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HB 5067, Engrossed 1

2008 Legislature

1 A bill to be entitled
2 An act relating to state infrastructure; amending s.
3 17.61, F.S.; removing the DUI Programs Coordination Trust
4 Fund from the list of funds invested by the Chief
5 Financial Officer; reenacting and amending s. 20.24, F.S.,
6 relating to the establishment of the Department of Highway
7 Safety and Motor Vehicles pursuant to the provisions of
8 the Florida Government Accountability Act; removing a
9 provision for the Bureau of Motor Vehicle Inspection;
10 amending s. 215.20, F.S.; removing the DUI Programs
11 Coordination Trust Fund from the list of funds subject to
12 a specified service charge; amending s. 252.372, F.S.;
13 revising provisions for a surcharge on certain insurance
14 policies; removing a provision directing the proceeds of
15 the surcharge be deposited into the Emergency Management,
16 Preparedness, and Assistance Trust Fund; amending s.
17 290.047, F.S.; revising provisions for certain procurement
18 procedures developed by the Department of Community
19 Affairs for eligible local governments under the Florida
20 Small Cities Community Development Block Grant Program;
21 providing that such procurement procedures may not exceed
22 specified federal requirements; amending s. 316.251, F.S.;
23 conforming a cross-reference to changes made by the act;
24 amending s. 318.18, F.S.; revising the amount of a penalty
25 for failure to pay specified penalties for certain traffic
26 infractions; providing for distribution of the increased
27 amount collected; amending s. 319.001, F.S.; defining the
28 term "certificate of title"; amending s. 319.001, F.S.;

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29 | defining the term "certificate of title"; amending s.
30 | 319.40, F.S.; authorizing the issuance of electronic motor
31 | vehicle titles in lieu of paper motor vehicle titles;
32 | authorizing the department to collect and use e-mail
33 | addresses of motor vehicle owners and registrants as a
34 | notification method; amending s. 320.02, F.S.; removing a
35 | requirement for a motorcycle endorsement at the time of
36 | original registration of a motorcycle, motor-driven cycle,
37 | or moped; amending s. 320.06, F.S.; providing for
38 | distribution of certain moneys collected relating to
39 | registration of motor vehicles and mobile homes; amending
40 | s. 320.08, F.S.; revises uses of certain motorcycle and
41 | moped license tax fees; amending ss. 320.0805 and
42 | 320.08056, F.S.; providing for disposition of certain
43 | specialty license plate processing fees; amending s.
44 | 320.203, F.S., relating to disposition of biennial license
45 | tax moneys; conforming provisions to changes made by the
46 | act; amending s. 320.95, F.S.; authorizing the department
47 | to collect and use e-mail addresses of motor vehicle
48 | owners and registrants as a notification method; amending
49 | s. 322.01, F.S.; defining the term "convenience service"
50 | for purposes of transactions with the department; revising
51 | the definition of the term "conviction" to provide for
52 | application to offenses committed by a person holding a
53 | commercial driver's license; revising the definition of
54 | the terms "hazardous materials" and "out-of-service
55 | order"; amending s. 322.025, F.S.; revising provisions for
56 | funding of certain driver improvement programs; amending

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57 | s. 322.0255, F.S.; eliminating requirements for motorcycle
58 | safety education course reimbursements; amending s.
59 | 322.03, F.S.; removing provisions for issuance of a
60 | license valid in Florida only; prohibiting a person from
61 | holding more than one driver's license; authorizing use of
62 | such licenses until next renewal; amending s. 322.051,
63 | F.S.; revising requirements for application for issuance
64 | or renewal of an identification card; revising provisions
65 | providing for the expiration of an identification card
66 | issued by the department; amending s. 322.08, F.S.;
67 | revising requirements for application for a driver's
68 | license; removing a provision requiring the application
69 | form to include language permitting a voluntary
70 | contribution for the Election Campaign Financing Trust
71 | Fund; amending s. 322.14, F.S.; revising provisions for
72 | content of a driver's license; requiring the license to
73 | contain the licensee's residence address; removing a
74 | requirement that the license contain the licensee's
75 | mailing address; amending s. 322.15, F.S.; authorizing a
76 | law enforcement officer or authorized representative of
77 | the department to collect a person's fingerprints
78 | electronically; amending s. 322.17, F.S.; revising the
79 | requirements for obtaining a replacement license or
80 | permit; deleting provisions authorizing the department to
81 | issue address stickers; amending s. 322.18, F.S.; revising
82 | provisions providing for the expiration and renewal of
83 | driver's licenses; providing for the renewal of certain
84 | licenses every 8 years; conforming cross-references;

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85 providing for the renewal of licenses using a convenience
86 service; requiring the department to issue new licenses
87 rather than extension stickers; repealing s. 322.181,
88 F.S., relating to a study of effects of aging on driving
89 ability; eliminating the Florida At-Risk Driver Council;
90 amending s. 322.19, F.S.; revising provisions for a
91 licensee changing address; removing a provision for the
92 licensee to request a change-of-address sticker;
93 conforming cross-references; amending s. 322.21, F.S.;
94 increasing the service fees for reinstating a suspended or
95 revoked driver's license or commercial motor vehicle
96 license; revising provisions for distribution and use of
97 the funds received; amending s. 322.271, F.S.; authorizing
98 the department to waive the hearing process for a person
99 whose license has been suspended, cancelled, or revoked;
100 providing exceptions; amending s. 322.293, F.S.; requiring
101 that DUI programs be administered by the department and
102 paid for by revenues collected by such programs; providing
103 that such revenues be deposited into the Highway Safety
104 Operating Trust Fund; amending s. 328.30, F.S.;

105 authorizing the use of electronic mail for distribution of
106 vessel titles; authorizing the department to collect and
107 use e-mail addresses of vessel owners and registrants as a
108 notification method; amending s. 328.80, F.S.; authorizing
109 the department to accept certain applications by
110 electronic or telephonic means; authorizing the department
111 to collect and use e-mail addresses of vessel owners and
112 registrants as a notification method; amending s. 334.044,

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113 F.S.; revising duties of the Department of Transportation;
 114 revising certain roadside beautification provisions;
 115 amending s. 338.2216, F.S.; providing contract bid
 116 requirements for fuel and food on the turnpike system;
 117 amending s. 339.135, F.S.; providing for use of
 118 transportation revenues; providing for revised funding
 119 levels for Department of Transportation projects; amending
 120 s. 501.976, F.S.; conforming cross-references to changes
 121 made by the act; amending s. 553.75, F.S.; authorizing the
 122 Building Code Commission to utilize communications media
 123 technology to conduct meetings; amending ss. 765.5215 and
 124 765.5216, F.S.; conforming a cross-reference; providing
 125 effective dates.

126

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

128

129 Section 1. Paragraph (c) of subsection (3) of section
 130 17.61, Florida Statutes, is amended to read:

131 17.61 Chief Financial Officer; powers and duties in the
 132 investment of certain funds.--

133 (3)

134 (c) Except as provided in this paragraph and except for
 135 moneys described in paragraph (d), the following agencies shall
 136 not invest trust fund moneys as provided in this section, but
 137 shall retain such moneys in their respective trust funds for
 138 investment, with interest appropriated to the General Revenue
 139 Fund, pursuant to s. 17.57:

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- 140 1. The Agency for Health Care Administration, except for
- 141 the Tobacco Settlement Trust Fund.
- 142 2. The Agency for Persons with Disabilities, except for:
- 143 a. The Federal Grants Trust Fund.
- 144 b. The Tobacco Settlement Trust Fund.
- 145 3. The Department of Children and Family Services, except
- 146 for:
- 147 a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.
- 148 b. The Refugee Assistance Trust Fund.
- 149 c. The Social Services Block Grant Trust Fund.
- 150 d. The Tobacco Settlement Trust Fund.
- 151 e. The Working Capital Trust Fund.
- 152 4. The Department of Community Affairs, only for the
- 153 Operating Trust Fund.
- 154 5. The Department of Corrections.
- 155 6. The Department of Elderly Affairs, except for:
- 156 a. The Federal Grants Trust Fund.
- 157 b. The Tobacco Settlement Trust Fund.
- 158 7. The Department of Health, except for:
- 159 a. The Federal Grants Trust Fund.
- 160 b. The Grants and Donations Trust Fund.
- 161 c. The Maternal and Child Health Block Grant Trust Fund.
- 162 d. The Tobacco Settlement Trust Fund.
- 163 8. The Department of Highway Safety and Motor Vehicles,
- 164 only for:
- 165 ~~a. The DUI Programs Coordination Trust Fund.~~
- 166 ~~b. the Security Deposits Trust Fund.~~
- 167 9. The Department of Juvenile Justice.

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- 168 10. The Department of Law Enforcement.
- 169 11. The Department of Legal Affairs.
- 170 12. The Department of State, only for:
- 171 a. The Grants and Donations Trust Fund.
- 172 b. The Records Management Trust Fund.
- 173 13. The Executive Office of the Governor, only for:
- 174 a. The Economic Development Transportation Trust Fund.
- 175 b. The Economic Development Trust Fund.
- 176 14. The Florida Public Service Commission, only for the
- 177 Florida Public Service Regulatory Trust Fund.
- 178 15. The Justice Administrative Commission.
- 179 16. The state courts system.
- 180 Section 2. Section 20.24, Florida Statutes, is reenacted
- 181 and amended to read:
- 182 20.24 Department of Highway Safety and Motor
- 183 Vehicles.--There is created a Department of Highway Safety and
- 184 Motor Vehicles.
- 185 (1) The head of the Department of Highway Safety and Motor
- 186 Vehicles is the Governor and Cabinet.
- 187 (2) The following divisions, and bureaus within the
- 188 divisions, of the Department of Highway Safety and Motor
- 189 Vehicles are established:
- 190 (a) Division of the Florida Highway Patrol.
- 191 (b) Division of Driver Licenses.
- 192 (c) Division of Motor Vehicles.
- 193 ~~1. Bureau of Motor Vehicle Inspection.~~

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194 Section 3. Paragraphs (m) through (x) of subsection (4) of
 195 section 215.20, Florida Statutes, as amended by section 3 of
 196 chapter 2007-14, Laws of Florida, are amended to read:

197 215.20 Certain income and certain trust funds to
 198 contribute to the General Revenue Fund.--

199 (4) The income of a revenue nature deposited in the
 200 following described trust funds, by whatever name designated, is
 201 that from which the appropriations authorized by subsection (3)
 202 shall be made:

203 ~~(m) Within the Department of Highway Safety and Motor~~
 204 ~~Vehicles, the DUI Programs Coordination Trust Fund.~~

205 (m) ~~(n)~~ Within the Department of Legal Affairs, the Crimes
 206 Compensation Trust Fund.

207 (n) ~~(o)~~ Within the Department of Management Services:

- 208 1. The Administrative Trust Fund.
- 209 2. The Architects Incidental Trust Fund.
- 210 3. The Bureau of Aircraft Trust Fund.
- 211 4. The Florida Facilities Pool Working Capital Trust Fund.
- 212 5. The Grants and Donations Trust Fund.
- 213 6. The Police and Firefighters' Premium Tax Trust Fund.
- 214 7. The Public Employees Relations Commission Trust Fund.
- 215 8. The State Personnel System Trust Fund.
- 216 9. The Supervision Trust Fund.
- 217 10. The Working Capital Trust Fund.

218 (o) ~~(p)~~ Within the Department of Revenue:

- 219 1. The Additional Court Cost Clearing Trust Fund.
- 220 2. The Administrative Trust Fund.
- 221 3. The Certification Program Trust Fund.

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- 222 4. The Fuel Tax Collection Trust Fund.
- 223 5. The Local Alternative Fuel User Fee Clearing Trust
- 224 Fund.
- 225 6. The Local Option Fuel Tax Trust Fund.
- 226 7. The Motor Vehicle Rental Surcharge Clearing Trust Fund.
- 227 8. The Motor Vehicle Warranty Trust Fund.
- 228 9. The Oil and Gas Tax Trust Fund.
- 229 10. The Operations Trust Fund.
- 230 11. The Severance Tax Solid Mineral Trust Fund.
- 231 12. The State Alternative Fuel User Fee Clearing Trust
- 232 Fund.
- 233 13. All taxes levied on motor fuels other than gasoline
- 234 levied pursuant to ~~the provisions of~~ s. 206.87(1) (a).
- 235 (p)~~(q)~~ Within the Department of State:
- 236 1. The Records Management Trust Fund.
- 237 2. The trust funds administered by the Division of
- 238 Historical Resources.
- 239 (q)~~(r)~~ Within the Department of Transportation, all income
- 240 derived from outdoor advertising and overweight violations which
- 241 is deposited in the State Transportation Trust Fund.
- 242 (r)~~(s)~~ Within the Department of Veterans' Affairs:
- 243 1. The Grants and Donations Trust Fund.
- 244 2. The Operations and Maintenance Trust Fund.
- 245 3. The State Homes for Veterans Trust Fund.
- 246 (s)~~(t)~~ Within the Division of Administrative Hearings, the
- 247 Administrative Trust Fund.
- 248 (t)~~(u)~~ Within the Fish and Wildlife Conservation
- 249 Commission:

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- 250 1. The Conservation and Recreation Lands Program Trust
- 251 Fund.
- 252 2. The Florida Panther Research and Management Trust Fund.
- 253 3. The Land Acquisition Trust Fund.
- 254 4. The Marine Resources Conservation Trust Fund, with the
- 255 exception of those fees collected for recreational saltwater
- 256 fishing licenses as provided in s. 372.57.
- 257 (u)~~(v)~~ Within the Florida Public Service Commission, the
- 258 Florida Public Service Regulatory Trust Fund.
- 259 (v)~~(w)~~ Within the Justice Administrative Commission, the
- 260 Indigent Criminal Defense Trust Fund.
- 261 (w)~~(x)~~ Within the Office of Financial Regulation of the
- 262 Financial Services Commission:
- 263 1. The Administrative Trust Fund.
- 264 2. The Anti-Fraud Trust Fund.
- 265 3. The Financial Institutions' Regulatory Trust Fund.
- 266 4. The Regulatory Trust Fund.

267

268 The enumeration of the foregoing moneys or trust funds shall not

269 prohibit the applicability thereto of s. 215.24 should the

270 Governor determine that for the reasons mentioned in s. 215.24

271 the money or trust funds should be exempt herefrom, as it is the

272 purpose of this law to exempt income from its force and effect

273 when, by the operation of this law, federal matching funds or

274 contributions or private grants to any trust fund would be lost

275 to the state.

276 Section 4. Section 252.372, Florida Statutes, is amended

277 to read:

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278 252.372 Imposition and collection of surcharge.--In order
 279 to provide funds for emergency management, preparedness, and
 280 assistance, an annual surcharge of \$2 per policy shall be
 281 imposed on every homeowner's, mobile home owner's, tenant
 282 homeowner's, and condominium unit owner's policy, and an annual
 283 \$4 surcharge shall be imposed on every commercial fire,
 284 commercial multiple peril, and business owner's property
 285 insurance policy, issued or renewed on or after May 1, 1993. The
 286 surcharge shall be paid by the policyholder to the insurer. The
 287 insurer shall collect the surcharge and remit it to the
 288 Department of Revenue, which shall collect, administer, audit,
 289 and enforce the surcharge pursuant to s. 624.5092. The surcharge
 290 is not to be considered premiums of the insurer; however,
 291 nonpayment of the surcharge by the insured may be a valid reason
 292 for cancellation of the policy. For those policies in which the
 293 surplus lines tax and the service fee are collected and remitted
 294 to the Surplus Lines Service Office, as created under s.
 295 626.921, the surcharge must be remitted to the service office at
 296 the same time as the surplus lines tax is remitted. All
 297 penalties for failure to remit the surplus lines tax and service
 298 fee are applicable for those surcharges required to be remitted
 299 to the service office. The service office shall deposit all
 300 surcharges that it collects into the Emergency Management,
 301 Preparedness, and Assistance Trust Fund at least monthly. ~~All~~
 302 ~~proceeds of the surcharge shall be deposited in the Emergency~~
 303 ~~Management, Preparedness, and Assistance Trust Fund and may not~~
 304 ~~be used to supplant existing funding.~~

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305 Section 5. Subsection (4) of section 290.047, Florida
 306 Statutes, is amended to read:

307 290.047 Establishment of grant ceilings and maximum
 308 administrative cost percentages; elimination of population bias;
 309 loans in default.--

310 (4) The department shall develop by rule grant
 311 administration procurement procedures for eligible local
 312 governments. The procedures established in such rule shall not
 313 exceed the restrictions or requirements contained in 24 C.F.R.
 314 part 85. These procedures shall include, but not be limited to,
 315 the evaluation of an individual or business entity based upon
 316 past performance in the administration of community development
 317 block grants and based upon the type, number, and geographic
 318 distribution of grants to be administered.

319 Section 6. Subsection (2) of section 316.251, Florida
 320 Statutes, is amended to read:

321 316.251 Maximum bumper heights.--

322 (2) "New motor vehicles" as defined in s. 319.001(9)(8),
 323 "antique automobiles" as defined in s. 320.08, "horseless
 324 carriages" as defined in s. 320.086, and "street rods" as
 325 defined in s. 320.0863 shall be excluded from the requirements
 326 of this section.

327 Section 7. Paragraph (a) of subsection (8) of section
 328 318.18, Florida Statutes, is amended to read:

329 318.18 Amount of penalties.--The penalties required for a
 330 noncriminal disposition pursuant to s. 318.14 or a criminal
 331 offense listed in s. 318.17 are as follows:

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332 (8) (a) Any person who fails to comply with the court's
 333 requirements or who fails to pay the civil penalties specified
 334 in this section within the 30-day period provided for in s.
 335 318.14 must pay an additional civil penalty of \$16 ~~\$12~~, \$2.50 of
 336 which must be remitted to the Department of Revenue for deposit
 337 in the General Revenue Fund, and \$13.50 ~~\$9.50~~ of which must be
 338 remitted to the Department of Revenue for deposit in the Highway
 339 Safety Operating Trust Fund. The department shall contract with
 340 the Florida Association of Court Clerks, Inc., to design,
 341 establish, operate, upgrade, and maintain an automated statewide
 342 Uniform Traffic Citation Accounting System to be operated by the
 343 clerks of the court which shall include, but not be limited to,
 344 the accounting for traffic infractions by type, a record of the
 345 disposition of the citations, and an accounting system for the
 346 fines assessed and the subsequent fine amounts paid to the
 347 clerks of the court. On or before December 1, 2001, the clerks
 348 of the court must provide the information required by this
 349 chapter to be transmitted to the department by electronic
 350 transmission pursuant to the contract.

351 Section 8. Subsections (1) through (11) of section
 352 319.001, Florida Statutes, are renumbered as subsections (2)
 353 through (12), respectively, and a new subsection (1) is added to
 354 that section to read:

355 319.001 Definitions.--As used in this chapter, the term:

356 (1) "Certificate of title" means the record that is
 357 evidence of ownership of a vehicle, whether a paper certificate
 358 authorized by the department or a certificate consisting of

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359 information that is stored in an electronic form in the
 360 department's database.

361 Section 9. Section 319.40, Florida Statutes, is amended to
 362 read:

363 319.40 Transactions by electronic or telephonic means.--

364 (1) The department is authorized to accept any application
 365 provided for under this chapter by electronic or telephonic
 366 means.

367 (2) The department may issue an electronic certificate of
 368 title in lieu of printing a paper title.

369 (3) The department may collect and use e-mail addresses of
 370 motor vehicle owners and registrants as a notification method in
 371 lieu of the United States Postal Service.

372 Section 10. Effective July 1, 2008, subsection (1) of
 373 section 320.02, Florida Statutes, as amended by section 28 of
 374 chapter 2006-290, Laws of Florida, is amended to read:

375 320.02 Registration required; application for
 376 registration; forms.--

377 (1) Except as otherwise provided in this chapter, every
 378 owner or person in charge of a motor vehicle that is operated or
 379 driven on the roads of this state shall register the vehicle in
 380 this state. The owner or person in charge shall apply to the
 381 department or to its authorized agent for registration of each
 382 such vehicle on a form prescribed by the department. ~~Prior to~~
 383 ~~the original registration of a motorcycle, motor driven cycle,~~
 384 ~~or moped, the owner, if a natural person, must present proof~~
 385 ~~that he or she has a valid motorcycle endorsement as required in~~
 386 ~~chapter 322.~~ A registration is not required for any motor

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387 | vehicle that is not operated on the roads of this state during
 388 | the registration period.

389 | Section 11. Paragraph (b) of subsection (3) of section
 390 | 320.06, Florida Statutes, is amended to read:

391 | 320.06 Registration certificates, license plates, and
 392 | validation stickers generally.--

393 | (3)

394 | (b) An additional fee of 50 cents shall be collected and
 395 | deposited into the Highway Safety Operating Trust Fund on each
 396 | motor vehicle registration or motor vehicle renewal registration
 397 | issued in this state in order that all license plates and
 398 | validation stickers be fully treated with retroreflective
 399 | material.

400 | Section 12. Effective upon this act becoming a law,
 401 | paragraph (c) of subsection (1) of section 320.08, Florida
 402 | Statutes is amended to read:

403 | 320.08 License taxes.--Except as otherwise provided
 404 | herein, there are hereby levied and imposed annual license taxes
 405 | for the operation of motor vehicles, mopeds, motorized bicycles
 406 | as defined in s. 316.003(2), and mobile homes, as defined in s.
 407 | 320.01, which shall be paid to and collected by the department
 408 | or its agent upon the registration or renewal of registration of
 409 | the following:

410 | (1) MOTORCYCLES and MOPEDS.--

411 | (c) Upon registration of any motorcycle, motor-driven
 412 | cycle, or moped there shall be paid in addition to the license
 413 | taxes specified in this subsection a nonrefundable motorcycle
 414 | safety education fee in the amount of \$2.50. The proceeds of

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415 such additional fee shall be deposited in the Highway Safety
 416 Operating Trust Fund ~~and be used exclusively~~ to fund a
 417 motorcycle driver improvement program implemented pursuant to s.
 418 322.025 or the Florida Motorcycle Safety Education Program
 419 established in s. 322.0255 or the general operations of the
 420 department.

421 Section 13. Subsection (2) of section 320.0805, Florida
 422 Statutes, is amended to read:

423 320.0805 Personalized prestige license plates.--

424 (2) Each request for specific numbers or letters or
 425 combinations thereof shall be submitted annually to the
 426 department on an application form supplied by the department,
 427 accompanied by the following tax and fees:

428 (a) The license tax required for the vehicle, as set forth
 429 in s. 320.08~~.7~~

430 (b) A prestige plate annual use fee of \$10~~.7~~ ~~and~~

431 (c) A processing fee of \$2, to be deposited into the
 432 Highway Safety Operating Trust Fund.

433 Section 14. Paragraph (b) of subsection (3) of section
 434 320.08056, Florida Statutes, is amended to read:

435 320.08056 Specialty license plates.--

436 (3) Each request must be made annually to the department,
 437 accompanied by the following tax and fees:

438 (b) A processing fee of \$2, to be deposited into the
 439 Highway Safety Operating Trust Fund.

440
 441 A request may be made any time during a registration period. If
 442 a request is made for a specialty license plate to replace a

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443 current valid license plate, the specialty license plate must be
 444 issued with appropriate decals attached at no tax for the plate,
 445 but all fees and service charges must be paid. When a request is
 446 made for a specialty license plate at the beginning of the
 447 registration period, the tax, together with all applicable fees
 448 and service charges, must be paid.

449 Section 15. Subsection (1) of section 320.203, Florida
 450 Statutes, is amended to read:

451 320.203 Disposition of biennial license tax moneys.--

452 (1) Notwithstanding ss. 320.08(1), (2), (3), (4) (a) or
 453 (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76
 454 and pursuant to s. 216.351, after the provisions of s.
 455 320.20(1), (2), (3), ~~and (4)~~, and (5) are fulfilled, an amount
 456 equal to 50 percent of revenues collected from the biennial
 457 registrations created in s. 320.07 shall be retained in the
 458 Motor Vehicle License Clearing Trust Fund, authorized in s.
 459 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent
 460 fiscal year, an amount equal to 50 percent of revenues collected
 461 from the biennial registrations created in s. 320.07 shall be
 462 distributed according to ss. 320.08(1), (2), (3), (4) (a) or (b),
 463 (6), (7), (8), (9), (10), or (11), 320.08058, 328.76, and
 464 320.20(1), (2), (3), ~~and (4)~~, and (5).

465 Section 16. Section 320.95, Florida Statutes, is amended
 466 to read:

467 320.95 Transactions by electronic or telephonic means.--

468 (1) The department is authorized to accept any application
 469 provided for under this chapter by electronic or telephonic
 470 means.

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471 (2) The department may collect and use e-mail addresses of
 472 motor vehicle owners and registrants as a notification method in
 473 lieu of the United States Postal Service.

474 Section 17. Subsections (10) through (44) of section
 475 322.01, Florida Statutes, are renumbered as subsections (11)
 476 through (45), respectively, present subsections (10), (23), and
 477 (29) are amended, and a new subsection (10) is added to that
 478 section, to read:

479 322.01 Definitions.--As used in this chapter:

480 (10) "Convenience service" means any means whereby an
 481 individual conducts a transaction with the department other than
 482 in person.

483 (11)~~(10)~~(a) "Conviction" means a conviction of an offense
 484 relating to the operation of motor vehicles on highways which is
 485 a violation of this chapter or any other such law of this state
 486 or any other state, including an admission or determination of a
 487 noncriminal traffic infraction pursuant to s. 318.14, or a
 488 judicial disposition of an offense committed under any federal
 489 law substantially conforming to the aforesaid state statutory
 490 provisions.

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

495 (24)~~(23)~~ "Hazardous materials" means any material that has
 496 been designated as hazardous under 49 U.S.C. s. 5103 and is
 497 required to be placarded under subpart F of 49 C.F.R. part 172
 498 or any quantity of a material listed as a select agent or toxin

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499 ~~in 42 C.F.R. part 73 has the meaning such term has under s. 103~~
 500 ~~of the Hazardous Materials Transportation Act.~~

501 (30)~~(29)~~ "Out-of-service order" means a prohibition issued
 502 by an authorized local, state, or Federal Government official
 503 which precludes a person from driving a commercial motor vehicle
 504 ~~for a period of 72 hours or less.~~

505 Section 18. Subsection (1) of section 322.025, Florida
 506 Statutes, is amended to read:

507 322.025 Driver improvement.--

508 (1) The department may implement programs to improve the
 509 driving ability of the drivers of this state. Such programs may
 510 include, but shall not be limited to, safety awareness
 511 campaigns, driver training, and licensing improvement.
 512 Motorcycle driver improvement programs implemented pursuant to
 513 this section or s. 322.0255 may ~~shall~~ be funded by the
 514 motorcycle safety education fee collected pursuant to s.
 515 320.08(1)(c), which shall be deposited in the Highway Safety
 516 Operating Trust Fund ~~of the department and appropriated for that~~
 517 ~~purpose.~~

518 Section 19. Effective upon this act becoming a law,
 519 subsections (5), (6), (7), and (8) of section 322.0255, Florida
 520 Statutes, are amended to read:

521 322.0255 Florida Motorcycle Safety Education Program.--

522 ~~(5) The department shall, subject to the availability of~~
 523 ~~funds, reimburse each organization that provides an approved~~
 524 ~~motorcycle safety education course for each student who begins~~
 525 ~~the on-cycle portion of the course. This shall include any~~
 526 ~~student not required to attend a motorcycle safety education~~

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527 ~~course prior to licensure as required in s. 322.12. The amount~~
 528 ~~to be reimbursed per student to each course provider shall be~~
 529 ~~determined by the department. In order to facilitate such~~
 530 ~~determination, each course provider shall be required to submit~~
 531 ~~proof satisfactory to the department of the expected cost per~~
 532 ~~student to be incurred by such course provider. In no event~~
 533 ~~shall the amount to be reimbursed per student to any course~~
 534 ~~provider exceed the expected cost per student. In addition to~~
 535 ~~the amount of any reimbursement, each course provider that~~
 536 ~~conducts such a course may charge each student a tuition fee~~
 537 ~~sufficient to defray the cost of conducting the course. The~~
 538 ~~department shall fund the payments required under this~~
 539 ~~subsection from the motorcycle safety education fee, as provided~~
 540 ~~in ss. 320.08 and 322.025.~~

541 (5)~~(6)~~ Each organization that provides an approved
 542 motorcycle safety course may charge a registration fee, not to
 543 exceed \$20 per student. This fee must be refunded if the student
 544 completes the course. However, any student who registers for,
 545 and does not complete, the course must forfeit his or her
 546 registration fee. Forfeited fees may be retained by the
 547 organization that conducts the course.

548 (6)~~(7)~~ The department may adopt rules to implement this
 549 section.

550 (7)~~(8)~~ On and after January 1, 1989, every first-time
 551 applicant for licensure to operate a motorcycle who is under 21
 552 years of age shall be required to complete a motorcycle
 553 education course as established pursuant to this section. Proof
 554 of completion of such education course shall be presented to the

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555 driver license examining office prior to such licensure to
 556 operate a motorcycle.

557 Section 20. Effective October 1, 2008, subsection (1) of
 558 section 322.03, Florida Statutes, is amended to read:

559 322.03 Drivers must be licensed; penalties.--

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

564 (a) A person who drives a commercial motor vehicle shall
 565 not receive a driver's license unless and until he or she
 566 surrenders to the department all driver's licenses in his or her
 567 possession issued to him or her by any other jurisdiction or
 568 makes an affidavit that he or she does not possess a driver's
 569 license. Any such person who fails to surrender such licenses or
 570 who makes a false affidavit concerning such licenses is guilty
 571 of a misdemeanor of the first degree, punishable as provided in
 572 s. 775.082 or s. 775.083.

573 ~~(b) A person who does not drive a commercial motor vehicle~~
 574 ~~is not required to surrender a license issued by another~~
 575 ~~jurisdiction, upon a showing to the department that such license~~
 576 ~~is necessary because of employment or part time residence. Any~~
 577 ~~person who retains a driver's license because of employment or~~
 578 ~~part time residence shall, upon qualifying for a license in this~~
 579 ~~state, be issued a driver's license which shall be valid within~~
 580 ~~this state only.~~ All surrendered licenses may be returned by the
 581 department to the issuing jurisdiction together with information
 582 that the licensee is now licensed in a new jurisdiction or may

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

586 (c) Part-time residents issued a license that is valid
 587 within this state only pursuant to paragraph (b) as that
 588 paragraph existed prior to October 1, 2008, may continue to hold
 589 such license until the next regularly scheduled renewal.
 590 Licenses that are identified as "Valid in Florida only" may not
 591 be issued or renewed effective July 1, 2009. This paragraph
 592 expires June 30, 2017.

593 Section 21. Effective October 1, 2008, subsections (1),
 594 (2), and (3) of section 322.051, Florida Statutes, are amended
 595 to read:

596 322.051 Identification cards.--

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

602 (a) Each such application shall include the following
 603 information regarding the applicant:

604 1. Full name (first, middle or maiden, and last), gender,
 605 proof of social security card number satisfactory to the
 606 department, county of residence, ~~and~~ mailing address, proof of
 607 residential address satisfactory to the department, country of
 608 birth, and a brief description.

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

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610 3. Proof of identity satisfactory to the department. Such
 611 proof must include one of the following documents issued to the
 612 applicant:

613 a. A driver's license record or identification card record
 614 from another jurisdiction that required the applicant to submit
 615 a document for identification which is substantially similar to
 616 a document required under sub-subparagraph b., sub-subparagraph
 617 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
 618 f., ~~or~~ sub-subparagraph g., or sub-subparagraph h.;

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

620 c. A valid, unexpired United States passport;

621 d. A naturalization certificate issued by the United
 622 States Department of Homeland Security;

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

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

627 ~~g.f.~~ An unexpired employment authorization card issued by
 628 the United States Department of Homeland Security; or

629 ~~h.g.~~ Proof of nonimmigrant classification provided by the
 630 United States Department of Homeland Security, for an original
 631 identification card. In order to prove such nonimmigrant
 632 classification, applicants may produce but are not limited to
 633 the following documents:

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

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

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638 (III) Notice of the approval of an application for
 639 adjustment of status issued by the United States Bureau of
 640 Citizenship and Immigration Services.

641 (IV) Any official documentation confirming the filing of a
 642 petition for asylum or refugee status or any other relief issued
 643 by the United States Bureau of Citizenship and Immigration
 644 Services.

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

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

651 (VII) Evidence that an application is pending for
 652 adjustment of status to that of an alien lawfully admitted for
 653 permanent residence in the United States or conditional
 654 permanent resident status in the United States, if a visa number
 655 is available having a current priority date for processing by
 656 the United States Bureau of Citizenship and Immigration
 657 Services.

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

662
 663 Presentation of any of the documents described in sub-
 664 subparagraph g. ~~f.~~ or sub-subparagraph h. ~~g.~~ entitles the
 665 applicant to an identification card for a period not to exceed

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666 the expiration date of the document presented or 1 year,
667 whichever first occurs.

668 (b) An application for an identification card must be
669 signed and verified by the applicant in a format designated by
670 the department before a person authorized to administer oaths
671 and payment of the applicable fee pursuant to s. 322.21. ~~The fee~~
672 ~~for an identification card is \$3, including payment for the~~
673 ~~color photograph or digital image of the applicant.~~

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

676 (2) (a) Every identification card:

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

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

683
684 Renewal of an identification card shall be made for the
685 applicable term enumerated in this paragraph. ~~However, if an~~
686 ~~individual is 60 years of age or older, and has an~~
687 ~~identification card issued under this section, the card shall~~
688 ~~not expire unless done so by cancellation by the department or~~
689 ~~by the death of the cardholder. Renewal of any identification~~
690 ~~card shall be made for a term which shall expire on the fourth~~
691 ~~birthday of the applicant following expiration of the~~
692 ~~identification card renewed, unless surrendered earlier. Any~~
693 application for renewal received later than 90 days after

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694 expiration of the identification card shall be considered the
 695 same as an application for an original identification card. The
 696 ~~renewal fee for an identification card shall be \$10, of which \$4~~
 697 ~~shall be deposited into the General Revenue Fund and \$6 into the~~
 698 ~~Highway Safety Operating Trust Fund. The department shall, at~~
 699 ~~the end of 4 years and 6 months after the issuance or renewal of~~
 700 ~~an identification card, destroy any record of the card if it has~~
 701 ~~expired and has not been renewed, unless the cardholder is 60~~
 702 ~~years of age or older.~~

703 (b) Notwithstanding any other provision of this chapter,
 704 if an applicant establishes his or her identity for an
 705 identification card using a document authorized under sub-
 706 subparagraph (1)(a)3.e., the identification card shall expire on
 707 the eighth ~~fourth~~ birthday of the applicant following the date
 708 of original issue or upon first renewal or duplicate issued
 709 after implementation of this section. After an initial showing
 710 of such documentation, he or she is exempted from having to
 711 renew or obtain a duplicate in person.

712 (c) Notwithstanding any other provisions of this chapter,
 713 if an applicant establishes his or her identity for an
 714 identification card using an identification document authorized
 715 under sub-subparagraph (1)(a)3.g. ~~(1)(a)3.f.~~ or sub-subparagraph
 716 (1)(a)3.h. ~~(1)(a)3.g.~~, the identification card shall expire 1
 717 year ~~2 years~~ after the date of issuance or upon the expiration
 718 date cited on the United States Department of Homeland Security
 719 documents, whichever date first occurs, and may not be renewed
 720 or obtain a duplicate except in person.

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721 (3) If an identification card issued under this section is
722 lost, destroyed, or mutilated or a new name is acquired, the
723 person to whom it was issued may obtain a duplicate upon
724 furnishing satisfactory proof of such fact to the department and
725 upon payment of the applicable fee pursuant to s. 322.21 ~~a fee~~
726 ~~of \$10 for such duplicate, \$2.50 of which shall be deposited~~
727 ~~into the General Revenue Fund and \$7.50 into the Highway Safety~~
728 ~~Operating Trust Fund~~. The fee shall include payment for the
729 color photograph or digital image of the applicant. Any person
730 who loses an identification card and who, after obtaining a
731 duplicate, finds the original card shall immediately surrender
732 the original card to the department. The same documentary
733 evidence shall be furnished for a duplicate as for an original
734 identification card.

735 Section 22. Effective October 1, 2008, subsections (1),
736 (2), and (6) of section 322.08, Florida Statutes, are amended to
737 read:

738 322.08 Application for license.--

739 (1) Each application for a driver's license shall be made
740 in a format designated by the department and sworn to or
741 affirmed by the applicant as to the truth of the statements made
742 in the application.

743 (2) Each such application shall include the following
744 information regarding the applicant:

745 (a) Full name (first, middle or maiden, and last), gender,
746 proof of social security card number satisfactory to the
747 department, county of residence, ~~and~~ mailing address, proof of

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748 residential address satisfactory to the department, country of
 749 birth, and a brief description.

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

751 (c) Proof of identity satisfactory to the department. Such
 752 proof must include one of the following documents issued to the
 753 applicant:

754 1. A driver's license record or identification card record
 755 from another jurisdiction that required the applicant to submit
 756 a document for identification which is substantially similar to
 757 a document required under subparagraph 2., subparagraph 3.,
 758 subparagraph 4., subparagraph 5., subparagraph 6., ~~or~~
 759 subparagraph 7., or subparagraph 8.;

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

761 3. A valid, unexpired United States passport;

762 4. A naturalization certificate issued by the United
 763 States Department of Homeland Security;

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

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

768 ~~7.6-~~ An unexpired employment authorization card issued by
 769 the United States Department of Homeland Security; or

770 ~~8.7-~~ Proof of nonimmigrant classification provided by the
 771 United States Department of Homeland Security, for an original
 772 driver's license. In order to prove nonimmigrant classification,
 773 an applicant may produce the following documents, including, but
 774 not limited to:

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- 775 | a. A notice of hearing from an immigration court
- 776 | scheduling a hearing on any proceeding.
- 777 | b. A notice from the Board of Immigration Appeals
- 778 | acknowledging pendency of an appeal.
- 779 | c. A notice of the approval of an application for
- 780 | adjustment of status issued by the United States Bureau of
- 781 | Citizenship and Immigration Services.
- 782 | d. Any official documentation confirming the filing of a
- 783 | petition for asylum or refugee status or any other relief issued
- 784 | by the United States Bureau of Citizenship and Immigration
- 785 | Services.
- 786 | e. A notice of action transferring any pending matter from
- 787 | another jurisdiction to this state issued by the United States
- 788 | Bureau of Citizenship and Immigration Services.
- 789 | f. An order of an immigration judge or immigration officer
- 790 | granting any relief that authorizes the alien to live and work
- 791 | in the United States, including, but not limited to, asylum.
- 792 | g. Evidence that an application is pending for adjustment
- 793 | of status to that of an alien lawfully admitted for permanent
- 794 | residence in the United States or conditional permanent resident
- 795 | status in the United States, if a visa number is available
- 796 | having a current priority date for processing by the United
- 797 | States Bureau of Citizenship and Immigration Services.
- 798 | h. On or after January 1, 2010, an unexpired foreign
- 799 | passport with an unexpired United States Visa affixed,
- 800 | accompanied by an approved I-94, documenting the most recent
- 801 | admittance into the United States.
- 802 |

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803 Presentation of any of the documents in subparagraph 7. ~~6.~~ or
 804 subparagraph 8. ~~7.~~ entitles the applicant to a driver's license
 805 or temporary permit for a period not to exceed the expiration
 806 date of the document presented or 1 year, whichever occurs
 807 first.

808 (d) Whether the applicant has previously been licensed to
 809 drive, and, if so, when and by what state, and whether any such
 810 license or driving privilege has ever been disqualified,
 811 revoked, or suspended, or whether an application has ever been
 812 refused, and, if so, the date of and reason for such
 813 disqualification, suspension, revocation, or refusal.

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

816 (6) The application form for a driver's license or
 817 duplicate thereof shall include language permitting the
 818 following:

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

822 (a)~~(b)~~ A voluntary contribution of \$1 per applicant, which
 823 contribution shall be deposited into the Florida Organ and
 824 Tissue Donor Education and Procurement Trust Fund for organ and
 825 tissue donor education and for maintaining the organ and tissue
 826 donor registry.

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

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

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

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

838
 839 A statement providing an explanation of the purpose of the trust
 840 funds shall also be included. For the purpose of applying the
 841 service charge provided in s. 215.20, contributions received
 842 under paragraphs (b), (c), (d), and (e) ~~(c), (d), (e), and (f)~~
 843 and under s. 322.18(9)(a) are not income of a revenue nature.

844 Section 23. Effective October 1, 2008, paragraph (a) of
 845 subsection (1) of section 322.14, Florida Statutes, is amended
 846 to read:

847 322.14 Licenses issued to drivers.--

848 (1)(a) The department shall, upon successful completion of
 849 all required examinations and payment of the required fee, issue
 850 to every applicant qualifying therefor, a driver's license as
 851 applied for, which license shall bear thereon a color photograph
 852 or digital image of the licensee; the name of the state; a
 853 distinguishing number assigned to the licensee; and the
 854 licensee's full name, date of birth, and residence ~~mailing~~
 855 address; a brief description of the licensee, including, but not
 856 limited to, the licensee's gender and height; and the dates of
 857 issuance and expiration of the license. A space shall be

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858 provided upon which the licensee shall affix his or her usual
 859 signature. No license shall be valid until it has been so signed
 860 by the licensee except that the signature of said licensee shall
 861 not be required if it appears thereon in facsimile or if the
 862 licensee is not present within the state at the time of
 863 issuance. Applicants qualifying to receive a Class A, Class B,
 864 or Class C driver's license must appear in person within the
 865 state for issuance of a color photographic or digital imaged
 866 driver's license pursuant to s. 322.142.

867 Section 24. Effective October 1, 2008, section 322.15,
 868 Florida Statutes, is amended to read:

869 322.15 License to be carried and exhibited on demand;
 870 fingerprint to be imprinted upon a citation.--

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

877 (2) Upon the failure of any person to display a driver's
 878 license as required by subsection (1), the law enforcement
 879 officer or authorized representative of the department stopping
 880 the person shall require the person to imprint his or her
 881 fingerprints ~~fingerprint~~ upon any citation issued by the officer
 882 or authorized representative, or the officer or authorized
 883 representative shall collect the fingerprints electronically.

884 (3) In relation to violations of subsection (1) or s.
 885 322.03(5), persons who cannot supply proof of a valid driver's

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886 license for the reason that the license was suspended for
 887 failure to comply with that citation shall be issued a
 888 suspension clearance by the clerk of the court for that citation
 889 upon payment of the applicable penalty and fee for that
 890 citation. If proof of a valid driver's license is not provided
 891 to the clerk of the court within 30 days, the person's driver's
 892 license shall again be suspended for failure to comply.

893 (4) A violation of subsection (1) is a noncriminal traffic
 894 infraction, punishable as a nonmoving violation as provided in
 895 chapter 318.

896 Section 25. Effective October 1, 2008, section 322.17,
 897 Florida Statutes, is amended to read:

898 322.17 Replacement licenses and permits ~~Duplicate and~~
 899 ~~replacement certificates.--~~

900 (1) (a) In the event that an instruction permit or driver's
 901 license issued under the provisions of this chapter is lost or
 902 destroyed, the person to whom the same was issued may, upon
 903 payment of the appropriate fee pursuant to s. 322.21 ~~\$10~~, obtain
 904 a replacement ~~duplicate, or substitute thereof,~~ upon furnishing
 905 proof satisfactory to the department that such permit or license
 906 has been lost or destroyed, and further furnishing the full
 907 name, date of birth, sex, residence and mailing address, proof
 908 of birth satisfactory to the department, and proof of identity
 909 satisfactory to the department. ~~Five dollars of the fee levied~~
 910 ~~in this paragraph shall go to the Highway Safety Operating Trust~~
 911 ~~Fund of the department.~~

912 (b) In the event that an instruction permit or driver's
 913 license issued under the provisions of this chapter is stolen,

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914 the person to whom the same was issued may, at no charge, obtain
 915 a replacement ~~duplicate, or substitute thereof,~~ upon furnishing
 916 proof satisfactory to the department that such permit or license
 917 was stolen and further furnishing the full name, date of birth,
 918 sex, residence and mailing address, proof of birth satisfactory
 919 to the department, and proof of identity satisfactory to the
 920 department.

921 (2) Upon the surrender of the original license and the
 922 payment of the appropriate fee pursuant to s. 322.21 ~~a \$10~~
 923 ~~replacement fee,~~ the department shall issue a replacement
 924 license to make a change in name, address, or restrictions. ~~Upon~~
 925 ~~written request by the licensee and notification of a change in~~
 926 ~~address, and the payment of a \$10 fee, the department shall~~
 927 ~~issue an address sticker which shall be affixed to the back of~~
 928 ~~the license by the licensee. Nine dollars of the fee levied in~~
 929 ~~this subsection shall go to the Highway Safety Operating Trust~~
 930 ~~Fund of the department.~~

931 (3) Notwithstanding any other provisions of this chapter,
 932 if a licensee establishes his or her identity for a driver's
 933 license using an identification document authorized under s.
 934 322.08(2)(c)7. or 8. ~~s. 322.08(2)(c)6. or 7.,~~ the licensee may
 935 not obtain a duplicate or replacement instruction permit or
 936 driver's license except in person and upon submission of an
 937 identification document authorized under s. 322.08(2)(c)7. or 8.
 938 ~~s. 322.08(2)(c)6. or 7.~~

939 Section 26. Effective October 1, 2008, subsections (2),
 940 (4), (5), (8), and (9) of section 322.18, Florida Statutes, are
 941 amended to read:

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942 322.18 Original applications, licenses, and renewals;
 943 expiration of licenses; delinquent licenses.--

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

947 (a) An applicant who has not attained 80 years of age
 948 applying for an original issuance shall be issued a driver's
 949 license that ~~which~~ expires at midnight on the licensee's
 950 birthday which next occurs on or after the eighth ~~sixth~~
 951 anniversary of the date of issue. An applicant who is at least
 952 80 years of age applying for an original issuance shall be
 953 issued a driver's license that expires at midnight on the
 954 licensee's birthday that next occurs on or after the sixth
 955 anniversary of the date of issue.

956 (b) An applicant who has not attained 80 years of age
 957 applying for a renewal issuance ~~or renewal extension~~ shall be
 958 issued a driver's license that ~~or renewal extension sticker~~
 959 ~~which~~ expires at midnight on the licensee's birthday that ~~which~~
 960 next occurs 8 ~~4~~ years after the month of expiration of the
 961 license being renewed. An applicant who is at least 80 years of
 962 age applying for a renewal issuance shall be issued a driver's
 963 license that, ~~except that a driver whose driving record reflects~~
 964 ~~no convictions for the preceding 3 years shall be issued a~~
 965 ~~driver's license or renewal extension sticker which~~ expires at
 966 midnight on the licensee's birthday that ~~which~~ next occurs 6
 967 years after the month of expiration of the license being
 968 renewed.

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

975 (d) Notwithstanding any other provision of this chapter,
976 if an applicant establishes his or her identity for a driver's
977 license using a document authorized in s. 322.08(2)(c)~~7.6-~~ or
978 ~~8.7-~~, the driver's license shall expire 1 year ~~2 years~~ after the
979 date of issuance or upon the expiration date cited on the United
980 States Department of Homeland Security documents, whichever date
981 first occurs.

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

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

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996 (b) Notwithstanding any other provision of this chapter,
 997 if an applicant establishes his or her identity for a driver's
 998 license using a document authorized under s. 322.08(2)(c)5., the
 999 license, upon an initial showing of such documentation, is
 1000 exempted from having to renew or obtain a duplicate in person,
 1001 unless the renewal or duplication coincides with the periodic
 1002 reexamination of a driver as required pursuant to s. 322.121.

1003 (c) Notwithstanding any other provision of this chapter,
 1004 if a licensee establishes his or her identity for a driver's
 1005 license using an identification document authorized under s.
 1006 322.08(2)(c)~~7.6.~~ or ~~8.7.~~, the licensee may not renew the
 1007 driver's license except in person and upon submission of an
 1008 identification document authorized under s. 322.08(2)(c)~~7.6.~~ or
 1009 ~~8.7.~~ A driver's license renewed under this paragraph expires 1
 1010 year ~~4 years~~ after the date of issuance or upon the expiration
 1011 date cited on the United States Department of Homeland Security
 1012 documents, whichever date first occurs.

1013 (5) All renewal driver's licenses may be issued after the
 1014 applicant licensee has been determined to be eligible by the
 1015 department.

1016 (a) A licensee who is otherwise eligible for renewal and
 1017 who is at least 80 ~~over 79~~ years of age:

1018 1. Must submit to and pass a vision test administered at
 1019 any driver's license office; or

1020 2. If the licensee applies for a renewal using a
 1021 convenience service ~~an extension by mail~~ as provided in
 1022 subsection (8), he or she must submit to a vision test
 1023 administered by a physician licensed under chapter 458 or

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1024 chapter 459, or an optometrist licensed under chapter 463, must
 1025 send the results of that test to the department on a form
 1026 obtained from the department and signed by such health care
 1027 practitioner, and must meet vision standards that are equivalent
 1028 to the standards for passing the departmental vision test. The
 1029 physician or optometrist may submit the results of a vision test
 1030 by a department-approved electronic means.

1031 (b) A licensee who is at least 80 ~~over 79~~ years of age may
 1032 not submit an application for renewal ~~extension~~ under subsection
 1033 (8) by a convenience service ~~electronic or telephonic means~~,
 1034 unless the results of a vision test have been electronically
 1035 submitted in advance by the physician or optometrist.

1036 (8) The department shall issue 8-year renewals using a
 1037 convenience service ~~4 year and 6 year license extensions by~~
 1038 ~~mail, electronic, or telephonic means~~ without reexamination to
 1039 drivers who have not attained 80 years of age. The department
 1040 shall issue 6-year renewals using a convenience service when the
 1041 applicant has satisfied the requirements of subsection (5).

1042 (a) If the department determines from its records that the
 1043 holder of a license about to expire is eligible for renewal, the
 1044 department shall mail a renewal notice to the licensee at his or
 1045 her last known address, not less than 30 days prior to the
 1046 licensee's birthday. The renewal notice shall direct the
 1047 licensee to appear at a driver license office for in-person
 1048 renewal or to transmit the completed renewal notice and the fees
 1049 required by s. 322.21 to the department using a convenience
 1050 service ~~by mail, electronically, or telephonically within the 30~~
 1051 ~~days preceding the licensee's birthday for a license extension.~~

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1052 ~~License extensions shall not be available to drivers directed to~~
 1053 ~~appear for in-person renewal.~~

1054 (b) Upon receipt of a properly completed renewal notice,
 1055 payment of the required fees, and upon determining that the
 1056 licensee is still eligible for renewal, the department shall
 1057 send a new license extension sticker to the licensee ~~to affix to~~
 1058 ~~the expiring license~~ as evidence that the license term has been
 1059 extended.

1060 (c) The department shall issue one renewal using a
 1061 convenience service license extensions ~~for two consecutive~~
 1062 ~~license expirations only. Upon expiration of two consecutive~~
 1063 ~~license extension periods, in person renewal with reexamination~~
 1064 ~~as provided in s. 322.121 shall be required.~~ A person who is out
 1065 of this state when his or her license expires may be issued a
 1066 90-day temporary driving permit without reexamination. At the
 1067 end of the 90-day period, the person must either return to this
 1068 state or apply for a license where the person is located, except
 1069 for a member of the Armed Forces as provided in s. 322.121(6).

1070 ~~(d) In person renewal at a driver license office shall not~~
 1071 ~~be available to drivers whose records indicate they were~~
 1072 ~~directed to apply for a license extension.~~

1073 (d)(e) Any person who knowingly possesses any forged,
 1074 stolen, fictitious, counterfeit, or unlawfully issued license
 1075 extension sticker, unless possession by such person has been
 1076 duly authorized by the department, commits a misdemeanor of the
 1077 second degree, punishable as provided in s. 775.082 or s.
 1078 775.083.

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1079 (e)~~(f)~~ The department shall develop a plan for the
 1080 equitable distribution of license ~~extensions and~~ renewals and
 1081 the orderly implementation of this section.

1082 (9) (a) The application form for a renewal issuance ~~or~~
 1083 ~~renewal extension~~ shall include language permitting a voluntary
 1084 contribution of \$1 per applicant, to be quarterly distributed by
 1085 the department to Prevent Blindness Florida, a not-for-profit
 1086 organization, to prevent blindness and preserve the sight of the
 1087 residents of this state. A statement providing an explanation of
 1088 the purpose of the funds shall be included with the application
 1089 form.

1090 (b) Prior to the department distributing the funds
 1091 collected pursuant to paragraph (a), Prevent Blindness Florida
 1092 must submit a report to the department that identifies how such
 1093 funds were used during the preceding year.

1094 Section 27. Section 322.181, Florida Statutes, is
 1095 repealed.

1096 Section 28. Effective October 1, 2008, subsections (2) and
 1097 (4) of section 322.19, Florida Statutes, are amended to read:

1098 322.19 Change of address or name.--

1099 (2) Whenever any person, after applying for or receiving a
 1100 driver's license, changes the residence or mailing address in
 1101 the application or license, the person must, within 10 calendar
 1102 days, ~~either~~ obtain a replacement license that reflects the
 1103 change ~~or request in writing a change of address sticker.~~ A The
 1104 written request to the department must include the old and new
 1105 addresses and the driver's license number.

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1106 (4) Notwithstanding any other provision of this chapter,
 1107 if a licensee established his or her identity for a driver's
 1108 license using an identification document authorized under s.
 1109 322.08(2)(c) 7.6 or 8.7, the licensee may not change his or her
 1110 name or address except in person and upon submission of an
 1111 identification document authorized under s. 322.08(2)(c) 7.6 or
 1112 8.7.

1113 Section 29. Effective October 1, 2008, subsection (1) of
 1114 section 322.21, Florida Statutes, is amended to read:

1115 322.21 License fees; procedure for handling and collecting
 1116 fees.--

1117 (1) Except as otherwise provided herein, the fee for:

1118 (a) An original or renewal commercial driver's license is
 1119 \$67 ~~\$50~~, which shall include the fee for driver education
 1120 provided by s. 1003.48; however, if an applicant has completed
 1121 training and is applying for employment or is currently employed
 1122 in a public or nonpublic school system that requires the
 1123 commercial license, the fee shall be the same as for a Class E
 1124 driver's license. A delinquent fee of \$1 shall be added for a
 1125 renewal made not more than 12 months after the license
 1126 expiration date.

1127 (b) An original Class E driver's license is \$27 ~~\$20~~, which
 1128 shall include the fee for driver's education provided by s.
 1129 1003.48; however, if an applicant has completed training and is
 1130 applying for employment or is currently employed in a public or
 1131 nonpublic school system that requires a commercial driver
 1132 license, the fee shall be the same as for a Class E license.

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1133 (c) The renewal or extension of a Class E driver's license
 1134 or of a license restricted to motorcycle use only is \$20 ~~\$15~~,
 1135 except that a delinquent fee of \$1 shall be added for a renewal
 1136 or extension made not more than 12 months after the license
 1137 expiration date. The fee provided in this paragraph shall
 1138 include the fee for driver's education provided by s. 1003.48.

1139 (d) An original driver's license restricted to motorcycle
 1140 use only is \$27 ~~\$20~~, which shall include the fee for driver's
 1141 education provided by s. 1003.48.

1142 (e) A replacement driver's license issued pursuant to s.
 1143 322.17 is \$10. Of this amount, \$7 shall be deposited into the
 1144 Highway Safety Operating Trust Fund and \$3 shall be deposited
 1145 into the General Revenue Fund.

1146 (f) An original, renewal, or replacement identification
 1147 card issued pursuant to s. 322.051 is \$10. Funds collected from
 1148 these fees shall be distributed as follows:

1149 1. For an original identification card issued pursuant to
 1150 s. 322.051 the fee shall be \$10. This amount shall be deposited
 1151 into the General Revenue Fund.

1152 2. For a renewal identification card issued pursuant to s.
 1153 322.051 the fee shall be \$10. Of this amount, \$6 shall be
 1154 deposited into the Highway Safety Operating Trust Fund and \$4
 1155 shall be deposited into the General Revenue Fund.

1156 3. For a replacement identification card issued pursuant
 1157 to s. 322.051 the fee shall be \$10. Of this amount, \$9 shall be
 1158 deposited into the Highway Safety Operating Trust Fund and \$1
 1159 shall be deposited into the General Revenue Fund.

1160 (g)-(e) Each endorsement required by s. 322.57 is \$7 ~~\$5~~.

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1161 (h) ~~(f)~~ A hazardous-materials endorsement, as required by
 1162 s. 322.57(1)(d), shall be set by the department by rule and
 1163 shall reflect the cost of the required criminal history check,
 1164 including the cost of the state and federal fingerprint check,
 1165 and the cost to the department of providing and issuing the
 1166 license. The fee shall not exceed \$100. This fee shall be
 1167 deposited in the Highway Safety Operating Trust Fund. The
 1168 department may adopt rules to administer this section.

1169 Section 30. Subsection (2) of section 322.271, Florida
 1170 Statutes, is amended to read:

1171 322.271 Authority to modify revocation, cancellation, or
 1172 suspension order.--

1173 ~~(2)(a)~~ At ~~Upon~~ such hearing, the person whose license has
 1174 been suspended, canceled, or revoked may show that such
 1175 suspension, cancellation, or revocation ~~of his or her license~~
 1176 causes a serious hardship and precludes the person from ~~person's~~
 1177 carrying out his or her normal business occupation, trade, or
 1178 employment and that the use of the person's license in the
 1179 normal course of his or her business is necessary to the proper
 1180 support of the person or his or her family.

1181 (a) Except as otherwise provided in this subsection, the
 1182 department shall require proof of the successful completion of
 1183 the applicable department-approved driver training course
 1184 operating pursuant to s. 318.1451 or DUI program substance abuse
 1185 education course and evaluation as provided in s. 316.193(5).
 1186 Letters of recommendation from respected business persons in the
 1187 community, law enforcement officers, or judicial officers may
 1188 also be required to determine whether such person should be

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1189 permitted to operate a motor vehicle on a restricted basis for
 1190 business or employment use only and in determining whether such
 1191 person can be trusted to ~~se~~ operate a motor vehicle. If a
 1192 driver's license has been suspended under the point system or
 1193 pursuant to s. 322.2615, the department shall require proof of
 1194 enrollment in the applicable department-approved driver training
 1195 course or licensed DUI program substance abuse education course,
 1196 including evaluation and treatment, if referred, and may require
 1197 letters of recommendation described in this paragraph ~~subsection~~
 1198 to determine if the driver should be reinstated on a restricted
 1199 basis. If such person fails to complete the approved course
 1200 within 90 days after reinstatement or subsequently fails to
 1201 complete treatment, if applicable, the department shall cancel
 1202 his or her driver's license until the course and treatment, ~~if~~
 1203 ~~applicable,~~ is successfully completed, notwithstanding the terms
 1204 of the court order or any suspension or revocation of the
 1205 driving privilege. The department may temporarily reinstate the
 1206 driving privilege on a restricted basis upon verification from
 1207 the DUI program that the offender has reentered and is currently
 1208 participating in treatment and has completed the DUI education
 1209 course and evaluation requirement. If the DUI program notifies
 1210 the department of the second failure to complete treatment, the
 1211 department shall reinstate the driving privilege only after
 1212 notice of completion of treatment from the DUI program. The
 1213 privilege of driving on a limited or restricted basis for
 1214 business or employment use may ~~shall~~ not be granted to a person
 1215 who has been convicted of a violation of s. 316.193 until
 1216 completion of the DUI program substance abuse education course

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1217 and evaluations as provided in s. 316.193(5). Except as provided
 1218 in paragraph (b), the privilege of driving on a limited or
 1219 restricted basis for business or employment use may ~~shall~~ not be
 1220 granted to a person whose license is revoked pursuant to s.
 1221 322.28 or suspended pursuant to s. 322.2615 and who has been
 1222 convicted of a violation of s. 316.193 two or more times or
 1223 whose license has been suspended two or more times for refusal
 1224 to submit to a test pursuant to s. 322.2615 or former s.
 1225 322.261.

1226 (b) The department may waive the hearing process for
 1227 suspensions and revocations upon request by the driver if the
 1228 driver has enrolled or completed the applicable driver training
 1229 course approved pursuant to s. 318.1451 or DUI program substance
 1230 abuse education course and evaluation provided in s. 316.193(5).
 1231 However, the department may not waive the hearing for
 1232 suspensions or revocations that involve death or serious bodily
 1233 injury, multiple convictions for violations of s. 316.193
 1234 pursuant to s. 322.27(5), or a second or subsequent suspension
 1235 or revocation pursuant to the same provision under this chapter.
 1236 This does not preclude the department from requiring a hearing
 1237 for any suspension or revocation that it determines is warranted
 1238 based on the severity of the offense.

1239 (c)-(b) A person whose license has been revoked for a
 1240 period of 5 years or less pursuant to s. 322.28(2)(a) may, ~~upon~~
 1241 ~~the expiration of~~ 12 months after the date the ~~said~~ revocation
 1242 was imposed, petition the department for reinstatement of his or
 1243 her driving privilege on a restricted basis. A person whose
 1244 license has been revoked for ~~a period of~~ more than 5 years under

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1245 s. 322.28(2)(a) may, ~~upon the expiration of~~ 24 months after the
 1246 date the revocation was imposed, petition the department for
 1247 reinstatement of his or her driving privilege on a restricted
 1248 basis. Reinstatement ~~of the driving privilege~~ pursuant to this
 1249 subsection shall be restricted to business or employment
 1250 purposes only. In addition, the department shall require such
 1251 persons upon reinstatement to have not driven and to have been
 1252 drug free for at least 12 months immediately before ~~prior to~~
 1253 ~~such~~ reinstatement, to be supervised by a DUI program licensed
 1254 by the department, and to report to the program at least three
 1255 times a year as required by the program for the duration of the
 1256 revocation period for supervision. Such supervision includes
 1257 ~~shall include~~ evaluation, education, referral into treatment,
 1258 and other activities required by the department. Such persons
 1259 shall assume reasonable costs of supervision. If the ~~such~~ person
 1260 fails to comply with the required supervision, the program shall
 1261 report the failure to the department, and the department shall
 1262 cancel the ~~such~~ person's driving privilege. This paragraph does
 1263 not apply to any person whose driving privilege has been
 1264 permanently revoked.

1265 (d) ~~(e)~~ For the purpose of this section, a previous
 1266 conviction of driving under the influence, driving while
 1267 intoxicated, driving with an unlawful blood-alcohol level, or
 1268 any other similar alcohol-related or drug-related offense
 1269 outside this state or a previous conviction of former s.
 1270 316.1931, former s. 316.028, or former s. 860.01 is ~~shall be~~
 1271 considered a previous conviction for violation of s. 316.193.

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1272 ~~(e)-(d)~~ The department, based upon review of the licensee's
 1273 application for reinstatement, may require the use of an
 1274 ignition interlock device pursuant to s. 322.2715.

1275 Section 31. Section 322.293, Florida Statutes, is amended
 1276 to read:

1277 322.293 DUI programs ~~Coordination Trust Fund~~; assessment;
 1278 disposition.--

1279 (1) ~~The~~ DUI programs ~~Coordination Trust Fund~~ shall be
 1280 administered by the department, and the costs of administration
 1281 shall be borne by the revenue collections provided in this
 1282 section ~~the fund~~. All funds received by the department ~~DUI~~
 1283 ~~Programs Coordination Trust Fund~~ shall be used ~~solely~~ for the
 1284 purposes set forth in this chapter and for the general operation
 1285 of the department ~~section and s. 322.292~~. ~~However, if the~~
 1286 ~~Legislature passes legislation consolidating existing trust~~
 1287 ~~funds assigned to the department, all funds remaining in and~~
 1288 ~~deposited to the DUI Programs Coordination Trust Fund shall be~~
 1289 ~~transferred to the consolidated trust funds, subject to their~~
 1290 ~~being earmarked for use solely for the purposes set forth in~~
 1291 ~~this section and s. 322.292.~~

1292 (2) Each DUI program shall assess \$12 against each person
 1293 enrolling in a DUI program at the time of enrollment, including
 1294 persons who transfer to or from a program in another state. In
 1295 addition, second and third offenders and those offenders under
 1296 permanent driver's-license revocation who are evaluated for
 1297 eligibility for license restrictions under s. 322.271(2)
 1298 ~~322.271(2)(b)~~ and (4) shall be assessed \$12 upon enrollment in

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1299 the program and upon each subsequent anniversary date while they
 1300 are in the program, for the duration of the license period.

1301 (3) All assessments collected under this section shall be
 1302 deposited in the Highway Safety Operating ~~forwarded to the DUI~~
 1303 ~~Programs Coordination~~ Trust Fund within 30 days after the last
 1304 day of the month in which the assessment was received.

1305 Section 32. Section 328.30, Florida Statutes, is amended
 1306 to read:

1307 328.30 Transactions by electronic or telephonic means.--

1308 (1) The department is authorized to accept any application
 1309 provided for under this chapter by electronic or telephonic
 1310 means.

1311 (2) The department may issue an electronic certificate of
 1312 title in lieu of printing a paper title.

1313 (3) The department may collect and use e-mail addresses of
 1314 vessel owners and registrants as a notification method in lieu
 1315 of the United States Postal Service.

1316 Section 33. Section 328.80, Florida Statutes, is amended
 1317 to read:

1318 328.80 Transactions by electronic or telephonic means.--

1319 (1) The department ~~commission~~ is authorized to accept any
 1320 application provided for under this chapter by electronic or
 1321 telephonic means.

1322 (2) The department may collect and use e-mail addresses of
 1323 vessel owners and registrants as a notification method in lieu
 1324 of the United States Postal Service.

1325 Section 34. Subsection (26) of section 344.044, Florida
 1326 Statutes, is amended to read:

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1327 334.044 Department; powers and duties.--The department
 1328 shall have the following general powers and duties:

1329 (26) To provide for the conservation of natural roadside
 1330 growth and scenery and for the implementation and maintenance of
 1331 roadside beautification programs, up to and no less than 1.5
 1332 percent of the amount contracted for construction projects may
 1333 ~~shall~~ be allocated by the department to beautification programs.
 1334 Except where prohibited by federal law or federal regulation and
 1335 to the extent practical, a minimum of 50 percent of these funds
 1336 shall be used to purchase large plant materials with the
 1337 remaining funds for other plant materials. All such plant
 1338 materials shall be purchased from Florida-based nurseryman stock
 1339 on a uniform competitive bid basis. The department will develop
 1340 grades and standards for landscaping materials purchased through
 1341 this process. To accomplish these activities, the department may
 1342 contract with nonprofit organizations having the primary purpose
 1343 of developing youth employment opportunities.

1344 Section 35. Paragraph (d) is added to subsection (1) of
 1345 section 338.2216, Florida Statutes, to read:

1346 338.2216 Florida Turnpike Enterprise; powers and
 1347 authority.--

1348 (1)

1349 (d)1. The Florida Turnpike Enterprise shall not under any
 1350 circumstances contract with any vendor for the retail sale of
 1351 fuel along the Florida Turnpike if such contract is negotiated
 1352 or bid together with any other contract, including, but not
 1353 limited to, the retail sale of food, maintenance services, or
 1354 construction, with the exception that any contract for the

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1355 retail sale of fuel along the Florida Turnpike shall be bid and
 1356 contracted together with the retail sale of food at any
 1357 convenience store attached to the fuel station.

1358 2. Except for services provided as defined in s.
 1359 287.055(2) (a), all contracts related to service plazas,
 1360 including, but not limited to, the sale of fuel, the retail sale
 1361 of food, maintenance services, or construction, awarded by the
 1362 Florida Turnpike Enterprise shall be procured through individual
 1363 competitive solicitations and awarded to the most cost-effective
 1364 responder. This paragraph does not prohibit the award of more
 1365 than one individual contract to a single vendor if he or she
 1366 submits the most cost-effective response.

1367 Section 36. Paragraph (a) of subsection (4) of section
 1368 339.135, Florida Statutes, is amended to read:

1369 339.135 Work program; legislative budget request;
 1370 definitions; preparation, adoption, execution, and amendment.--

1371 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.--

1372 (a)1. To assure that no district or county is penalized
 1373 for local efforts to improve the State Highway System, the
 1374 department shall, for the purpose of developing a tentative work
 1375 program, allocate funds for new construction to the districts,
 1376 except for the turnpike enterprise, based on equal parts of
 1377 population and motor fuel tax collections. Funds for
 1378 resurfacing, bridge repair and rehabilitation, bridge fender
 1379 system construction or repair, public transit projects except
 1380 public transit block grants as provided in s. 341.052, and other
 1381 programs with quantitative needs assessments shall be allocated
 1382 based on the results of these assessments. The department may

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1383 not transfer any funds allocated to a district under this
 1384 paragraph to any other district except as provided in subsection
 1385 (7). Funds for public transit block grants shall be allocated to
 1386 the districts pursuant to s. 341.052. Funds for the intercity
 1387 bus program provided for under s. 5311(f) of the federal
 1388 nonurbanized area formula program shall be administered and
 1389 allocated directly to eligible bus carriers as defined in s.
 1390 341.031(12) at the state level rather than the district. In
 1391 order to provide state funding to support the intercity bus
 1392 program provided for under provisions of the federal 5311(f)
 1393 program, the department shall allocate an amount equal to the
 1394 federal share of the 5311(f) program from amounts calculated
 1395 pursuant to s. 206.46(3).

1396 2. Notwithstanding the provisions of subparagraph 1., the
 1397 department shall allocate at least 50 percent of any new
 1398 discretionary highway capacity funds to the Florida Strategic
 1399 Intermodal System created pursuant to s. 339.61. Any remaining
 1400 new discretionary highway capacity funds shall be allocated to
 1401 the districts for new construction as provided in subparagraph
 1402 1. For the purposes of this subparagraph, the term "new
 1403 discretionary highway capacity funds" means any funds available
 1404 to the department above the prior year funding level for
 1405 capacity improvements, which the department has the discretion
 1406 to allocate to highway projects.

1407 3. Notwithstanding subparagraph 1. and s. 206.46(3), in
 1408 fiscal years 2008-2009 through 2012-2013, the department shall
 1409 reduce work program levels to balance the finance plan to the

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1410 revised funding levels resulting from any reduction in the
 1411 funding provided for under s. 201.15.

1412 4. Prior to any project or phase thereof being deferred,
 1413 such reductions shall be made to financial projects not
 1414 programmed for contract letting as identified with a work
 1415 program contract class code 8 and the box code RV. These
 1416 reductions shall not negatively impact safety, preservation,
 1417 maintenance, or project contingency levels as of July 1, 2008.

1418 Section 37. Subsection (19) of section 501.976, Florida
 1419 Statutes, is amended to read:

1420 501.976 Actionable, unfair, or deceptive acts or
 1421 practices.--It is an unfair or deceptive act or practice,
 1422 actionable under the Florida Deceptive and Unfair Trade
 1423 Practices Act, for a dealer to:

1424 (19) Fail to disclose damage to a new motor vehicle, as
 1425 defined in s. 319.001 ~~319.001(8)~~, of which the dealer had actual
 1426 knowledge, if the dealer's actual cost of repairs exceeds the
 1427 threshold amount, excluding replacement items.

1428
 1429 In any civil litigation resulting from a violation of this
 1430 section, when evaluating the reasonableness of an award of
 1431 attorney's fees to a private person, the trial court shall
 1432 consider the amount of actual damages in relation to the time
 1433 spent.

1434 Section 38. Subsection (3) of section 553.75, Florida
 1435 Statutes, as amended to read:

1436 553.75 Organization of commission; rules and regulations;
 1437 meetings; staff; fiscal affairs.--

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1438 (3) The department shall be responsible for the provision
 1439 of administrative and staff support services relating to the
 1440 functions of the commission. With respect to matters within the
 1441 jurisdiction of the commission, the department shall be
 1442 responsible for the implementation and faithful discharge of all
 1443 decisions of the commission made pursuant to its authority under
 1444 the provisions of this part. The department is authorized to use
 1445 communications media technology to conduct any meetings of the
 1446 commission or meetings held in conjunction therewith.

1447 Section 39. Subsection (1) of section 765.5215, Florida
 1448 Statutes, is amended to read:

1449 765.5215 Education program relating to anatomical
 1450 gifts.--The Agency for Health Care Administration, subject to
 1451 the concurrence of the Department of Highway Safety and Motor
 1452 Vehicles, shall develop a continuing program to educate and
 1453 inform medical professionals, law enforcement agencies and
 1454 officers, high school children, state and local government
 1455 employees, and the public regarding the laws of this state
 1456 relating to anatomical gifts and the need for anatomical gifts.

1457 (1) The program is to be implemented with the assistance
 1458 of the organ and tissue donor education panel as provided in s.
 1459 765.5216 and with the funds collected under ss. 320.08047 and
 1460 322.08(6) (a) ~~(b)~~. Existing community resources, when available,
 1461 must be used to support the program, and volunteers may assist
 1462 the program to the maximum extent possible. The Agency for
 1463 Health Care Administration may contract for the provision of all
 1464 or any portion of the program. When awarding such contract, the
 1465 agency shall give priority to existing nonprofit groups that are

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1466 | located within the community, including within the minority
1467 | communities specified in subsection (2). The program aimed at
1468 | educating medical professionals may be implemented by contract
1469 | with one or more medical schools located in the state.

1470 | Section 40. Subsection (1) of section 765.5216, Florida
1471 | Statutes, is amended to read:

1472 | 765.5216 Organ and tissue donor education panel.--

1473 | (1) The Legislature recognizes that there exists in the
1474 | state a shortage of organ and tissue donors to provide the
1475 | organs and tissue that could save lives or enhance the quality
1476 | of life for many Floridians. The Legislature further recognizes
1477 | the need to encourage the various minority populations of
1478 | Florida to donate organs and tissue. It is the intent of the
1479 | Legislature that the funds collected pursuant to ss. 320.08047
1480 | and 322.08(6) (a) ~~(b)~~ be used for educational purposes aimed at
1481 | increasing the number of organ and tissue donors, thus affording
1482 | more Floridians who are awaiting organ or tissue transplants the
1483 | opportunity for a full and productive life.

1484 | Section 41. Except as otherwise expressly provided in this
1485 | act and except for this section , which shall take effect upon
1486 | this act becoming a law, this act shall take effect July 1,
1487 | 2008.