) of section 322.051, Florida Statutes,  
1314 are amended, and subsection (8) is added to said section, to  
1315 read:

1316 322.051 Identification cards.--

1317 (1) Any person who is 12 years of age or older, or any  
1318 person who has a disability, regardless of age, who applies for  
1319 a disabled parking permit under s. 320.0848, may be issued an  
1320 identification card by the department upon completion of an  
1321 application and payment of an application fee.

1322 (a) Each such application shall include the following  
1323 information regarding the applicant:

1324 1. Full name (first, middle or maiden, and last), gender,  
1325 social security card number, county of residence and mailing  
1326 address, country of birth, and a brief description.

1327 2. Proof of birth date satisfactory to the department.





1328           3. Proof of identity satisfactory to the department. Such  
1329 proof must include one of the following documents issued to the  
1330 applicant:

1331           a. A driver's license record or identification card record  
1332 from another jurisdiction that required the applicant to submit  
1333 a document for identification which is substantially similar to  
1334 a document required under sub-subparagraph b., sub-subparagraph  
1335 c., sub-subparagraph d., sub-subparagraph e., ~~or~~ sub-  
1336 subparagraph f., or sub-subparagraph g.;

1337           b. A certified copy of a United States birth certificate;

1338           c. A ~~valid~~ United States passport;

1339           d. A naturalization certificate issued by the United  
1340 States Department of Justice;

1341           ~~e.d.~~ An alien registration receipt card (green card);

1342           f.e. An employment authorization card issued by the United  
1343 States Department of Justice; or

1344           ~~g.f.~~ Proof of nonimmigrant classification provided by the  
1345 United States Department of Justice, for an original  
1346 identification card. In order to prove such nonimmigrant  
1347 classification, applicants may produce but are not limited to  
1348 the following documents:

1349           (I) A notice of hearing from an immigration court  
1350 scheduling a hearing on any proceeding.

1351           (II) A notice from the Board of Immigration Appeals  
1352 acknowledging pendency of an appeal.

1353           (III) Notice of the approval of an application for  
1354 adjustment of status issued by the United States Immigration and  
1355 Naturalization Service.



1356 (IV) Any official documentation confirming the filing of a  
 1357 petition for asylum status or any other relief issued by the  
 1358 United States Immigration and Naturalization Service.

1359 (V) Notice of action transferring any pending matter from  
 1360 another jurisdiction to Florida, issued by the United States  
 1361 Immigration and Naturalization Service.

1362 (VI) Order of an immigration judge or immigration officer  
 1363 granting any relief that authorizes the alien to live and work  
 1364 in the United States including, but not limited to asylum.

1365  
 1366 Presentation of any of the ~~foregoing~~ documents in sub-  
 1367 subparagraph f. or sub-subparagraph g. entitles ~~shall entitle~~  
 1368 the applicant to a driver's license or temporary permit for a  
 1369 period not to exceed the expiration date of the document  
 1370 presented or 2 years, whichever first occurs.

1371 (b) An application for an identification card must be  
 1372 signed and verified by the applicant in a format designated by  
 1373 the department before a person authorized to administer oaths.  
 1374 The fee for an identification card is \$10, of which \$3 shall be  
 1375 deposited into the General Revenue Fund and \$7 shall be  
 1376 deposited into the Highway Safety Operating Trust Fund. The fee  
 1377 shall include,~~including~~ payment for the color photograph or  
 1378 digital image of the applicant.

1379 (2)(a) Every identification card shall expire, unless  
 1380 canceled earlier, on the fourth birthday of the applicant  
 1381 following the date of original issue. However, if an individual  
 1382 is 60 years of age or older, and has an identification card  
 1383 issued under this section, the card shall not expire unless done



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1384 so by cancellation by the department or by the death of the  
1385 cardholder. Renewal of any identification card shall be made for  
1386 a term which shall expire on the fourth birthday of the  
1387 applicant following expiration of the identification card  
1388 renewed, unless surrendered earlier. Any application for renewal  
1389 received later than 90 days after expiration of the  
1390 identification card shall be considered the same as an  
1391 application for an original identification card. The renewal fee  
1392 for an identification card shall be \$10, of which \$3 shall be  
1393 deposited into the General Revenue Fund and \$7 shall be  
1394 deposited into the Highway Safety Operating Trust Fund. The  
1395 department shall, at the end of 4 years and 6 months after the  
1396 issuance or renewal of an identification card, destroy any  
1397 record of the card if it has expired and has not been renewed,  
1398 unless the cardholder is 60 years of age or older.

1399 (b) Notwithstanding any other provision of this chapter,  
1400 if an applicant establishes his or her identity for an  
1401 identification card using a document authorized under sub-  
1402 subparagraph (a)3.e. ~~(a)3.d.~~, the identification card shall  
1403 expire on the fourth birthday of the applicant following the  
1404 date of original issue or upon first renewal or duplicate issued  
1405 after implementation of this section. After an initial showing  
1406 of such documentation, he or she is exempted from having to  
1407 renew or obtain a duplicate in person.

1408 (c) Notwithstanding any other provisions of this chapter,  
1409 if an applicant establishes his or her identity for an  
1410 identification card using an identification document authorized  
1411 under sub-subparagraph (a)3.f. or sub-subparagraph (a)3.g. sub-



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1412 ~~subparagraphs (a)3.e.f.~~, the identification card shall expire 2  
1413 4 years after the date of issuance or upon the expiration date  
1414 cited on the United States Department of Justice documents,  
1415 whichever date first occurs, and may not be renewed or obtain a  
1416 duplicate except in person.

1417 (3) In the event an identification card issued under this  
1418 section is lost, destroyed, or mutilated or a new name is  
1419 acquired, the person to whom it was issued may obtain a  
1420 duplicate upon furnishing satisfactory proof of such fact to the  
1421 department and upon payment of \$10 ~~a fee of \$2.50~~ for such  
1422 duplicate, of which \$2.50 shall be deposited into the General  
1423 Revenue Fund and \$7.50 shall be deposited into the Highway  
1424 Safety Operating Trust Fund. The fee ~~which~~ shall include payment  
1425 for the color photograph or digital image of the applicant. Any  
1426 person who loses an identification card and who, after obtaining  
1427 a duplicate, finds the original card shall immediately surrender  
1428 the original card to the department. The same documentary  
1429 evidence shall be furnished for a duplicate as for an original  
1430 identification card.

1431 (8) The department shall, upon receipt of the required  
1432 fee, issue to each qualified applicant for an identification  
1433 card a color photographic or digital image identification card  
1434 bearing a fullface photograph or digital image of the  
1435 identification cardholder. Notwithstanding chapter 761 or s.  
1436 761.05, the requirement for a fullface photograph or digital  
1437 image of the identification cardholder shall not be waived. A  
1438 space shall be provided upon which the identification cardholder  
1439 shall affix his or her usual signature, as required in s.



1440 322.14, in the presence of an authorized agent of the department  
 1441 so as to ensure that such signature becomes a part of the  
 1442 identification card.

1443 Section 32. Paragraph (c) of subsection (2) of section  
 1444 322.08, Florida Statutes, is amended, and paragraph (f) is added  
 1445 to subsection (6) of said section, to read:

1446 322.08 Application for license.--

1447 (2) Each such application shall include the following  
 1448 information regarding the applicant:

1449 (c) Proof of identity satisfactory to the department. Such  
 1450 proof must include one of the following documents issued to the  
 1451 applicant:

1452 1. A driver's license record or identification card record  
 1453 from another jurisdiction that required the applicant to submit  
 1454 a document for identification which is substantially similar to  
 1455 a document required under subparagraph 2., subparagraph 3.,  
 1456 subparagraph 4., subparagraph 5., ~~or~~ subparagraph 6., or  
 1457 subparagraph 7.;

1458 2. A certified copy of a United States birth certificate;

1459 3. A ~~valid~~ United States passport;

1460 4. A naturalization certificate issued by the United  
 1461 States Department of Justice;

1462 ~~5.4.~~ An alien registration receipt card (green card);

1463 ~~6.5.~~ An employment authorization card issued by the United  
 1464 States Department of Justice; or

1465 ~~7.6.~~ Proof of nonimmigrant classification provided by the  
 1466 United States Department of Justice, for an original driver's  
 1467 license. In order to prove such nonimmigrant classification, the



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1468 applicant may produce, but is not limited to, the following  
1469 documents:

1470 a. A notice of hearing from an immigration court  
1471 scheduling a hearing on any proceeding.

1472 b. A notice from the Board of Immigration Appeals  
1473 acknowledging pendency of an appeal.

1474 c. Notice of the approval of an application for adjustment  
1475 of status issued by the United States Immigration and  
1476 Naturalization Service.

1477 d. Any official documentation confirming the filing of a  
1478 petition for asylum status or any other relief issued by the  
1479 United States Immigration and Naturalization Service.

1480 e. Notice of action transferring any pending matter from  
1481 another jurisdiction to Florida, issued by the United States  
1482 Immigration and Naturalization Service.

1483 f. An order of an immigration judge or immigration officer  
1484 granting any relief that authorizes the alien to live and work  
1485 in the United States, including, but not limited to, asylum.

1486  
1487 Presentation of any documents in subparagraph 6. or subparagraph  
1488 7. entitles the applicant to a driver's license or temporary  
1489 permit for a period not to exceed the expiration date of the  
1490 document presented or 2 years, whichever occurs first.

1491 (6) The application form for a driver's license or  
1492 duplicate thereof shall include language permitting the  
1493 following:

1494 (f) A voluntary contribution of \$1 per applicant, which  
1495 shall be distributed to the Children's Hearing Help Fund for the



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1496 purpose of providing assistance to children who have been  
1497 identified as having hearing loss.

1498

1499 A statement providing an explanation of the purpose of the trust  
1500 funds shall also be included.

1501 Section 33. Subsections (1) and (2) and paragraph (a) of  
1502 subsection (5) of section 322.12, Florida Statutes, are amended  
1503 to read:

1504 322.12 Examination of applicants.--

1505 (1) It is the intent of the Legislature that every  
1506 applicant for an original driver's license in this state be  
1507 required to pass an examination pursuant to this section.  
1508 However, the department may waive the knowledge, endorsement,  
1509 and skills tests for an applicant who is otherwise qualified and  
1510 who surrenders a valid driver's license from another state or a  
1511 province of Canada, or a valid driver's license issued by the  
1512 United States Armed Forces, if the driver applies for a Florida  
1513 license of an equal or lesser classification. Any applicant who  
1514 fails to pass the initial knowledge examination shall incur a \$5  
1515 fee for each subsequent examination, to be deposited into the  
1516 Highway Safety Operating Trust Fund. Any applicant who fails to  
1517 pass the initial skills examination shall incur a \$10 fee for  
1518 each subsequent examination, to be deposited into the Highway  
1519 Safety Operating Trust Fund. A person who seeks to retain a  
1520 hazardous-materials endorsement, pursuant to s. 322.57(1)(d),  
1521 must pass the hazardous-materials test, upon surrendering his or  
1522 her commercial driver's license, if the person has not taken and  
1523 passed the hazardous-materials test within 2 years preceding his



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1524 or her application for a commercial driver's license in this  
1525 state.

1526 (2) The department shall examine every applicant for a  
1527 driver's license, including an applicant who is licensed in  
1528 another state or country, except as otherwise provided in this  
1529 chapter. A person who holds a learner's driver's license as  
1530 provided for in s. 322.1615 is not required to pay a fee for  
1531 successfully completing the examination showing his or her  
1532 ability to operate a motor vehicle as provided for herein and  
1533 need not pay the fee for a replacement license as provided in s.  
1534 322.17(2). ~~Any person who applies for reinstatement following~~  
1535 ~~the suspension or revocation of his or her driver's license~~  
1536 ~~shall pay a service fee of \$25 following a suspension, and \$50~~  
1537 ~~following a revocation, which is in addition to the fee for a~~  
1538 ~~license. Any person who applies for reinstatement of a~~  
1539 ~~commercial driver's license following the disqualification of~~  
1540 ~~his or her privilege to operate a commercial motor vehicle shall~~  
1541 ~~pay a service fee of \$50, which is in addition to the fee for a~~  
1542 ~~license. The department shall collect all of these fees at the~~  
1543 ~~time of reinstatement. The department shall issue proper~~  
1544 ~~receipts for such fees and shall promptly transmit all funds~~  
1545 ~~received by it as follows:~~

1546 (a) ~~Of the \$25 fee received from a licensee for~~  
1547 ~~reinstatement following a suspension, the department shall~~  
1548 ~~deposit \$15 in the General Revenue Fund and the remaining \$10 in~~  
1549 ~~the Highway Safety Operating Trust Fund.~~

1550 (b) ~~Of the \$50 fee received from a licensee for~~  
1551 ~~reinstatement following a revocation or disqualification, the~~





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1552 ~~department shall deposit \$35 in the General Revenue Fund and the~~  
1553 ~~remaining \$15 in the Highway Safety Operating Trust Fund.~~

1554

1555 ~~If the revocation or suspension of the driver's license was for~~  
1556 ~~a violation of s. 316.193, or for refusal to submit to a lawful~~  
1557 ~~breath, blood, or urine test, an additional fee of \$105 must be~~  
1558 ~~charged. However, only one such \$105 fee is to be collected from~~  
1559 ~~one person convicted of such violations arising out of the same~~  
1560 ~~incident. The department shall collect the \$105 fee and deposit~~  
1561 ~~it into the Highway Safety Operating Trust Fund at the time of~~  
1562 ~~reinstatement of the person's driver's license, but the fee must~~  
1563 ~~not be collected if the suspension or revocation was overturned.~~

1564 (5)(a) The department shall formulate a separate  
1565 examination for applicants for licenses to operate motorcycles.  
1566 Any applicant for a driver's license who wishes to operate a  
1567 motorcycle, and who is otherwise qualified, must successfully  
1568 complete such an examination, which is in addition to the  
1569 examination administered under subsection (3). The examination  
1570 must test the applicant's knowledge of the operation of a  
1571 motorcycle and of any traffic laws specifically relating thereto  
1572 and must include an actual demonstration of his or her ability  
1573 to exercise ordinary and reasonable control in the operation of  
1574 a motorcycle. Any applicant who fails to pass the initial  
1575 knowledge examination shall incur a \$5 fee for each subsequent  
1576 examination, to be deposited into the Highway Safety Operating  
1577 Trust Fund. Any applicant who fails to pass the initial skills  
1578 examination shall incur a \$10 fee for each subsequent  
1579 examination, to be deposited into the Highway Safety Operating



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1580 Trust Fund. In the formulation of the examination, the  
1581 department shall consider the use of the Motorcycle Operator  
1582 Skills Test and the Motorcycle in Traffic Test offered by the  
1583 Motorcycle Safety Foundation. The department shall indicate on  
1584 the license of any person who successfully completes the  
1585 examination that the licensee is authorized to operate a  
1586 motorcycle. If the applicant wishes to be licensed to operate a  
1587 motorcycle only, he or she need not take the skill or road test  
1588 required under subsection (3) for the operation of a motor  
1589 vehicle, and the department shall indicate such a limitation on  
1590 his or her license as a restriction. Every first-time applicant  
1591 for licensure to operate a motorcycle who is under 21 years of  
1592 age must provide proof of completion of a motorcycle safety  
1593 course, as provided for in s. 322.0255, before the applicant may  
1594 be licensed to operate a motorcycle.

1595 Section 34. Subsection (9) is added to section 322.135,  
1596 Florida Statutes, to read:

1597 322.135 Driver's license agents.--

1598 (9) Notwithstanding chapter 116, every county officer  
1599 within this state authorized to collect funds provided for in  
1600 this chapter shall pay all sums officially received by the  
1601 officer into the State Treasury no later than 5 working days  
1602 after the close of the business day on which the officer  
1603 received the funds. Payment by county officers to the state  
1604 shall be made by means of electronic funds transfer.

1605 Section 35. Subsection (1) of section 322.142, Florida  
1606 Statutes, is amended to read:

1607 322.142 Color photographic or digital imaged licenses.--



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1608 (1) The department shall, upon receipt of the required  
 1609 fee, issue to each qualified applicant for a ~~an original~~  
 1610 driver's license a color photographic or digital imaged driver's  
 1611 license bearing a fullface photograph or digital image of the  
 1612 licensee. Notwithstanding chapter 761 or s. 761.05, the  
 1613 requirement for a fullface photograph or digital image of the  
 1614 licensee shall not be waived. A space shall be provided upon  
 1615 which the licensee shall affix his or her usual signature, as  
 1616 required in s. 322.14, in the presence of an authorized agent of  
 1617 the department so as to ensure that such signature becomes a  
 1618 part of the license.

1619 Section 36. Subsections (2) and (3) of section 322.17,  
 1620 Florida Statutes, are amended to read:

1621 322.17 Duplicate and replacement certificates.--

1622 (2) Upon the surrender of the original license and the  
 1623 payment of a \$10 replacement fee, the department shall issue a  
 1624 replacement license to make a change in name, ~~address,~~ or  
 1625 restrictions. Upon ~~written~~ request by the licensee and  
 1626 notification of a change in address, ~~and the payment of a \$10~~  
 1627 ~~fee,~~ the department shall issue a replacement license or an  
 1628 ~~address sticker which shall be affixed to the back of the~~  
 1629 ~~license by the licensee.~~ Nine dollars of the fee levied in this  
 1630 subsection shall go to the Highway Safety Operating Trust Fund  
 1631 of the department.

1632 (3) Notwithstanding any other provisions of this chapter,  
 1633 if a licensee establishes his or her identity for a driver's  
 1634 license using an identification document authorized under s.  
 1635 322.08(2)(c)6. or 7. ~~322.08(2)(c)5.-6.,~~ the licensee may not



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1636 obtain a duplicate or replacement instruction permit or driver's  
 1637 license except in person and upon submission of an  
 1638 identification document authorized under s. 322.08(2)(c)6. or 7.  
 1639 ~~322.08(2)(c)5. -6.~~

1640 Section 37. Paragraphs (c) and (d) of subsection (2) and  
 1641 paragraphs (b) and (c) of subsection (4) of section 322.18,  
 1642 Florida Statutes, are amended to read:

1643 322.18 Original applications, licenses, and renewals;  
 1644 expiration of licenses; delinquent licenses.--

1645 (2) Each applicant who is entitled to the issuance of a  
 1646 driver's license, as provided in this section, shall be issued a  
 1647 driver's license, as follows:

1648 (c) Notwithstanding any other provision of this chapter,  
 1649 if an applicant establishes his or her identity for a driver's  
 1650 license using a document authorized under s. 322.08(2)(c)5.4.,  
 1651 the driver's license shall expire in accordance with paragraph  
 1652 (b). After an initial showing of such documentation, he or she  
 1653 is exempted from having to renew or obtain a duplicate in  
 1654 person.

1655 (d) Notwithstanding any other provision of this chapter,  
 1656 if applicant establishes his or her identity for a driver's  
 1657 license using a document authorized in s. 322.08(2)(c)6.5. or  
 1658 7.6., the driver's license shall expire 4 years after the date  
 1659 of issuance or upon the expiration date cited on the United  
 1660 States Department of Justice documents, whichever date first  
 1661 occurs.

1662 (4)



1663 (b) Notwithstanding any other provision of this chapter,  
 1664 if an applicant establishes his or her identity for a driver's  
 1665 license using a document authorized under s. 322.08(2)(c)5.4,  
 1666 the license, upon an initial showing of such documentation, is  
 1667 exempted from having to renew or obtain a duplicate in person,  
 1668 unless the renewal or duplication coincides with the periodic  
 1669 reexamination of a driver as required pursuant to s. 322.121.

1670 (c) Notwithstanding any other provision of this chapter,  
 1671 if a licensee establishes his or her identity for a driver's  
 1672 license using an identification document authorized under s.  
 1673 322.08(2)(c)6.5 or 7.6, the licensee may not renew the  
 1674 driver's license except in person and upon submission of an  
 1675 identification document authorized under s. 322.08(2)(c)6. or  
 1676 7.4-6. A driver's license renewed under this paragraph expires  
 1677 4 years after the date of issuance or upon the expiration date  
 1678 cited on the United States Department of Justice documents,  
 1679 whichever date first occurs.

1680 Section 38. Subsection (4) of section 322.19, Florida  
 1681 Statutes, is amended to read:

1682 322.19 Change of address or name.--

1683 (4) Notwithstanding any other provision of this chapter,  
 1684 if a licensee established his or her identity for a driver's  
 1685 license using an identification document authorized under s.  
 1686 322.08(2)(c)6. or 7.5-6, the licensee may not change his or  
 1687 her name or address except in person and upon submission of an  
 1688 identification document authorized under s. 322.08(2)(c)6. or  
 1689 7.4-6.



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1690 Section 39. Subsection (5) of section 322.21, Florida  
1691 Statutes, is amended, and subsection (8) is added to said  
1692 section, to read:

1693 322.21 License fees; procedure for handling and collecting  
1694 fees.--

1695 (5) The department shall collect and, unless otherwise  
1696 specified, transmit all fees received by it under this section  
1697 to the Treasurer to be placed in the General Revenue Fund of the  
1698 state, and sufficient funds for the necessary expenses of the  
1699 department shall be included in the appropriations act. The fees  
1700 shall be used for the maintenance and operation of the  
1701 department.

1702 (8) Any person who applies for reinstatement following the  
1703 suspension or revocation of his or her driver's license shall  
1704 pay a service fee of \$35 following a suspension, and \$60  
1705 following a revocation, which is in addition to the fee for a  
1706 license. Any person who applies for reinstatement of a  
1707 commercial driver's license following the disqualification of  
1708 his or her privilege to operate a commercial motor vehicle shall  
1709 pay a service fee of \$60, which is in addition to the fee for a  
1710 license. The department shall collect all of these fees at the  
1711 time of reinstatement. The department shall issue proper  
1712 receipts for such fees and shall promptly transmit all funds  
1713 received by it as follows:

1714 (a) Of the \$35 fee received from a licensee for  
1715 reinstatement following a suspension, the department shall  
1716 deposit \$15 into the General Revenue Fund and the remaining \$20  
1717 into the Highway Safety Operating Trust Fund.



1718           (b) Of the \$60 fee received from a licensee for  
 1719 reinstatement following a revocation or disqualification, the  
 1720 department shall deposit \$35 into the General Revenue Fund and  
 1721 the remaining \$25 into the Highway Safety Operating Trust Fund.

1722  
 1723 If the revocation or suspension of the driver's license was for  
 1724 a violation of s. 316.193 or for refusal to submit to a lawful  
 1725 breath, blood, or urine test, an additional fee of \$105 must be  
 1726 charged. However, only one such \$105 fee is to be collected from  
 1727 one person convicted of such violations arising out of the same  
 1728 incident. The department shall collect the \$105 fee and deposit  
 1729 it into the Highway Safety Operating Trust Fund at the time of  
 1730 reinstatement of the person's driver's license, but the fee must  
 1731 not be collected if the suspension or revocation was overturned.

1732           Section 40. Paragraph (d) of subsection (1) of section  
 1733 322.212, Florida Statutes, is amended to read:

1734           322.212 Unauthorized possession of, and other unlawful  
 1735 acts in relation to, driver's license or identification card.--

1736           (1) It is unlawful for any person to:

1737           (d) Knowingly sell, manufacture, or deliver, or knowingly  
 1738 offer to sell, manufacture, or deliver, a blank, forged, stolen,  
 1739 fictitious, counterfeit, or unlawfully issued driver's license  
 1740 or identification card, or an instrument in the similitude of a  
 1741 driver's license or identification card, unless that person is  
 1742 authorized to do so by the department. A violation of this  
 1743 section ~~paragraph~~ may be investigated by any law enforcement  
 1744 agency, including the Division of Alcoholic Beverages and  
 1745 Tobacco.



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1746  
1747 The term "driver's license" includes a driver's license issued  
1748 by the department or its agents or a driver's license issued by  
1749 any state or jurisdiction that issues licenses recognized in  
1750 this state for the operation of a motor vehicle. The term  
1751 "identification card" includes any identification card issued by  
1752 the department or its agents or any identification card issued  
1753 by any state or jurisdiction that issues identification cards  
1754 recognized in this state for the purpose of indicating a  
1755 person's true name and age. This subsection does not prohibit a  
1756 person from possessing or displaying another person's driver's  
1757 license or identification card for a lawful purpose.

1758 Section 41. Subsection (4) of section 322.251, Florida  
1759 Statutes, is amended to read:

1760 322.251 Notice of cancellation, suspension, revocation, or  
1761 disqualification of license.--

1762 (4) A person whose privilege to operate a commercial motor  
1763 vehicle is temporarily disqualified may, upon surrendering his  
1764 or her commercial driver's license, be issued a Class D or Class  
1765 E driver's license, valid for the length of his or her unexpired  
1766 commercial driver's license, at no cost. Such person may, upon  
1767 the completion of his or her disqualification, be issued a  
1768 commercial driver's license, of the type disqualified, for the  
1769 remainder of his or her unexpired license period. Any such  
1770 person shall pay the reinstatement fee provided in s. 322.21  
1771 ~~322.12~~ before being issued a commercial driver's license.

1772 Section 42. Subsection (2) of section 322.29, Florida  
1773 Statutes, is amended to read:





1774           322.29 Surrender and return of license.--

1775           (2) The provisions of subsection (1) to the contrary

1776 notwithstanding, no examination is required for the return of a

1777 license suspended under s. 318.15 or s. 322.245 unless an

1778 examination is otherwise required by this chapter. Every person

1779 applying for the return of a license suspended under s. 318.15

1780 or s. 322.245 shall present to the department certification from

1781 the court that he or she has complied with all obligations and

1782 penalties imposed on him or her pursuant to s. 318.15 or, in the

1783 case of a suspension pursuant to s. 322.245, that he or she has

1784 complied with all directives of the court and the requirements

1785 of s. 322.245 and shall pay to the department a nonrefundable

1786 service fee of \$35, of which \$25 is to be deposited into the

1787 General Revenue Fund and \$10 is to be deposited into the Highway

1788 Safety Operating Trust Fund. However, the service fee is not

1789 required if the person is required to pay a \$35 ~~\$25~~ fee or \$60

1790 ~~\$50~~ fee under the provisions of s. 322.21 ~~322.12(2)~~.

1791           Section 43. Paragraph (b) of subsection (1) of section

1792 812.16, Florida Statutes, is amended to read:

1793           812.16 Operating chop shops; definitions; penalties;

1794 restitution; forfeiture.--

1795           (1) As used in this section, the term:

1796           (b) "Major component part" means one of the following

1797 subassemblies of a motor vehicle, regardless of its actual

1798 market value: front-end assembly, including fenders, grills,

1799 hood, bumper, and related parts; any airbag and airbag assembly;

1800 frame and frame assembly; engine; transmission; T-tops; rear

1801 clip assembly, including quarter panels and floor panel



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1802 assembly; doors; and tires, tire wheels, and continuous treads  
1803 and other devices.

1804 Section 44. For the purpose of incorporating the  
1805 amendments to Florida Statutes, in references thereto, section  
1806 318.121, Florida Statutes, is reenacted to read:

1807 318.121 Preemption of additional fees, fines, surcharges,  
1808 and costs.--Notwithstanding any general or special law, or  
1809 municipal or county ordinance, additional fees, fines,  
1810 surcharges, or costs other than the court costs assessed under  
1811 s. 318.18(11) may not be added to the civil traffic penalties  
1812 assessed in this chapter.

1813 Section 45. Except as otherwise provided herein, this act  
1814 shall take effect October 1, 2003.