

1 A bill to be entitled
2 An act relating to the Department of Highway Safety and
3 Motor Vehicles; amending s. 316.0741, F.S.; redefining the
4 term "hybrid vehicle"; authorizing the driving of a
5 hybrid, low-emission, or energy-efficient vehicle in a
6 high-occupancy-vehicle lane regardless of occupancy;
7 authorizing the department to limit or discontinue such
8 driving under certain circumstances; directing the
9 Department of Transportation to review a specified federal
10 rule and make a report to the Legislature; exempting
11 certain vehicles from the payment of certain tolls;
12 amending s. 316.1575, F.S.; requiring a person walking or
13 driving a vehicle to stop at a railroad crossing upon the
14 signal of a law enforcement officer; amending s. 316.193,
15 F.S.; lowering the blood-alcohol or breath-alcohol level
16 for which enhanced penalties are imposed against a person
17 convicted of driving under the influence; amending s.
18 316.1937, F.S.; revising the conditions under which the
19 court may require the use of an ignition interlock device;
20 amending s. 316.251, F.S.; conforming a cross-reference;
21 amending s. 316.302, F.S.; revising references to rules,
22 regulations, and criteria governing commercial motor
23 vehicles engaged in intrastate commerce; providing that
24 the Department of Transportation performs duties assigned
25 to the Field Administrator of the Federal Motor Carrier
26 Safety Administration under the federal rules and may
27 enforce those rules; amending ss. 316.613 and 316.614,
28 F.S.; revising the definition of "motor vehicle" for

29 | purposes of child restraint and safety belt usage
30 | requirements; amending s. 316.645, F.S.; authorizing a
31 | police officer to make an arrest upon probable cause of a
32 | violation of laws governing motor vehicle licenses;
33 | amending s. 316.650, F.S.; revising requirements for
34 | traffic citation forms; providing for the electronic
35 | transmission of citation data; amending s. 316.656, F.S.;
36 | lowering the percentage of blood or breath alcohol content
37 | relating to the prohibition against pleading guilty to a
38 | lesser offense of driving under the influence than the
39 | offense charged; amending s. 319.001, F.S.; defining the
40 | term "certificate of title" to include information stored
41 | electronically in the department's database; amending s.
42 | 320.01, F.S.; revising the definition of the term
43 | "motorcycle" to exclude a vehicle in which the operator is
44 | enclosed by a cabin; amending s. 320.02, F.S.; deleting
45 | the requirement for a motorcycle endorsement at the time
46 | of original registration of a motorcycle, motor-driven
47 | cycle, or moped; repealing s. 320.02(13), F.S., relating
48 | to a motor vehicle registration voluntary contribution for
49 | the Election Campaign Financing Trust Fund; amending s.
50 | 320.0706, F.S.; providing that a violation of requirements
51 | for displaying a truck license plate is a moving
52 | violation; amending s. 320.0715, F.S.; requiring the
53 | department to withhold issuing or to suspend a
54 | registration and license plate for a commercial motor
55 | vehicle if the federal identifying number is not provided
56 | or if the motor carrier or vehicle owner has been

57 prohibited from operating; amending s. 320.08053, F.S.;

58 removing a requirement that the department create certain

59 specifications by rule for specialty license plates;

60 amending s. 320.0894, F.S.; providing for issuance of Gold

61 Star license plates to certain family members; amending s.

62 320.27, F.S.; conforming a cross-reference; amending s.

63 322.01, F.S.; defining the term "convenience service" for

64 purposes of transactions with the department; revising the

65 definition of the term "conviction" to provide for

66 application to offenses committed by a person holding a

67 commercial driver's license; revising the definition of

68 the terms "hazardous materials" and "out-of-service

69 order"; amending s. 322.03, F.S.; removing provisions for

70 issuance of a license valid in Florida only; prohibiting a

71 person from holding more than one driver's license;

72 authorizing use of such licenses until next renewal;

73 amending s. 322.051, F.S.; revising requirements for

74 application for issuance or renewal of an identification

75 card; revising provisions providing for the expiration of

76 an identification card issued by the department; amending

77 s. 322.08, F.S.; revising requirements for application for

78 a driver's license; removing a provision requiring the

79 application form to include language permitting a

80 voluntary contribution for the Election Campaign Financing

81 Trust Fund; amending s. 322.14, F.S.; revising provisions

82 for content of a driver's license; requiring the license

83 to contain the licensee's residence address; removing a

84 requirement that the license contain the licensee's

85 mailing address; amending s. 322.15, F.S.; authorizing a
86 law enforcement officer or authorized representative of
87 the department to collect a person's fingerprints
88 electronically; amending s. 322.17, F.S.; revising
89 provisions for replacement of an instruction permit or
90 driver license; removing fee amounts; requiring payment of
91 specified fee amounts; removing a provision for a change
92 of address sticker; conforming cross-references; amending
93 s. 322.18, F.S.; revising provisions providing for the
94 expiration and renewal of driver's licenses; providing for
95 the renewal of certain licenses every 8 years; conforming
96 cross-references; providing for the renewal of licenses
97 using a convenience service; requiring the department to
98 issue new licenses rather than extension stickers;
99 repealing s. 322.181(4), F.S., relating to the Florida At-
100 Risk Driver Council; amending s. 322.19, F.S.; revising
101 provisions for a licensee changing address; removing a
102 provision for the licensee to request a change-of-address
103 sticker; conforming cross-references; amending s. 322.21,
104 F.S.; revising fees for issuance of original, renewal, and
105 replacement driver's licenses and identification cards;
106 revising fees for specified endorsements; providing for
107 distribution of revised fees; amending s. 322.2715, F.S.;
108 providing that the required installation period of an
109 ignition interlock device for certain DUI offenses be
110 continuous; amending s. 322.291, F.S.; providing
111 additional requirements for a third or subsequent
112 violation of requirements for installation of an ignition

113 interlock device; requiring treatment and extension of the
114 duration of the ignition interlock requirement; amending
115 s. 322.36, F.S.; requiring the suspension for a specified
116 period of the driver's license of a person who loans a
117 vehicle to a person whose driver's license is suspended if
118 that vehicle is involved in an accident resulting in
119 bodily injury or death; repealing s. 322.60, F.S.,
120 relating to the prohibition on commercial motor vehicle
121 drivers possessing more than one license; amending s.
122 322.61, F.S.; clarifying provisions disqualifying a person
123 from operating a commercial motor vehicle following
124 certain traffic violations; providing for permanent
125 disqualification following conviction of a felony
126 involving the manufacture, distribution, or dispensing of
127 a controlled substance; amending s. 322.64, F.S.;
128 providing that a person's privilege to drive a commercial
129 motor vehicle is disqualified if the person was driving or
130 in actual physical control of a commercial motor vehicle,
131 or any motor vehicle if the person holds a commercial
132 driver's license, with an unlawful blood-alcohol level or
133 breath-alcohol level or refuses to submit to a breath,
134 urine, or blood test; providing for the period of
135 disqualification; providing procedures; providing for
136 issuance of a notice of disqualification; revising the
137 requirements for a formal review hearing following a
138 person's disqualification from operating a commercial
139 motor vehicle; amending s. 324.021, F.S.; clarifying that
140 a judgment becomes final by expiration of the time for

141 appeal; amending s. 501.976, F.S.; conforming a cross-
 142 reference; prohibiting the Department of Highway Safety
 143 and Motor Vehicles from issuing any new specialty license
 144 plates for a specified period; designating the Joseph P.
 145 Bertrand Building in Lee County; providing effective
 146 dates.

147

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

149

150 Section 1. Section 316.0741, Florida Statutes, is amended
 151 to read:

152 316.0741 High-occupancy-vehicle ~~High-occupancy vehicle~~
 153 lanes.--

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

155 (a) "High-occupancy-vehicle ~~High-occupancy vehicle~~ lane"
 156 or "HOV lane" means a lane of a public roadway designated for
 157 use by vehicles in which there is more than one occupant unless
 158 otherwise authorized by federal law.

159 (b) "Hybrid vehicle" means a motor vehicle:

160 1. That draws propulsion energy from onboard sources of
 161 stored energy which are both an internal combustion or heat
 162 engine using combustible fuel and a rechargeable energy-storage
 163 system; and

164 2. That, in the case of a passenger automobile or light
 165 truck, has received a certificate of conformity under the Clean
 166 Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the
 167 equivalent qualifying California standards for a low-emission
 168 vehicle.

169 (2) The number of persons that must be in a vehicle to
 170 qualify for legal use of the HOV lane and the hours during which
 171 the lane will serve as an HOV lane, if it is not designated as
 172 such on a full-time basis, must also be indicated on a traffic
 173 control device.

174 (3) Except as provided in subsection (4), a vehicle may
 175 not be driven in an HOV lane if the vehicle is occupied by fewer
 176 than the number of occupants indicated by a traffic control
 177 device. A driver who violates this section shall be cited for a
 178 moving violation, punishable as provided in chapter 318.

179 (4) (a) Notwithstanding any other provision of this
 180 section, an inherently low-emission vehicle (ILEV) that is
 181 certified and labeled in accordance with federal regulations may
 182 be driven in an HOV lane at any time, regardless of its
 183 occupancy. In addition, upon the state's receipt of written
 184 notice from the proper federal regulatory agency authorizing
 185 such use, a vehicle defined as a hybrid vehicle under this
 186 section may be driven in an HOV lane at any time, regardless of
 187 its occupancy.

188 (b) All eligible hybrid and all eligible other low-
 189 emission and energy-efficient vehicles driven in an HOV lane
 190 must comply with the minimum fuel economy standards in 23 U.S.C.
 191 s. 166(f)(3)(B).

192 (c) Upon issuance of the applicable United States
 193 Environmental Protection Agency final rule pursuant to 23 U.S.C.
 194 s. 166(e), relating to the eligibility of hybrid and other low-
 195 emission and energy-efficient vehicles for operation in an HOV
 196 lane, regardless of occupancy, the Department of Transportation

197 shall review the rule and recommend to the Legislature any
 198 statutory changes necessary for compliance with the federal
 199 rule. The department shall provide its recommendations no later
 200 than 30 days following issuance of the final rule.

201 (5) The department shall issue a decal and registration
 202 certificate, to be renewed annually, reflecting the HOV lane
 203 designation on ~~such~~ vehicles meeting the criteria in subsection
 204 (4) authorizing driving in an HOV lane at any time ~~such use~~. The
 205 department may charge a fee for a decal, not to exceed the costs
 206 of designing, producing, and distributing each decal, or \$5,
 207 whichever is less. The proceeds from sale of the decals shall be
 208 deposited in the Highway Safety Operating Trust Fund. The
 209 department may, for reasons of operation and management of HOV
 210 facilities, limit or discontinue issuance of decals for the use
 211 of HOV facilities by hybrid and low-emission and energy-
 212 efficient vehicles, regardless of occupancy, if it has been
 213 determined by the Department of Transportation that the
 214 facilities are degraded as defined by 23 U.S.C. s. 166(d)(2).

215 (6) Vehicles having decals by virtue of compliance with
 216 the minimum fuel economy standards under 23 U.S.C. s.
 217 166(f)(3)(B), and which are registered for use in high-occupancy
 218 toll lanes or express lanes in accordance with Department of
 219 Transportation rule, shall be allowed to use any HOV lanes
 220 redesignated as high-occupancy toll lanes or express lanes
 221 without payment of a toll.

222 ~~(5) As used in this section, the term "hybrid vehicle"~~
 223 ~~means a motor vehicle:~~

224 ~~(a) That draws propulsion energy from onboard sources of~~

225 ~~stored energy which are both:~~
 226 ~~1. An internal combustion or heat engine using combustible~~
 227 ~~fuel; and~~
 228 ~~2. A rechargeable energy storage system; and~~
 229 ~~(b) That, in the case of a passenger automobile or light~~
 230 ~~truck:~~
 231 ~~1. Has received a certificate of conformity under the~~
 232 ~~Clean Air Act, 42 U.S.C. ss. 7401 et seq.; and~~
 233 ~~2. Meets or exceeds the equivalent qualifying California~~
 234 ~~standards for a low emission vehicle.~~
 235 ~~(7)(6)~~ The department may adopt rules necessary to
 236 administer this section.
 237 Section 2. Paragraph (b) of subsection (1) of section
 238 316.1575, Florida Statutes, is amended to read:
 239 316.1575 Obedience to traffic control devices at railroad-
 240 highway grade crossings.--
 241 (1) Any person walking or driving a vehicle and
 242 approaching a railroad-highway grade crossing under any of the
 243 circumstances stated in this section shall stop within 50 feet
 244 but not less than 15 feet from the nearest rail of such railroad
 245 and shall not proceed until he or she can do so safely. The
 246 foregoing requirements apply when:
 247 (b) A crossing gate is lowered or a law enforcement
 248 officer or a human flagger gives or continues to give a signal
 249 of the approach or passage of a railroad train;
 250 Section 3. Subsection (4) of section 316.193, Florida
 251 Statutes, is amended to read:
 252 316.193 Driving under the influence; penalties.--

253 (4) Any person who is convicted of a violation of
 254 subsection (1) and who has a blood-alcohol level or breath-
 255 alcohol level of 0.15 ~~0.20~~ or higher, or any person who is
 256 convicted of a violation of subsection (1) and who at the time
 257 of the offense was accompanied in the vehicle by a person under
 258 the age of 18 years, shall be punished:

259 (a) By a fine of:

260 1. Not less than \$500 or more than \$1,000 for a first
 261 conviction.

262 2. Not less than \$1,000 or more than \$2,000 for a second
 263 conviction.

264 3. Not less than \$2,000 for a third or subsequent
 265 conviction.

266 (b) By imprisonment for:

267 1. Not more than 9 months for a first conviction.

268 2. Not more than 12 months for a second conviction.

269

270 For the purposes of this subsection, only the instant offense is
 271 required to be a violation of subsection (1) by a person who has
 272 a blood-alcohol level or breath-alcohol level of 0.15 ~~0.20~~ or
 273 higher.

274 (c) In addition to the penalties in paragraphs (a) and
 275 (b), the court shall order the mandatory placement, at the
 276 convicted person's sole expense, of an ignition interlock device
 277 approved by the department in accordance with s. 316.1938 upon
 278 all vehicles that are individually or jointly leased or owned
 279 and routinely operated by the convicted person for up to 6
 280 months for the first offense and for at least 2 years for a

281 second offense, when the convicted person qualifies for a
 282 permanent or restricted license. The installation of such device
 283 may not occur before July 1, 2003.

284 Section 4. Subsection (1) of section 316.1937, Florida
 285 Statutes, is amended to read:

286 316.1937 Ignition interlock devices, requiring; unlawful
 287 acts.--

288 (1) In addition to any other authorized penalties, the
 289 court may require that any person who is convicted of driving
 290 under the influence in violation of s. 316.193 shall not operate
 291 a motor vehicle unless that vehicle is equipped with a
 292 functioning ignition interlock device certified by the
 293 department as provided in s. 316.1938, and installed in such a
 294 manner that the vehicle will not start if the operator's blood
 295 alcohol level is in excess of 0.05 percent or as otherwise
 296 specified by the court. The court may require the use of an
 297 approved ignition interlock device for a period of not less than
 298 6 continuous months, if the person is permitted to operate a
 299 motor vehicle, whether or not the privilege to operate a motor
 300 vehicle is restricted, as determined by the court. The court,
 301 however, shall order placement of an ignition interlock device
 302 in those circumstances required by s. 316.193.

303 Section 5. Subsection (2) of section 316.251, Florida
 304 Statutes, is amended to read:

305 316.251 Maximum bumper heights.--

306 (2) "New motor vehicles" as defined in s. 319.001 (9) ~~(8)~~,
 307 "antique automobiles" as defined in s. 320.08, "horseless
 308 carriages" as defined in s. 320.086, and "street rods" as

309 defined in s. 320.0863 shall be excluded from the requirements
 310 of this section.

311 Section 6. Paragraph (b) of subsection (1) and subsections
 312 (6) and (8) of section 316.302, Florida Statutes, are amended to
 313 read:

314 316.302 Commercial motor vehicles; safety regulations;
 315 transporters and shippers of hazardous materials; enforcement.--

316 (1)

317 (b) Except as otherwise provided in this section, all
 318 owners or drivers of commercial motor vehicles that are engaged
 319 in intrastate commerce are subject to the rules and regulations
 320 contained in 49 C.F.R. parts 382, 385, and 390-397, with the
 321 exception of 49 C.F.R. s. 390.5 as it relates to the definition
 322 of bus, as such rules and regulations existed on October 1, 2007
 323 ~~2005~~.

324 (6) The state Department of Transportation shall perform
 325 the duties that are assigned to the Field Administrator, Federal
 326 Motor Carrier Safety Administration ~~Regional Federal Highway~~
 327 ~~Administrator~~ under the federal rules, and an agent of that
 328 department, as described in s. 316.545(9), may enforce those
 329 rules.

330 (8) For the purpose of enforcing this section, any law
 331 enforcement officer of the Department of Transportation or duly
 332 appointed agent who holds a current safety inspector
 333 certification from the Commercial Vehicle Safety Alliance may
 334 require the driver of any commercial vehicle operated on the
 335 highways of this state to stop and submit to an inspection of
 336 the vehicle or the driver's records. If the vehicle or driver is

337 found to be operating in an unsafe condition, or if any required
 338 part or equipment is not present or is not in proper repair or
 339 adjustment, and the continued operation would present an unduly
 340 hazardous operating condition, the officer may require the
 341 vehicle or the driver to be removed from service pursuant to the
 342 North American Standard ~~Uniform~~ Out-of-Service Criteria, until
 343 corrected. However, if continuous operation would not present an
 344 unduly hazardous operating condition, the officer may give
 345 written notice requiring correction of the condition within 14
 346 days.

347 (a) Any member of the Florida Highway Patrol or any law
 348 enforcement officer employed by a sheriff's office or municipal
 349 police department authorized to enforce the traffic laws of this
 350 state pursuant to s. 316.640 who has reason to believe that a
 351 vehicle or driver is operating in an unsafe condition may, as
 352 provided in subsection (10), enforce the provisions of this
 353 section.

354 (b) Any person who fails to comply with an officer's
 355 request to submit to an inspection under this subsection commits
 356 a violation of s. 843.02 if the person resists the officer
 357 without violence or a violation of s. 843.01 if the person
 358 resists the officer with violence.

359 Section 7. Subsection (2) of section 316.613, Florida
 360 Statutes, is amended to read:

361 316.613 Child restraint requirements.--

362 (2) As used in this section, the term "motor vehicle"
 363 means a motor vehicle as defined in s. 316.003 that is operated
 364 on the roadways, streets, and highways of the state. The term

365 does not include:

366 (a) A school bus as defined in s. 316.003(45).

367 (b) A bus used for the transportation of persons for
 368 compensation, other than a bus regularly used to transport
 369 children to or from school, as defined in s. 316.615(1) (b), or
 370 in conjunction with school activities.

371 (c) A farm tractor or implement of husbandry.

372 (d) A truck having a gross vehicle weight rating of more
 373 than 26,000 ~~of net weight of more than 5,000~~ pounds.

374 (e) A motorcycle, moped, or bicycle.

375 Section 8. Paragraph (a) of subsection (3) of section
 376 316.614, Florida Statutes, is amended to read:

377 316.614 Safety belt usage.--

378 (3) As used in this section:

379 (a) "Motor vehicle" means a motor vehicle as defined in s.
 380 316.003 which ~~that~~ is operated on the roadways, streets, and
 381 highways of this state. The term does not include:

382 1. A school bus.

383 2. A bus used for the transportation of persons for
 384 compensation.

385 3. A farm tractor or implement of husbandry.

386 4. A truck having a gross vehicle weight rating of more
 387 than 26,000 ~~of a net weight of more than 5,000~~ pounds.

388 5. A motorcycle, moped, or bicycle.

389 Section 9. Section 316.645, Florida Statutes, is amended
 390 to read:

391 316.645 Arrest authority of officer at scene of a traffic
 392 crash.--A police officer who makes an investigation at the scene

393 of a traffic crash may arrest any driver of a vehicle involved
 394 in the crash when, based upon personal investigation, the
 395 officer has reasonable and probable grounds to believe that the
 396 person has committed any offense under the provisions of this
 397 chapter, chapter 320, or chapter 322 in connection with the
 398 crash.

399 Section 10. Subsections (1), (3), (4), (5), (6), and (7)
 400 of section 316.650, Florida Statutes, are amended to read:

401 316.650 Traffic citations.--

402 (1)(a) The department shall prepare, ~~and supply to every~~
 403 traffic enforcement agency in this state, ~~an appropriate form~~
 404 traffic citation that contains ~~containing~~ a notice to appear, is
 405 ~~(which shall be issued in prenumbered books, meets with~~
 406 ~~eitations in quintuplicate) and meeting~~ the requirements of this
 407 chapter or any laws of this state regulating traffic, and is
 408 ~~which form shall be~~ consistent with the state traffic court
 409 rules and the procedures established by the department. The form
 410 shall include a box that ~~which~~ is to be checked by the law
 411 enforcement officer when the officer believes that the traffic
 412 violation or crash was due to aggressive careless driving as
 413 defined in s. 316.1923. The form shall also include a box that
 414 ~~which~~ is to be checked by the law enforcement officer when the
 415 officer writes a uniform traffic citation for a violation of s.
 416 316.074(1) or s. 316.075(1)(c)1. as a result of the driver
 417 failing to stop at a traffic signal.

418 (b) The department shall prepare, and supply to every
 419 traffic enforcement agency in the state, an appropriate
 420 affidavit-of-compliance form that ~~which~~ shall be issued along

421 with the form traffic citation for any violation of s. 316.610
422 and that indicates ~~which shall indicate~~ the specific defect
423 needing ~~which needs~~ to be corrected. However, such affidavit of
424 compliance shall not be issued in the case of a violation of s.
425 316.610 by a commercial motor vehicle as defined in s.
426 316.003(66). Such affidavit-of-compliance form shall be
427 distributed in the same manner and to the same parties as is the
428 form traffic citation.

429 (c) Notwithstanding paragraphs (a) and (b), a traffic
430 enforcement agency may produce uniform traffic citations by
431 electronic means. Such citations must be consistent with the
432 state traffic court rules and the procedures established by the
433 department and, must be appropriately numbered and inventoried,
434 ~~and may have fewer copies than the quintuplicate form.~~
435 Affidavit-of-compliance forms may also be produced by electronic
436 means.

437 (d) The department must distribute to every traffic
438 enforcement agency and to any others who request it, a traffic
439 infraction reference guide describing the class of the traffic
440 infraction, the penalty for the infraction, the points to be
441 assessed on a driver's record license, and any other information
442 necessary to describe a violation and the penalties therefor.

443 (3) (a) Except for a traffic citation issued pursuant to s.
444 316.1001, each traffic enforcement officer, upon issuing a
445 traffic citation to an alleged violator of any provision of the
446 motor vehicle laws of this state or of any traffic ordinance of
447 any municipality ~~city~~ or town, shall deposit the original ~~and~~
448 ~~one copy of such~~ traffic citation or, in the case of a traffic

449 enforcement agency that ~~which~~ has an automated citation issuance
450 system, the chief administrative officer shall provide by an
451 electronic transmission a replica of the citation data to
452 ~~facsimile with~~ a court having jurisdiction over the alleged
453 offense or with its traffic violations bureau within 5 days
454 after issuance to the violator.

455 (b) If a traffic citation is issued pursuant to s.
456 316.1001, a traffic enforcement officer may deposit the original
457 ~~and one copy of such~~ traffic citation or, in the case of a
458 traffic enforcement agency that has an automated citation
459 system, may provide by an electronic transmission a replica of
460 the citation data to ~~facsimile with~~ a court having jurisdiction
461 over the alleged offense or with its traffic violations bureau
462 within 45 days after the date of issuance of the citation to the
463 violator. If the person cited for the violation of s. 316.1001
464 makes the election provided by s. 318.14(12) and pays the \$25
465 fine, or such other amount as imposed by the governmental entity
466 owning the applicable toll facility, plus the amount of the
467 unpaid toll that is shown on the traffic citation directly to
468 the governmental entity that issued the citation, or on whose
469 behalf the citation was issued, in accordance with s.
470 318.14(12), the traffic citation will not be submitted to the
471 court, the disposition will be reported to the department by the
472 governmental entity that issued the citation, or on whose behalf
473 the citation was issued, and no points will be assessed against
474 the person's driver's license.

475 (4) The chief administrative officer of every traffic
476 enforcement agency shall require the return to him or her ~~of~~ the

477 ~~officer-agency department record~~ copy of every traffic citation
 478 issued by an officer under the chief administrative officer's
 479 supervision to an alleged violator of any traffic law or
 480 ordinance and ~~of~~ all copies of every traffic citation that ~~which~~
 481 has been spoiled or upon which any entry has been made and not
 482 issued to an alleged violator. In the case of a traffic
 483 enforcement agency that ~~which~~ has an automated citation issuance
 484 system, the chief administrative officer shall require the
 485 return of all electronic traffic citation records.

486 (5) Upon the deposit of the original ~~and one copy of such~~
 487 traffic citation or upon ~~deposit of~~ an electronic transmission
 488 of a replica of citation data ~~faesimile~~ of the traffic citation
 489 with respect to traffic enforcement agencies that ~~which~~ have an
 490 automated citation issuance system with a court having
 491 jurisdiction over the alleged offense or with its traffic
 492 violations bureau ~~as aforesaid~~, the original citation, the
 493 electronic citation containing a replica of citation data
 494 ~~faesimile~~, or a copy of such traffic citation may be disposed of
 495 only by trial in the court or other official action by a judge
 496 of the court, including forfeiture of the bail, or by the
 497 deposit of sufficient bail with, or payment of a fine to, the
 498 traffic violations bureau by the person to whom such traffic
 499 citation has been issued by the traffic enforcement officer.

500 (6) The chief administrative officer shall transmit, on a
 501 form approved by the department, ~~the department record copy of~~
 502 ~~the uniform traffic citation to the department~~ within 5 days
 503 after submission of the original, groups of issued citations ~~and~~
 504 ~~one copy to the court, or citation and transmittal data~~ to the

505 court. Batches of electronic citations containing a replica of
 506 citation data may be transmitted to the court ~~department~~ in an
 507 electronic ~~automated~~ fashion, in a format ~~form~~ prescribed by the
 508 department within 5 days after issuance to the violator. ~~A copy~~
 509 ~~of such transmittal shall also be provided to the court having~~
 510 ~~jurisdiction for accountability purposes.~~

511 (7) The chief administrative officer shall also maintain
 512 or cause to be maintained in connection with every traffic
 513 citation issued by an officer under his or her supervision a
 514 record of the disposition of the charge by the court or its
 515 traffic violations bureau in which the original or copy of the
 516 traffic citation or electronic citation was deposited.

517 Section 11. Paragraph (a) of subsection (2) of section
 518 316.656, Florida Statutes, is amended to read:

519 316.656 Mandatory adjudication; prohibition against
 520 accepting plea to lesser included offense.--

521 (2)(a) No trial judge may accept a plea of guilty to a
 522 lesser offense from a person charged under the provisions of
 523 this act who has been given a breath or blood test to determine
 524 blood or breath alcohol content, the results of which show a
 525 blood or breath alcohol content by weight of 0.15 ~~0.20~~ percent
 526 or more.

527 Section 12. Subsections (1) through (11) of section
 528 319.001, Florida Statutes, are renumbered as subsections (2)
 529 through (12), respectively, and a new subsection (1) is added to
 530 that section to read:

531 319.001 Definitions.--As used in this chapter, the term:

532 (1) "Certificate of title" means the record that is

533 evidence of ownership of a vehicle, whether a paper certificate
 534 authorized by the department or a certificate consisting of
 535 information that is stored in an electronic form in the
 536 department's database.

537 Section 13. Subsection (27) of section 320.01, Florida
 538 Statutes, is amended to read:

539 320.01 Definitions, general.--As used in the Florida
 540 Statutes, except as otherwise provided, the term:

541 (27) "Motorcycle" means any motor vehicle having a seat or
 542 saddle for the use of the rider and designed to travel on not
 543 more than three wheels in contact with the ground, but excluding
 544 a tractor, ~~or a moped,~~ or a vehicle in which the operator is
 545 enclosed by a cabin.

546 Section 14. Effective July 1, 2008, subsection (1) of
 547 section 320.02, Florida Statutes, as amended by section 28 of
 548 chapter 2006-290, Laws of Florida, is amended to read:

549 320.02 Registration required; application for
 550 registration; forms.--

551 (1) Except as otherwise provided in this chapter, every
 552 owner or person in charge of a motor vehicle that is operated or
 553 driven on the roads of this state shall register the vehicle in
 554 this state. The owner or person in charge shall apply to the
 555 department or to its authorized agent for registration of each
 556 such vehicle on a form prescribed by the department. ~~Prior to~~
 557 ~~the original registration of a motorcycle, motor driven cycle,~~
 558 ~~or moped, the owner, if a natural person, must present proof~~
 559 ~~that he or she has a valid motorcycle endorsement as required in~~
 560 ~~chapter 322.~~ A registration is not required for any motor

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561 vehicle that is not operated on the roads of this state during
 562 the registration period.

563 Section 15. Subsection (13) of section 320.02, Florida
 564 Statutes, is repealed.

565 Section 16. Section 320.0706, Florida Statutes, is amended
 566 to read:

567 320.0706 Display of license plates on trucks.--The owner
 568 of any commercial truck of gross vehicle weight of 26,001 pounds
 569 or more shall display the registration license plate on both the
 570 front and rear of the truck in conformance with all the
 571 requirements of s. 316.605 that do not conflict with this
 572 section. The owner of a dump truck may place the rear license
 573 plate on the gate no higher than 60 inches to allow for better
 574 visibility. However, the owner of a truck tractor shall be
 575 required to display the registration license plate only on the
 576 front of such vehicle. A violation of this section is a
 577 noncriminal traffic infraction, punishable as a moving violation
 578 as provided in chapter 318.

579 Section 17. Subsection (4) of section 320.0715, Florida
 580 Statutes, is amended to read:

581 320.0715 International Registration Plan; motor carrier
 582 services; permits; retention of records.--

583 (4) Each motor carrier registered under the International
 584 Registration Plan shall maintain and keep, for a period of 4
 585 years, pertinent records and papers as may be required by the
 586 department for the reasonable administration of this chapter.

587 (a) The department shall withhold registrations and
 588 license plates for commercial motor vehicles unless the

589 identifying number issued by the federal agency responsible for
 590 motor carrier safety is provided for the motor carrier and the
 591 entity responsible for motor carrier safety for each motor
 592 vehicle as part of the application process.

593 (b) The department may not issue a commercial motor
 594 vehicle registration or license plate to, and may not transfer
 595 the commercial motor vehicle registration or license plate for,
 596 a motor carrier or vehicle owner who has been prohibited from
 597 operating by a federal or state agency responsible for motor
 598 carrier safety.

599 (c) The department, with notice, shall suspend any
 600 commercial motor vehicle registration and license plate issued
 601 to a motor carrier or vehicle owner who has been prohibited from
 602 operating by a federal or state agency responsible for motor
 603 carrier safety.

604 Section 18. Subsection (3) of section 320.08053, Florida
 605 Statutes, is amended to read:

606 320.08053 Requirements for requests to establish specialty
 607 license plates.--

608 ~~(3) The department shall adopt rules providing viewpoint-~~
 609 ~~neutral specifications for the design of specialty license~~
 610 ~~plates that promote or enhance the readability of all specialty~~
 611 ~~license plates and that discourage counterfeiting. The rules~~
 612 ~~shall provide uniform specifications requiring inclusion of the~~
 613 ~~word "Florida" in the same location on each specialty license~~
 614 ~~plate, in such a size and location that is clearly identifiable~~
 615 ~~on the specialty license plate when mounted on a vehicle, and~~
 616 ~~shall provide specifications for the size and location of any~~

617 ~~words or logos appearing on a specialty license plate.~~

618 Section 19. Paragraph (a) of subsection (4) of section
619 320.0894, Florida Statutes, is amended to read:

620 320.0894 Motor vehicle license plates to Gold Star family
621 members.--The department shall develop a special license plate
622 honoring the family members of servicemembers who have been
623 killed while serving in the Armed Forces of the United States.
624 The license plate shall be officially designated as the Gold
625 Star license plate and shall be developed and issued as provided
626 in this section.

627 (4)(a)1.a. The Gold Star license plate shall be issued
628 only to family members of a servicemember who resided in Florida
629 at the time of the death of the servicemember.

630 b. Any family member, as defined in subparagraph 2., of a
631 servicemember killed while serving may be issued a Gold Star
632 license plate upon payment of the license tax and appropriate
633 fees as provided in paragraph (3)(a) without regard to the state
634 of residence of the servicemember.

635 2. To qualify for issuance of a Gold Star license plate,
636 the applicant must be directly related to a fallen servicemember
637 as spouse, legal mother or father, or stepparent who is
638 currently married to the mother or father of the fallen
639 servicemember.

640 3. A servicemember is deemed to have been killed while in
641 service as listed by the United States Department of Defense and
642 may be verified from documentation directly from the Department
643 of Defense or from its subordinate agencies, such as the Coast
644 Guard, Reserve, or National Guard.

645 Section 20. Paragraph (b) of subsection (9) of section
 646 320.27, Florida Statutes, is amended to read:

647 320.27 Motor vehicle dealers.--

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

649 (b) The department may deny, suspend, or revoke any
 650 license issued hereunder or under the provisions of s. 320.77 or
 651 s. 320.771 upon proof that a licensee has committed, with
 652 sufficient frequency so as to establish a pattern of wrongdoing
 653 on the part of a licensee, violations of one or more of the
 654 following activities:

655 1. Representation that a demonstrator is a new motor
 656 vehicle, or the attempt to sell or the sale of a demonstrator as
 657 a new motor vehicle without written notice to the purchaser that
 658 the vehicle is a demonstrator. For the purposes of this section,
 659 a "demonstrator," a "new motor vehicle," and a "used motor
 660 vehicle" shall be defined as under s. 320.60.

661 2. Unjustifiable refusal to comply with a licensee's
 662 responsibility under the terms of the new motor vehicle warranty
 663 issued by its respective manufacturer, distributor, or importer.
 664 However, if such refusal is at the direction of the
 665 manufacturer, distributor, or importer, such refusal shall not
 666 be a ground under this section.

667 3. Misrepresentation or false, deceptive, or misleading
 668 statements with regard to the sale or financing of motor
 669 vehicles which any motor vehicle dealer has, or causes to have,
 670 advertised, printed, displayed, published, distributed,
 671 broadcast, televised, or made in any manner with regard to the
 672 sale or financing of motor vehicles.

673 4. Failure by any motor vehicle dealer to provide a
674 customer or purchaser with an odometer disclosure statement and
675 a copy of any bona fide written, executed sales contract or
676 agreement of purchase connected with the purchase of the motor
677 vehicle purchased by the customer or purchaser.

678 5. Failure of any motor vehicle dealer to comply with the
679 terms of any bona fide written, executed agreement, pursuant to
680 the sale of a motor vehicle.

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

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

685 8. Failure to continually meet the requirements of the
686 licensure law.

687 9. Representation to a customer or any advertisement to
688 the public representing or suggesting that a motor vehicle is a
689 new motor vehicle if such vehicle lawfully cannot be titled in
690 the name of the customer or other member of the public by the
691 seller using a manufacturer's statement of origin as permitted
692 in s. 319.23(1).

693 10. Requirement by any motor vehicle dealer that a
694 customer or purchaser accept equipment on his or her motor
695 vehicle which was not ordered by the customer or purchaser.

696 11. Requirement by any motor vehicle dealer that any
697 customer or purchaser finance a motor vehicle with a specific
698 financial institution or company.

699 12. Requirement by any motor vehicle dealer that the
700 purchaser of a motor vehicle contract with the dealer for

701 physical damage insurance.

702 13. Perpetration of a fraud upon any person as a result of
 703 dealing in motor vehicles, including, without limitation, the
 704 misrepresentation to any person by the licensee of the
 705 licensee's relationship to any manufacturer, importer, or
 706 distributor.

707 14. Violation of any of the provisions of s. 319.35 by any
 708 motor vehicle dealer.

709 15. Sale by a motor vehicle dealer of a vehicle offered in
 710 trade by a customer prior to consummation of the sale, exchange,
 711 or transfer of a newly acquired vehicle to the customer, unless
 712 the customer provides written authorization for the sale of the
 713 trade-in vehicle prior to delivery of the newly acquired
 714 vehicle.

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

717 17. Violation of chapter 319, this chapter, or ss.
 718 559.901-559.9221, which has to do with dealing in or repairing
 719 motor vehicles or mobile homes. Additionally, in the case of
 720 used motor vehicles, the willful violation of the federal law
 721 and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to
 722 the consumer sales window form.

723 18. Failure to maintain evidence of notification to the
 724 owner or coowner of a vehicle regarding registration or titling
 725 fees owed as required in s. 320.02(16)~~(17)~~.

726 19. Failure to register a mobile home salesperson with the
 727 department as required by this section.

728 Section 21. Subsections (10) through (44) of section

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729 322.01, Florida Statutes, are renumbered as subsections (11)
 730 through (45), respectively, present subsections (10), (23), and
 731 (29) are amended, and a new subsection (10) is added to that
 732 section, to read:

733 322.01 Definitions.--As used in this chapter:

734 (10) "Convenience service" means any means whereby an
 735 individual conducts a transaction with the department other than
 736 in person.

737 (11)~~(10)~~ (a) "Conviction" means a conviction of an offense
 738 relating to the operation of motor vehicles on highways which is
 739 a violation of this chapter or any other such law of this state
 740 or any other state, including an admission or determination of a
 741 noncriminal traffic infraction pursuant to s. 318.14, or a
 742 judicial disposition of an offense committed under any federal
 743 law substantially conforming to the aforesaid state statutory
 744 provisions.

745 (b) Notwithstanding any other provisions of this chapter,
 746 the definition of "conviction" provided in 49 C.F.R. part 383.5
 747 applies to offenses committed in a commercial motor vehicle or
 748 by a person holding a commercial driver's license.

749 (24)~~(23)~~ "Hazardous materials" means any material that has
 750 been designated as hazardous under 49 U.S.C. s. 5103 and is
 751 required to be placarded under subpart F of 49 C.F.R. part 172
 752 or any quantity of a material listed as a select agent or toxin
 753 in 42 C.F.R. part 73 has the meaning such term has under s. 103
 754 of the Hazardous Materials Transportation Act.

755 (30)~~(29)~~ "Out-of-service order" means a prohibition issued
 756 by an authorized local, state, or Federal Government official

757 which precludes a person from driving a commercial motor vehicle
 758 ~~for a period of 72 hours or less.~~

759 Section 22. Subsection (1) of section 322.03, Florida
 760 Statutes, is amended to read:

761 322.03 Drivers must be licensed; penalties.--

762 (1) Except as otherwise authorized in this chapter, a
 763 person may not drive any motor vehicle upon a highway in this
 764 state unless such person has a valid driver's license under the
 765 provisions of this chapter.

766 (a) A person who drives a commercial motor vehicle shall
 767 not receive a driver's license unless and until he or she
 768 surrenders to the department all driver's licenses in his or her
 769 possession issued to him or her by any other jurisdiction or
 770 makes an affidavit that he or she does not possess a driver's
 771 license. Any such person who fails to surrender such licenses or
 772 who makes a false affidavit concerning such licenses is guilty
 773 of a misdemeanor of the first degree, punishable as provided in
 774 s. 775.082 or s. 775.083.

775 (b) ~~A person who does not drive a commercial motor vehicle~~
 776 ~~is not required to surrender a license issued by another~~
 777 ~~jurisdiction, upon a showing to the department that such license~~
 778 ~~is necessary because of employment or part time residence. Any~~
 779 ~~person who retains a driver's license because of employment or~~
 780 ~~part time residence shall, upon qualifying for a license in this~~
 781 ~~state, be issued a driver's license which shall be valid within~~
 782 ~~this state only.~~ All surrendered licenses may be returned by the
 783 department to the issuing jurisdiction together with information
 784 that the licensee is now licensed in a new jurisdiction or may

785 be destroyed by the department, which shall notify the issuing
 786 jurisdiction of such destruction. A person may not have more
 787 than one valid ~~Florida~~ driver's license at any time.

788 (c) Part-time residents issued a license pursuant to
 789 paragraph (b) may continue to hold such license until the next
 790 regularly scheduled renewal. Licenses that are identified as
 791 "Valid in Florida only" may not be issued or renewed effective
 792 July 1, 2009. This paragraph expires June 30, 2017.

793 Section 23. Subsections (1) and (2) of section 322.051,
 794 Florida Statutes, are amended to read:

795 322.051 Identification cards.--

796 (1) Any person who is 5 years of age or older, or any
 797 person who has a disability, regardless of age, who applies for
 798 a disabled parking permit under s. 320.0848, may be issued an
 799 identification card by the department upon completion of an
 800 application and payment of an application fee.

801 (a) Each such application shall include the following
 802 information regarding the applicant:

803 1. Full name (first, middle or maiden, and last), gender,
 804 proof of social security card number satisfactory to the
 805 department, county of residence, ~~and~~ mailing address, proof of
 806 residential address satisfactory to the department, country of
 807 birth, and a brief description.

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

809 3. Proof of identity satisfactory to the department. Such
 810 proof must include one of the following documents issued to the
 811 applicant:

812 a. A driver's license record or identification card record

813 from another jurisdiction that required the applicant to submit
 814 a document for identification which is substantially similar to
 815 a document required under sub-subparagraph b., sub-subparagraph
 816 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
 817 f., ~~or~~ sub-subparagraph g., or sub-subparagraph h.;

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

819 c. A valid, unexpired United States passport;

820 d. A naturalization certificate issued by the United
 821 States Department of Homeland Security;

822 e. A valid, unexpired ~~An~~ alien registration receipt card
 823 (green card);

824 f. A Consular Report of Birth Abroad provided by the
 825 United States Department of State;

826 ~~g.~~ An unexpired employment authorization card issued by
 827 the United States Department of Homeland Security; or

828 ~~h.~~ g. Proof of nonimmigrant classification provided by the
 829 United States Department of Homeland Security, for an original
 830 identification card. In order to prove such nonimmigrant
 831 classification, applicants may produce but are not limited to
 832 the following documents:

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

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

837 (III) Notice of the approval of an application for
 838 adjustment of status issued by the United States Bureau of
 839 Citizenship and Immigration Services.

840 (IV) Any official documentation confirming the filing of a

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841 petition for asylum or refugee status or any other relief issued
842 by the United States Bureau of Citizenship and Immigration
843 Services.

844 (V) Notice of action transferring any pending matter from
845 another jurisdiction to Florida, issued by the United States
846 Bureau of Citizenship and Immigration Services.

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

850 (VII) Evidence that an application is pending for
851 adjustment of status to that of an alien lawfully admitted for
852 permanent residence in the United States or conditional
853 permanent resident status in the United States, if a visa number
854 is available having a current priority date for processing by
855 the United States Bureau of Citizenship and Immigration
856 Services.

857 (VIII) On or after January 1, 2010, an unexpired foreign
858 passport with an unexpired United States Visa affixed,
859 accompanied by an approved I-94, documenting the most recent
860 admittance into the United States.

861
862 Presentation of any of the documents described in sub-
863 subparagraph g. ~~f.~~ or sub-subparagraph h. ~~g.~~ entitles the
864 applicant to an identification card for a period not to exceed
865 the expiration date of the document presented or 1 year,
866 whichever first occurs.

867 (b) An application for an identification card must be
868 signed and verified by the applicant in a format designated by

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869 the department before a person authorized to administer oaths
870 and payment of the applicable fee pursuant to s. 322.21. ~~The fee~~
871 ~~for an identification card is \$3, including payment for the~~
872 ~~color photograph or digital image of the applicant.~~

873 (c) Each such applicant may include fingerprints and any
874 other unique biometric means of identity.

875 (2)(a) Every identification card:

876 1. Issued to a person 5 years of age to 14 years of age
877 shall expire, unless canceled earlier, on the fourth birthday of
878 the applicant following the date of original issue.

879 2. Issued to a person 15 years of age and older shall
880 expire, unless canceled earlier, on the eighth birthday of the
881 applicant following the date of original issue.

882
883 Renewal of an identification card shall be made for the
884 applicable term enumerated in this paragraph. ~~However, if an~~
885 ~~individual is 60 years of age or older, and has an~~
886 ~~identification card issued under this section, the card shall~~
887 ~~not expire unless done so by cancellation by the department or~~
888 ~~by the death of the cardholder. Renewal of any identification~~
889 ~~card shall be made for a term which shall expire on the fourth~~
890 ~~birthday of the applicant following expiration of the~~
891 ~~identification card renewed, unless surrendered earlier. Any~~
892 ~~application for renewal received later than 90 days after~~
893 ~~expiration of the identification card shall be considered the~~
894 ~~same as an application for an original identification card. The~~
895 ~~renewal fee for an identification card shall be \$10, of which \$4~~
896 ~~shall be deposited into the General Revenue Fund and \$6 into the~~

897 ~~Highway Safety Operating Trust Fund. The department shall, at~~
 898 ~~the end of 4 years and 6 months after the issuance or renewal of~~
 899 ~~an identification card, destroy any record of the card if it has~~
 900 ~~expired and has not been renewed, unless the cardholder is 60~~
 901 ~~years of age or older.~~

902 (b) Notwithstanding any other provision of this chapter,
 903 if an applicant establishes his or her identity for an
 904 identification card using a document authorized under sub-
 905 subparagraph (1)(a)3.e., the identification card shall expire on
 906 the eighth ~~fourth~~ birthday of the applicant following the date
 907 of original issue or upon first renewal or duplicate issued
 908 after implementation of this section. After an initial showing
 909 of such documentation, he or she is exempted from having to
 910 renew or obtain a duplicate in person.

911 (c) Notwithstanding any other provisions of this chapter,
 912 if an applicant establishes his or her identity for an
 913 identification card using an identification document authorized
 914 under sub-subparagraph (1)(a)3.g. ~~(1)(a)3.f.~~ or sub-subparagraph
 915 (1)(a)3.h. ~~(1)(a)3.g.~~, the identification card shall expire 1
 916 year ~~2 years~~ after the date of issuance or upon the expiration
 917 date cited on the United States Department of Homeland Security
 918 documents, whichever date first occurs, and may not be renewed
 919 or obtain a duplicate except in person.

920 Section 24. Subsections (1), (2), and (6) of section
 921 322.08, Florida Statutes, are amended to read:

922 322.08 Application for license.--

923 (1) Each application for a driver's license shall be made
 924 in a format designated by the department and sworn to or

925 affirmed by the applicant as to the truth of the statements made
 926 in the application.

927 (2) Each such application shall include the following
 928 information regarding the applicant:

929 (a) Full name (first, middle or maiden, and last), gender,
 930 proof of social security card number satisfactory to the
 931 department, county of residence, ~~and~~ mailing address, proof of
 932 residential address satisfactory to the department, country of
 933 birth, and a brief description.

934 (b) Proof of birth date satisfactory to the department.

935 (c) Proof of identity satisfactory to the department. Such
 936 proof must include one of the following documents issued to the
 937 applicant:

938 1. A driver's license record or identification card record
 939 from another jurisdiction that required the applicant to submit
 940 a document for identification which is substantially similar to
 941 a document required under subparagraph 2., subparagraph 3.,
 942 subparagraph 4., subparagraph 5., subparagraph 6., ~~or~~
 943 subparagraph 7., or subparagraph 8.;

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

945 3. A valid, unexpired United States passport;

946 4. A naturalization certificate issued by the United
 947 States Department of Homeland Security;

948 5. A valid, unexpired ~~An~~ alien registration receipt card
 949 (green card);

950 6. A Consular Report of Birth Abroad provided by the
 951 United States Department of State;

952 ~~7.6-~~ An unexpired employment authorization card issued by

953 the United States Department of Homeland Security; or
 954 ~~8.7-~~ Proof of nonimmigrant classification provided by the
 955 United States Department of Homeland Security, for an original
 956 driver's license. In order to prove nonimmigrant classification,
 957 an applicant may produce the following documents, including, but
 958 not limited to:

959 a. A notice of hearing from an immigration court
 960 scheduling a hearing on any proceeding.

961 b. A notice from the Board of Immigration Appeals
 962 acknowledging pendency of an appeal.

963 c. A notice of the approval of an application for
 964 adjustment of status issued by the United States Bureau of
 965 Citizenship and Immigration Services.

966 d. Any official documentation confirming the filing of a
 967 petition for asylum or refugee status or any other relief issued
 968 by the United States Bureau of Citizenship and Immigration
 969 Services.

970 e. A notice of action transferring any pending matter from
 971 another jurisdiction to this state issued by the United States
 972 Bureau of Citizenship and Immigration Services.

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

976 g. Evidence that an application is pending for adjustment
 977 of status to that of an alien lawfully admitted for permanent
 978 residence in the United States or conditional permanent resident
 979 status in the United States, if a visa number is available
 980 having a current priority date for processing by the United

981 States Bureau of Citizenship and Immigration Services.

982 h. On or after January 1, 2010, an unexpired foreign
 983 passport with an unexpired United States Visa affixed,
 984 accompanied by an approved I-94, documenting the most recent
 985 admittance into the United States.

986
 987 Presentation of any of the documents in subparagraph 7. 6- or
 988 subparagraph 8. 7- entitles the applicant to a driver's license
 989 or temporary permit for a period not to exceed the expiration
 990 date of the document presented or 1 year, whichever occurs
 991 first.

992 (d) Whether the applicant has previously been licensed to
 993 drive, and, if so, when and by what state, and whether any such
 994 license or driving privilege has ever been disqualified,
 995 revoked, or suspended, or whether an application has ever been
 996 refused, and, if so, the date of and reason for such
 997 disqualification, suspension, revocation, or refusal.

998 (e) Each such application may include fingerprints and
 999 other unique biometric means of identity.

1000 (6) The application form for a driver's license or
 1001 duplicate thereof shall include language permitting the
 1002 following:

1003 ~~(a) A voluntary contribution of \$5 per applicant, which~~
 1004 ~~contribution shall be transferred into the Election Campaign~~
 1005 ~~Financing Trust Fund.~~

1006 (a) ~~(b)~~ A voluntary contribution of \$1 per applicant, which
 1007 contribution shall be deposited into the Florida Organ and
 1008 Tissue Donor Education and Procurement Trust Fund for organ and

1009 tissue donor education and for maintaining the organ and tissue
 1010 donor registry.

1011 (b)~~(e)~~ A voluntary contribution of \$1 per applicant, which
 1012 contribution shall be distributed to the Florida Council of the
 1013 Blind.

1014 (c)~~(d)~~ A voluntary contribution of \$2 per applicant, which
 1015 shall be distributed to the Hearing Research Institute,
 1016 Incorporated.

1017 (d)~~(e)~~ A voluntary contribution of \$1 per applicant, which
 1018 shall be distributed to the Juvenile Diabetes Foundation
 1019 International.

1020 (e)~~(f)~~ A voluntary contribution of \$1 per applicant, which
 1021 shall be distributed to the Children's Hearing Help Fund.

1022
 1023 A statement providing an explanation of the purpose of the trust
 1024 funds shall also be included. For the purpose of applying the
 1025 service charge provided in s. 215.20, contributions received
 1026 under paragraphs (b), (c), (d), and (e) ~~(e), (d), (e), and (f)~~
 1027 and under s. 322.18(9)(a) are not income of a revenue nature.

1028 Section 25. Paragraph (a) of subsection (1) of section
 1029 322.14, Florida Statutes, is amended to read:

1030 322.14 Licenses issued to drivers.--

1031 (1)(a) The department shall, upon successful completion of
 1032 all required examinations and payment of the required fee, issue
 1033 to every applicant qualifying therefor, a driver's license as
 1034 applied for, which license shall bear thereon a color photograph
 1035 or digital image of the licensee; the name of the state; a
 1036 distinguishing number assigned to the licensee; and the

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1037 licensee's full name, date of birth, and residence ~~mailing~~
 1038 address; a brief description of the licensee, including, but not
 1039 limited to, the licensee's gender and height; and the dates of
 1040 issuance and expiration of the license. A space shall be
 1041 provided upon which the licensee shall affix his or her usual
 1042 signature. No license shall be valid until it has been so signed
 1043 by the licensee except that the signature of said licensee shall
 1044 not be required if it appears thereon in facsimile or if the
 1045 licensee is not present within the state at the time of
 1046 issuance. Applicants qualifying to receive a Class A, Class B,
 1047 or Class C driver's license must appear in person within the
 1048 state for issuance of a color photographic or digital imaged
 1049 driver's license pursuant to s. 322.142.

1050 Section 26. Section 322.15, Florida Statutes, is amended
 1051 to read:

1052 322.15 License to be carried and exhibited on demand;
 1053 fingerprint to be imprinted upon a citation.--

1054 (1) Every licensee shall have his or her driver's license,
 1055 which must be fully legible with no portion of such license
 1056 faded, altered, mutilated, or defaced, in his or her immediate
 1057 possession at all times when operating a motor vehicle and shall
 1058 display the same upon the demand of a law enforcement officer or
 1059 an authorized representative of the department.

1060 (2) Upon the failure of any person to display a driver's
 1061 license as required by subsection (1), the law enforcement
 1062 officer or authorized representative of the department stopping
 1063 the person shall require the person to imprint his or her
 1064 fingerprints ~~fingerprint~~ upon any citation issued by the officer

1065 or authorized representative, or the officer or authorized
 1066 representative shall collect the fingerprints electronically.

1067 (3) In relation to violations of subsection (1) or s.
 1068 322.03(5), persons who cannot supply proof of a valid driver's
 1069 license for the reason that the license was suspended for
 1070 failure to comply with that citation shall be issued a
 1071 suspension clearance by the clerk of the court for that citation
 1072 upon payment of the applicable penalty and fee for that
 1073 citation. If proof of a valid driver's license is not provided
 1074 to the clerk of the court within 30 days, the person's driver's
 1075 license shall again be suspended for failure to comply.

1076 (4) A violation of subsection (1) is a noncriminal traffic
 1077 infraction, punishable as a nonmoving violation as provided in
 1078 chapter 318.

1079 Section 27. Section 322.17, Florida Statutes, is amended
 1080 to read:

1081 322.17 Duplicate and replacement certificates.--

1082 (1)(a) In the event that an instruction permit or driver's
 1083 license issued under the provisions of this chapter is lost or
 1084 destroyed, the person to whom the same was issued may, upon
 1085 payment of the appropriate fee pursuant to s. 322.21 ~~\$10~~, obtain
 1086 a replacement ~~duplicate, or substitute thereof~~, upon furnishing
 1087 proof satisfactory to the department that such permit or license
 1088 has been lost or destroyed, and further furnishing the full
 1089 name, date of birth, sex, residence and mailing address, proof
 1090 of birth satisfactory to the department, and proof of identity
 1091 satisfactory to the department. ~~Five dollars of the fee levied~~
 1092 ~~in this paragraph shall go to the Highway Safety Operating Trust~~

1093 ~~Fund of the department.~~

1094 (b) In the event that an instruction permit or driver's
 1095 license issued under the provisions of this chapter is stolen,
 1096 the person to whom the same was issued may, at no charge, obtain
 1097 a replacement duplicate, ~~or substitute thereof~~, upon furnishing
 1098 proof satisfactory to the department that such permit or license
 1099 was stolen and further furnishing the full name, date of birth,
 1100 sex, residence and mailing address, proof of birth satisfactory
 1101 to the department, and proof of identity satisfactory to the
 1102 department.

1103 (2) Upon the surrender of the original license and the
 1104 payment of the appropriate fees pursuant to s. 322.21 ~~a \$10~~
 1105 ~~replacement fee~~, the department shall issue a replacement
 1106 license to make a change in name, address, or restrictions. ~~Upon~~
 1107 ~~written request by the licensee and notification of a change in~~
 1108 ~~address, and the payment of a \$10 fee, the department shall~~
 1109 ~~issue an address sticker which shall be affixed to the back of~~
 1110 ~~the license by the licensee. Nine dollars of the fee levied in~~
 1111 ~~this subsection shall go to the Highway Safety Operating Trust~~
 1112 ~~Fund of the department.~~

1113 (3) Notwithstanding any other provisions of this chapter,
 1114 if a licensee establishes his or her identity for a driver's
 1115 license using an identification document authorized under s.
 1116 322.08(2)(c) 7.6 ~~or 8.7~~, the licensee may not obtain a
 1117 duplicate or replacement instruction permit or driver's license
 1118 except in person and upon submission of an identification
 1119 document authorized under s. 322.08(2)(c) 7.6 ~~or 8.7~~.

1120 Section 28. Subsections (2), (4), (5), (8), and (9) of

1121 section 322.18, Florida Statutes, are amended to read:

1122 322.18 Original applications, licenses, and renewals;
 1123 expiration of licenses; delinquent licenses.--

1124 (2) Each applicant who is entitled to the issuance of a
 1125 driver's license, as provided in this section, shall be issued a
 1126 driver's license, as follows:

1127 (a) An applicant who has not attained 80 years of age
 1128 applying for an original issuance shall be issued a driver's
 1129 license that ~~which~~ expires at midnight on the licensee's
 1130 birthday which next occurs on or after the eighth ~~sixth~~
 1131 anniversary of the date of issue. An applicant who is at least
 1132 80 years of age applying for an original issuance shall be
 1133 issued a driver's license that expires at midnight on the
 1134 licensee's birthday that next occurs on or after the sixth
 1135 anniversary of the date of issue.

1136 (b) An applicant who has not attained 80 years of age
 1137 applying for a renewal issuance ~~or renewal extension~~ shall be
 1138 issued a driver's license that ~~or renewal extension sticker~~
 1139 ~~which~~ expires at midnight on the licensee's birthday that ~~which~~
 1140 next occurs 8 ~~4~~ years after the month of expiration of the
 1141 license being renewed. An applicant who is at least 80 years of
 1142 age applying for a renewal issuance shall be issued a driver's
 1143 license that, ~~except that a driver whose driving record reflects~~
 1144 ~~no convictions for the preceding 3 years shall be issued a~~
 1145 ~~driver's license or renewal extension sticker which expires at~~
 1146 ~~midnight on the licensee's birthday that~~ ~~which~~ next occurs 6
 1147 years after the month of expiration of the license being
 1148 renewed.

1149 (c) Notwithstanding any other provision of this chapter,
 1150 if an applicant establishes his or her identity for a driver's
 1151 license using a document authorized under s. 322.08(2)(c)5., the
 1152 driver's license shall expire in accordance with paragraph (b).
 1153 After an initial showing of such documentation, he or she is
 1154 exempted from having to renew or obtain a duplicate in person.

1155 (d) Notwithstanding any other provision of this chapter,
 1156 if an applicant establishes his or her identity for a driver's
 1157 license using a document authorized in s. 322.08(2)(c)~~7.6-~~ or
 1158 8.7-, the driver's license shall expire 1 year ~~2 years~~ after the
 1159 date of issuance or upon the expiration date cited on the United
 1160 States Department of Homeland Security documents, whichever date
 1161 first occurs.

1162 (e) Notwithstanding any other provision of this chapter,
 1163 an applicant applying for an original or renewal issuance of a
 1164 commercial driver's license as defined in s. 322.01(7), with a
 1165 hazardous-materials endorsement, pursuant to s. 322.57(1)(e),
 1166 shall be issued a driver's license that expires at midnight on
 1167 the licensee's birthday that next occurs 4 years after the month
 1168 of expiration of the license being issued or renewed.

1169 (4)(a) Except as otherwise provided in this chapter, all
 1170 licenses shall be renewable every 8 ~~4~~ years ~~or 6 years,~~
 1171 ~~depending upon the terms of issuance~~ and shall be issued or
 1172 renewed ~~extended~~ upon application, payment of the fees required
 1173 by s. 322.21, and successful passage of any required
 1174 examination, unless the department has reason to believe that
 1175 the licensee is no longer qualified to receive a license.

1176 (b) Notwithstanding any other provision of this chapter,

1177 | if an applicant establishes his or her identity for a driver's
 1178 | license using a document authorized under s. 322.08(2)(c)5., the
 1179 | license, upon an initial showing of such documentation, is
 1180 | exempted from having to renew or obtain a duplicate in person,
 1181 | unless the renewal or duplication coincides with the periodic
 1182 | reexamination of a driver as required pursuant to s. 322.121.

1183 | (c) Notwithstanding any other provision of this chapter,
 1184 | if a licensee establishes his or her identity for a driver's
 1185 | license using an identification document authorized under s.
 1186 | 322.08(2)(c)~~7.6.~~ or ~~8.7.~~, the licensee may not renew the
 1187 | driver's license except in person and upon submission of an
 1188 | identification document authorized under s. 322.08(2)(c)~~7.6.~~ or
 1189 | ~~8.7.~~ A driver's license renewed under this paragraph expires 1
 1190 | year ~~4 years~~ after the date of issuance or upon the expiration
 1191 | date cited on the United States Department of Homeland Security
 1192 | documents, whichever date first occurs.

1193 | (5) All renewal driver's licenses may be issued after the
 1194 | applicant licensee has been determined to be eligible by the
 1195 | department.

1196 | (a) A licensee who is otherwise eligible for renewal and
 1197 | who is at least 80 ~~over 79~~ years of age:

1198 | 1. Must submit to and pass a vision test administered at
 1199 | any driver's license office; or

1200 | 2. If the licensee applies for a renewal using a
 1201 | convenience service ~~an extension by mail~~ as provided in
 1202 | subsection (8), he or she must submit to a vision test
 1203 | administered by a physician licensed under chapter 458 or
 1204 | chapter 459, or an optometrist licensed under chapter 463, must

1205 send the results of that test to the department on a form
 1206 obtained from the department and signed by such health care
 1207 practitioner, and must meet vision standards that are equivalent
 1208 to the standards for passing the departmental vision test. The
 1209 physician or optometrist may submit the results of a vision test
 1210 by a department-approved electronic means.

1211 (b) A licensee who is at least 80 ~~over 79~~ years of age may
 1212 not submit an application for renewal ~~extension~~ under subsection
 1213 (8) by a convenience service ~~electronic or telephonic means~~,
 1214 unless the results of a vision test have been electronically
 1215 submitted in advance by the physician or optometrist.

1216 (8) The department shall issue 8-year renewals using a
 1217 convenience service ~~4-year and 6-year license extensions by~~
 1218 ~~mail, electronic, or telephonic means~~ without reexamination to
 1219 drivers who have not attained 80 years of age. The department
 1220 shall issue 6-year renewals using a convenience service when the
 1221 applicant has satisfied the requirements of subsection (5).

1222 (a) If the department determines from its records that the
 1223 holder of a license about to expire is eligible for renewal, the
 1224 department shall mail a renewal notice to the licensee at his or
 1225 her last known address, not less than 30 days prior to the
 1226 licensee's birthday. The renewal notice shall direct the
 1227 licensee to appear at a driver license office for in-person
 1228 renewal or to transmit the completed renewal notice and the fees
 1229 required by s. 322.21 to the department using a convenience
 1230 service ~~by mail, electronically, or telephonically within the 30~~
 1231 ~~days preceding the licensee's birthday for a license extension.~~
 1232 ~~License extensions shall not be available to drivers directed to~~

1233 ~~appear for in person renewal.~~

1234 (b) Upon receipt of a properly completed renewal notice,
 1235 payment of the required fees, and upon determining that the
 1236 licensee is still eligible for renewal, the department shall
 1237 send a new license extension sticker to the licensee ~~to affix to~~
 1238 ~~the expiring license~~ as evidence that the license term has been
 1239 extended.

1240 (c) The department shall issue one renewal using a
 1241 convenience service license extensions ~~for two consecutive~~
 1242 ~~license expirations only.~~ Upon expiration of two consecutive
 1243 ~~license extension periods, in person renewal with reexamination~~
 1244 ~~as provided in s. 322.121 shall be required.~~ A person who is out
 1245 of this state when his or her license expires may be issued a
 1246 90-day temporary driving permit without reexamination. At the
 1247 end of the 90-day period, the person must either return to this
 1248 state or apply for a license where the person is located, except
 1249 for a member of the Armed Forces as provided in s. 322.121(6).

1250 ~~(d) In person renewal at a driver license office shall not~~
 1251 ~~be available to drivers whose records indicate they were~~
 1252 ~~directed to apply for a license extension.~~

1253 (d) ~~(e)~~ Any person who knowingly possesses any forged,
 1254 stolen, fictitious, counterfeit, or unlawfully issued license
 1255 extension sticker, unless possession by such person has been
 1256 duly authorized by the department, commits a misdemeanor of the
 1257 second degree, punishable as provided in s. 775.082 or s.
 1258 775.083.

1259 (e) ~~(f)~~ The department shall develop a plan for the
 1260 equitable distribution of license ~~extensions and~~ renewals and

1261 the orderly implementation of this section.

1262 (9)(a) The application form for a renewal issuance ~~or~~
 1263 ~~renewal extension~~ shall include language permitting a voluntary
 1264 contribution of \$1 per applicant, to be quarterly distributed by
 1265 the department to Prevent Blindness Florida, a not-for-profit
 1266 organization, to prevent blindness and preserve the sight of the
 1267 residents of this state. A statement providing an explanation of
 1268 the purpose of the funds shall be included with the application
 1269 form.

1270 (b) Prior to the department distributing the funds
 1271 collected pursuant to paragraph (a), Prevent Blindness Florida
 1272 must submit a report to the department that identifies how such
 1273 funds were used during the preceding year.

1274 Section 29. Subsection (4) of section 322.181, Florida
 1275 Statutes, is repealed.

1276 Section 30. Subsections (2) and (4) of section 322.19,
 1277 Florida Statutes, are amended to read:

1278 322.19 Change of address or name.--

1279 (2) Whenever any person, after applying for or receiving a
 1280 driver's license, changes the residence or mailing address in
 1281 the application or license, the person must, within 10 calendar
 1282 days, ~~either~~ obtain a replacement license that reflects the
 1283 change ~~or request in writing a change of address sticker.~~ A The
 1284 written request to the department must include the old and new
 1285 addresses and the driver's license number.

1286 (4) Notwithstanding any other provision of this chapter,
 1287 if a licensee established his or her identity for a driver's
 1288 license using an identification document authorized under s.

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1289 322.08(2)(c) 7.6 or 8.7, the licensee may not change his or her
 1290 name or address except in person and upon submission of an
 1291 identification document authorized under s. 322.08(2)(c) 7.6 or
 1292 8.7.

1293 Section 31. Subsection (1) of section 322.21, Florida
 1294 Statutes, is amended to read:

1295 322.21 License fees; procedure for handling and collecting
 1296 fees.--

1297 (1) Except as otherwise provided herein, the fee for:

1298 (a) An original or renewal commercial driver's license is
 1299 \$67 ~~\$50~~, which shall include the fee for driver education
 1300 provided by s. 1003.48; however, if an applicant has completed
 1301 training and is applying for employment or is currently employed
 1302 in a public or nonpublic school system that requires the
 1303 commercial license, the fee shall be the same as for a Class E
 1304 driver's license. A delinquent fee of \$1 shall be added for a
 1305 renewal made not more than 12 months after the license
 1306 expiration date.

1307 (b) An original Class E driver's license is \$27 ~~\$20~~, which
 1308 shall include the fee for driver's education provided by s.
 1309 1003.48; however, if an applicant has completed training and is
 1310 applying for employment or is currently employed in a public or
 1311 nonpublic school system that requires a commercial driver
 1312 license, the fee shall be the same as for a Class E license.

1313 (c) The renewal or extension of a Class E driver's license
 1314 or of a license restricted to motorcycle use only is \$20 ~~\$15~~,
 1315 except that a delinquent fee of \$1 shall be added for a renewal
 1316 or extension made not more than 12 months after the license

1317 expiration date. The fee provided in this paragraph shall
 1318 include the fee for driver's education provided by s. 1003.48.

1319 (d) An original driver's license restricted to motorcycle
 1320 use only is \$27 ~~\$20~~, which shall include the fee for driver's
 1321 education provided by s. 1003.48.

1322 (e) A replacement driver's license issued pursuant to s.
 1323 322.17 is \$10. Of this amount \$7 shall be deposited into the
 1324 Highway Safety Operating Trust Fund and \$3 shall be deposited
 1325 into the General Revenue Fund.

1326 (f) An original, renewal, or replacement identification
 1327 card issued pursuant to s. 322.051 is \$10. Funds collected from
 1328 these fees shall be distributed as follows:

1329 1. For an original identification card issued pursuant to
 1330 s. 322.051 the fee shall be \$10. This amount shall be deposited
 1331 into the General Revenue Fund.

1332 2. For a renewal identification card issued pursuant to s.
 1333 322.051 the fee shall be \$10. Of this amount, \$6 shall be
 1334 deposited into the Highway Safety Operating Trust Fund and \$4
 1335 shall be deposited into the General Revenue Fund.

1336 3. For a replacement identification card issued pursuant
 1337 to s. 322.051 the fee shall be \$10. Of this amount, \$9 shall be
 1338 deposited into the Highway Safety Operating Trust Fund and \$1
 1339 shall be deposited into the General Revenue Fund.

1340 (g) ~~(e)~~ Each endorsement required by s. 322.57 is \$7 ~~\$5~~.

1341 (h) ~~(f)~~ A hazardous-materials endorsement, as required by
 1342 s. 322.57(1) (d), shall be set by the department by rule and
 1343 shall reflect the cost of the required criminal history check,
 1344 including the cost of the state and federal fingerprint check,

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1345 and the cost to the department of providing and issuing the
 1346 license. The fee shall not exceed \$100. This fee shall be
 1347 deposited in the Highway Safety Operating Trust Fund. The
 1348 department may adopt rules to administer this section.

1349 Section 32. Subsection (3) of section 322.2715, Florida
 1350 Statutes is amended to read:

1351 322.2715 Ignition interlock device.--

1352 (3) If the person is convicted of:

1353 (a) A first offense of driving under the influence under
 1354 s. 316.193 and has an unlawful blood-alcohol level or breath-
 1355 alcohol level as specified in s. 316.193(4), or if a person is
 1356 convicted of a violation of s. 316.193 and was at the time of
 1357 the offense accompanied in the vehicle by a person younger than
 1358 18 years of age, the person shall have the ignition interlock
 1359 device installed for 6 continuous months for the first offense
 1360 and for at least 2 continuous years for a second offense.

1361 (b) A second offense of driving under the influence, the
 1362 ignition interlock device shall be installed for a period of not
 1363 less than 1 continuous year.

1364 (c) A third offense of driving under the influence which
 1365 occurs within 10 years after a prior conviction for a violation
 1366 of s.316.193, the ignition interlock device shall be installed
 1367 for a period of not less than 2 continuous years.

1368 (d) A third offense of driving under the influence which
 1369 occurs more than 10 years after the date of a prior conviction,
 1370 the ignition interlock device shall be installed for a period of
 1371 not less than 2 continuous years.

1372 Section 33. Section 322.291, Florida Statutes is amended

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1373 to read:
 1374 322.291 Driver improvement schools or DUI programs;
 1375 required in certain suspension and revocation cases.--Except as
 1376 provided in s. 322.03(2), any person:
 1377 (1) Whose driving privilege has been revoked:
 1378 (a) Upon conviction for:
 1379 1. Driving, or being in actual physical control of, any
 1380 vehicle while under the influence of alcoholic beverages, any
 1381 chemical substance set forth in s. 877.111, or any substance
 1382 controlled under chapter 893, in violation of s. 316.193;
 1383 2. Driving with an unlawful blood- or breath-alcohol
 1384 level;
 1385 3. Manslaughter resulting from the operation of a motor
 1386 vehicle;
 1387 4. Failure to stop and render aid as required under the
 1388 laws of this state in the event of a motor vehicle crash
 1389 resulting in the death or personal injury of another;
 1390 5. Reckless driving; or
 1391 (b) As a ~~an~~ habitual offender;
 1392 (c) Upon direction of the court, if the court feels that
 1393 the seriousness of the offense and the circumstances surrounding
 1394 the conviction warrant the revocation of the licensee's driving
 1395 privilege; or
 1396 (2) Whose license was suspended under the point system,
 1397 was suspended for driving with an unlawful blood-alcohol level
 1398 of 0.10 percent or higher before January 1, 1994, was suspended
 1399 for driving with an unlawful blood-alcohol level of 0.08 percent
 1400 or higher after December 31, 1993, was suspended for a violation

1401 of s. 316.193(1), or was suspended for refusing to submit to a
 1402 lawful breath, blood, or urine test as provided in s. 322.2615
 1403
 1404 shall, before the driving privilege may be reinstated, present
 1405 to the department proof of enrollment in a department-approved
 1406 advanced driver improvement course operating pursuant to s.
 1407 318.1451 or a substance abuse education course conducted by a
 1408 DUI program licensed pursuant to s. 322.292, which shall include
 1409 a psychosocial evaluation and treatment, if referred.
 1410 Additionally, for a third or subsequent violation of
 1411 requirements for installation of an ignition interlock device, a
 1412 person must complete treatment as determined by a licensed
 1413 treatment agency following a referral by a DUI program and have
 1414 the duration of the ignition interlock device requirement
 1415 extended by at least 1 month up to the time period required to
 1416 complete treatment. If the person fails to complete such course
 1417 or evaluation within 90 days after reinstatement, or
 1418 subsequently fails to complete treatment, if referred, the DUI
 1419 program shall notify the department of the failure. Upon receipt
 1420 of the notice, the department shall cancel the offender's
 1421 driving privilege, notwithstanding the expiration of the
 1422 suspension or revocation of the driving privilege. The
 1423 department may temporarily reinstate the driving privilege upon
 1424 verification from the DUI program that the offender has
 1425 completed the education course and evaluation requirement and
 1426 has reentered and is currently participating in treatment. If
 1427 the DUI program notifies the department of the second failure to
 1428 complete treatment, the department shall reinstate the driving

1429 | privilege only after notice of completion of treatment from the
 1430 | DUI program.

1431 | Section 34. Section 322.36, Florida Statutes, is amended
 1432 | to read:

1433 | 322.36 Permitting unauthorized operator to drive.--A ~~No~~
 1434 | person may not shall authorize or knowingly permit a motor
 1435 | vehicle owned by him or her or under his or her dominion or
 1436 | control to be operated upon any highway or public street except
 1437 | by a person who is ~~persons~~ duly authorized to operate a motor
 1438 | vehicle ~~vehicles under the provisions of~~ this chapter. Any
 1439 | person who violates ~~violating~~ this section commits ~~provision is~~
 1440 | ~~guilty of~~ a misdemeanor of the second degree, punishable as
 1441 | provided in s. 775.082 or s. 775.083. If a person violates this
 1442 | section by knowingly loaning a vehicle to a person whose
 1443 | driver's license is suspended and if that vehicle is involved in
 1444 | an accident resulting in bodily injury or death, the driver's
 1445 | license of the person violating this section shall be suspended
 1446 | for 1 year.

1447 | Section 35. Section 322.60, Florida Statutes, is repealed.

1448 | Section 36. Subsections (1) through (6) of section 322.61,
 1449 | Florida Statutes, are amended to read:

1450 | 322.61 Disqualification from operating a commercial motor
 1451 | vehicle.--

1452 | (1) A person who, for offenses occurring within a 3-year
 1453 | period, is convicted of two of the following serious traffic
 1454 | violations or any combination thereof, arising in separate
 1455 | incidents committed in a commercial motor vehicle shall, in
 1456 | addition to any other applicable penalties, be disqualified from

1457 | operating a commercial motor vehicle for a period of 60 days. A
 1458 | holder of a commercial driver's license ~~person~~ who, for offenses
 1459 | occurring within a 3-year period, is convicted of two of the
 1460 | following serious traffic violations, or any combination
 1461 | thereof, arising in separate incidents committed in a
 1462 | noncommercial motor vehicle shall, in addition to any other
 1463 | applicable penalties, be disqualified from operating a
 1464 | commercial motor vehicle for a period of 60 days if such
 1465 | convictions result in the suspension, revocation, or
 1466 | cancellation of the licenseholder's driving privilege:

1467 | (a) A violation of any state or local law relating to
 1468 | motor vehicle traffic control, other than a parking violation, a
 1469 | weight violation, or a vehicle equipment violation, arising in
 1470 | connection with a crash resulting in death or personal injury to
 1471 | any person;

1472 | (b) Reckless driving, as defined in s. 316.192;

1473 | (c) Careless driving, as defined in s. 316.1925;

1474 | (d) Fleeing or attempting to elude a law enforcement
 1475 | officer, as defined in s. 316.1935;

1476 | (e) Unlawful speed of 15 miles per hour or more above the
 1477 | posted speed limit;

1478 | (f) Driving a commercial motor vehicle, owned by such
 1479 | person, which is not properly insured;

1480 | (g) Improper lane change, as defined in s. 316.085;

1481 | (h) Following too closely, as defined in s. 316.0895;

1482 | (i) Driving a commercial vehicle without obtaining a
 1483 | commercial driver's license;

1484 | (j) Driving a commercial vehicle without the proper class

1485 of commercial driver's license or without the proper
 1486 endorsement; or

1487 (k) Driving a commercial vehicle without a commercial
 1488 driver's license in possession, as required by s. 322.03. Any
 1489 individual who provides proof to the clerk of the court or
 1490 designated official in the jurisdiction where the citation was
 1491 issued, by the date the individual must appear in court or pay
 1492 any fine for such a violation, that the individual held a valid
 1493 commercial driver's license on the date the citation was issued
 1494 is not guilty of this offense.

1495 (2) (a) Any person who, for offenses occurring within a 3-
 1496 year period, is convicted of three serious traffic violations
 1497 specified in subsection (1) or any combination thereof, arising
 1498 in separate incidents committed in a commercial motor vehicle
 1499 shall, in addition to any other applicable penalties, including
 1500 but not limited to the penalty provided in subsection (1), be
 1501 disqualified from operating a commercial motor vehicle for a
 1502 period of 120 days.

1503 (b) A holder of a commercial driver's license ~~person~~ who,
 1504 for offenses occurring within a 3-year period, is convicted of
 1505 three serious traffic violations specified in subsection (1) or
 1506 any combination thereof arising in separate incidents committed
 1507 in a noncommercial motor vehicle shall, in addition to any other
 1508 applicable penalties, including, but not limited to, the penalty
 1509 provided in subsection (1), be disqualified from operating a
 1510 commercial motor vehicle for a period of 120 days if such
 1511 convictions result in the suspension, revocation, or
 1512 cancellation of the licenseholder's driving privilege.

1513 (3) (a) Except as provided in subsection (4), any person
 1514 who is convicted of one of the ~~following~~ offenses listed in
 1515 paragraph (b) while operating a commercial motor vehicle shall,
 1516 in addition to any other applicable penalties, be disqualified
 1517 from operating a commercial motor vehicle for a period of 1
 1518 year:

1519 (b) Except as provided in subsection (4), any holder of a
 1520 commercial driver's license who is convicted of one of the
 1521 offenses listed in this paragraph while operating a
 1522 noncommercial motor vehicle shall, in addition to any other
 1523 applicable penalties, be disqualified from operating a
 1524 commercial motor vehicle for a period of 1 year:

1525 1.(a) Driving a ~~commercial~~ motor vehicle while he or she
 1526 is under the influence of alcohol or a controlled substance;

1527 2.(b) Driving a commercial motor vehicle while the alcohol
 1528 concentration of his or her blood, breath, or urine is .04
 1529 percent or higher;

1530 3.(e) Leaving the scene of a crash involving a ~~commercial~~
 1531 motor vehicle driven by such person;

1532 4.(d) Using a ~~commercial~~ motor vehicle in the commission
 1533 of a felony;

1534 5.(e) Driving a commercial motor vehicle while in
 1535 possession of a controlled substance;

1536 6.(f) Refusing to submit to a test to determine his or her
 1537 alcohol concentration while driving a ~~commercial~~ motor vehicle;

1538 7.(g) Driving a commercial vehicle while the
 1539 licenseholder's commercial driver's license is suspended,
 1540 revoked, or canceled or while the licenseholder is disqualified

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1541 from driving a commercial vehicle; or

1542 ~~8.(h)~~ Causing a fatality through the negligent operation
1543 of a commercial motor vehicle.

1544 (4) Any person who is transporting hazardous materials as
1545 defined in s. 322.01(24) ~~in a vehicle that is required to be~~
1546 ~~placarded in accordance with Title 49 C.F.R. part 172, subpart F~~
1547 shall, upon conviction of an offense specified in subsection
1548 (3), be disqualified from operating a commercial motor vehicle
1549 for a period of 3 years. The penalty provided in this subsection
1550 shall be in addition to any other applicable penalty.

1551 (5) Any person who is convicted of two violations
1552 specified in subsection (3) which were committed while operating
1553 a commercial motor vehicle, or any combination thereof, arising
1554 in separate incidents shall be permanently disqualified from
1555 operating a commercial motor vehicle. Any holder of a commercial
1556 driver's license who is convicted of two violations specified in
1557 subsection (3) which were committed while operating a
1558 noncommercial motor vehicle, or any combination thereof, arising
1559 in separate incidents shall be permanently disqualified from
1560 operating a commercial motor vehicle. The penalty provided in
1561 this subsection ~~is shall be~~ in addition to any other applicable
1562 penalty.

1563 (6) Notwithstanding subsections (3), (4), and (5), any
1564 person who uses a commercial motor vehicle in the commission of
1565 any felony involving the manufacture, distribution, or
1566 dispensing of a controlled substance, including possession with
1567 intent to manufacture, distribute, or dispense a controlled
1568 substance, shall, upon conviction of such felony, be permanently

1569 disqualified from operating a commercial motor vehicle.
 1570 Notwithstanding subsections (3), (4), and (5), any holder of a
 1571 commercial driver's license who uses a noncommercial motor
 1572 vehicle in the commission of any felony involving the
 1573 manufacture, distribution, or dispensing of a controlled
 1574 substance, including possession with intent to manufacture,
 1575 distribute, or dispense a controlled substance, shall, upon
 1576 conviction of such felony, be permanently disqualified from
 1577 operating a commercial motor vehicle. The penalty provided in
 1578 this subsection is ~~shall be~~ in addition to any other applicable
 1579 penalty.

1580 Section 37. Section 322.64, Florida Statutes, is amended
 1581 to read:

1582 322.64 Holder of commercial driver's license; persons
 1583 operating a commercial motor vehicle; driving with unlawful
 1584 blood-alcohol level; refusal to submit to breath, urine, or
 1585 blood test.--

1586 (1)(a) A law enforcement officer or correctional officer
 1587 shall, on behalf of the department, disqualify from operating
 1588 any commercial motor vehicle a person who while operating or in
 1589 actual physical control of a commercial motor vehicle is
 1590 arrested for a violation of s. 316.193, relating to unlawful
 1591 blood-alcohol level or breath-alcohol level, or a person who has
 1592 refused to submit to a breath, urine, or blood test authorized
 1593 by s. 322.63 arising out of the operation or actual physical
 1594 control of a commercial motor vehicle. A law enforcement officer
 1595 or correctional officer shall, on behalf of the department,
 1596 disqualify the holder of a commercial driver's license from

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1597 operating any commercial motor vehicle if the licenseholder,
1598 while operating or in actual physical control of a motor
1599 vehicle, is arrested for a violation of s. 316.193, relating to
1600 unlawful blood-alcohol level or breath-alcohol level, or refused
1601 to submit to a breath, urine, or blood test authorized by s.
1602 322.63. Upon disqualification of the person, the officer shall
1603 take the person's driver's license and issue the person a 10-day
1604 temporary permit for the operation of noncommercial vehicles
1605 only if the person is otherwise eligible for the driving
1606 privilege and shall issue the person a notice of
1607 disqualification. If the person has been given a blood, breath,
1608 or urine test, the results of which are not available to the
1609 officer at the time of the arrest, the agency employing the
1610 officer shall transmit such results to the department within 5
1611 days after receipt of the results. If the department then
1612 determines that the person ~~was arrested for a violation of s.~~
1613 ~~316.193 and that the person~~ had a blood-alcohol level or breath-
1614 alcohol level of 0.08 or higher, the department shall disqualify
1615 the person from operating a commercial motor vehicle pursuant to
1616 subsection (3).

1617 (b) The disqualification under paragraph (a) shall be
1618 pursuant to, and the notice of disqualification shall inform the
1619 driver of, the following:

1620 1.a. The driver refused to submit to a lawful breath,
1621 blood, or urine test and he or she is disqualified from
1622 operating a commercial motor vehicle for a period of 1 year, for
1623 a first refusal, or permanently, if he or she has previously
1624 been disqualified as a result of a refusal to submit to such a

1625 test; or

1626 b. The driver was driving or in actual physical control of
 1627 a commercial motor vehicle, or any motor vehicle if the driver
 1628 holds a commercial driver's license, had an unlawful blood-
 1629 alcohol level or breath-alcohol level of 0.08 or higher, and his
 1630 or her driving privilege shall be disqualified for a period of 1
 1631 year for a first offense or permanently disqualified if his or
 1632 her driving privilege has been previously disqualified under
 1633 this section. ~~violated s. 316.193 by driving with an unlawful~~
 1634 ~~blood-alcohol level and he or she is disqualified from operating~~
 1635 ~~a commercial motor vehicle for a period of 6 months for a first~~
 1636 ~~offense or for a period of 1 year if he or she has previously~~
 1637 ~~been disqualified, or his or her driving privilege has been~~
 1638 ~~previously suspended, for a violation of s. 316.193.~~

1639 2. The disqualification period for operating commercial
 1640 vehicles shall commence on the date of ~~arrest or~~ issuance of the
 1641 notice of disqualification, ~~whichever is later.~~

1642 3. The driver may request a formal or informal review of
 1643 the disqualification by the department within 10 days after the
 1644 date of ~~arrest or~~ issuance of the notice of disqualification,
 1645 ~~whichever is later.~~

1646 4. The temporary permit issued at the time of ~~arrest or~~
 1647 disqualification expires ~~will expire~~ at midnight of the 10th day
 1648 following the date of disqualification.

1649 5. The driver may submit to the department any materials
 1650 relevant to the disqualification ~~arrest.~~

1651 (2) Except as provided in paragraph (1) (a), the law
 1652 enforcement officer shall forward to the department, within 5

1653 days after the date of the ~~arrest or the~~ issuance of the notice
 1654 of disqualification, ~~whichever is later,~~ a copy of the notice of
 1655 disqualification, the driver's license of the person
 1656 disqualified ~~arrested,~~ and ~~a report of the arrest, including, if~~
 1657 ~~applicable,~~ an affidavit stating the officer's grounds for
 1658 belief that the person disqualified ~~arrested~~ was operating or in
 1659 actual physical control of a commercial motor vehicle, or holds
 1660 a commercial driver's license, and had an unlawful blood-alcohol
 1661 or breath-alcohol level in violation of s. 316.193; the results
 1662 of any breath or blood or urine test or an affidavit stating
 1663 that a breath, blood, or urine test was requested by a law
 1664 enforcement officer or correctional officer and that the person
 1665 arrested refused to submit; a copy of the notice of
 1666 disqualification ~~citation~~ issued to the person ~~arrested;~~ and the
 1667 officer's description of the person's field sobriety test, if
 1668 any. The failure of the officer to submit materials within the
 1669 5-day period specified in this subsection or subsection (1) does
 1670 ~~shall~~ not affect the department's ability to consider any
 1671 evidence submitted at or prior to the hearing. The officer may
 1672 also submit a copy of a videotape of the field sobriety test or
 1673 the attempt to administer such test and a copy of the crash
 1674 report, if any.

1675 (3) If the department determines that the person arrested
 1676 should be disqualified from operating a commercial motor vehicle
 1677 pursuant to this section and if the notice of disqualification
 1678 has not already been served upon the person by a law enforcement
 1679 officer or correctional officer as provided in subsection (1),
 1680 the department shall issue a notice of disqualification and,

1681 unless the notice is mailed pursuant to s. 322.251, a temporary
 1682 permit which expires 10 days after the date of issuance if the
 1683 driver is otherwise eligible.

1684 (4) If the person disqualified ~~arrested~~ requests an
 1685 informal review pursuant to subparagraph (1)(b)3., the
 1686 department shall conduct the informal review by a hearing
 1687 officer employed by the department. Such informal review hearing
 1688 shall consist solely of an examination by the department of the
 1689 materials submitted by a law enforcement officer or correctional
 1690 officer and by the person disqualified ~~arrested~~, and the
 1691 presence of an officer or witness is not required.

1692 (5) After completion of the informal review, notice of the
 1693 department's decision sustaining, amending, or invalidating the
 1694 disqualification must be provided to the person. Such notice
 1695 must be mailed to the person at the last known address shown on
 1696 the department's records, and to the address provided in the law
 1697 enforcement officer's report if such address differs from the
 1698 address of record, within 21 days after the expiration of the
 1699 temporary permit issued pursuant to subsection (1) or subsection
 1700 (3).

1701 (6) (a) If the person disqualified ~~arrested~~ requests a
 1702 formal review, the department must schedule a hearing to be held
 1703 within 30 days after such request is received by the department
 1704 and must notify the person of the date, time, and place of the
 1705 hearing.

1706 (b) Such formal review hearing shall be held before a
 1707 hearing officer employed by the department, and the hearing
 1708 officer shall be authorized to administer oaths, examine

1709 witnesses and take testimony, receive relevant evidence, issue
1710 subpoenas for the officers and witnesses identified in documents
1711 as provided in subsection (2), regulate the course and conduct
1712 of the hearing, and make a ruling on the disqualification. The
1713 department and the person disqualified ~~arrested~~ may subpoena
1714 witnesses, and the party requesting the presence of a witness
1715 shall be responsible for the payment of any witness fees. If the
1716 person who requests a formal review hearing fails to appear and
1717 the hearing officer finds such failure to be without just cause,
1718 the right to a formal hearing is waived ~~and the department shall~~
1719 ~~conduct an informal review of the disqualification under~~
1720 ~~subsection (4)~~.

1721 (c) A party may seek enforcement of a subpoena under
1722 paragraph (b) by filing a petition for enforcement in the
1723 circuit court of the judicial circuit in which the person
1724 failing to comply with the subpoena resides. A failure to comply
1725 with an order of the court shall result in a finding of contempt
1726 of court. However, a person shall not be in contempt while a
1727 subpoena is being challenged.

1728 (d) The department must, within 7 days after a formal
1729 review hearing, send notice to the person of the hearing
1730 officer's decision as to whether sufficient cause exists to
1731 sustain, amend, or invalidate the disqualification.

1732 (7) In a formal review hearing under subsection (6) or an
1733 informal review hearing under subsection (4), the hearing
1734 officer shall determine by a preponderance of the evidence
1735 whether sufficient cause exists to sustain, amend, or invalidate
1736 the disqualification. The scope of the review shall be limited

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1737 to the following issues:

1738 (a) If the person was disqualified from operating a
1739 commercial motor vehicle for driving with an unlawful blood-
1740 alcohol level ~~in violation of s. 316.193~~:

1741 1. Whether the arresting law enforcement officer had
1742 probable cause to believe that the person was driving or in
1743 actual physical control of a commercial motor vehicle, or any
1744 motor vehicle if the driver holds a commercial driver's license,
1745 in this state while he or she had any alcohol, chemical
1746 substances, or controlled substances in his or her body.

1747 ~~2. Whether the person was placed under lawful arrest for a~~
1748 ~~violation of s. 316.193.~~

1749 ~~2.3.~~ Whether the person had an unlawful blood-alcohol
1750 level or breath-alcohol level of 0.08 or higher ~~as provided in~~
1751 ~~s. 316.193.~~

1752 (b) If the person was disqualified from operating a
1753 commercial motor vehicle for refusal to submit to a breath,
1754 blood, or urine test:

1755 1. Whether the law enforcement officer had probable cause
1756 to believe that the person was driving or in actual physical
1757 control of a commercial motor vehicle, or any motor vehicle if
1758 the driver holds a commercial driver's license, in this state
1759 while he or she had any alcohol, chemical substances, or
1760 controlled substances in his or her body.

1761 2. Whether the person refused to submit to the test after
1762 being requested to do so by a law enforcement officer or
1763 correctional officer.

1764 3. Whether the person was told that if he or she refused

1765 to submit to such test he or she would be disqualified from
 1766 operating a commercial motor vehicle for a period of 1 year or,
 1767 in the case of a second refusal, permanently.

1768 (8) Based on the determination of the hearing officer
 1769 pursuant to subsection (7) for both informal hearings under
 1770 subsection (4) and formal hearings under subsection (6), the
 1771 department shall:

1772 (a) Sustain the disqualification for a period of 1 year
 1773 for a first refusal, or permanently if such person has been
 1774 previously disqualified from operating a commercial motor
 1775 vehicle as a result of a refusal to submit to such tests. The
 1776 disqualification period commences on the date of the arrest or
 1777 issuance of the notice of disqualification, whichever is later.

1778 (b) Sustain the disqualification:

1779 1. For a period of 1 year if the person was driving or in
 1780 actual physical control of a commercial motor vehicle, or any
 1781 motor vehicle if the driver holds a commercial driver's license,
 1782 and had an unlawful blood-alcohol level or breath-alcohol level
 1783 of 0.08 or higher; or ~~6 months for a violation of s. 316.193 or~~
 1784 ~~for a period of 1 year~~

1785 2. Permanently if the person has been previously
 1786 disqualified from operating a commercial motor vehicle or his or
 1787 her driving privilege has been previously suspended for driving
 1788 or being in actual physical control of a commercial motor
 1789 vehicle, or any motor vehicle if the driver holds a commercial
 1790 driver's license, and had an unlawful blood-alcohol level or
 1791 breath-alcohol level of 0.08 or higher ~~as a result of a~~
 1792 ~~violation of s. 316.193.~~

1793
 1794 The disqualification period commences on the date of the arrest
 1795 or issuance of the notice of disqualification, ~~whichever is~~
 1796 ~~later.~~

1797 (9) A request for a formal review hearing or an informal
 1798 review hearing shall not stay the disqualification. If the
 1799 department fails to schedule the formal review hearing to be
 1800 held within 30 days after receipt of the request therefor, the
 1801 department shall invalidate the disqualification. If the
 1802 scheduled hearing is continued at the department's initiative,
 1803 the department shall issue a temporary driving permit limited to
 1804 noncommercial vehicles which is ~~shall be~~ valid until the hearing
 1805 is conducted if the person is otherwise eligible for the driving
 1806 privilege. Such permit shall not be issued to a person who
 1807 sought and obtained a continuance of the hearing. The permit
 1808 issued under this subsection shall authorize driving for
 1809 business purposes ~~or employment use~~ only.

1810 (10) A person who is disqualified from operating a
 1811 commercial motor vehicle under subsection (1) or subsection (3)
 1812 is eligible for issuance of a license for business or employment
 1813 purposes only under s. 322.271 if the person is otherwise
 1814 eligible for the driving privilege. However, such business or
 1815 employment purposes license shall not authorize the driver to
 1816 operate a commercial motor vehicle.

1817 (11) The formal review hearing may be conducted upon a
 1818 review of the reports of a law enforcement officer or a
 1819 correctional officer, including documents relating to the
 1820 administration of a breath test or blood test or the refusal to

1821 take either test. However, as provided in subsection (6), the
 1822 driver may subpoena the officer or any person who administered
 1823 or analyzed a breath or blood test.

1824 (12) The formal review hearing and the informal review
 1825 hearing are exempt from the provisions of chapter 120. The
 1826 department is authorized to adopt rules for the conduct of
 1827 reviews under this section.

1828 (13) A person may appeal any decision of the department
 1829 sustaining the disqualification from operating a commercial
 1830 motor vehicle by a petition for writ of certiorari to the
 1831 circuit court in the county wherein such person resides or
 1832 wherein a formal or informal review was conducted pursuant to s.
 1833 322.31. However, an appeal shall not stay the disqualification.
 1834 This subsection shall not be construed to provide for a de novo
 1835 appeal.

1836 (14) The decision of the department under this section
 1837 shall not be considered in any trial for a violation of s.
 1838 316.193, s. 322.61, or s. 322.62, nor shall any written
 1839 statement submitted by a person in his or her request for
 1840 departmental review under this section be admissible into
 1841 evidence against him or her in any such trial. The disposition
 1842 of any related criminal proceedings shall not affect a
 1843 disqualification imposed pursuant to this section.

1844 (15) This section does not preclude the suspension of the
 1845 driving privilege pursuant to s. 322.2615. The driving privilege
 1846 of a person who has been disqualified from operating a
 1847 commercial motor vehicle also may be suspended for a violation
 1848 of s. 316.193.

1849 Section 38. Subsection (10) of section 324.021, Florida
 1850 Statutes, is amended to read:

1851 324.021 Definitions; minimum insurance required.--The
 1852 following words and phrases when used in this chapter shall, for
 1853 the purpose of this chapter, have the meanings respectively
 1854 ascribed to them in this section, except in those instances
 1855 where the context clearly indicates a different meaning:

1856 (10) JUDGMENT.--Any judgment becoming ~~which shall have~~
 1857 ~~become~~ final by expiration without appeal of the time within
 1858 which an appeal might have been perfected, or by final
 1859 affirmation on appeal, rendered by a court of competent
 1860 jurisdiction of any state or of the United States upon a cause
 1861 of action arising out of the ownership, maintenance, or use of
 1862 any motor vehicle for damages, including damages for care and
 1863 loss of services because of bodily injury to or death of any
 1864 person, or for damages because of injury to or destruction of
 1865 property, including the loss of use thereof, or upon a cause of
 1866 action on an agreement of settlement for such damage.

1867 Section 39. Subsection (19) of section 501.976, Florida
 1868 Statutes, is amended to read:

1869 501.976 Actionable, unfair, or deceptive acts or
 1870 practices.--It is an unfair or deceptive act or practice,
 1871 actionable under the Florida Deceptive and Unfair Trade
 1872 Practices Act, for a dealer to:

1873 (19) Fail to disclose damage to a new motor vehicle, as
 1874 defined in s. 319.001 (9) ~~(8)~~, of which the dealer had actual
 1875 knowledge, if the dealer's actual cost of repairs exceeds the
 1876 threshold amount, excluding replacement items.

1877
1878 In any civil litigation resulting from a violation of this
1879 section, when evaluating the reasonableness of an award of
1880 attorney's fees to a private person, the trial court shall
1881 consider the amount of actual damages in relation to the time
1882 spent.

1883 Section 40. Effective July 1, 2008, except for specialty
1884 license plates approved before or during the 2008 Legislative
1885 session, the Department of Highway Safety and Motor Vehicles may
1886 not issue any new specialty license plates pursuant to ss.
1887 320.08056 and 320.08058, Florida Statutes, between July 1, 2008,
1888 and July 1, 2011.

1889 Section 41. Joseph P. Bertrand Building designated;
1890 Department of Highway Safety and Motor Vehicles to erect
1891 suitable markers.--

1892 (1) The Regional Transportation Management Center in the
1893 City of Fort Myers in Lee County is designated the "Joseph P.
1894 Bertrand Building."

1895 (2) The Department of Highway Safety and Motor Vehicles is
1896 directed to erect suitable markers designating the "Joseph P.
1897 Bertrand Building" as described in subsection (1).

1898 Section 42. Except as otherwise expressly provided in this
1899 act and except for this section, which shall take effect July 1,
1900 2008, this act shall take effect October 1, 2008.