



799364

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
04/15/2009	.	
	.	
	.	
	.	

The Committee on Transportation and Economic Development Appropriations (Gardiner) recommended the following:

Senate Amendment (with title amendment)

Delete lines 58 - 69
and insert:

Section 2. Implementation of litigation settlement provisions of Collier v. Dickinson.

(1) Any person who held a driver's license, identification card, or motor vehicle registration that was valid between June 1, 2000, and September 30, 2004, is eligible to receive a single \$1 credit on a new or renewed motor vehicle registration between July 1, 2009, and June 30, 2010.



799364

12 (2) Notwithstanding the provisions of s. 320.08046, Florida
13 Statutes, the 58 percent of the surcharge levied under s.
14 320.08046, Florida Statutes, that is to be deposited into the
15 General Revenue Fund pursuant to that section shall be used to
16 fund the \$1 credit authorized in subsection (1).

17 (3) The Department of Highway Safety and Motor Vehicles may
18 only allow the credits authorized in subsection (1) if the
19 United States District Court for the Southern District of
20 Florida grants an order finally approving the settlement
21 agreement in Collier, et al. v. Dickinson, et al., case number
22 04-21351-DV-JEM.

23 (4) This section expires July 1, 2011.

24 Section 3. Subsection (1) of section 316.126, Florida
25 Statutes, is amended to read:

26 316.126 Operation of vehicles and actions of pedestrians on
27 approach of authorized emergency vehicle.—

28 (1) (a) Upon the immediate approach of an authorized
29 emergency vehicle, while en route to meet an existing emergency,
30 the driver of every other vehicle shall, when such emergency
31 vehicle is giving audible signals by siren, exhaust whistle, or
32 other adequate device, or visible signals by the use of
33 displayed blue or red lights, yield the right-of-way to the
34 emergency vehicle and shall immediately proceed to a position
35 parallel to, and as close as reasonable to the closest edge of
36 the curb of the roadway, clear of any intersection and shall
37 stop and remain in position until the authorized emergency
38 vehicle has passed, unless otherwise directed by any law
39 enforcement officer.

40 (b) When an authorized emergency vehicle making use of any



799364

41 visual signals is parked or a wrecker displaying amber rotating
42 or flashing lights is performing a recovery or loading on the
43 roadside, the driver of every other vehicle, as soon as it is
44 safe:

45 1. Shall vacate the lane closest to the emergency vehicle
46 or wrecker when driving on an interstate highway or other
47 highway with two or more lanes traveling in the direction of the
48 emergency vehicle or wrecker, except when otherwise directed by
49 a law enforcement officer. If such movement cannot be safely
50 accomplished, the driver shall reduce speed as provided in
51 subparagraph 2.

52 2. Shall slow to a speed that is 20 miles per hour less
53 than the posted speed limit when the posted speed limit is 25
54 miles per hour or greater; or travel at 5 miles per hour when
55 the posted speed limit is 20 miles per hour or less, when
56 driving on a two-lane road, except when otherwise directed by a
57 law enforcement officer.

58 (c) The Department of Highway Safety and Motor Vehicles
59 shall provide an educational awareness campaign informing the
60 motoring public about the Move Over Act. The department shall
61 provide information about the Move Over Act in all newly printed
62 driver's license educational materials after July 1, 2002.

63
64 This section does ~~shall~~ not relieve the driver of an
65 authorized emergency vehicle from the duty to drive with due
66 regard for the safety of all persons using the highway.

67 Section 4. Subsection (3) of section 316.2085, Florida
68 Statutes, is amended to read:

69 316.2085 Riding on motorcycles or mopeds.—



799364

70 (3) The license tag of a motorcycle or moped must be
71 permanently affixed ~~horizontally~~ to the vehicle ~~ground~~ and may
72 not be adjusted or capable of being flipped up. No device for or
73 method of concealing or obscuring the legibility of the license
74 tag of a motorcycle shall be installed or used.

75 Section 5. Section 316.2122, Florida Statutes, is amended
76 to read:

77 316.2122 Operation of a low-speed vehicle or mini truck on
78 certain roadways.—The operation of a low-speed vehicle ~~as~~
79 defined in s. 320.01(42) ~~or a mini truck as defined in s.~~
80 320.01(45) on any road as defined in s. 334.03(15) or (33) ~~is~~
81 authorized with the following restrictions:

82 (1) A low-speed vehicle or mini truck may be operated only
83 on streets where the posted speed limit is 35 miles per hour or
84 less. This does not prohibit a low-speed vehicle or mini truck
85 from crossing a road or street at an intersection where the road
86 or street has a posted speed limit of more than 35 miles per
87 hour.

88 (2) A low-speed vehicle must be equipped with headlamps,
89 stop lamps, turn signal lamps, taillamps, reflex reflectors,
90 parking brakes, rearview mirrors, windshields, seat belts, and
91 vehicle identification numbers.

92 (3) A low-speed vehicle or mini truck must be registered
93 and insured in accordance with s. 320.02 and titled pursuant to
94 chapter 319.

95 (4) Any person operating a low-speed vehicle or mini truck
96 must have in his or her possession a valid driver's license.

97 (5) A county or municipality may prohibit the operation of
98 low-speed vehicles or mini trucks on any road under its



799364

99 jurisdiction if the governing body of the county or municipality
100 determines that such prohibition is necessary in the interest of
101 safety.

102 (6) The Department of Transportation may prohibit the
103 operation of low-speed vehicles or mini trucks on any road under
104 its jurisdiction if it determines that such prohibition is
105 necessary in the interest of safety.

106 Section 6. Subsection (27) of section 320.01, Florida
107 Statutes, is amended , and subsection (45) is added to that
108 section, to read:

109 320.01 Definitions, general.-As used in the Florida
110 Statutes, except as otherwise provided, the term:

111 (27) "Motorcycle" means any motor vehicle having a seat or
112 saddle for the use of the rider and designed to travel on not
113 more than three wheels in contact with the ground, ~~but~~ excluding
114 ~~a tractor, a moped, or~~ a vehicle in which the operator is
115 enclosed by a cabin unless it meets the requirements set forth
116 by the National Highway Traffic Safety Administration for a
117 motorcycle. The term "motorcycle" does not include a tractor or
118 a moped.

119 (45) "Mini truck" means any four-wheeled, reduced-dimension
120 truck that does not have a National Highway Traffic Safety
121 Administration truck classification, with a top speed of 55
122 miles per hour, and which is equipped with headlamps, stop
123 lamps, turn signal lamps, taillamps, reflex reflectors, parking
124 brakes, rearview mirrors, windshields, and seat belts.

125 Section 7. Section 320.0847, Florida Statutes, is created
126 to read:

127 320.0847 Mini truck and low-speed vehicle license plates.-



799364

128 (1) The department shall issue a license plate to the owner
129 or lessee of any vehicle registered as a low-speed vehicle as
130 defined in s. 320.01(42) or a mini truck as defined in s.
131 320.01(45) upon payment of the appropriate license taxes and
132 fees prescribed in s. 320.08.

133 (2) The license plate for a low-speed vehicle or mini truck
134 shall comply with the provisions of s. 320.06.

135 Section 8. Effective November 1, 2009, paragraph (a) of
136 subsection (2) of section 320.0848, Florida Statutes, is amended
137 to read:

138 320.0848 Persons who have disabilities; issuance of
139 disabled parking permits; temporary permits; permits for certain
140 providers of transportation services to persons who have
141 disabilities.—

142 (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
143 MOBILITY PROBLEMS.—

144 (a) The disabled parking permit is a placard that can be
145 placed in a motor vehicle so as to be visible from the front and
146 rear of the vehicle. Each side of the placard must have the
147 international symbol of accessibility in a contrasting color in
148 the center so as to be visible. One side of the placard must
149 display the applicant's driver's license number or state
150 identification card number along with a warning that the
151 applicant must have such identification at all times while using
152 the parking permit. In those cases where the severity of the
153 disability prevents a disabled person from physically visiting
154 or being transported to a driver license or tax collector office
155 to obtain a driver license or identification card, a certifying
156 physician can sign the exemption section of the department's



799364

157 parking permit application to exempt the disabled person from
158 being issued a driver license or identification card for the
159 number to be displayed on the parking permit. A validation
160 sticker must also be issued with each disabled parking permit,
161 showing the month and year of expiration on each side of the
162 placard. Validation stickers must be of the size specified by
163 the Department of Highway Safety and Motor Vehicles and must be
164 affixed to the disabled parking permits. The disabled parking
165 permits must use the same colors as license plate validations.

166 Section 9. Effective January 1, 2010, section 322.0261,
167 Florida Statutes, is amended to read:

168 322.0261 Driver improvement course; requirement to maintain
169 driving privileges; failure to complete; department approval of
170 course.—

171 (1) The department shall screen crash reports received
172 under s. 316.066 or s. 324.051 to identify crashes involving the
173 following:

174 (a) A crash involving death or a bodily injury requiring
175 transport to a medical facility; ~~or~~

176 (b) A second crash by the same operator within the previous
177 2-year period involving property damage in an apparent amount of
178 at least \$500; or

179 (c) A third crash by the same operator within 36 months
180 after the first crash.

181 (2) With respect to an operator convicted of, or who
182 pleaded nolo contendere to, a traffic offense giving rise to a
183 crash identified in paragraph (1)(a) or paragraph (1)(b)
184 ~~pursuant to subsection (1)~~, the department shall require that
185 the operator, in addition to other applicable penalties, attend



799364

186 a department-approved driver improvement course in order to
187 maintain his or her driving privileges. If the operator fails to
188 complete the course within 90 days after ~~of~~ receiving notice
189 from the department, the operator's driver's license shall be
190 canceled by the department until the course is successfully
191 completed.

192 (3) With respect to an operator convicted of, or who
193 pleaded nolo contendere to, a traffic offense giving rise to a
194 crash identified in paragraph (1)(c), the department shall
195 require that the operator, in addition to other applicable
196 penalties, attend a department-approved driver improvement
197 course in order to maintain his or her driving privileges. The
198 course must include behind-the-wheel instruction and an
199 assessment of the operator's ability to safely operate a motor
200 vehicle. Successful completion of a behind-the-wheel examination
201 is required in order to receive completion credit for the
202 course. If the operator fails to complete the course within 90
203 days after receiving notice from the department, the operator's
204 driver's license shall be canceled by the department until the
205 course is successfully completed.

206 (4)~~(3)~~ The department shall identify any operator convicted
207 of, or who pleaded nolo contendere to, a second violation of s.
208 316.074(1) or s. 316.075(1)(c)1., which violation occurred
209 within 12 months after the first violation, and shall require
210 that operator, in addition to other applicable penalties, to
211 attend a department-approved driver improvement course in order
212 to maintain driving privileges. If the operator fails to
213 complete the course within 90 days after receiving notice from
214 the department, the operator's driver license shall be canceled



799364

215 by the department until the course is successfully completed.

216 ~~(5)~~~~(4)~~ In determining whether to approve a driver
217 improvement course for the purposes of this section, the
218 department shall consider course content designed to promote
219 safety, driver awareness, crash avoidance techniques, and other
220 factors or criteria to improve driver performance from a safety
221 viewpoint.

222 Section 10. Effective November 1, 2009, subsection (1) of
223 section 322.03, Florida Statutes, is amended to read:

224 322.03 Drivers must be licensed; penalties.-

225 (1) Except as otherwise authorized in this chapter, a
226 person may not drive any motor vehicle upon a highway in this
227 state unless such person has a valid driver's license issued
228 under ~~the provisions of~~ this chapter.

229 (a) A person who drives a commercial motor vehicle may
230 ~~shall~~ not receive a driver's license unless and until he or she
231 surrenders to the department all driver's licenses in his or her
232 possession issued to him or her by any other jurisdiction or
233 makes an affidavit that he or she does not possess a driver's
234 license. Any such person who fails to surrender such licenses or
235 who makes a false affidavit concerning such licenses commits is
236 ~~guilty of~~ a misdemeanor of the first degree, punishable as
237 provided in s. 775.082 or s. 775.083.

238 (b) ~~A person who does not drive a commercial motor vehicle~~
239 ~~is not required to surrender a license issued by another~~
240 ~~jurisdiction, upon a showing to the department that such license~~
241 ~~is necessary because of employment or part-time residence. Any~~
242 ~~person who retains a driver's license because of employment or~~
243 ~~part-time residence shall, upon qualifying for a license in this~~



799364

244 ~~state, be issued a driver's license which shall be valid within~~
245 ~~this state only.~~ All surrendered licenses may be returned by the
246 department to the issuing jurisdiction together with information
247 that the licensee is now licensed in a new jurisdiction or may
248 be destroyed by the department, which shall notify the issuing
249 jurisdiction of such destruction. A person may not have more
250 than one valid ~~Florida~~ driver's license at any time.

251 (c) Part-time residents of this state issued a license that
252 is valid within this state only under paragraph (b) as that
253 paragraph existed before November 1, 2009, may continue to hold
254 such license until the next issuance of a Florida driver's
255 license or identification card. Licenses that are identified as
256 "Valid in Florida Only" may not be issued or renewed effective
257 November 1, 2009. This paragraph expires June 30, 2017.

258 Section 11. Effective November 1, 2009, subsection (6) of
259 section 322.08, Florida Statutes, is renumbered as subsection
260 (7), respectively, and subsection (6) is added to that section,
261 to read:

262 322.08 Application for license.—

263 (6) The department may not issue a driver's license or
264 identification card, as described in s. 322.051, to an applicant
265 if the applicant holds a valid driver's license or
266 identification card issued by any state.

267 Section 12. Subsection (7) is added to section 322.125,
268 Florida Statutes, to read:

269 322.125 Medical Advisory Board.—

270 (7) The Department of Highway Safety and Motor Vehicles
271 shall adopt such rules and regulations as are required to carry
272 out the purpose of this section.



799364

273 Section 13. Subsection (2) of section 322.271, Florida
274 Statutes, is amended to read:

275 322.271 Authority to modify revocation, cancellation, or
276 suspension order.—

277 (2) ~~(a)~~ At ~~Upon~~ such hearing, the person whose license has
278 been suspended, canceled, or revoked may show that such
279 suspension, cancellation, or revocation ~~of his or her license~~
280 causes a serious hardship and precludes the person from ~~person's~~
281 carrying out his or her normal business occupation, trade, or
282 employment and that the use of the person's license in the
283 normal course of his or her business is necessary to the proper
284 support of the person or his or her family.

285 (a) Except as otherwise provided in this subsection, the
286 department shall require proof of the successful completion of
287 the applicable department-approved driver training course
288 operating pursuant to s. 318.1451 or DUI program substance abuse
289 education course and evaluation as provided in s. 316.193(5).
290 Letters of recommendation from respected business persons in the
291 community, law enforcement officers, or judicial officers may
292 also be required to determine whether the ~~such~~ person should be
293 permitted to operate a motor vehicle on a restricted basis for
294 business or employment use only and in determining whether such
295 person can be trusted to so operate a motor vehicle. If a
296 driver's license has been suspended under the point system or
297 under ~~pursuant to~~ s. 322.2615, the department shall require
298 proof of enrollment in the applicable department-approved driver
299 training course or licensed DUI program substance abuse
300 education course, including evaluation and treatment, if
301 referred, and may require letters of recommendation described in



799364

302 this paragraph ~~subsection~~ to determine if the driver should be
303 reinstated on a restricted basis. If the ~~such~~ person fails to
304 complete the approved course within 90 days after reinstatement
305 or subsequently fails to complete treatment, ~~if applicable,~~ the
306 department shall cancel his or her driver's license until the
307 course and treatment, if applicable, is successfully completed,
308 notwithstanding the terms of the court order or any suspension
309 or revocation of the driving privilege. The department may
310 temporarily reinstate the driving privilege on a restricted
311 basis upon verification from the DUI program that the offender
312 has reentered and is currently participating in treatment and
313 has completed the DUI education course and evaluation
314 requirement. If the DUI program notifies the department of the
315 second failure to complete treatment, the department shall
316 reinstate the driving privilege only after notice of completion
317 of treatment from the DUI program. The privilege of driving on a
318 limited or restricted basis for business or employment use may
319 ~~shall~~ not be granted to a person who has been convicted of a
320 violation of s. 316.193 until completion of the DUI program
321 substance abuse education course and evaluations as provided in
322 s. 316.193(5). Except as provided in paragraph (c) ~~(b)~~, the
323 privilege of driving on a limited or restricted basis for
324 business or employment use may ~~shall~~ not be granted to a person
325 whose license is revoked pursuant to s. 322.28 or suspended
326 pursuant to s. 322.2615 and who has been convicted of a
327 violation of s. 316.193 two or more times or whose license has
328 been suspended two or more times for refusal to submit to a test
329 pursuant to s. 322.2615 or former s. 322.261.

330 (b) The department may waive the hearing process for



799364

331 suspensions and revocations upon request by the driver if the
332 driver has enrolled or completed the applicable driver training
333 course approved under s. 318.1451 or the DUI program substance
334 abuse education course and evaluation provided in s. 316.193(5).
335 However, the department may not waive the hearing for
336 suspensions or revocations that involve death or serious bodily
337 injury, multiple convictions for violations of s. 316.193
338 pursuant to s. 322.27(5), or a second or subsequent suspension
339 or revocation pursuant to the same provision of this chapter.
340 This paragraph does not preclude the department from requiring a
341 hearing for any suspension or revocation that it determines is
342 warranted based on the severity of the offense.

343 (c) ~~(b)~~ A person whose license has been revoked for a
344 period of 5 years or less pursuant to s. 322.28(2) (a) may, ~~upon~~
345 ~~the expiration of~~ 12 months after the date the ~~said~~ revocation
346 was imposed, petition the department for reinstatement of his or
347 her driving privilege on a restricted basis. A person whose
348 license has been revoked for ~~a period of~~ more than 5 years under
349 s. 322.28(2) (a) may, ~~upon the expiration of~~ 24 months after the
350 date the revocation was imposed, petition the department for
351 reinstatement of his or her driving privilege on a restricted
352 basis. Reinstatement under ~~of the driving privilege pursuant to~~
353 this subsection is ~~shall be~~ restricted to business or employment
354 purposes only. In addition, the department shall require such
355 persons upon reinstatement to have not driven and to have been
356 drug free for at least 12 months immediately before the ~~prior to~~
357 ~~such~~ reinstatement, to be supervised by a DUI program licensed
358 by the department, and to report to the program at least three
359 times a year as required by the program for the duration of the



799364

360 revocation period for supervision. Such supervision includes
361 ~~shall include~~ evaluation, education, referral into treatment,
362 and other activities required by the department. Such persons
363 shall assume reasonable costs of supervision. If the ~~such~~ person
364 fails to comply with the required supervision, the program shall
365 report the failure to the department, and the department shall
366 cancel the ~~such~~ person's driving privilege. This paragraph does
367 not apply to any person whose driving privilege has been
368 permanently revoked.

369 (d) ~~(e)~~ For the purpose of this section, a previous
370 conviction of driving under the influence, driving while
371 intoxicated, driving with an unlawful blood-alcohol level, or
372 any other similar alcohol-related or drug-related offense
373 outside this state or a previous conviction of former s.
374 316.1931, former s. 316.028, or former s. 860.01 is ~~shall be~~
375 considered a previous conviction for violation of s. 316.193.

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

379 Section 14. Subsection (1), paragraph (b) of subsection
380 (7), and subsection (8) of section 322.64, Florida Statutes, is
381 amended to read:

382 322.64 Holder of commercial driver's license; persons
383 operating a commercial motor vehicle; driving with unlawful
384 blood-alcohol level; refusal to submit to breath, urine, or
385 blood test.—

386 (1) (a) A law enforcement officer or correctional officer
387 shall, on behalf of the department, disqualify from operating
388 any commercial motor vehicle a person who while operating or in



799364

389 actual physical control of a commercial motor vehicle is
390 arrested for a violation of s. 316.193, relating to unlawful
391 blood-alcohol level or breath-alcohol level, or a person who has
392 refused to submit to a breath, urine, or blood test authorized
393 by s. 322.63 or s. 316.1932 arising out of the operation or
394 actual physical control of a commercial motor vehicle. A law
395 enforcement officer or correctional officer shall, on behalf of
396 the department, disqualify the holder of a commercial driver's
397 license from operating any commercial motor vehicle if the
398 licenseholder, while operating or in actual physical control of
399 a motor vehicle, is arrested for a violation of s. 316.193,
400 relating to unlawful blood-alcohol level or breath-alcohol
401 level, or refused to submit to a breath, urine, or blood test
402 authorized by s. 322.63 or s. 316.1932. Upon disqualification of
403 the person, the officer shall take the person's driver's license
404 and issue the person a 10-day temporary permit for the operation
405 of noncommercial vehicles only if the person is otherwise
406 eligible for the driving privilege and shall issue the person a
407 notice of disqualification. If the person has been given a
408 blood, breath, or urine test, the results of which are not
409 available to the officer at the time of the arrest, the agency
410 employing the officer shall transmit such results to the
411 department within 5 days after receipt of the results. If the
412 department then determines that the person had a blood-alcohol
413 level or breath-alcohol level of 0.08 or higher, the department
414 shall disqualify the person from operating a commercial motor
415 vehicle pursuant to subsection (3).

416 (b) The disqualification under paragraph (a) shall be
417 pursuant to, and the notice of disqualification shall inform the



799364

418 driver of, the following:

419 1.a. The driver refused to submit to a lawful breath,
420 blood, or urine test and he or she is disqualified from
421 operating a commercial motor vehicle for a period of 1 year, for
422 a first refusal, or permanently, if he or she has previously
423 been disqualified under this section ~~as a result of a refusal to~~
424 ~~submit to such a test; or~~

425 b. The driver was driving or in actual physical control of
426 a commercial motor vehicle, or any motor vehicle if the driver
427 holds a commercial driver's license, had an unlawful blood-
428 alcohol level or breath-alcohol level of 0.08 or higher, and his
429 or her driving privilege shall be disqualified for a period of 1
430 year for a first offense or permanently disqualified if his or
431 her driving privilege has been previously disqualified under
432 this section.

433 2. The disqualification period for operating commercial
434 vehicles shall commence on the date of issuance of the notice of
435 disqualification.

436 3. The driver may request a formal or informal review of
437 the disqualification by the department within 10 days after the
438 date of issuance of the notice of disqualification.

439 4. The temporary permit issued at the time of
440 disqualification expires at midnight of the 10th day following
441 the date of disqualification.

442 5. The driver may submit to the department any materials
443 relevant to the disqualification.

444 (7) In a formal review hearing under subsection (6) or an
445 informal review hearing under subsection (4), the hearing
446 officer shall determine by a preponderance of the evidence



799364

447 whether sufficient cause exists to sustain, amend, or invalidate
448 the disqualification. The scope of the review shall be limited
449 to the following issues:

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

453 1. Whether the law enforcement officer had probable cause
454 to believe that the person was driving or in actual physical
455 control of a commercial motor vehicle, or any motor vehicle if
456 the driver holds a commercial driver's license, in this state
457 while he or she had any alcohol, chemical substances, or
458 controlled substances in his or her body.

459 2. Whether the person refused to submit to the test after
460 being requested to do so by a law enforcement officer or
461 correctional officer.

462 3. Whether the person was told that if he or she refused to
463 submit to such test he or she would be disqualified from
464 operating a commercial motor vehicle for a period of 1 year or,
465 if previously disqualified under this section ~~in the case of a~~
466 ~~second refusal~~, permanently.

467 (8) Based on the determination of the hearing officer
468 pursuant to subsection (7) for both informal hearings under
469 subsection (4) and formal hearings under subsection (6), the
470 department shall:

471 (a) Sustain the disqualification for a period of 1 year for
472 a first refusal, or permanently if such person has been
473 previously disqualified from operating a commercial motor
474 vehicle under this section ~~as a result of a refusal to submit to~~
475 ~~such tests~~. The disqualification period commences on the date of



799364

476 the ~~arrest or~~ issuance of the notice of disqualification,
477 ~~whichever is later.~~

478 (b) Sustain the disqualification:

479 1. For a period of 1 year if the person was driving or in
480 actual physical control of a commercial motor vehicle, or any
481 motor vehicle if the driver holds a commercial driver's license,
482 and had an unlawful blood-alcohol level or breath-alcohol level
483 of 0.08 or higher; or

484 2. Permanently if the person has been previously
485 disqualified from operating a commercial motor vehicle under
486 this section or his or her driving privilege has been previously
487 suspended for driving or being in actual physical control of a
488 commercial motor vehicle, or any motor vehicle if the driver
489 holds a commercial driver's license, and had an unlawful blood-
490 alcohol level or breath-alcohol level of 0.08 or higher.

491
492 The disqualification period commences on the date of the
493 ~~arrest or~~ issuance of the notice of disqualification.

494 Section 15. Except as otherwise expressly provided in this
495 act, this act shall take effect July 1, 2009.

496
497 ===== T I T L E A M E N D M E N T =====

498 And the title is amended as follows:

499 Delete lines 6 - 10

500 and insert:

501 Motor Vehicle Inspection; providing for the implementation
502 of a certain litigation settlement; providing eligibility and
503 procedures to collect a credit on new or renewal registrations;
504 providing a funding mechanism for the credit; requiring the



799364

505 credit amounts to be deducted from specified moneys deposited
506 into the General Revenue Fund; providing that the credits are
507 contingent on court approval of a final settlement; providing
508 for expiration; amending s. 316.126, F.S.; requiring drivers of
509 vehicles to behave in a specified fashion when approaching
510 emergency vehicles or wreckers; amending s. 316.2085, F.S.;
511 revising requirements for motorcycle and moped license tags;
512 prohibiting devices and methods that conceal or obscure the
513 license tag; amending s. 316.2122, F.S.; authorizing mini truck
514 operation on local roads and urban minor arterial roads with
515 specified restrictions; amending s. 320.01, F.S.; revising the
516 definition of "motorcycle"; defining the term "mini truck";
517 creating s. 320.0847, F.S.; providing for issuance of unique
518 license plates for low-speed vehicles and mini trucks; amending
519 s. 320.0848, F.S.; providing an exemption for certain person
520 obtaining a disabled parking permit; amending s. 322.0261, F.S.;
521 requiring the department to screen crash reports to identify a
522 third crash by the same operator within a specified period after
523 the driver's first crash; requiring a driver who is convicted of
524 or who pleads nolo contendere to a traffic offense giving rise
525 to three or more crashes within a specified period to attend a
526 department-approved driver improvement course in order to
527 maintain his or her driving privileges; providing for content of
528 the driving course; requiring successful completion of a behind-
529 the-wheel examination; requiring that the department cancel an
530 operator's driver's license if the operator fails to complete
531 the course within a specified time; amending s. 322.03, F.S.;
532 providing for part-time residents of the state to be issued a
533 license that is valid within this state only and continue to



799364

534 hold such license until the next regularly scheduled renewal;
535 providing a termination date for "Florida only" licenses;
536 amending s. 322.08, F.S.; prohibiting the department from
537 issuing a driver's license or identification card to an
538 applicant if the applicant holds a valid driver's license or
539 identification card issued by any state; amending s. 322.125,
540 F.S.; authorizing the department to adopt rules and regulations
541 relating to the Medical Advisory Board; amending s. 322.271,
542 F.S.; authorizing the department to modify a revocation,
543 cancellation, or suspension order; providing that the department
544 may waive the hearing process for suspensions and revocations
545 upon request by the driver under certain circumstances; amending
546 s. 322.64, F.S.; providing for disqualification of a driver of a
547 commercial motor vehicle for certain violations; providing
548 effective dates.