

By Senator Altman

24-01525A-10

20102554

1                                   A bill to be entitled  
2           An act relating to the Department of Highway Safety  
3           and Motor Vehicles; amending s. 316.192, F.S.;  
4           providing for an additional fine to be imposed for the  
5           offense of reckless driving; providing for the  
6           distribution of the fines collected; amending s.  
7           316.193, F.S.; providing for an additional fine to be  
8           assessed against a driver who refuses to submit to a  
9           blood-alcohol level test when asked to do so by a law  
10          enforcement officer; providing for the distribution of  
11          the fines collected; amending s. 320.072, F.S.;  
12          decreasing a fee imposed on the initial registration  
13          application for certain vehicles; revising disposition  
14          of the proceeds from the fees; amending s. 320.08,  
15          F.S.; decreasing the annual license taxes for the  
16          operation of certain vehicles; revising the  
17          disposition of those taxes; amending s. 322.21, F.S.;  
18          decreasing and revising the disposition of certain  
19          driver's license fees; removing fees for persons  
20          requesting a review or a hearing; decreasing certain  
21          application fees for reinstatement of a suspended or  
22          revoked driver's license or reinstatement of a  
23          commercial driver's license following disqualification  
24          of the person's privilege to operate a commercial  
25          motor vehicle; creating s. 322.2701, F.S.; creating  
26          the "Florida's Driver's Responsibility Act"; creating  
27          s. 322.27021, F.S.; requiring the Department of  
28          Highway Safety and Motor Vehicles to assess annually a  
29          surcharge on each person who has accumulated 7 or more

24-01525A-10

20102554

30 points against his or her driver's license during the  
31 preceding 36-month period; specifying the surcharge  
32 for the accumulated points; requiring the department  
33 to notify the holder of a driver's license that a 4th  
34 point has been assessed against his or her license;  
35 creating s. 322.27022, F.S.; requiring the department  
36 to assess a surcharge against a person who has been  
37 convicted of driving under the influence; specifying  
38 the amount of the surcharge to be applied to the  
39 number of convictions during a specified period;  
40 creating s. 322.27023, F.S.; requiring the department  
41 to assess a surcharge against a person who has been  
42 convicted of driving without a valid license or  
43 without financial responsibility; specifying the  
44 amount of the surcharge to be applied to the number of  
45 convictions during a specified period; creating s.  
46 322.2704, F.S.; requiring the department to notify  
47 each person holding a driver's license of any  
48 surcharge assessed against the person's license;  
49 requiring that notice be sent by first-class mail to  
50 the person's most recent address as shown on the  
51 records of the department; requiring the notice to  
52 specify the date by which the surcharge must be paid  
53 and to state the consequences of failing to pay the  
54 surcharge; providing that a person's drivers license  
55 will automatically be suspended if the person fails to  
56 pay the full amount of the surcharge or fails to enter  
57 into an installment payment agreement with the  
58 department; providing that a driver's license once

24-01525A-10

20102554

59 suspended remains suspended until the person pays the  
60 full amount of the surcharge or the required  
61 installment payment and any related costs; creating s.  
62 322.2705, F.S.; requiring the department to adopt a  
63 rule governing methods of payment of the surcharge;  
64 authorizing the department to adopt a rule permitting  
65 a driver to pay the surcharge by using a credit card;  
66 creating s. 322.2706, F.S.; requiring the department  
67 to contract with a private vendor to collect the  
68 surcharge receivables; creating s. 322.2707, F.S.;  
69 requiring the department to establish a surcharge  
70 reduction program to extend the payment period for a  
71 surcharge or to waive or reduce a surcharge assessed;  
72 creating s. 322.2709, F.S.; providing for the  
73 distribution of surcharges collected by the  
74 department; amending s. 318.121, F.S.; providing that  
75 surcharges collected may be added to civil traffic  
76 penalties; providing an effective date.

77  
78 Be It Enacted by the Legislature of the State of Florida:

79  
80 Section 1. Present subsection (5) of section 316.192,  
81 Florida Statutes, is redesignated as subsection (6), and a new  
82 subsection (5) is added to that section, to read:

83 316.192 Reckless driving.—

84 (5) Notwithstanding any other provision of this section, an  
85 additional charge in the amount of \$300 shall be added to any  
86 fine imposed pursuant to this section. One hundred fifty dollars  
87 from each such charge shall be remitted to the Department of

24-01525A-10

20102554

88 Revenue for deposit into the Emergency Medical Services Trust  
89 Fund and \$150 shall be remitted to the Department of Revenue for  
90 deposit into the Education Enhancement Trust Fund.

91 Section 2. Paragraph (b) of subsection (2) of section  
92 316.193, Florida Statutes, is amended to read:

93 316.193 Driving under the influence; penalties.—

94 (2)

95 (b)1. Any person who is convicted of a third violation of  
96 this section for an offense that occurs within 10 years after a  
97 prior conviction for a violation of this section commits a  
98 felony of the third degree, punishable as provided in s.  
99 775.082, s. 775.083, or s. 775.084. In addition, the court shall  
100 order the mandatory placement for a period of not less than 2  
101 years, at the convicted person's sole expense, of an ignition  
102 interlock device approved by the department in accordance with  
103 s. 316.1938 upon all vehicles that are individually or jointly  
104 leased or owned and routinely operated by the convicted person,  
105 when the convicted person qualifies for a permanent or  
106 restricted license. The installation of such device may not  
107 occur before July 1, 2003.

108 2. Any person who is convicted of a third violation of this  
109 section for an offense that occurs more than 10 years after the  
110 date of a prior conviction for a violation of this section shall  
111 be punished by a fine of not less than \$2,000 or more than  
112 \$5,000 and by imprisonment for not more than 12 months. In  
113 addition, the court shall order the mandatory placement for a  
114 period of at least 2 years, at the convicted person's sole  
115 expense, of an ignition interlock device approved by the  
116 department in accordance with s. 316.1938 upon all vehicles that

24-01525A-10

20102554

117 are individually or jointly leased or owned and routinely  
118 operated by the convicted person, when the convicted person  
119 qualifies for a permanent or restricted license. The  
120 installation of such device may not occur before July 1, 2003.

121 3. Any person who is convicted of a fourth or subsequent  
122 violation of this section, regardless of when any prior  
123 conviction for a violation of this section occurred, commits a  
124 felony of the third degree, punishable as provided in s.  
125 775.082, s. 775.083, or s. 775.084. However, the fine imposed  
126 for such fourth or subsequent violation may be not less than  
127 \$2,000.

128 4. Notwithstanding any other provision of this section, a  
129 fine in the amount of \$300 shall be assessed against each driver  
130 who refuses to submit to a blood-alcohol level test when asked  
131 to do so by a law enforcement officer. One hundred fifty dollars  
132 from each such fine shall be remitted to the Department of  
133 Revenue for deposit into the Emergency Medical Services Trust  
134 Fund and \$150 shall be remitted to the Department of Revenue for  
135 deposit into the Education Enhancement Trust Fund.

136 Section 3. Subsections (1) and (4) of section 320.072,  
137 Florida Statutes, are amended to read:

138 320.072 Additional fee imposed on certain motor vehicle  
139 registration transactions.—

140 (1) A fee of \$100 ~~\$225~~ is imposed upon the initial  
141 application for registration pursuant to s. 320.06 of every  
142 motor vehicle classified in s. 320.08(2), (3), and (9)(c) and  
143 (d).

144 (4) A tax collector or other authorized agent of the  
145 department shall promptly remit ~~44.5 percent~~ of all moneys

24-01525A-10

20102554

146 collected pursuant to this section, less any refunds granted  
147 pursuant to subsection (3), to the department to be deposited  
148 into the State Transportation Trust Fund. ~~The remaining 55.5~~  
149 ~~percent shall be deposited into the General Revenue Fund.~~

150 Section 4. Paragraphs (a), (b), and (d) of subsection (1),  
151 subsections (2) through (9), and subsections (12) through (15)  
152 of section 320.08, Florida Statutes, are amended to read:

153 320.08 License taxes.—Except as otherwise provided herein,  
154 there are hereby levied and imposed annual license taxes for the  
155 operation of motor vehicles, mopeds, motorized bicycles as  
156 defined in s. 316.003(2), and mobile homes, as defined in s.  
157 320.01, which shall be paid to and collected by the department  
158 or its agent upon the registration or renewal of registration of  
159 the following:

160 (1) MOTORCYCLES AND MOPEDS.—

161 (a) Any motorcycle: \$10 ~~\$13.50~~ flat, ~~of which \$3.50 shall~~  
162 ~~be deposited into the General Revenue Fund.~~

163 (b) Any moped: \$5 ~~\$6.75~~ flat, ~~of which \$1.75 shall be~~  
164 ~~deposited into the General Revenue Fund.~~

165 (d) An ancient or antique motorcycle: \$10 ~~\$13.50~~ flat, ~~of~~  
166 ~~which \$3.50 shall be deposited into the General Revenue Fund.~~

167 (2) AUTOMOBILES FOR PRIVATE USE.—

168 (a) An ancient or antique automobile, as defined in s.  
169 320.086, or a street rod, as defined in s. 320.0863: \$7.50  
170 ~~\$10.25~~ flat, ~~of which \$2.75 shall be deposited into the General~~  
171 ~~Revenue Fund.~~

172 (b) Net weight of less than 2,500 pounds: \$14.50 ~~\$19.50~~  
173 flat, ~~of which \$5 shall be deposited into the General Revenue~~  
174 ~~Fund.~~

24-01525A-10

20102554

175 (c) Net weight of 2,500 pounds or more, but less than 3,500  
176 pounds: \$22.50 ~~\$30.50~~ flat, ~~of which \$8 shall be deposited into~~  
177 ~~the General Revenue Fund.~~

178 (d) Net weight of 3,500 pounds or more: \$32.50 ~~\$44~~ flat, ~~of~~  
179 ~~which \$11.50 shall be deposited into the General Revenue Fund.~~

180 (3) TRUCKS.—

181 (a) Net weight of less than 2,000 pounds: \$14.50 ~~\$19.50~~  
182 flat, ~~of which \$5 shall be deposited into the General Revenue~~  
183 ~~Fund.~~

184 (b) Net weight of 2,000 pounds or more, but not more than  
185 3,000 pounds: \$22.50 ~~\$30.50~~ flat, ~~of which \$8 shall be deposited~~  
186 ~~into the General Revenue Fund.~~

187 (c) Net weight more than 3,000 pounds, but not more than  
188 5,000 pounds: \$32.50 ~~\$44~~ flat, ~~of which \$11.50 shall be~~  
189 ~~deposited into the General Revenue Fund.~~

190 (d) A truck defined as a "goat," or any other vehicle if  
191 used in the field by a farmer or in the woods for the purpose of  
192 harvesting a crop, including naval stores, during such  
193 harvesting operations, and which is not principally operated  
194 upon the roads of the state: \$7.50 ~~\$10.25~~ flat, ~~of which \$2.75~~  
195 ~~shall be deposited into the General Revenue Fund.~~ A "goat" is a  
196 motor vehicle designed, constructed, and used principally for  
197 the transportation of citrus fruit within citrus groves or for  
198 the transportation of crops on farms, and which can also be used  
199 for the hauling of associated equipment or supplies, including  
200 required sanitary equipment, and the towing of farm trailers.

201 (e) An ancient or antique truck, as defined in s. 320.086:  
202 \$7.50 ~~\$10.25~~ flat, ~~of which \$2.75 shall be deposited into the~~  
203 ~~General Revenue Fund.~~

24-01525A-10

20102554

204 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS  
205 VEHICLE WEIGHT.—

206 (a) Gross vehicle weight of 5,001 pounds or more, but less  
207 than 6,000 pounds: \$45 ~~\$60.75~~ flat, ~~of which \$15.75 shall be~~  
208 ~~deposited into the General Revenue Fund.~~

209 (b) Gross vehicle weight of 6,000 pounds or more, but less  
210 than 8,000 pounds: \$65 ~~\$87.75~~ flat, ~~of which \$22.75 shall be~~  
211 ~~deposited into the General Revenue Fund.~~

212 (c) Gross vehicle weight of 8,000 pounds or more, but less  
213 than 10,000 pounds: \$76 ~~\$103~~ flat, ~~of which \$27 shall be~~  
214 ~~deposited into the General Revenue Fund.~~

215 (d) Gross vehicle weight of 10,000 pounds or more, but less  
216 than 15,000 pounds: \$87 ~~\$118~~ flat, ~~of which \$31 shall be~~  
217 ~~deposited into the General Revenue Fund.~~

218 (e) Gross vehicle weight of 15,000 pounds or more, but less  
219 than 20,000 pounds: \$131 ~~\$177~~ flat, ~~of which \$46 shall be~~  
220 ~~deposited into the General Revenue Fund.~~

221 (f) Gross vehicle weight of 20,000 pounds or more, but less  
222 than 26,001 pounds: \$186 ~~\$251~~ flat, ~~of which \$65 shall be~~  
223 ~~deposited into the General Revenue Fund.~~

224 (g) Gross vehicle weight of 26,001 pounds or more, but less  
225 than 35,000: \$240 ~~\$324~~ flat, ~~of which \$84 shall be deposited~~  
226 ~~into the General Revenue Fund.~~

227 (h) Gross vehicle weight of 35,000 pounds or more, but less  
228 than 44,000 pounds: \$300 ~~\$405~~ flat, ~~of which \$105 shall be~~  
229 ~~deposited into the General Revenue Fund.~~

230 (i) Gross vehicle weight of 44,000 pounds or more, but less  
231 than 55,000 pounds: \$572 ~~\$773~~ flat, ~~of which \$201 shall be~~  
232 ~~deposited into the General Revenue Fund.~~



24-01525A-10

20102554\_\_

233 (j) Gross vehicle weight of 55,000 pounds or more, but less  
 234 than 62,000 pounds: \$678 ~~\$916~~ flat, ~~of which \$238 shall be~~  
 235 ~~deposited into the General Revenue Fund.~~

236 (k) Gross vehicle weight of 62,000 pounds or more, but less  
 237 than 72,000 pounds: \$800 ~~\$1,080~~ flat, ~~of which \$280 shall be~~  
 238 ~~deposited into the General Revenue Fund.~~

239 (l) Gross vehicle weight of 72,000 pounds or more: \$979  
 240 ~~\$1,322~~ flat, ~~of which \$343 shall be deposited into the General~~  
 241 ~~Revenue Fund.~~

242 (m) Notwithstanding the declared gross vehicle weight, a  
 243 truck tractor used within a 150-mile radius of its home address  
 244 is eligible for a license plate for a fee of \$240 ~~\$324~~ flat if:

245 1. The truck tractor is used exclusively for hauling  
 246 forestry products; or

247 2. The truck tractor is used primarily for the hauling of  
 248 forestry products, and is also used for the hauling of  
 249 associated forestry harvesting equipment used by the owner of  
 250 the truck tractor.

251  
 252 ~~Of the fee imposed by this paragraph, \$84 shall be deposited~~  
 253 ~~into the General Revenue Fund.~~

254 (n) 1. A truck tractor or heavy truck, not operated as a  
 255 for-hire vehicle, which is engaged exclusively in transporting  
 256 raw, unprocessed, and nonmanufactured agricultural or  
 257 horticultural products within a 150-mile radius of its home  
 258 address, is eligible for a restricted license plate for a fee as  
 259 follows ~~of~~:

260 a.1. If such vehicle's declared gross vehicle weight is  
 261 less than 44,000 pounds, \$65 ~~\$87.75~~ flat, ~~of which \$22.75 shall~~

24-01525A-10

20102554

262 ~~be deposited into the General Revenue Fund.~~

263 ~~b.2.~~ If such vehicle's declared gross vehicle weight is  
264 44,000 pounds or more and such vehicle only transports from the  
265 point of production to the point of primary manufacture; to the  
266 point of assembling the same; or to a shipping point of a rail,  
267 water, or motor transportation company, \$240 ~~\$324~~ flat, ~~of which~~  
268 ~~\$84 shall be deposited into the General Revenue Fund.~~

269 2. Such not-for-hire truck tractors and heavy trucks used  
270 exclusively in transporting raw, unprocessed, and  
271 nonmanufactured agricultural or horticultural products may be  
272 incidentally used to haul farm implements and fertilizers  
273 delivered direct to the growers. The department may require any  
274 documentation deemed necessary to determine eligibility prior to  
275 issuance of this license plate. For the purpose of this  
276 paragraph, "not-for-hire" means the owner of the motor vehicle  
277 must also be the owner of the raw, unprocessed, and  
278 nonmanufactured agricultural or horticultural product, or the  
279 user of the farm implements and fertilizer being delivered.

280 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;  
281 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

282 (a)1. A semitrailer drawn by a GVW truck tractor by means  
283 of a fifth-wheel arrangement: \$10 ~~\$13.50~~ flat per registration  
284 year or any part thereof, ~~of which \$3.50 shall be deposited into~~  
285 ~~the General Revenue Fund.~~

286 2. A semitrailer drawn by a GVW truck tractor by means of a  
287 fifth-wheel arrangement: \$50 ~~\$68~~ flat per permanent  
288 registration, ~~of which \$18 shall be deposited into the General~~  
289 ~~Revenue Fund.~~

290 (b) A motor vehicle equipped with machinery and designed

24-01525A-10

20102554

291 for the exclusive purpose of well drilling, excavation,  
292 construction, spraying, or similar activity, and which is not  
293 designed or used to transport loads other than the machinery  
294 described above over public roads: \$32.50 ~~\$44~~ flat, ~~of which~~  
295 ~~\$11.50 shall be deposited into the General Revenue Fund.~~

296 (c) A school bus used exclusively to transport pupils to  
297 and from school or school or church activities or functions  
298 within their own county: \$30 ~~\$41~~ flat, ~~of which \$11 shall be~~  
299 ~~deposited into the General Revenue Fund.~~

300 (d) A wrecker, as defined in s. 320.01(40), which is used  
301 to tow a vessel as defined in s. 327.02(39), a disabled,  
302 abandoned, stolen-recovered, or impounded motor vehicle as  
303 defined in s. 320.01(38), or a replacement motor vehicle as  
304 defined in s. 320.01(39): \$30 ~~\$41~~ flat, ~~of which \$11 shall be~~  
305 ~~deposited into the General Revenue Fund.~~

306 (e) A wrecker that is used to tow any motor vehicle,  
307 regardless of whether such motor vehicle is a disabled motor  
308 vehicle, a replacement motor vehicle, a vessel, or any other  
309 cargo, as follows:

310 1. Gross vehicle weight of 10,000 pounds or more, but less  
311 than 15,000 pounds: \$87 ~~\$118~~ flat, ~~of which \$31 shall be~~  
312 ~~deposited into the General Revenue Fund.~~

313 2. Gross vehicle weight of 15,000 pounds or more, but less  
314 than 20,000 pounds: \$131 ~~\$177~~ flat, ~~of which \$46 shall be~~  
315 ~~deposited into the General Revenue Fund.~~

316 3. Gross vehicle weight of 20,000 pounds or more, but less  
317 than 26,000 pounds: \$186 ~~\$251~~ flat, ~~of which \$65 shall be~~  
318 ~~deposited into the General Revenue Fund.~~

319 4. Gross vehicle weight of 26,000 pounds or more, but less

24-01525A-10

20102554

320 than 35,000 pounds: \$240 ~~\$324~~ flat, ~~of which \$84 shall be~~  
 321 ~~deposited into the General Revenue Fund.~~

322 5. Gross vehicle weight of 35,000 pounds or more, but less  
 323 than 44,000 pounds: \$300 ~~\$405~~ flat, ~~of which \$105 shall be~~  
 324 ~~deposited into the General Revenue Fund.~~

325 6. Gross vehicle weight of 44,000 pounds or more, but less  
 326 than 55,000 pounds: \$572 ~~\$772~~ flat, ~~of which \$200 shall be~~  
 327 ~~deposited into the General Revenue Fund.~~

328 7. Gross vehicle weight of 55,000 pounds or more, but less  
 329 than 62,000 pounds: \$678 ~~\$915~~ flat, ~~of which \$237 shall be~~  
 330 ~~deposited into the General Revenue Fund.~~

331 8. Gross vehicle weight of 62,000 pounds or more, but less  
 332 than 72,000 pounds: \$800 ~~\$1,080~~ flat, ~~of which \$280 shall be~~  
 333 ~~deposited into the General Revenue Fund.~~

334 9. Gross vehicle weight of 72,000 pounds or more: \$979  
 335 \$1,322 flat, ~~of which \$343 shall be deposited into the General~~  
 336 ~~Revenue Fund.~~

337 (f) A hearse or ambulance: \$30 ~~\$40.50~~ flat, ~~of which \$10.50~~  
 338 ~~shall be deposited into the General Revenue Fund.~~

339 (6) MOTOR VEHICLES FOR HIRE.—

340 (a) Under nine passengers: \$12.50 ~~\$17~~ flat, ~~of which \$4.50~~  
 341 ~~shall be deposited into the General Revenue Fund;~~ plus \$1 ~~\$1.50~~  
 342 ~~per cwt, of which 50 cents shall be deposited into the General~~  
 343 ~~Revenue Fund.~~

344 (b) Nine passengers and over: \$12.50 ~~\$17~~ flat, ~~of which~~  
 345 ~~\$4.50 shall be deposited into the General Revenue Fund;~~ plus  
 346 \$1.50 ~~\$2~~ per cwt, ~~of which 50 cents shall be deposited into the~~  
 347 ~~General Revenue Fund.~~

348 (7) TRAILERS FOR PRIVATE USE.—

24-01525A-10

20102554

349 (a) Any trailer weighing 500 pounds or less: \$5 ~~\$6.75~~ flat  
350 per year or any part thereof, ~~of which \$1.75 shall be deposited~~  
351 ~~into the General Revenue Fund.~~

352 (b) Net weight over 500 pounds: \$2.50 ~~\$3.50~~ flat, ~~of which~~  
353 ~~\$1 shall be deposited into the General Revenue Fund;~~ plus 75  
354 cents ~~\$1 per cwt,~~ ~~of which 25 cents shall be deposited into the~~  
355 ~~General Revenue Fund.~~

356 (8) TRAILERS FOR HIRE.—

357 (a) Net weight under 2,000 pounds: \$2.50 ~~\$3.50~~ flat, ~~of~~  
358 ~~which \$1 shall be deposited into the General Revenue Fund;~~ plus  
359 \$1 ~~\$1.50~~ per cwt, ~~of which 50 cents shall be deposited into the~~  
360 ~~General Revenue Fund.~~

361 (b) Net weight 2,000 pounds or more: \$10 ~~\$13.50~~ flat, ~~of~~  
362 ~~which \$3.50 shall be deposited into the General Revenue Fund;~~  
363 plus \$1 ~~\$1.50~~ per cwt, ~~of which 50 cents shall be deposited into~~  
364 ~~the General Revenue Fund.~~

365 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

366 (a) A travel trailer or fifth-wheel trailer, as defined by  
367 s. 320.01(1)(b), that does not exceed 35 feet in length: \$20 ~~\$27~~  
368 flat, ~~of which \$7 shall be deposited into the General Revenue~~  
369 ~~Fund.~~

370 (b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$10  
371 ~~\$13.50~~ flat, ~~of which \$3.50 shall be deposited into the General~~  
372 ~~Revenue Fund.~~

373 (c) A motor home, as defined by s. 320.01(1)(b)4.:

374 1. Net weight of less than 4,500 pounds: \$20 ~~\$27~~ flat, ~~of~~  
375 ~~which \$7 shall be deposited into the General Revenue Fund.~~

376 2. Net weight of 4,500 pounds or more: \$35 ~~\$47.25~~ flat, ~~of~~  
377 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

24-01525A-10

20102554

378 (d) A truck camper as defined by s. 320.01(1)(b)3.:

379 1. Net weight of less than 4,500 pounds: \$20 ~~\$27~~ flat, ~~of~~  
380 ~~which \$7 shall be deposited into the General Revenue Fund.~~

381 2. Net weight of 4,500 pounds or more: \$35 ~~\$47.25~~ flat, ~~of~~  
382 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

383 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

384 1. Net weight of less than 4,500 pounds: \$20 ~~\$27~~ flat, ~~of~~  
385 ~~which \$7 shall be deposited into the General Revenue Fund.~~

386 2. Net weight of 4,500 pounds or more: \$35 ~~\$47.25~~ flat, ~~of~~  
387 ~~which \$12.25 shall be deposited into the General Revenue Fund.~~

388 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
389 motor vehicle dealer, independent motor vehicle dealer, marine  
390 boat trailer dealer, or mobile home dealer and manufacturer  
391 license plate: \$12.50 ~~\$17~~ flat, ~~of which \$4.50 shall be~~  
392 ~~deposited into the General Revenue Fund.~~

393 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or  
394 official license plate: \$3 ~~\$4~~ flat, ~~of which \$1 shall be~~  
395 ~~deposited into the General Revenue Fund.~~

396 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor  
397 vehicle for hire operated wholly within a city or within 25  
398 miles thereof: \$12.50 ~~\$17~~ flat, ~~of which \$4.50 shall be~~  
399 ~~deposited into the General Revenue Fund; plus \$1.50 \$2 per cwt,~~  
400 ~~of which 50 cents shall be deposited into the General Revenue~~  
401 ~~Fund.~~

402 (15) TRANSPORTER.—Any transporter license plate issued to a  
403 transporter pursuant to s. 320.133: \$75 ~~\$101.25~~ flat, ~~of which~~  
404 ~~\$26.25 shall be deposited into the General Revenue Fund.~~

405 Section 5. Subsections (1), (8), and (9) of section 322.21,  
406 Florida Statutes, are amended to read:

24-01525A-10

20102554

407           322.21 License fees; procedure for handling and collecting  
408 fees.—

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

410           (a) An original or renewal commercial driver's license is  
411 \$67 ~~\$75~~, which shall include the fee for driver education  
412 provided by s. 1003.48. However, if an applicant has completed  
413 training and is applying for employment or is currently employed  
414 in a public or nonpublic school system that requires the  
415 commercial license, the fee is the same as for a Class E  
416 driver's license. A delinquent fee of \$1 ~~\$15~~ shall be added for  
417 a renewal within 12 months after the license expiration date.

418           (b) An original Class E driver's license is \$27 ~~\$48~~, which  
419 includes the fee for driver's education provided by s. 1003.48.  
420 However, if an applicant has completed training and is applying  
421 for employment or is currently employed in a public or nonpublic  
422 school system that requires a commercial driver license, the fee  
423 is the same as for a Class E license.

424           (c) The renewal or extension of a Class E driver's license  
425 or of a license restricted to motorcycle use only is \$20 ~~\$48~~,  
426 except that a delinquent fee of \$1 ~~\$15~~ shall be added for a  
427 renewal or extension made within 12 months after the license  
428 expiration date. The fee provided in this paragraph includes the  
429 fee for driver's education provided by s. 1003.48.

430           (d) An original driver's license restricted to motorcycle  
431 use only is \$27 ~~\$48~~, which includes the fee for driver's  
432 education provided by s. 1003.48.

433           (e) A replacement driver's license issued pursuant to s.  
434 322.17 is \$10 ~~\$25~~. Of this amount \$7 shall be deposited into the  
435 Highway Safety Operating Trust Fund and \$3 ~~\$18~~ shall be

24-01525A-10

20102554

436 deposited into the General Revenue Fund.

437 (f) An original, renewal, or replacement identification  
438 card issued pursuant to s. 322.051 is \$10 ~~\$25~~. Funds collected  
439 from these fees shall be distributed as follows:

440 1. For an original identification card issued pursuant to  
441 s. 322.051 the fee is \$10 ~~\$25~~. This amount shall be deposited  
442 into the General Revenue Fund.

443 2. For a renewal identification card issued pursuant to s.  
444 322.051 the fee is \$10 ~~\$25~~. Of this amount, \$6 shall be  
445 deposited into the Highway Safety Operating Trust Fund and \$4  
446 ~~\$19~~ shall be deposited into the General Revenue Fund.

447 3. For a replacement identification card issued pursuant to  
448 s. 322.051 the fee is \$10 ~~\$25~~. Of this amount, \$9 shall be  
449 deposited into the Highway Safety Operating Trust Fund and \$1  
450 ~~\$16~~ shall be deposited into the General Revenue Fund.

451 (g) Each endorsement required by s. 322.57 is \$7.

452 (h) A hazardous-materials endorsement, as required by s.  
453 322.57(1)(d), shall be set by the department by rule and must  
454 reflect the cost of the required criminal history check,  
455 including the cost of the state and federal fingerprint check,  
456 and the cost to the department of providing and issuing the  
457 license. The fee shall not exceed \$100. This fee shall be  
458 deposited in the Highway Safety Operating Trust Fund. The  
459 department may adopt rules to administer this section.

460 (8) (a) Any person who applies for reinstatement following  
461 the suspension or revocation of the person's driver's license  
462 must pay a service fee of \$35 ~~\$45~~ following a suspension, and  
463 \$60 ~~\$75~~ following a revocation, which is in addition to the fee  
464 for a license. Any person who applies for reinstatement of a



24-01525A-10

20102554

465 commercial driver's license following the disqualification of  
466 the person's privilege to operate a commercial motor vehicle  
467 shall pay a service fee of \$60 ~~\$75~~, which is in addition to the  
468 fee for a license. The department shall collect all of these  
469 fees at the time of reinstatement. The department shall issue  
470 proper receipts for such fees and shall promptly transmit all  
471 funds received by it as follows:

472 1.~~(a)~~ Of the \$35 ~~\$45~~ fee received from a licensee for  
473 reinstatement following a suspension, the department shall  
474 deposit \$15 in the General Revenue Fund and \$20 ~~\$30~~ in the  
475 Highway Safety Operating Trust Fund.

476 2.~~(b)~~ Of the \$60 ~~\$75~~ fee received from a licensee for  
477 reinstatement following a revocation or disqualification, the  
478 department shall deposit \$35 in the General Revenue Fund and \$25  
479 ~~\$40~~ in the Highway Safety Operating Trust Fund.

480 ~~(9) An applicant:~~

481 ~~(a) Requesting a review authorized in s. 322.222, s.~~  
482 ~~322.2615, s. 322.2616, s. 322.27, or s. 322.64 must pay a filing~~  
483 ~~fee of \$25 to be deposited into the Highway Safety Operating~~  
484 ~~Trust Fund.~~

485 ~~(b) Petitioning the department for a hearing authorized in~~  
486 ~~s. 322.271 must pay a filing fee of \$12 to be deposited into the~~  
487 ~~Highway Safety Operating Trust Fund.~~

488 (b) If the revocation or suspension of the driver's license  
489 was for a violation of s. 316.193, or for refusal to submit to a  
490 lawful breath, blood, or urine test, an additional fee of \$115  
491 ~~\$130~~ must be charged. However, only one \$115 ~~\$130~~ fee may be  
492 collected from one person convicted of violations arising out of  
493 the same incident. The department shall collect the \$115 ~~\$130~~

24-01525A-10

20102554

494 fee and deposit the fee into the Highway Safety Operating Trust  
495 Fund at the time of reinstatement of the person's driver's  
496 license, but the fee may not be collected if the suspension or  
497 revocation is overturned. If the revocation or suspension of the  
498 driver's license was for a conviction for a violation of s.  
499 817.234(8) or (9) or s. 817.505, an additional fee of \$180 is  
500 imposed for each offense. The department shall collect and  
501 deposit the additional fee into the Highway Safety Operating  
502 Trust Fund at the time of reinstatement of the person's driver's  
503 license.

504 Section 6. Section 322.2701, Florida Statutes, is created  
505 to read:

506 322.2701 Short title.—Sections 322.2701-322.2709 may be  
507 cited as the "Driver's Responsibility Act."

508 Section 7. Section 322.27021, Florida Statutes, is created  
509 to read:

510 322.27021 Surcharge for points.—

511 (1) The department shall assess annually a surcharge on  
512 each person who has accumulated 7 or more points under s. 322.27  
513 against his or her driver's license during the preceding 36-  
514 month period.

515 (2) The amount of the surcharge assessed under this section  
516 is \$120 for the first 7 points and \$25 for each additional  
517 point.

518 (3) The department shall notify the holder of a driver's  
519 license of the assignment of a 4th point on that person's  
520 license. Notice shall be sent by first-class mail to the  
521 person's most recent address as shown on the records of the  
522 department.

24-01525A-10

20102554

523       (4) This section does not apply to a conviction that  
524 becomes final on or before July 1, 2010.

525       Section 8. Section 322.27022, Florida Statutes, is created  
526 to read:

527       322.27022 Surcharge for conviction of driving under the  
528 influence.—

529       (1) The department shall assess annually a surcharge on  
530 each person who has a final conviction during the preceding 36-  
531 month period for a violation of s. 316.193.

532       (2) The amount of the surcharge under this section is:

533       (a) Five hundred dollars per year for a first conviction.

534       (b) Seven hundred fifty dollars per year for a second or  
535 subsequent conviction within a 36-month period.

536       (c) One thousand dollars per year for a first or subsequent  
537 conviction if the blood-alcohol level of the person was 0.20 or  
538 higher at the time the analysis was performed.

539       (3) A surcharge under this section may not be assessed for  
540 the same conviction for a period longer than 36 months.

541       (4) This section does not apply to a conviction that  
542 becomes final on or before July 1, 2010.

543       Section 9. Section 322.27023, Florida Statutes, is created  
544 to read:

545       322.27023 Surcharge for conviction of driving without a  
546 valid license or without financial responsibility.—

547       (1) The department shall assess annually a surcharge on  
548 each person who has a final conviction during the preceding 36  
549 month period for a violation of s. 322.03, s. 322.065, s.  
550 324.021, or s. 627.733.

551       (2) The amount of a surcharge under this section is \$120

24-01525A-10

20102554

552 per year.

553 (3) This section does not apply to a conviction that  
554 becomes final on or before July 1, 2010.

555 Section 10. Section 322.2704, Florida Statutes, is created  
556 to read:

557 322.2704 Notice of surcharge.—

558 (1) The department shall notify each person who has been  
559 assessed a surcharge under ss. 322.2701-322.2709. Notice to the  
560 person shall be by first-class mail sent to the person's most  
561 recent address as shown on the records of the department. The  
562 notice must specify the date by which the surcharge must be paid  
563 and state the consequences to the person if he or she fails to  
564 pay the surcharge.

565 (2) The person shall pay the full amount of the surcharge  
566 or enter into an installment payment agreement with the  
567 department within 30 days after the date the notification was  
568 sent. If the person fails to pay in full or enter into an  
569 installment agreement, the person's license is automatically  
570 suspended.

571 (3) A license suspended under this section remains  
572 suspended until the person pays the full amount of the surcharge  
573 or the installment payments and any related costs.

574 Section 11. Section 322.2705, Florida Statutes, is created  
575 to read:

576 322.2705 Installment payment of surcharges.—

577 (1) The department shall adopt a rule allowing a person to  
578 pay by installment any surcharge assessed against the person  
579 pursuant to ss. 322.2701-322.2709.

580 (2) The rule adopted under this section may not permit a

24-01525A-10

20102554

581 person owing a surcharge:

582 (a) Of \$2,300 or less to pay the surcharge over a period of  
583 more than 12 months.

584 (b) Of \$2,300 or more to pay the surcharge over a period of  
585 more than 24 consecutive months.

586 (3) The rule may authorize the department to declare the  
587 amount of unpaid surcharge immediately due and payable if the  
588 person fails to make a required installment payment.

589 (4) (a) The rule may authorize the person to pay his or her  
590 surcharge by using a credit card and, if so, must require the  
591 person using the credit card to pay all costs incurred by the  
592 department in connection with the acceptance of the credit card.

593 (b) If a person pays a surcharge or related cost by credit  
594 card and the amount is subsequently denied by the issuer of the  
595 credit card, the person's license shall be automatically  
596 suspended.

597 (5) A license suspended under this section remains  
598 suspended until the person pays the full amount of the surcharge  
599 or all past due installments and any related costs.

600 Section 12. Section 322.2706, Florida Statutes, is created  
601 to read:

602 322.2706 Contracts for collection of surcharges.—The  
603 department shall enter into a contract with a vendor for the  
604 collection of surcharges receivable under ss. 322.2701-322.2709.

605 Section 13. Section 322.2707, Florida Statutes, is created  
606 to read:

607 322.2707 Surcharge reduction program.—

608 (1) The department shall adopt a rule to establish a  
609 surcharge reduction program to extend the payment period for a

24-01525A-10

20102554

610 surcharges or to reduce or waive a surcharge assessed under ss.  
611 322.2701-322.2709.

612 (2) The program shall waive a surcharge resulting from the  
613 first noncriminal infraction committed by a person within the  
614 preceding 48-month period.

615 (3) The program shall reduce the surcharge assessed as a  
616 result of points assessed under s. 322.27 for a person who  
617 completes a driver improvement program prescribed by the  
618 department. The department shall establish the amount of the  
619 reduction to create an incentive for drivers to enroll in a  
620 driver improvement program. The reduction of the surcharge shall  
621 be available to a driver once during a 60-month period. The  
622 amount of the reduction of the surcharge may not exceed \$100.  
623 However, the reduction may not exceed \$75 for a driver who,  
624 within the preceding 3-year period, was assessed points for  
625 violations relating to a motor vehicle accident or violations  
626 identified by the department as most likely to cause accidents  
627 resulting in injuries.

628 (4) The program shall reduce or extend the payment period  
629 for surcharges exceeding \$400 annually which are imposed on  
630 persons who are indigent. In determining whether a person is  
631 indigent, the department shall use the standards for eligibility  
632 for the appointment of a public defender under s. 27.52. The  
633 maximum reduction may not exceed 75 percent of a surcharge. The  
634 maximum payment period may not be extended by more than 1 year.  
635 The rules shall require the department to consider the  
636 particular circumstances affecting a person upon whom a  
637 surcharges is imposed and to limit the extent to which reductions  
638 are available. The department may condition eligibility for a

24-01525A-10

20102554

639 reduction on the completion of a driver improvement program. The  
640 department may charge a fee in an amount equal to the  
641 department's costs to determine a person's indigent status.

642 Section 14. Section 322.2709, Florida Statutes, is created  
643 to read:

644 322.2709 Remittance of surcharges collected.—Moneys  
645 collected from a surcharge imposed by the department pursuant to  
646 ss. 322.2701-322.2709 shall be distributed as follows:

647 (1) Up to 1 percent shall be used to provide public service  
648 announcements to notify the public of the provisions of the  
649 Florida Driver's Responsibility Act.

650 (2) Of the remaining moneys:

651 (a) Fifty percent shall be remitted to the Department of  
652 Revenue to be deposited into the Department of Highway Safety  
653 Operating Trust Fund

654 (b) Fifty percent shall be remitted to the General Revenue  
655 Fund.

656 Section 15. Section 318.121, Florida Statutes, is amended  
657 to read:

658 318.121 Preemption of additional fees, fines, surcharges,  
659 and costs.—Notwithstanding any general or special law, or  
660 municipal or county ordinance, additional fees, fines,  
661 surcharges, or costs other than the court costs and surcharges  
662 assessed under s. 318.18(11), (13), (18), and (19) or ss.  
663 322.2701-322.2709, may not be added to the civil traffic  
664 penalties assessed in this chapter.

665 Section 16. This act shall take effect July 1, 2010.