



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, mobile homes, and vessels; amending s. 316.085, F.S.; prohibiting overtaking a vehicle under certain circumstances; amending s. 316.193, F.S.; revising language of DUI manslaughter penalty provisions; amending s. 316.1932, F.S.; revising requirements for the warning of consent to testing on driver licenses; amending s. 316.302, F.S.; revising exemption from specified federal standards for certain commercial driver licenses; amending s. 316.605, F.S.; providing for the placement of motor vehicle license plates on wreckers, certain vehicles with equipment that might damage the plate, and certain government-owned vehicles; amending s. 316.613, F.S., and creating s. 316.6131, F.S.; revising provisions for authorization to expend funds for public information and education purposes; amending s. 318.1451, F.S.; providing a fee for specified driver improvement course; amending s. 320.01, F.S.; revising the definition of "apportionable vehicle"



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29 | and "commercial motor vehicle"; amending s. 320.05, F.S.;  
30 | deleting fees for certain motor vehicle and vessel  
31 | information available via the Internet; amending s.  
32 | 320.06, F.S.; correcting a cross reference; amending s.  
33 | 320.0605, F.S.; exempting specified vehicles from the  
34 | requirement that the certificate of registration be in the  
35 | vehicle; amending s. 320.071, F.S.; deleting requirement  
36 | that registration renewals occur in the county of  
37 | residence; amending s. 320.072, F.S.; providing for  
38 | records search when registration involves transfer or  
39 | exchange of plate; limiting scope of such search; amending  
40 | s. 320.0821, F.S.; revising provisions for issuance and  
41 | placement of wrecker license plates; amending s. 320.086,  
42 | F.S.; revising provisions for historical license plates;  
43 | amending s. 320.18, F.S.; authorizing the Department of  
44 | Highway Safety and Motor Vehicles to withhold vessel  
45 | registrations under specified conditions; amending s.  
46 | 320.27, F.S.; revising motor vehicle dealer recordkeeping  
47 | requirements; amending s. 320.58, F.S.; authorizing  
48 | certain department inspectors to enforce specified  
49 | provisions relating to off-highway vehicles and vessels;  
50 | amending s. 320.8249, F.S.; revising prohibited acts of  
51 | mobile home installers; providing penalties; amending s.  
52 | 322.025, F.S.; authorizing the department to offer a  
53 | driver improvement course under certain circumstances;  
54 | providing for deduction of points for completion of such  
55 | course; amending s. 322.051, F.S.; revising provisions  
56 | relating to issuance of identification cards; specifying



57 additional proof of identity for application for such  
58 card; providing for issuance and content of such card;  
59 amending s. 322.08, F.S.; revising provisions relating to  
60 issuance of driver license; specifying additional proof of  
61 identity for application for such license; specifying  
62 documents for proof of immigration classification;  
63 providing for expiration of certain licenses and permits;  
64 amending s. 322.135, F.S.; requiring certain driver  
65 license agents to remit funds within a specified time  
66 period; providing for method of remittance; amending s.  
67 322.142, F.S.; prohibiting waiver of requirement for  
68 fullface image on driver license; amending ss. 322.17 and  
69 322.19, F.S.; correcting references; amending s. 322.18,  
70 F.S.; revising expiration date of certain licenses;  
71 amending s. 322.20, F.S.; providing for charges for  
72 described access to certain license status reports;  
73 amending s. 322.53, F.S.; revising license requirements  
74 for certain persons who drive commercial motor vehicles;  
75 deleting endorsement requirements for such persons;  
76 amending s. 328.01, F.S.; revising application  
77 requirements for transfer of title to a vessel based on  
78 contractual default; amending s. 328.03, F.S.; revising  
79 title provisions for total loss of a vessel; amending s.  
80 328.11, F.S.; providing for expedited issuance of  
81 certificate of title to a vessel; providing a fee;  
82 amending s. 328.17, F.S.; deleting provision that makes  
83 certain nonjudicial sales of vessels subject to prior  
84 liens; providing an effective date.



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

Section 1. Subsection (2) of section 316.085, Florida Statutes, is amended to read:

316.085 Limitations on overtaking, passing, changing lanes and changing course.--

(2) No vehicle shall be driven from a direct course in any lane on any highway until the driver has determined that the vehicle is not being approached or passed by any other vehicle in the lane or on the side to which the driver desires to move and that the move can be completely made with safety and without interfering with the safe operation of any vehicle approaching from the same direction. However, no driver may overtake a vehicle on a two lane road when the vehicle is clearly signaling a left turn, or when approaching a clearly marked intersection.

Section 2. Subsection (3) of section 316.193, Florida Statutes, is amended to read:

316.193 Driving under the influence; penalties.--

(3) Any person:

- (a) Who is in violation of subsection (1);
- (b) Who operates a vehicle; and
- (c) Who, by reason of such operation, causes or

contributes to causing:

1. Damage to the property or person of another commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.



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112           2. Serious bodily injury to another, as defined in s.  
113 316.1933, commits a felony of the third degree, punishable as  
114 provided in s. 775.082, s. 775.083, or s. 775.084.

115           3. The death of a ~~any~~ human being commits DUI  
116 manslaughter, and commits:

117           a. A felony of the second degree, punishable as provided  
118 in s. 775.082, s. 775.083, or s. 775.084.

119           b. A felony of the first degree, punishable as provided in  
120 s. 775.082, s. 775.083, or s. 775.084, if:

121           (I) At the time of the crash, the person knew, or should  
122 have known, that the crash occurred; and

123           (II) The person failed to give information and render aid  
124 as required by s. 316.062.

125           Section 3. Paragraph (e) of subsection (1) of section  
126 316.1932, Florida Statutes, is amended to read:

127           316.1932 Breath, blood, and urine tests for alcohol,  
128 chemical substances, or controlled substances; implied consent;  
129 refusal.--

130           (1)

131           (e)1. By applying for a driver's license and by accepting  
132 and using a driver's license, the person holding the driver's  
133 license is deemed to have expressed his or her consent to the  
134 provisions of this section.

135           2. A nonresident or any other person driving in a status  
136 exempt from the requirements of the driver's license law, by his  
137 or her act of driving in such exempt status, is deemed to have  
138 expressed his or her consent to the provisions of this section.



139           3. A warning of the consent provision of this section  
140 shall be printed ~~above the signature line~~ on each new or renewed  
141 driver's license.

142           Section 4. Paragraph (i) of subsection (2) of section  
143 316.302, Florida Statutes, is amended to read:

144           316.302 Commercial motor vehicles; safety regulations;  
145 transporters and shippers of hazardous materials; enforcement.--

146           (2)

147           (i) A person ~~who was a regularly employed driver of a~~  
148 ~~commercial motor vehicle on July 4, 1987, and~~ whose driving  
149 record shows no traffic convictions, pursuant to s. 322.61,  
150 during the 2-year period immediately preceding the application  
151 for the commercial driver's license, and who is otherwise  
152 qualified as a driver under 49 C.F.R. part 391, and who operates  
153 a commercial vehicle in intrastate commerce only, shall be  
154 exempt from the requirements of 49 C.F.R. part 391, subpart E,  
155 s. 391.41(b)(10). However, such operators are still subject to  
156 the requirements of ss. 322.12 and 322.121. As proof of  
157 eligibility, such driver shall have in his or her possession a  
158 physical examination form dated within the past 24 months.

159           Section 5. Subsection (1) of section 316.605, Florida  
160 Statutes, is amended to read:

161           316.605 Licensing of vehicles.--

162           (1) Every vehicle, at all times while driven, stopped, or  
163 parked upon any highways, roads, or streets of this state, shall  
164 be licensed in the name of the owner thereof in accordance with  
165 the laws of this state unless such vehicle is not required by  
166 the laws of this state to be licensed in this state and shall,



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167 | except as otherwise provided in s. 320.0706 for front-end  
168 | registration license plates on truck tractors or wreckers,  
169 | display the license plate or both of the license plates assigned  
170 | to it by the state, one on the rear and, if two, the other on  
171 | the front of the vehicle, each to be securely fastened to the  
172 | vehicle outside the main body of the vehicle in such manner as  
173 | to prevent the plates from swinging, with all letters, numerals,  
174 | printing, writing, and other identification marks upon the  
175 | plates clear and distinct and free from defacement, mutilation,  
176 | grease, and other obscuring matter, so that they will be plainly  
177 | visible and legible at all times 100 feet from the rear or  
178 | front. In addition, if only one registration plate is issued for  
179 | a motor vehicle equipped with a mechanical loading device that  
180 | may damage the plate, the plate may be attached to the front of  
181 | the vehicle. Nothing shall be placed upon the face of a Florida  
182 | plate except as permitted by law or by rule or regulation of a  
183 | governmental agency. No license plates other than those  
184 | furnished by the state shall be used. However, if the vehicle is  
185 | not required to be licensed in this state, the license plates on  
186 | such vehicle issued by another state, by a territory,  
187 | possession, or district of the United States, or by a foreign  
188 | country, substantially complying with the provisions hereof,  
189 | shall be considered as complying with this chapter. A government  
190 | license plate that is issued to a truck tractor or heavy truck  
191 | owned by a governmental entity having a gross vehicle weight  
192 | rating of 26,001 pounds or more may be placed on the front of  
193 | the vehicle and shall be in compliance with this chapter. A  
194 | violation of this subsection is a noncriminal traffic



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195 | infraction, punishable as a nonmoving violation as provided in  
196 | chapter 318.

197 |       Section 6. Subsection (4) of section 316.613, Florida  
198 | Statutes, is amended to read:

199 |       316.613 Child restraint requirements.--

200 |       (4)(a) It is the legislative intent that all state,  
201 | county, and local law enforcement agencies, and safety councils,  
202 | in recognition of the problems with child death and injury from  
203 | unrestrained occupancy in motor vehicles, conduct a continuing  
204 | safety and public awareness campaign as to the magnitude of the  
205 | problem.

206 |       ~~(b) The department may authorize the expenditure of funds~~  
207 | ~~for the purchase of promotional items as part of the public~~  
208 | ~~information and education campaigns provided for in this~~  
209 | ~~subsection and ss. 316.614, 322.025, and 403.7145.~~

210 |       Section 7. Section 316.6131, Florida Statutes, is created  
211 | to read:

212 |       316.6131 Educational expenditures.--The department may  
213 | authorize the expenditure of funds for the purchase of  
214 | educational items as part of the public information and  
215 | education campaigns promoting highway safety and awareness as  
216 | well as departmental community-based initiatives. Funds may be  
217 | expended for, but are not limited to, educational campaigns  
218 | provided in this chapter, chapters 320 and 322, and s. 403.7145.

219 |       Section 8. Subsection (4) of section 318.1451, Florida  
220 | Statutes, is amended to read:

221 |       318.1451 Driver improvement schools.--





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222 (4) In addition to a regular course fee, an assessment fee  
 223 in the amount of \$2.50 shall be collected by the school from  
 224 each person who elects to attend a course, as it relates to ss.  
 225 318.14(9), 322.025(2), 322.0261, 322.291, and 627.06501, which  
 226 shall be remitted to the Department of Highway Safety and Motor  
 227 Vehicles and deposited in the Highway Safety Operating Trust  
 228 Fund to administer this program and to fund the general  
 229 operations of the department.

230 Section 9. Subsections (25) and (26) of section 320.01,  
 231 Florida Statutes, are amended to read:

232 320.01 Definitions, general.--As used in the Florida  
 233 Statutes, except as otherwise provided, the term:

234 (25) "Apportionable vehicle" means any vehicle, except  
 235 recreational vehicles, vehicles displaying restricted plates,  
 236 city pickup and delivery vehicles, buses used in transportation  
 237 of chartered parties, and government-owned vehicles, which is  
 238 used or intended for use in two or more member jurisdictions  
 239 that allocate or proportionally register vehicles and which is  
 240 used for the transportation of persons for hire or is designed,  
 241 used, or maintained primarily for the transportation of property  
 242 and:

243 (a) Is a power unit having a gross vehicle weight ~~in~~  
 244 ~~excess~~ of 26,001 pounds or more;

245 (b) Is a power unit having three or more axles, regardless  
 246 of weight; or

247 (c) Is used in combination, when the weight of such  
 248 combination is ~~exceeds~~ 26,001 pounds or more gross vehicle  
 249 weight.



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250  
251 Vehicles, or combinations thereof, having a gross vehicle weight  
252 of 26,001 pounds or more ~~less~~ and two-axle vehicles may be  
253 proportionally registered.

254 (26) "Commercial motor vehicle" means any vehicle that  
255 ~~which~~ is not owned or operated by a governmental entity, that  
256 ~~which~~ uses special fuel or motor fuel on the public highways,  
257 and that ~~which~~ has a gross vehicle weight of 26,001 pounds or  
258 more, or has three or more axles regardless of weight, or is  
259 used in combination when the weight of such combination is  
260 ~~exceeds~~ 26,001 pounds or more gross vehicle weight.

261 Section 10. Paragraph (b) of subsection (3) of section  
262 320.05, Florida Statutes, is amended to read:

263 320.05 Records of the department; inspection procedure;  
264 lists and searches; fees.--

265 (3)

266 (b) Fees therefor shall be charged and collected as  
267 follows:

268 1. For providing lists of motor vehicle or vessel records  
269 for the entire state, or any part or parts thereof, divided  
270 according to counties, a sum computed at a rate of not less than  
271 1 cent nor more than 5 cents per item.

272 2. For providing noncertified photographic copies of motor  
273 vehicle or vessel documents, \$1 per page.

274 3. For providing noncertified photographic copies of  
275 micrographic records, \$1 per page.

276 4. For providing certified copies of motor vehicle or  
277 vessel records, \$3 per record.



278 5. For providing noncertified computer-generated printouts  
279 of motor vehicle or vessel records, 50 cents per record.

280 6. For providing certified computer-generated printouts of  
281 motor vehicle or vessel records, \$3 per record.

282 7. For providing electronic access to motor vehicle,  
283 vessel, and mobile home registration data requested by tag,  
284 vehicle identification number, title number, or decal number, 50  
285 cents per item, except that information provided via the  
286 department's Internet website shall be free of charge.

287 ~~8. For providing electronic access to driver's license~~  
288 ~~status report by name, sex, and date of birth or by driver~~  
289 ~~license number, 50 cents per item.~~

290 ~~8.9.~~ For providing lists of licensed mobile home dealers  
291 and manufacturers and recreational vehicle dealers and  
292 manufacturers, \$15 per list.

293 ~~9.10.~~ For providing lists of licensed motor vehicle  
294 dealers, \$25 per list.

295 ~~10.11.~~ For each copy of a videotape record, \$15 per tape.

296 ~~11.12.~~ For each copy of the Division of Motor Vehicles  
297 Procedures Manual, \$25.

298 Section 11. Subsection (4) of section 320.06, Florida  
299 Statutes, is amended to read:

300 320.06 Registration certificates, license plates, and  
301 validation stickers generally.--

302 (4) The corporation organized under chapter 946 may  
303 manufacture license plates, validation stickers, and decals, as  
304 well as temporary tags, disabled hang tags, vessel decals, and  
305 fuel use decals, for the Department of Highway Safety and Motor



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306 Vehicles as provided in this chapter and chapter ~~328~~ 327. The  
 307 Department of Highway Safety and Motor Vehicles is not required  
 308 to obtain competitive bids in order to contract with the  
 309 corporation.

310 Section 12. Section 320.0605, Florida Statutes, is amended  
 311 to read:

312 320.0605 Certificate of registration; possession required;  
 313 exception.--The registration certificate or an official copy  
 314 thereof, a true copy of a rental or lease agreement issued for a  
 315 motor vehicle or issued for a replacement vehicle in the same  
 316 registration period, a temporary receipt printed upon self-  
 317 initiated electronic renewal of a registration via the Internet,  
 318 or a cab card issued for a vehicle registered under the  
 319 International Registration Plan shall, at all times while the  
 320 vehicle is being used or operated on the roads of this state, be  
 321 in the possession of the operator thereof or be carried in the  
 322 vehicle for which issued and shall be exhibited upon demand of  
 323 any authorized law enforcement officer or any agent of the  
 324 department, except for vehicles registered under s. 320.0657.

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

329 Section 13. Paragraph (a) of subsection (1) of section  
 330 320.071, Florida Statutes, is amended to read:

331 320.071 Advance registration renewal; procedures.--

332 (1)(a) The owner of any motor vehicle or mobile home  
 333 currently registered in this state may file an application for



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334 renewal of registration with the department, or its authorized  
 335 agent ~~in the county wherein the owner resides~~, any time during  
 336 the 3 months preceding the date of expiration of the  
 337 registration period.

338 Section 14. Paragraph (b) of subsection (2) of section  
 339 320.072, Florida Statutes, is amended to read:

340 320.072 Additional fee imposed on certain motor vehicle  
 341 registration transactions.--

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

343 (b) A transfer or exchange of a registration license plate  
 344 from a motor vehicle that has been disposed of to a newly  
 345 acquired motor vehicle pursuant to s. 320.0609(2) or (5).

346 However, the department is responsible only for a search of its  
 347 records for the previous 7-year period prior to the date the  
 348 transaction is processed.

349 Section 15. Subsection (1) of section 320.0821, Florida  
 350 Statutes, is amended, and subsection (5) is added to said  
 351 section, to read:

352 320.0821 Wrecker license plates.--

353 (1) The department shall issue one ~~a~~ wrecker license  
 354 plate, regardless of gross vehicle weight, to the owner of any  
 355 motor vehicle that is used to tow, carry, or otherwise transport  
 356 motor vehicles and that is equipped for that purpose with a  
 357 boom, winch, carrier, or other similar equipment, except a motor  
 358 vehicle registered under the International Registration Plan,  
 359 upon application and payment of the appropriate license tax and  
 360 fees in accordance with s. 320.08(5)(d) or (e).



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361           (5) A wrecker license plate shall be displayed on the  
362 front of the vehicle.

363           Section 16. Subsection (4) of section 320.086, Florida  
364 Statutes, is amended to read:

365           320.086 Ancient or antique motor vehicles; "horseless  
366 carriage," antique, or historical license plates.--

367           (4) Any person who is the registered owner of a motor  
368 vehicle as defined in this section and manufactured in the model  
369 year 1975 ~~1974~~ or earlier, may apply to the department for  
370 permission to use a historical Florida license plate that  
371 clearly represents the model year of the vehicle as a  
372 personalized prestige license plate. This plate shall be  
373 furnished by such person and shall be presented to the  
374 department with a reasonable fee to be determined by the  
375 department for approval and for authentication that the historic  
376 license plate and any applicable decals were issued by this  
377 state in the same year as the model year of the car or truck.  
378 The requirements of s. 320.0805(8)(b) do not apply to historical  
379 plates authorized under this subsection.

380           Section 17. Subsection (1) of section 320.18, Florida  
381 Statutes, is amended to read:

382           320.18 Withholding registration.--

383           (1) The department may withhold the registration of any  
384 motor vehicle, vessel, or mobile home the owner of which has  
385 failed to register it under the provisions of law for any  
386 previous period or periods for which it appears registration  
387 should have been made in this state, until the tax for such  
388 period or periods is paid. The department may cancel any license



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389 | plate, vessel registration, or fuel-use tax decal if the owner  
 390 | pays for the license plate, vessel registration, fuel-use tax  
 391 | decal, or any tax liability, penalty, or interest specified in  
 392 | chapter 207 by a dishonored check, or if the vehicle owner or  
 393 | motor carrier has failed to pay a penalty for a weight or safety  
 394 | violation issued by the Department of Transportation Motor  
 395 | Carrier Compliance Office. The Department of Transportation and  
 396 | the Department of Highway Safety and Motor Vehicles may impound  
 397 | any commercial motor vehicle that has a canceled license plate  
 398 | or fuel-use tax decal until the tax liability, penalty, and  
 399 | interest specified in chapter 207, the license tax, or the fuel-  
 400 | use decal fee, and applicable administrative fees have been paid  
 401 | for by certified funds.

402 |       Section 18. Subsection (6) of section 320.27, Florida  
 403 | Statutes, is amended to read:

404 |       320.27 Motor vehicle dealers.--

405 |       (6) RECORDS TO BE KEPT BY LICENSEE.--Every licensee shall  
 406 | keep for 5 years a book or record in a such form ~~as shall be~~  
 407 | prescribed or approved by the department, in which the licensee  
 408 | shall keep a record of the purchase, sale, or exchange, or  
 409 | receipt for the purpose of sale, of any motor vehicle, the date  
 410 | upon which any temporary tag was issued, the date of title  
 411 | transfer, and a description of such motor vehicle together with  
 412 | the name and address of the seller, the purchaser, and the  
 413 | alleged owner or other person from whom such motor vehicle was  
 414 | purchased or received or to whom it was sold or delivered, as  
 415 | the case may be. Such description shall include the  
 416 | identification or engine number, maker's number, if any, chassis



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417 number, if any, and such other numbers or identification marks  
418 as may be thereon and shall also include a statement that a  
419 number has been obliterated, defaced, or changed, if such is the  
420 fact.

421 Section 19. Paragraph (a) of subsection (1) of section  
422 320.58, Florida Statutes, is amended to read:

423 320.58 License inspectors; powers, appointment.--

424 (1)(a) The department shall appoint as many license  
425 inspectors and supervisors as it deems necessary to enforce the  
426 provisions of this chapter and chapters 317, 319, 322, ~~and 324~~,  
427 and 328. In order to enforce the provisions of these laws, the  
428 inspectors are empowered to enter on both publicly owned and  
429 privately owned property and to issue uniform traffic citations  
430 to persons found in violation thereof. The department is further  
431 empowered to delegate the power to issue uniform traffic  
432 citations to persons acting as its agents for the purpose of  
433 enforcing the registration provisions of this chapter, which may  
434 include, but not be limited to, personnel employed by district  
435 school boards as agreed to by the school board and the county  
436 tax collector.

437 Section 20. Paragraphs (c) and (g) of subsection (9) of  
438 section 320.8249, Florida Statutes, are amended to read:

439 320.8249 Mobile home installers license.--

440 (9) No licensed person nor licensed applicant shall:

441 (c) Violate any lawful order of the department or any  
442 other law of this state, including chapter 319 or this chapter.





443 (g) Commit violations of the installation standards for  
 444 mobile homes or manufactured homes contained in rules 15C-1 and  
 445 15C-2 ~~15C-1.0102 to 15C-1.0104~~, Florida Administrative Code.

446 (10) Any licensed person or license applicant who violates  
 447 any provision of subsection (9) may have any of the following  
 448 disciplinary penalties imposed by the department:

- 449 (a) License revocation;
- 450 (b) License suspension;
- 451 (c) A fine not to exceed \$1,000 per violation;
- 452 (d) A requirement to take and pass, or retake and pass,  
 453 the department-approved examination;
- 454 (e) Probation;
- 455 (f) Probation subject to such restriction of practice as  
 456 the department chooses to impose;
- 457 (g) A notice of noncompliance; or
- 458 (h) Refusal of licensure application.

459 Section 21. Section 322.025, Florida Statutes, is amended  
 460 to read:

461 322.025 Driver improvement.--

462 (1) The department may implement programs to improve the  
 463 driving ability of the drivers of this state. Such programs may  
 464 include, but shall not be limited to, safety awareness  
 465 campaigns, driver training, and licensing improvement.  
 466 Motorcycle driver improvement programs implemented pursuant to  
 467 this section or s. 322.0255 shall be funded by the motorcycle  
 468 safety education fee collected pursuant to s. 320.08(1)(c),  
 469 which shall be deposited in the Highway Safety Operating Trust  
 470 Fund of the department and appropriated for that purpose.



471           (2) The department may offer, one time in a driver's  
 472 lifetime, to each driver who receives a points warning letter in  
 473 accordance with s. 322.27(3)(f) or a restriction letter in  
 474 accordance with s. 322.161 the opportunity to attend a basic  
 475 driver improvement course approved by the department. If the  
 476 driver completes an approved course and presents proof of  
 477 completion to the department, the department shall deduct three  
 478 points from the citation that causes the action against the  
 479 driver's record and permanently annotate the driver's record  
 480 that the one-time offer had been accepted and used.

481           Section 22. Paragraph (a) of subsection (1) and paragraphs  
 482 (b) and (c) of subsection (2) of section 322.051, Florida  
 483 Statutes, are amended, and subsection (8) is added to said  
 484 section, to read:

485           322.051 Identification cards.--

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

491           (a) Each such application shall include the following  
 492 information regarding the applicant:

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

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



497 |           3. Proof of identity satisfactory to the department. Such  
498 | proof must include one of the following documents issued to the  
499 | applicant:

500 |           a. A driver's license record or identification card record  
501 | from another jurisdiction that required the applicant to submit  
502 | a document for identification which is substantially similar to  
503 | a document required under sub-subparagraph b., sub-subparagraph  
504 | c., sub-subparagraph d., sub-subparagraph e., ~~or~~ sub-  
505 | subparagraph f., or sub-subparagraph g.;

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

507 |           c. A ~~valid~~ United States passport;

508 |           d. A naturalization certificate issued by the United  
509 | States Department of Justice;

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

511 |           ~~f.e.~~ An employment authorization card issued by the United  
512 | States Department of Justice; or

513 |           ~~g.f.~~ Proof of nonimmigrant classification provided by the  
514 | United States Department of Justice, for an original  
515 | identification card. In order to prove such nonimmigrant  
516 | classification, applicants may produce but are not limited to  
517 | the following documents:

518 |           (I) A notice of hearing from an immigration court  
519 | scheduling a hearing on any proceeding.

520 |           (II) A notice from the Board of Immigration Appeals  
521 | acknowledging pendency of an appeal.

522 |           (III) Notice of the approval of an application for  
523 | adjustment of status issued by the United States Immigration and  
524 | Naturalization Service.



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

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

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

534  
535 Presentation of any of the ~~foregoing~~ documents in sub-  
536 subparagraph f. or sub-subparagraph g. entitles ~~shall entitle~~  
537 the applicant to an identification card ~~a driver's license or~~  
538 ~~temporary permit~~ for a period not to exceed the expiration date  
539 of the document presented or 2 years, whichever first occurs.

540 (2)

541 (b) Notwithstanding any other provision of this chapter,  
542 if an applicant establishes his or her identity for an  
543 identification card using a document authorized under sub-  
544 subparagraph (1)(a)3.e. ~~(a)3.d.~~, the identification card shall  
545 expire on the fourth birthday of the applicant following the  
546 date of original issue or upon first renewal or duplicate issued  
547 after implementation of this section. After an initial showing  
548 of such documentation, he or she is exempted from having to  
549 renew or obtain a duplicate in person.

550 (c) Notwithstanding any other provisions of this chapter,  
551 if an applicant establishes his or her identity for an  
552 identification card using an identification document authorized



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553 under sub-subparagraph (1)(a)3.f. or sub-subparagraph (1)(a)3.g.  
554 ~~sub-subparagraphs (a)3.e.-f.~~, the identification card shall  
555 expire 4 years after the date of issuance or upon the expiration  
556 date cited on the United States Department of Justice documents,  
557 whichever date first occurs, and may not be renewed or obtain a  
558 duplicate except in person.

559 (8) The department shall, upon receipt of the required  
560 fee, issue to each qualified applicant for an identification  
561 card a color photographic or digital image identification card  
562 bearing a fullface photograph or digital image of the  
563 identification cardholder. Notwithstanding chapter 761 or s.  
564 761.05, the requirement for a fullface photograph or digital  
565 image of the identification cardholder shall not be waived. A  
566 space shall be provided upon which the identification cardholder  
567 shall affix his or her usual signature, as required in s.  
568 322.14, in the presence of an authorized agent of the department  
569 so as to ensure that such signature becomes a part of the  
570 identification card.

571 Section 23. Paragraph (c) of subsection (2) of section  
572 322.08, Florida Statutes, is amended to read:

573 322.08 Application for license.--

574 (2) Each such application shall include the following  
575 information regarding the applicant:

576 (c) Proof of identity satisfactory to the department. Such  
577 proof must include one of the following documents issued to the  
578 applicant:

579 1. A driver's license record or identification card record  
580 from another jurisdiction that required the applicant to submit



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581 a document for identification which is substantially similar to  
582 a document required under subparagraph 2., subparagraph 3.,  
583 subparagraph 4., subparagraph 5., ~~or~~ subparagraph 6., or  
584 subparagraph 7.;

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

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

587 4. A naturalization certificate issued by the United  
588 States Department of Justice;

589 ~~5.4.~~ An alien registration receipt card (green card);

590 ~~6.5.~~ An employment authorization card issued by the United  
591 States Department of Justice; or

592 ~~7.6.~~ Proof of nonimmigrant classification provided by the  
593 United States Department of Justice, for an original driver's  
594 license. In order to prove such nonimmigrant classification,  
595 applicants may produce, but are not limited to, the following  
596 documents:

597 a. A notice of hearing from an immigration court  
598 scheduling a hearing on any proceeding.

599 b. A notice from the Board of Immigration Appeals  
600 acknowledging pendency of an appeal.

601 c. Notice of the approval of an application for adjustment  
602 of status issued by the United States Immigration and  
603 Naturalization Service.

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



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607 e. Notice of action transferring any pending matter from  
608 another jurisdiction to Florida issued by the United States  
609 Immigration and Naturalization Service.

610 f. Order of an immigration judge or immigration officer  
611 granting any relief that authorizes the alien to live and work  
612 in the United States, including, but not limited to, asylum.

613  
614 Presentation of any of the documents in subparagraph 6. or  
615 subparagraph 7. entitles the applicant to a driver's license or  
616 temporary permit for a period not to exceed the expiration date  
617 of the document presented or 2 years, whichever first occurs.

618 Section 24. Subsection (9) is added to section 322.135,  
619 Florida Statutes, to read:

620 322.135 Driver's license agents.--

621 (9) Notwithstanding chapter 116, every county officer  
622 within this state authorized to collect funds provided for in  
623 this chapter shall pay all sums officially received by the  
624 officer into the State Treasury no later than 5 working days  
625 after the close of the business day in which the officer  
626 received the funds. Payment by county officers to the state  
627 shall be made by means of electronic funds transfer.

628 Section 25. Subsection (1) of section 322.142, Florida  
629 Statutes, is amended to read:

630 322.142 Color photographic or digital imaged licenses.--

631 (1) The department shall, upon receipt of the required  
632 fee, issue to each qualified applicant for a ~~an original~~  
633 driver's license a color photographic or digital imaged driver's  
634 license bearing a fullface photograph or digital image of the



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635 | licensee. Notwithstanding chapter 761 or s. 761.05, the  
636 | requirement for a fullface photograph or digital image of the  
637 | licensee shall not be waived. A space shall be provided upon  
638 | which the licensee shall affix his or her usual signature, as  
639 | required in s. 322.14, in the presence of an authorized agent of  
640 | the department so as to ensure that such signature becomes a  
641 | part of the license.

642 | Section 26. Subsection (3) of section 322.17, Florida  
643 | Statutes, is amended to read:

644 | 322.17 Duplicate and replacement certificates.--

645 | (3) Notwithstanding any other provisions of this chapter,  
646 | if a licensee establishes his or her identity for a driver's  
647 | license using an identification document authorized under s.  
648 | 322.08(2)(c)6. or 7. ~~322.08(2)(c)5.-6.~~, the licensee may not  
649 | obtain a duplicate or replacement instruction permit or driver's  
650 | license except in person and upon submission of an  
651 | identification document authorized under s. 322.08(2)(c)6. or 7.  
652 | ~~322.08(2)(c)5.-6.~~

653 | Section 27. Paragraphs (c) and (d) of subsection (2) and  
654 | paragraphs (b) and (c) of subsection (4) of section 322.18,  
655 | Florida Statutes, are amended to read:

656 | 322.18 Original applications, licenses, and renewals;  
657 | expiration of licenses; delinquent licenses.--

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

661 | (c) Notwithstanding any other provision of this chapter,  
662 | if an applicant establishes his or her identity for a driver's





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663 license using a document authorized under s. 322.08(2)(c)5.  
664 ~~322.08(2)(e)4.~~, the driver's license shall expire in accordance  
665 with paragraph (b). After an initial showing of such  
666 documentation, he or she is exempted from having to renew or  
667 obtain a duplicate in person.

668 (d) Notwithstanding any other provision of this chapter,  
669 if applicant establishes his or her identity for a driver's  
670 license using a document authorized in s. 322.08(2)(c)6. or 7.  
671 ~~322.08(2)(e)5. or 6.~~, the driver's license shall expire 2 4  
672 years after the date of issuance or upon the expiration date  
673 cited on the United States Department of Justice documents,  
674 whichever date first occurs.

675 (4)

676 (b) Notwithstanding any other provision of this chapter,  
677 if an applicant establishes his or her identity for a driver's  
678 license using a document authorized under s. 322.08(2)(c)5.  
679 ~~322.08(2)(e)4.~~, the license, upon an initial showing of such  
680 documentation, is exempted from having to renew or obtain a  
681 duplicate in person, unless the renewal or duplication coincides  
682 with the periodic reexamination of a driver as required pursuant  
683 to s. 322.121.

684 (c) Notwithstanding any other provision of this chapter,  
685 if a licensee establishes his or her identity for a driver's  
686 license using an identification document authorized under s.  
687 322.08(2)(c)6. or 7. ~~322.08(2)(e)5. or 6.~~, the licensee may not  
688 renew the driver's license except in person and upon submission  
689 of an identification document authorized under s. 322.08(2)(c)6.  
690 or 7. ~~322.08(2)(e)4. 6.~~ A driver's license renewed under this



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691 paragraph expires 2 4 years after the date of issuance or upon  
692 the expiration date cited on the United States Department of  
693 Justice documents, whichever date first occurs.

694 Section 28. Subsection (4) of section 322.19, Florida  
695 Statutes, is amended to read:

696 322.19 Change of address or name.--

697 (4) Notwithstanding any other provision of this chapter,  
698 if a licensee established his or her identity for a driver's  
699 license using an identification document authorized under s.  
700 322.08(2)(c)6. or 7. ~~322.08(2)(c)5.-6.~~, the licensee may not  
701 change his or her name or address except in person and upon  
702 submission of an identification document authorized under s.  
703 322.08(2)(c) 6. or 7. ~~322.08(2)(c)4.-6.~~

704 Section 29. Paragraph (a) of subsection (11) of section  
705 322.20, Florida Statutes, is amended to read:

706 322.20 Records of the department; fees; destruction of  
707 records.--

708 (11)(a) The department is authorized to charge the  
709 following fees for the following services and documents:

710 1. For providing a transcript of any one individual's  
711 driver history record or any portion thereof for the past 3  
712 years or for searching for such record when no record is found  
713 to be on file \$2.10

714 2. For providing a transcript of any one individual's  
715 driver history record or any portion thereof for the past 7  
716 years or for searching for such record when no record is found  
717 to be on file \$3.10



718 3. For providing a certified copy of a transcript of the  
719 driver history record or any portion thereof for any one  
720 individual \$3.10

721 4. For providing a certified photographic copy of a  
722 document, per page \$1.00

723 5. For providing an exemplified record \$15.00

724 6. For providing photocopies of documents, papers,  
725 letters, clearances, or license or insurance status reports, per  
726 page \$0.50

727 7. For assisting persons in searching any one individual's  
728 driver record at a terminal located at the department's general  
729 headquarters in Tallahassee \$2.00

730 8. For providing electronic access to driver's license  
731 status report by name, sex, and date of birth or by driver's  
732 license number, 50 cents per item, except that information  
733 provided via the department's Internet website shall be free of  
734 charge.

735 Section 30. Subsection (4) of section 322.53, Florida  
736 Statutes, is amended to read:

737 322.53 License required; exemptions.--

738 (2) The following persons are exempt from the requirement  
739 to obtain a commercial driver's license:

740 (a) Drivers of authorized emergency vehicles.

741 (b) Military personnel driving military vehicles.

742 (c) Farmers transporting farm supplies or farm machinery  
743 within 150 miles of their farm, or transporting agricultural  
744 products to or from the first place of storage or processing or  
745 directly to or from market, within 150 miles of their farm.



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746 (d) Drivers of recreational vehicles, as defined in s.  
747 320.01.

748 (e) Drivers who operate straight trucks, as defined in s.  
749 316.003, that are exclusively transporting their own tangible  
750 personal property which is not for sale.

751 (f) An employee of a publicly owned transit system who is  
752 limited to moving vehicles for maintenance or parking purposes  
753 exclusively within the restricted-access confines of a transit  
754 system's property.

755 (4) A resident who is exempt from obtaining a commercial  
756 driver's license pursuant to paragraph (2)(a) or paragraph  
757 (2)(c) and who drives a commercial motor vehicle must obtain at  
758 least a Class D driver's license ~~endorsed to authorize the~~  
759 ~~operation of the particular type of vehicle for which his or her~~  
760 ~~exemption is granted.~~

761 Section 31. Paragraph (b) of subsection (3) of section  
762 328.01, Florida Statutes, is amended to read:

763 328.01 Application for certificate of title.--

764 (3)

765 (b) If the application for transfer of title is based upon  
766 a contractual default, the recorded lienholder shall establish  
767 proof of right to ownership by submitting with the application  
768 the original certificate of title ~~and a copy of the applicable~~  
769 ~~contract upon which the claim of ownership is made.~~ If the claim  
770 is based upon a court order or judgment, a copy of such document  
771 shall accompany the application for transfer of title. If, on  
772 the basis of departmental records, there appears to be any other  
773 lien on the vessel, the certificate of title must contain a



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774 statement of such a lien, unless the application for a  
775 certificate of title is either accompanied by proper evidence of  
776 the satisfaction or extinction of the lien or contains a  
777 statement certifying that any lienholder named on the last-  
778 issued certificate of title has been sent notice by certified  
779 mail, at least 5 days before the application was filed, of the  
780 applicant's intention to seek a repossessed title. If such  
781 notice is given and no written protest to the department is  
782 presented by a subsequent lienholder within 15 days after the  
783 date on which the notice was mailed, the certificate of title  
784 shall be issued showing no liens. If the former owner or any  
785 subsequent lienholder files a written protest under oath within  
786 the 15-day period, the department shall not issue the  
787 repossessed certificate for 10 days thereafter. If, within the  
788 10-day period, no injunction or other order of a court of  
789 competent jurisdiction has been served on the department  
790 commanding it not to deliver the certificate, the department  
791 shall deliver the repossessed certificate to the applicant, or  
792 as is otherwise directed in the application, showing no other  
793 liens than those shown in the application.

794 Section 32. Subsection (4) of section 328.03, Florida  
795 Statutes, is amended to read:

796 328.03 Certificate of title required.--

797 (4) A certificate of title is prima facie evidence of the  
798 ownership of the vessel. A certificate of title is good for the  
799 life of the vessel so long as the certificate is owned or held  
800 by the legal holder. If a titled vessel is destroyed or  
801 abandoned, the owner, with the consent of any recorded



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802 | lienholders, shall, within 30 days after the destruction or  
803 | abandonment, surrender to the department for cancellation any  
804 | and all title documents. If a titled vessel is insured and the  
805 | insurer has paid the owner for the total loss of the vessel, the  
806 | insurer shall obtain the title to the vessel and transfer the  
807 | title, within 30 days ~~after receiving the title, forward the~~  
808 | ~~title to the Department of Highway Safety and Motor Vehicles for~~  
809 | ~~cancellation. The insurer may retain the certificate of title~~  
810 | ~~when payment for the loss was made because of the theft of the~~  
811 | ~~vessel.~~

812 |       Section 33. Subsection (2) of section 328.11, Florida  
813 | Statutes, is amended to read:

814 |       328.11 Duplicate certificate of title.--

815 |       (2) In addition to the fee imposed by subsection (1), the  
816 | Department of Highway Safety and Motor Vehicles shall charge a  
817 | fee of \$5 for expedited service in issuing a ~~duplicate~~  
818 | certificate of title. Application for such expedited service may  
819 | be made by mail or in person. The department shall issue each  
820 | certificate of title applied for under this subsection within 5  
821 | working days after receipt of a proper application or shall  
822 | refund the additional \$5 fee upon written request by the  
823 | applicant.

824 |       Section 34. Subsections (3) through (9) of section 328.17,  
825 | Florida Statutes, are amended to read:

826 |       328.17 Nonjudicial sale of vessels.--

827 |       ~~(3) Unless otherwise stated, all nonjudicial sales as~~  
828 | ~~provided in this section shall be subject to prior recorded~~  
829 | ~~liens against said vessels.~~



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830           ~~(3)~~(4) Written leases for the storage of undocumented  
831 vessels which are executed between a marina in this state and  
832 persons who own such undocumented vessels shall contain a  
833 provision which authorizes the marina to sell such vessels at a  
834 nonjudicial sale in the event of nonpayment of rent for a period  
835 of 6 months. Said provision shall be set forth in bold print.  
836 Such leases are valid and enforceable under the following  
837 conditions:

838           (a) The written lease contains the address of the vessel  
839 owner and the marina sends written notice by certified or  
840 registered mail, return receipt requested, to the address of the  
841 vessel owner as set forth in the lease at least 30 days prior to  
842 the proposed sale.

843           (b) The marina sends written notice of nonjudicial sale by  
844 certified or registered letter, return receipt requested, to  
845 each recorded lienholder of such vessel registered with this  
846 state as shown by the records of the Department of Highway  
847 Safety and Motor Vehicles at least 30 days prior to the proposed  
848 sale. In the event the vessel is registered with another state,  
849 such verification and notification of lienholder interests shall  
850 be based on records maintained by the vessel registering  
851 authority of the other state.

852           (c) The marina publishes in a newspaper of general  
853 circulation in the county in which the marina is located a  
854 notice indicating the time and place of the sale; a complete  
855 description of the vessel; and a statement that the sale will be  
856 a public sale at auction to the highest bidder, provided the  
857 sale price is greater than 50 percent of the fair market value



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858 of said vessel. Fair market value shall be determined by two  
859 independent appraisals by factory representatives of the  
860 vessel's manufacturer or licensed marine surveyors. The notice  
861 shall be published at least 10 days prior to the sale.

862 (4)~~(5)~~ In the event the proceeds from a sale conducted in  
863 conformance with the provisions of subsection (3) ~~(4)~~ exceed the  
864 storage fees due and owing on the vessel as of the date of sale,  
865 together with the costs of the sale, including publication costs  
866 and appraisal costs, the balance of the proceeds shall be  
867 deposited within 72 hours of the sale with the clerk of the  
868 circuit court of the county in which the sale is held, to be  
869 returned to the owner or lienholder of the vessel sold upon  
870 application within 1 year from the date of the sale by the owner  
871 or lienholder, less any fee charged by the clerk for such  
872 deposit, as allowed by law.

873 (5)~~(6)~~ In making application for transfer of title from a  
874 previous owner in default of marina storage fees, the new owner  
875 shall establish proof of ownership by submitting with the  
876 application, which includes the applicable fees and original  
877 bill of sale executed by the marina, a certified copy of the  
878 written lease signed by the marina and the previous owner, a  
879 copy of each registered or certified letter sent by the marina  
880 to the previous owner and lienholder, certified copies of the  
881 appraisals as required in paragraph (3)(c) ~~(4)(e)~~, a certified  
882 copy of the signed receipt from the clerk of the circuit court  
883 for any proceeds from the sale deposited with the county in  
884 which the sale was held, and a certified copy of the public  
885 notice of intent to sell published in a newspaper of general





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886 circulation in the county in which the marina is located. At the  
887 time the purchase price is paid, the marina shall provide the  
888 documentation required by this subsection to the purchaser.

889 (6)~~(7)~~ Any person who, with the consent of the owner, has  
890 physical possession of an undocumented unclaimed vessel for  
891 repairs, improvements, or other work shall have an unrecorded  
892 lien against the vessel for all reasonable costs of the  
893 completed work and associated reasonable towing and storage  
894 charges levied against the vessel. If the costs which give rise  
895 to such a lien are due and unpaid 90 days after the vessel owner  
896 is given written notice of the completed work, said person may  
897 sell the vessel, including its machinery, rigging, and  
898 accessories, at public auction. Wrecker service in and of itself  
899 shall not constitute repair or storage, and the charge for such  
900 service shall not be grounds for the establishment of a lien  
901 interest in the vessel. The sale of such vessel shall be valid  
902 and enforceable under the following conditions:

903 (a) The person who intends to sell an undocumented vessel  
904 registered with the state sends written notice of nonjudicial  
905 sale and an itemized invoice of the charges owed and due to the  
906 owners and recorded lienholders of said vessel at least 30 days  
907 prior to the sale. Such notice shall be considered made when  
908 certified or registered letters, return receipt requested, are  
909 mailed to the owners and recorded lienholders at the latest  
910 address of each as shown by the records of the Department of  
911 Highway Safety and Motor Vehicles. In the event said vessel is  
912 registered in another state, such verification and notification  
913 shall be based on ownership and lienholder interest records



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914 maintained by the vessel registering authority of the other  
915 state.

916 (b) A notice is published in a newspaper of general  
917 circulation in the county in which the repair business is  
918 located and in the county of the owner's last known address at  
919 least 10 days prior to the date of the sale. Such notice shall  
920 indicate the time and place of the sale; shall contain a  
921 complete description of the vessel, including the name of any  
922 known owner; and shall contain a statement that the sale will be  
923 a public sale at auction to the highest bidder, provided the  
924 sale price is greater than 50 percent of the fair market value  
925 of said vessel. Fair market value shall be determined by two  
926 independent appraisals by factory representatives of the  
927 vessel's manufacturer or licensed marine surveyors.

928 (c) The proceeds from the sale, less the costs incurred in  
929 the sale and the reasonable costs for the work done on the  
930 vessel and associated reasonable towing and storage costs, shall  
931 be deposited within 72 hours after the sale with the clerk of  
932 the circuit court of the county in which the sale is held. Upon  
933 receipt of the proceeds, the clerk shall be entitled to receive  
934 5 percent of said proceeds for the care and disbursement  
935 thereof. At any time within 1 year after the sale of such  
936 vessel, the former owners or lienholders of the vessel may  
937 recover the net proceeds by filing a claim with the clerk  
938 against the county.

939 (7)~~(8)~~ When any vessel is sold pursuant to subsection (6)  
940 ~~(7)~~, the person selling the vessel, at the time the purchase  
941 price is paid, shall deliver to the purchaser an executed bill



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942 of sale and certified copies of the documentation required by  
943 subsection (6) ~~(7)~~.

944 (8)~~(9)~~ In making application for transfer of title from a  
945 previous owner whose vessel is sold pursuant to subsection (6)  
946 ~~(7)~~, the new owner shall establish proof of ownership by  
947 submitting with the application, which includes the applicable  
948 fees and sales tax, the original bill of sale executed by the  
949 repair business, certified copies of the documentation required  
950 by subsection (6) ~~(7)~~, and a certified copy of the signed  
951 receipt from the clerk of the circuit court for any proceeds  
952 from the sale deposited with the county in which the sale was  
953 held.

954 Section 35. This act shall take effect upon becoming a  
955 law.

956