

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Albritton offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 20.24, Florida Statutes, is amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—
There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles is the Governor and Cabinet. An executive director shall serve at the pleasure of the Governor and Cabinet. The executive director may establish a command, operational, and administrative services structure to assist, manage, and support the department in operating programs and delivering services.

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17 (2) The following divisions, ~~and bureaus within the~~
18 ~~divisions,~~ of the Department of Highway Safety and Motor
19 Vehicles are established:

20 (a) Division of the Florida Highway Patrol.

21 (b) Division of Motorist Services.

22 ~~(b) Division of Driver Licenses.~~

23 ~~(c) Division of Motor Vehicles.~~

24 Section 2. Subsection (9) of section 261.03, Florida
25 Statutes, is amended to read:

26 261.03 Definitions.—As used in this chapter, the term:

27 (9) "ROV" means any motorized recreational off-highway
28 vehicle 64 inches or less in width, having a dry weight of 2,000
29 pounds or less, designed to travel on four or more nonhighway
30 tires, having nonstraddle seating and a steering wheel, and
31 manufactured for recreational use by one or more persons. The
32 term "ROV" does not include a golf cart as defined in ss.
33 320.01~~(22)~~ and 316.003(68) or a low-speed vehicle as defined in
34 s. 320.01~~(42)~~.

35 Section 3. Paragraph (e) of subsection (2) of section
36 288.816, Florida Statutes, is amended to read:

37 288.816 Intergovernmental relations.—

38 (2) The Office of Tourism, Trade, and Economic Development
39 shall be responsible for all consular relations between the
40 state and all foreign governments doing business in Florida. The
41 office shall monitor United States laws and directives to ensure
42 that all federal treaties regarding foreign privileges and
43 immunities are properly observed. The office shall promulgate
44 rules which shall:

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45 (e) Verify entitlement to issuance of special motor
46 vehicle license plates by ~~the Division of Motor Vehicles~~ of the
47 Department of Highway Safety and Motor Vehicles to honorary
48 consuls or such other officials representing foreign governments
49 who are not entitled to issuance of special Consul Corps license
50 plates by the United States Government.

51 Section 4. Paragraph (a) of subsection (3) of section
52 311.121, Florida Statutes, is amended to read:

53 311.121 Qualifications, training, and certification of
54 licensed security officers at Florida seaports.-

55 (3) The Seaport Security Officer Qualification, Training,
56 and Standards Coordinating Council is created under the
57 Department of Law Enforcement.

58 (a) The executive director of the Department of Law
59 Enforcement shall appoint 11 members to the council, to include:

60 1. The seaport administrator of the Department of Law
61 Enforcement.

62 2. The Commissioner of Education or his or her designee.

63 3. The director of the Division of Licensing of the
64 Department of Agriculture and Consumer Services.

65 4. The administrator of the Florida Seaport Transportation
66 and Economic Development Council.

67 5. Two seaport security directors from seaports designated
68 under s. 311.09.

69 6. One director of a state law enforcement academy.

70 7. One representative of a local law enforcement agency.

71 8. Two representatives of contract security services.

72 9. One representative of ~~the Division of Driver Licenses~~

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73 of the Department of Highway Safety and Motor Vehicles.

74 Section 5. Subsections (2) and (21) of section 316.003,
75 Florida Statutes, are amended, and subsection (89) is added to
76 that section, to read:

77 316.003 Definitions.—The following words and phrases, when
78 used in this chapter, shall have the meanings respectively
79 ascribed to them in this section, except where the context
80 otherwise requires:

81 (2) BICYCLE.—Every vehicle propelled solely by human
82 power, and every motorized bicycle propelled by a combination of
83 human power and a ~~an electric~~ helper motor capable of propelling
84 the vehicle at a speed of not more than 20 miles per hour on
85 level ground upon which any person may ride, having two tandem
86 wheels, and including any device generally recognized as a
87 bicycle though equipped with two front or two rear wheels. The
88 term does not include such a vehicle with a seat height of no
89 more than 25 inches from the ground when the seat is adjusted to
90 its highest position or a scooter or similar device. No person
91 under the age of 16 may operate or ride upon a motorized
92 bicycle.

93 (21) MOTOR VEHICLE.—Any self-propelled vehicle not
94 operated upon rails or guideway, but not including any bicycle,
95 motorized scooter, electric personal assistive mobility device,
96 swamp buggy, or moped.

97 (89) SWAMP BUGGY.—A motorized off-road vehicle designed to
98 travel over swampy terrain, which may use large tires or tracks
99 operated from an elevated platform, and may be used upon varied
100 terrain. A swamp buggy does not include any vehicle defined in

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101 chapter 261 or otherwise defined or classified in this chapter.

102 A swamp buggy may not be operated upon the public roads,

103 streets, or highways of this state, except to the extent

104 specifically authorized by a state or federal agency to be used

105 exclusively upon lands, managed, owned, or leased by that

106 agency.

107 Section 6. For the purpose of incorporating the amendment
108 made by chapter 2010-163, Laws of Florida, to section 316.066,
109 Florida Statutes, in a reference thereto, subsection (4) of
110 section 316.065, Florida Statutes, is reenacted retroactive to
111 July 1, 2010, to read:

112 316.065 Crashes; reports; penalties.—

113 (4) Any person who knowingly repairs a motor vehicle
114 without having made a report as required by subsection (3) is
115 guilty of a misdemeanor of the first degree, punishable as
116 provided in s. 775.082 or s. 775.083. The owner and driver of a
117 vehicle involved in a crash who makes a report thereof in
118 accordance with subsection (1) or s. 316.066(1) is not liable
119 under this section.

120 Section 7. Section 316.1303, Florida Statutes, is amended
121 to read:

122 316.1303 Traffic regulations to assist mobility-impaired
123 persons.—

124 (1) Whenever a pedestrian is in the process of crossing a
125 public street or highway and the pedestrian is mobility impaired
126 ~~mobility-impaired~~ (using a guide dog or service animal
127 designated as such with a visible means of identification, a
128 walker, a crutch, an orthopedic cane, or a wheelchair), the

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129 driver of every vehicle approaching the intersection, as defined
130 in s. 316.003(17), shall bring his or her vehicle to a full stop
131 before arriving at such intersection and, before proceeding,
132 shall take such precautions as may be necessary to avoid
133 injuring such pedestrian.

134 (2) A person with impaired mobility who is using a
135 motorized wheelchair or scooter on a sidewalk may temporarily
136 leave the sidewalk and use the roadway to avoid a potential
137 conflict, if no alternative route exists. A law enforcement
138 officer may issue a warning to such person, but may not issue a
139 citation for a violation of subsection (1) to a person described
140 in this subsection.

141 (3) A person who is convicted of a violation of subsection
142 (1) ~~this section~~ shall be punished as provided in s. 318.18(3).

143 Section 8. Section 316.1957, Florida Statutes, is amended
144 to read:

145 316.1957 Parking violations; designated parking spaces for
146 persons who have disabilities.—When evidence is presented in any
147 court of the fact that any motor vehicle was parked in a
148 properly designated parking space for persons who have
149 disabilities in violation of s. 316.1955, it is prima facie
150 evidence that the vehicle was parked and left in the space by
151 the person, firm, or corporation in whose name the vehicle is
152 registered and licensed according to the records of the
153 department ~~Division of Motor Vehicles.~~

154 Section 9. Paragraph (d) of subsection (3) and subsections
155 (5) and (8) of section 316.2065, Florida Statutes, are amended
156 to read:

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157 316.2065 Bicycle regulations.—

158 (3)

159 (d) A bicycle rider or passenger who is under 16 years of
160 age must wear a bicycle helmet that is properly fitted and is
161 fastened securely upon the passenger's head by a strap, and that
162 meets the federal safety standard for bicycle helmets, final
163 rule, 16 C.F.R. part 1203. Helmets purchased before October 1,
164 2011, and meeting standards of the American National Standards
165 Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards
166 of the Snell Memorial Foundation (1984 Standard for Protective
167 Headgear for Use in Bicycling), or any other nationally
168 recognized standards for bicycle helmets adopted by the
169 department may continue to be worn by riders or passengers until
170 January 1, 2015. As used in this subsection, the term
171 "passenger" includes a child who is riding in a trailer or
172 semitrailer attached to a bicycle.

173 (5) (a) Any person operating a bicycle upon a roadway at
174 less than the normal speed of traffic at the time and place and
175 under the conditions then existing shall ride in the lane marked
176 for bicycle use or, if no lane is marked for bicycle use, as
177 close as practicable to the right-hand curb or edge of the
178 roadway except under any of the following situations:

179 1. When overtaking and passing another bicycle or vehicle
180 proceeding in the same direction.

181 2. When preparing for a left turn at an intersection or
182 into a private road or driveway.

183 3. When reasonably necessary to avoid any condition or
184 potential conflict, including, but not limited to, a fixed or

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185 moving object, parked or moving vehicle, bicycle, pedestrian,
186 animal, surface hazard, turn lane, or substandard-width lane,
187 which ~~that~~ makes it unsafe to continue along the right-hand curb
188 or edge or within a bicycle lane. For the purposes of this
189 subsection, a "substandard-width lane" is a lane that is too
190 narrow for a bicycle and another vehicle to travel safely side
191 by side within the lane.

192 (b) Any person operating a bicycle upon a one-way highway
193 with two or more marked traffic lanes may ride as near the left-
194 hand curb or edge of such roadway as practicable.

195 (8) Every bicycle in use between sunset and sunrise shall
196 be equipped with a lamp on the front exhibiting a white light
197 visible from a distance of at least 500 feet to the front and a
198 lamp and reflector on the rear each exhibiting a red light
199 visible from a distance of 600 feet to the rear. A bicycle or
200 its rider may be equipped with lights or reflectors in addition
201 to those required by this section. A law enforcement officer may
202 issue a bicycle safety brochure and a verbal warning to a
203 bicycle rider who violates this subsection. A bicycle rider who
204 violates this subsection may be issued a citation by a law
205 enforcement officer and assessed a fine for a pedestrian
206 violation, as provided in s. 318.18. The court shall dismiss the
207 charge against a bicycle rider for a first violation of this
208 subsection upon proof of purchase and installation of the proper
209 lighting equipment.

210 Section 10. Subsection (3) of section 316.2085, Florida
211 Statutes, is amended to read:

212 316.2085 Riding on motorcycles or mopeds.—

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213 (3) The license tag of a motorcycle or moped must be
214 permanently affixed to the vehicle and remain clearly visible
215 from the rear at all times ~~may not be adjusted or capable of~~
216 ~~being flipped up.~~ Any deliberate act to conceal or obscure ~~No~~
217 ~~device for or method of concealing or obscuring~~ the legibility
218 of the license tag of a motorcycle is prohibited ~~shall be~~
219 ~~installed or used.~~ The license tag of a motorcycle or moped may
220 be affixed horizontally to the ground so that the numbers and
221 letters read from left to right. Alternatively, a Florida
222 license tag for a motorcycle or moped for which the numbers and
223 letters read from top to bottom may be affixed perpendicularly
224 to the ground, provided that the registered owner of the
225 motorcycle or moped maintains a prepaid toll account in good
226 standing and a transponder associated with the prepaid toll
227 account is affixed to the motorcycle or moped. A license tag for
228 a motorcycle or moped issued by another jurisdiction for which
229 the numbers and letters read from top to bottom may be affixed
230 perpendicularly to the ground.

231 Section 11. Section 316.2122, Florida Statutes, is amended
232 to read:

233 316.2122 Operation of a low-speed vehicle or mini truck on
234 certain roadways.—The operation of a low-speed vehicle as
235 defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
236 320.01~~(45)~~ on any road as defined in s. 334.03(15) or (33) is
237 authorized with the following restrictions:

238 (1) A low-speed vehicle or mini truck may be operated only
239 on streets where the posted speed limit is 35 miles per hour or
240 less. This does not prohibit a low-speed vehicle or mini truck

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241 from crossing a road or street at an intersection where the road
242 or street has a posted speed limit of more than 35 miles per
243 hour.

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

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

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

253 (5) A county or municipality may prohibit the operation of
254 low-speed vehicles or mini trucks on any road under its
255 jurisdiction if the governing body of the county or municipality
256 determines that such prohibition is necessary in the interest of
257 safety.

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

262 Section 12. Section 316.2124, Florida Statutes, is amended
263 to read:

264 316.2124 Motorized disability access vehicles.—The
265 Department of Highway Safety and Motor Vehicles is directed to
266 provide, by rule, for the regulation of motorized disability
267 access vehicles as described in s. 320.01-~~(34)~~. The department
268 shall provide that motorized disability access vehicles shall be
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269 registered in the same manner as motorcycles and shall pay the
270 same registration fee as for a motorcycle. There shall also be
271 assessed, in addition to the registration fee, a \$2.50 surcharge
272 for motorized disability access vehicles. This surcharge shall
273 be paid into the Highway Safety Operating Trust Fund. Motorized
274 disability access vehicles shall not be required to be titled by
275 the department. The department shall require motorized
276 disability access vehicles to be subject to the same safety
277 requirements as set forth in this chapter for motorcycles.

278 Section 13. Subsection (1) of section 316.21265, Florida
279 Statutes, is amended to read:

280 316.21265 Use of all-terrain vehicles, golf carts, low-
281 speed vehicles, or utility vehicles by law enforcement
282 agencies.—

283 (1) Notwithstanding any provision of law to the contrary,
284 any law enforcement agency in this state may operate all-terrain
285 vehicles as defined in s. 316.2074, golf carts as defined in s.
286 320.01~~(22)~~, low-speed vehicles as defined in s. 320.01~~(42)~~, or
287 utility vehicles as defined in s. 320.01~~(43)~~ on any street,
288 road, or highway in this state while carrying out its official
289 duties.

290 Section 14. Subsection (1) of section 316.3026, Florida
291 Statutes, is amended to read:

292 316.3026 Unlawful operation of motor carriers.—

293 (1) The Office of Motor Carrier Compliance of the
294 Department of Transportation may issue out-of-service orders to
295 motor carriers, as defined in s. 320.01~~(33)~~, who have after
296 proper notice failed to pay any penalty or fine assessed by the
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297 department, or its agent, against any owner or motor carrier for
298 violations of state law, refused to submit to a compliance
299 review and provide records pursuant to s. 316.302(5) or s.
300 316.70, or violated safety regulations pursuant to s. 316.302 or
301 insurance requirements found in s. 627.7415. Such out-of-service
302 orders shall have the effect of prohibiting the operations of
303 any motor vehicles owned, leased, or otherwise operated by the
304 motor carrier upon the roadways of this state, until such time
305 as the violations have been corrected or penalties have been
306 paid. Out-of-service orders issued under this section must be
307 approved by the Secretary of Transportation or his or her
308 designee. An administrative hearing pursuant to s. 120.569 shall
309 be afforded to motor carriers subject to such orders.

310 Section 15. Subsection (3) of section 316.545, Florida
311 Statutes, is amended to read:

312 316.545 Weight and load unlawful; special fuel and motor
313 fuel tax enforcement; inspection; penalty; review.—

314 (3) Any person who violates the overloading provisions of
315 this chapter shall be conclusively presumed to have damaged the
316 highways of this state by reason of such overloading, which
317 damage is hereby fixed as follows:

318 (a) When the excess weight is 200 pounds or less than the
319 maximum herein provided, the penalty shall be \$10;

320 (b) Five cents per pound for each pound of weight in
321 excess of the maximum herein provided when the excess weight
322 exceeds 200 pounds. However, whenever the gross weight of the
323 vehicle or combination of vehicles does not exceed the maximum
324 allowable gross weight, the maximum fine for the first 600

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325 pounds of unlawful axle weight shall be \$10;

326 (c) For a vehicle equipped with fully functional idle-
327 reduction technology, any penalty shall be calculated by
328 reducing the actual gross vehicle weight or the internal bridge
329 weight by the certified weight of the idle-reduction technology
330 or by 400 pounds, whichever is less. The vehicle operator must
331 present written certification of the weight of the idle-
332 reduction technology and must demonstrate or certify that the
333 idle-reduction technology is fully functional at all times. This
334 calculation is not allowed for vehicles described in s.
335 316.535(6);

336 (d) An apportionable ~~apportioned motor~~ vehicle, as defined
337 in s. 320.01, operating on the highways of this state without
338 being properly licensed and registered shall be subject to the
339 penalties as herein provided; and

340 (e) Vehicles operating on the highways of this state from
341 nonmember International Registration Plan jurisdictions which
342 are not in compliance with the provisions of s. 316.605 shall be
343 subject to the penalties as herein provided.

344 Section 16. Paragraph (a) of subsection (5) and subsection
345 (10) of section 316.550, Florida Statutes, are amended to read:

346 316.550 Operations not in conformity with law; special
347 permits.-

348 (5) (a) The Department of Transportation may issue a
349 wrecker special blanket permit to authorize a wrecker as defined
350 in s. 320.01~~(40)~~ to tow a disabled vehicle as defined in s.
351 320.01~~(38)~~ where the combination of the wrecker and the disabled
352 vehicle being towed exceeds the maximum weight limits as

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353 established by s. 316.535.

354 (10) Whenever any motor vehicle, or the combination of a
355 wrecker as defined in s. 320.01(40) and a towed motor vehicle,
356 exceeds any weight or dimensional criteria or special
357 operational or safety stipulation contained in a special permit
358 issued under the provisions of this section, the penalty
359 assessed to the owner or operator shall be as follows:

360 (a) For violation of weight criteria contained in a
361 special permit, the penalty per pound or portion thereof
362 exceeding the permitted weight shall be as provided in s.
363 316.545.

364 (b) For each violation of dimensional criteria in a
365 special permit, the penalty shall be as provided in s. 316.516
366 and penalties for multiple violations of dimensional criteria
367 shall be cumulative except that the total penalty for the
368 vehicle shall not exceed \$1,000.

369 (c) For each violation of an operational or safety
370 stipulation in a special permit, the penalty shall be an amount
371 not to exceed \$1,000 per violation and penalties for multiple
372 violations of operational or safety stipulations shall be
373 cumulative except that the total penalty for the vehicle shall
374 not exceed \$1,000.

375 (d) For violation of any special condition that has been
376 prescribed in the rules of the Department of Transportation and
377 declared on the permit, the vehicle shall be determined to be
378 out of conformance with the permit and the permit shall be
379 declared null and void for the vehicle, and weight and
380 dimensional limits for the vehicle shall be as established in s.

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381 316.515 or s. 316.535, whichever is applicable, and:

382 1. For weight violations, a penalty as provided in s.
383 316.545 shall be assessed for those weights which exceed the
384 limits thus established for the vehicle; and

385 2. For dimensional, operational, or safety violations, a
386 penalty as established in paragraph (c) or s. 316.516, whichever
387 is applicable, shall be assessed for each nonconforming
388 dimensional, operational, or safety violation and the penalties
389 for multiple violations shall be cumulative for the vehicle.

390 Section 17. Subsection (5) of section 316.613, Florida
391 Statutes, is renumbered as subsection (6), and a new subsection
392 (5) is added to that section to read:

393 316.613 Child restraint requirements.-

394 (5) The child restraint requirements imposed by this
395 section do not apply to a chauffeur-driven taxi, limousine,
396 sedan, van, bus, motor coach, or other passenger vehicle if the
397 operator and the motor vehicle are hired and used for the
398 transportation of persons for compensation. It is the obligation
399 and responsibility of the parent, guardian, or other person
400 responsible for a child's welfare, as defined in s. 39.01(47),
401 to comply with the requirements of this section.

402 Section 18. Subsection (9) of section 317.0003, Florida
403 Statutes, is amended to read:

404 317.0003 Definitions.-As used in this chapter, the term:

405 (9) "ROV" means any motorized recreational off-highway
406 vehicle 64 inches or less in width, having a dry weight of 2,000
407 pounds or less, designed to travel on four or more nonhighway
408 tires, having nonstraddle seating and a steering wheel, and

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409 manufactured for recreational use by one or more persons. The
410 term "ROV" does not include a golf cart as defined in ss.
411 320.01~~(22)~~ and 316.003(68) or a low-speed vehicle as defined in
412 s. 320.01~~(42)~~.

413 Section 19. Section 317.0016, Florida Statutes, is amended
414 to read:

415 317.0016 Expedited service; applications; fees.—The
416 department shall provide, through its agents and for use by the
417 public, expedited service on title transfers, title issuances,
418 duplicate titles, and recordation of liens, ~~and certificates of~~
419 ~~repossession~~. A fee of \$7 shall be charged for this service,
420 which is in addition to the fees imposed by ss. 317.0007 and
421 317.0008, and \$3.50 of this fee shall be retained by the
422 processing agency. All remaining fees shall be deposited in the
423 Incidental Trust Fund of the Division of Forestry of the
424 Department of Agriculture and Consumer Services. Application for
425 expedited service may be made by mail or in person. The
426 department shall issue each title applied for pursuant to this
427 section within 5 working days after receipt of the application
428 except for an application for a duplicate title certificate
429 covered by s. 317.0008(3), in which case the title must be
430 issued within 5 working days after compliance with the
431 department's verification requirements.

432 Section 20. Subsection (9) and paragraph (a) of subsection
433 (10) of section 318.14, Florida Statutes, are amended to read:

434 318.14 Noncriminal traffic infractions; exception;
435 procedures.—

436 (9) Any person who does not hold a commercial driver's
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437 license and who is cited while driving a noncommercial motor
438 vehicle for an infraction under this section other than a
439 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the
440 driver exceeds the posted limit by 30 miles per hour or more, s.
441 320.0605, s. 320.07(3) (a) or (b), s. 322.065, s. 322.15(1), s.
442 322.61, or s. 322.62 may, in lieu of a court appearance, elect
443 to attend in the location of his or her choice within this state
444 a basic driver improvement course approved by the Department of
445 Highway Safety and Motor Vehicles. In such a case, adjudication
446 must be withheld and points, as provided by s. 322.27, may not
447 be assessed. However, a person may not make an election under
448 this subsection if the person has made an election under this
449 subsection in the preceding 12 months. A person may make no more
450 than five elections within his or her lifetime under this
451 subsection. The requirement for community service under s.
452 318.18(8) is not waived by a plea of nolo contendere or by the
453 withholding of adjudication of guilt by a court. If a person
454 makes an election to attend a basic driver improvement course
455 under this subsection, 18 percent of the civil penalty imposed
456 under s. 318.18(3) shall be deposited in the State Courts
457 Revenue Trust Fund; however, that portion is not revenue for
458 purposes of s. 28.36 and may not be used in establishing the
459 budget of the clerk of the court under that section or s. 28.35.

460 (10) (a) Any person who does not hold a commercial driver's
461 license and who is cited while driving a noncommercial motor
462 vehicle for an offense listed under this subsection may, in lieu
463 of payment of fine or court appearance, elect to enter a plea of
464 nolo contendere and provide proof of compliance to the clerk of

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465 the court, designated official, or authorized operator of a
466 traffic violations bureau. In such case, adjudication shall be
467 withheld; however, no election shall be made under this
468 subsection if such person has made an election under this
469 subsection in the 12 months preceding election hereunder. No
470 person may make more than three elections under this subsection.
471 This subsection applies to the following offenses:

472 1. Operating a motor vehicle without a valid driver's
473 license in violation of the provisions of s. 322.03, s. 322.065,
474 or s. 322.15(1), or operating a motor vehicle with a license
475 that has been suspended for failure to appear, failure to pay
476 civil penalty, or failure to attend a driver improvement course
477 pursuant to s. 322.291.

478 2. Operating a motor vehicle without a valid registration
479 in violation of s. 320.0605, s. 320.07, or s. 320.131.

480 3. Operating a motor vehicle in violation of s. 316.646.

481 4. Operating a motor vehicle with a license that has been
482 suspended under s. 61.13016 or s. 322.245 for failure to pay
483 child support or for failure to pay any other financial
484 obligation as provided in s. 322.245; however, this subparagraph
485 does not apply if the license has been suspended pursuant to s.
486 322.245(1).

487 5. Operating a motor vehicle with a license that has been
488 suspended under s. 322.091 for failure to meet school attendance
489 requirements.

490 Section 21. Paragraph (a) of subsection (2) of section
491 318.1451, Florida Statutes, is amended to read:

492 318.1451 Driver improvement schools.-

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493 (2) (a) In determining whether to approve the courses
494 referenced in this section, the department shall consider course
495 content designed to promote safety, driver awareness, crash
496 avoidance techniques, the dangers of driving while distracted,
497 which must specifically include the use of technology while
498 driving, and other factors or criteria to improve driver
499 performance from a safety viewpoint.

500 Section 22. Paragraph (a) of subsection (1) of section
501 318.15, Florida Statutes, is amended, and paragraph (c) is added
502 to that subsection, to read:

503 318.15 Failure to comply with civil penalty or to appear;
504 penalty.-

505 (1) (a) If a person fails to comply with the civil
506 penalties provided in s. 318.18 within the time period specified
507 in s. 318.14(4), fails to enter into or comply with the terms of
508 a penalty payment plan with the clerk of the court in accordance
509 with ss. 318.14 and 28.246, fails to attend driver improvement
510 school, or fails to appear at a scheduled hearing, the clerk of
511 the court shall notify the ~~Division of Driver Licenses of the~~
512 Department of Highway Safety and Motor Vehicles of such failure
513 within 10 days after such failure. Upon receipt of such notice,
514 the department shall immediately issue an order suspending the
515 driver's license and privilege to drive of such person effective
516 20 days after the date the order of suspension is mailed in
517 accordance with s. 322.251(1), (2), and (6). Any such suspension
518 of the driving privilege which has not been reinstated,
519 including a similar suspension imposed outside Florida, shall
520 remain on the records of the department for a period of 7 years

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521 from the date imposed and shall be removed from the records
522 after the expiration of 7 years from the date it is imposed.

523 (c) A person charged with a traffic infraction may request
524 a hearing within 180 days after the date of the violation,
525 regardless of any action taken by the court or the department to
526 suspend the driving privilege of the person, and, upon request,
527 the clerk must set the case for hearing. The person shall be
528 given a form for requesting that the driving privilege be
529 reinstated. If the 180th day after the date of the violation is
530 a Saturday, Sunday, or a legal holiday, then the person charged
531 must request the hearing within 177 days after the violation;
532 however, the court may grant a request for a hearing made after
533 180 days after the alleged offense. This paragraph does not
534 affect the assessment of late fees as otherwise provided in this
535 chapter.

536 Section 23. Section 319.14, Florida Statutes, is amended
537 to read:

538 319.14 Sale of motor vehicles registered or used as
539 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,
540 ~~and~~ nonconforming vehicles, custom vehicles, or street rod
541 vehicles.—

542 (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
543 sell, or exchange any vehicle that has been licensed,
544 registered, or used as a taxicab, police vehicle, or short-term-
545 lease vehicle, or a vehicle that has been repurchased by a
546 manufacturer pursuant to a settlement, determination, or
547 decision under chapter 681, until the department has stamped in
548 a conspicuous place on the certificate of title of the vehicle,

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549 or its duplicate, words stating the nature of the previous use
550 of the vehicle or the title has been stamped "Manufacturer's Buy
551 Back" to reflect that the vehicle is a nonconforming vehicle. If
552 the certificate of title or duplicate was not so stamped upon
553 initial issuance thereof or if, subsequent to initial issuance
554 of the title, the use of the vehicle is changed to a use
555 requiring the notation provided for in this section, the owner
556 or lienholder of the vehicle shall surrender the certificate of
557 title or duplicate to the department before ~~prior to~~ offering
558 the vehicle for sale, and the department shall stamp the
559 certificate or duplicate as required herein. If ~~When~~ a vehicle
560 has been repurchased by a manufacturer pursuant to a settlement,
561 determination, or decision under chapter 681, the title shall be
562 stamped "Manufacturer's Buy Back" to reflect that the vehicle is
563 a nonconforming vehicle.

564 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
565 sell, or exchange a rebuilt vehicle until the department has
566 stamped in a conspicuous place on the certificate of title for
567 the vehicle words stating that the vehicle has been rebuilt or
568 assembled from parts, or is a kit car, glider kit, replica, ~~or~~
569 flood vehicle, custom vehicle, or street rod vehicle unless
570 proper application for a certificate of title for a vehicle that
571 is rebuilt or assembled from parts, or is a kit car, glider kit,
572 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle
573 has been made to the department in accordance with this chapter
574 and the department has conducted the physical examination of the
575 vehicle to assure the identity of the vehicle and all major
576 component parts, as defined in s. 319.30(1), which have been

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577 repaired or replaced. Thereafter, the department shall affix a
578 decal to the vehicle, in the manner prescribed by the
579 department, showing the vehicle to be rebuilt. A vehicle may not
580 be inspected or issued a rebuilt title until all major component
581 parts, as defined in s. 319.30, which were damaged have been
582 repaired or replaced.

583 (c) As used in this section, the term:

584 1. "Police vehicle" means a motor vehicle owned or leased
585 by the state or a county or municipality and used in law
586 enforcement.

587 2.a. "Short-term-lease vehicle" means a motor vehicle
588 leased without a driver and under a written agreement to one or
589 more persons from time to time for a period of less than 12
590 months.

591 b. "Long-term-lease vehicle" means a motor vehicle leased
592 without a driver and under a written agreement to one person for
593 a period of 12 months or longer.

594 c. "Lease vehicle" includes both short-term-lease vehicles
595 and long-term-lease vehicles.

596 3. "Rebuilt vehicle" means a motor vehicle or mobile home
597 built from salvage or junk, as defined in s. 319.30(1).

598 4. "Assembled from parts" means a motor vehicle or mobile
599 home assembled from parts or combined from parts of motor
600 vehicles or mobile homes, new or used. "Assembled from parts"
601 does not mean a motor vehicle defined as a "rebuilt vehicle" in
602 subparagraph 3., which has been declared a total loss pursuant
603 to s. 319.30.

604 5. "Kit car" means a motor vehicle assembled with a kit
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605 supplied by a manufacturer to rebuild a wrecked or outdated
606 motor vehicle with a new body kit.

607 6. "Glider kit" means a vehicle assembled with a kit
608 supplied by a manufacturer to rebuild a wrecked or outdated
609 truck or truck tractor.

610 7. "Replica" means a complete new motor vehicle
611 manufactured to look like an old vehicle.

612 8. "Flood vehicle" means a motor vehicle or mobile home
613 that has been declared to be a total loss pursuant to s.
614 319.30(3)(a) resulting from damage caused by water.

615 9. "Nonconforming vehicle" means a motor vehicle which has
616 been purchased by a manufacturer pursuant to a settlement,
617 determination, or decision under chapter 681.

618 10. "Settlement" means an agreement entered into between a
619 manufacturer and a consumer that occurs after a dispute is
620 submitted to a program, or an informal dispute settlement
621 procedure established by a manufacturer or is approved for
622 arbitration before the New Motor Vehicle Arbitration Board as
623 defined in s. 681.102.

624 11. "Custom vehicle" means a motor vehicle that:

625 a. Is 25 years of age or older and of a model year after
626 1948, or was manufactured to resemble a vehicle that is 25 years
627 of age or older and of a model year after 1948; and

628 b. Has been altered from the manufacturer's original
629 design or has a body constructed from nonoriginal materials.

630
631 The model year and year of manufacture which the body of a
632 custom vehicle resembles is the model year and year of

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633 manufacture listed on the certificate of title, regardless of
634 when the vehicle was actually manufactured.

635 12. "Street rod" means a motor vehicle that:

636 a. Is a model year of 1948 or older or was manufactured
637 after 1948 to resemble a vehicle of a model year of 1948 or
638 older; and

639 b. Has been altered from the manufacturer's original
640 design or has a body constructed from nonoriginal materials.

641
642 The model year and year of manufacture which the body of a
643 street rod resembles is the model year and year of manufacture
644 listed on the certificate of title, regardless of when the
645 vehicle was actually manufactured.

646 (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or
647 transfer a vehicle referred to in subsection (1) without, before
648 ~~prior to~~ consummating the sale, exchange, or transfer,
649 disclosing in writing to the purchaser, customer, or transferee
650 the fact that the vehicle has previously been titled,
651 registered, or used as a taxicab, police vehicle, or short-term-
652 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from
653 parts, ~~or~~ is a kit car, glider kit, replica, or flood vehicle,
654 or is a nonconforming vehicle, custom vehicle, or street rod
655 vehicle, as the case may be.

656 (3) Any person who, with intent to offer for sale or
657 exchange any vehicle referred to in subsection (1), knowingly or
658 intentionally advertises, publishes, disseminates, circulates,
659 or places before the public in any communications medium,
660 whether directly or indirectly, any offer to sell or exchange

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661 the vehicle shall clearly and precisely state in each ~~such~~ offer
662 that the vehicle has previously been titled, registered, or used
663 as a taxicab, police vehicle, or short-term-lease vehicle or
664 that the vehicle or mobile home is a vehicle that is rebuilt or
665 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or
666 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
667 street rod vehicle, as the case may be. Any person who violates
668 this subsection commits a misdemeanor of the second degree,
669 punishable as provided in s. 775.082 or s. 775.083.

670 (4) If ~~When~~ a certificate of title, including a foreign
671 certificate, is branded to reflect a condition or prior use of
672 the titled vehicle, the brand must be noted on the registration
673 certificate of the vehicle and such brand shall be carried
674 forward on all subsequent certificates of title and registration
675 certificates issued for the life of the vehicle.

676 (5) Any person who knowingly sells, exchanges, or offers
677 to sell or exchange a motor vehicle or mobile home contrary to
678 ~~the provisions of~~ this section or any officer, agent, or
679 employee of a person who knowingly authorizes, directs, aids in,
680 or consents to the sale, exchange, or offer to sell or exchange
681 a motor vehicle or mobile home contrary to ~~the provisions of~~
682 this section commits a misdemeanor of the second degree,
683 punishable as provided in s. 775.082 or s. 775.083.

684 (6) Any person who removes a rebuilt decal from a rebuilt
685 vehicle with the intent to conceal the rebuilt status of the
686 vehicle commits a felony of the third degree, punishable as
687 provided in s. 775.082, s. 775.083, or s. 775.084.

688 (7) This section applies to a mobile home, travel trailer,
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689 camping trailer, truck camper, or fifth-wheel recreation trailer
690 only when the ~~such~~ mobile home or vehicle is a rebuilt vehicle
691 or is assembled from parts.

692 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in
693 any civil action arising out of a violation of this section if
694 the designation of the previous use or condition of the motor
695 vehicle is not noted on the certificate of title and
696 registration certificate of the vehicle which was received by,
697 or delivered to, such person, unless the ~~such~~ person has
698 actively concealed the prior use or condition of the vehicle
699 from the purchaser.

700 (9) Subsections (1), (2), and (3) do not apply to the
701 transfer of ownership of a motor vehicle after the motor vehicle
702 has ceased to be used as a lease vehicle and the ownership has
703 been transferred to an owner for private use or to the transfer
704 of ownership of a nonconforming vehicle with 36,000 or more
705 miles on its odometer, or 34 months whichever is later and the
706 ownership has been transferred to an owner for private use. Such
707 owner, as shown on the title certificate, may request the
708 department to issue a corrected certificate of title that does
709 not contain the statement of the previous use of the vehicle as
710 a lease vehicle or condition as a nonconforming vehicle.

711 Section 24. Section 319.225, Florida Statutes, is amended
712 to read:

713 319.225 Transfer and reassignment forms; odometer
714 disclosure statements.-

715 (1) Every certificate of title issued by the department
716 must contain the following statement ~~on its reverse side:~~

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717 "Federal and state law require the completion of the odometer
718 statement set out below. Failure to complete or providing false
719 information may result in fines, imprisonment, or both."

720 (2) Each certificate of title issued by the department
721 must contain ~~on its reverse side~~ a form for transfer of title by
722 the titleholder of record, which form must contain an odometer
723 disclosure statement in the form required by 49 C.F.R. s. 580.5.

724 (3) Each certificate of title issued by the department
725 must contain ~~on its reverse side~~ as many forms as space allows
726 for reassignment of title by a licensed dealer as permitted by
727 s. 319.21(3), which form or forms shall contain an odometer
728 disclosure statement in the form required by 49 C.F.R. s. 580.5.
729 When all dealer reassignment forms ~~provided on the back of the~~
730 ~~title certificate~~ have been filled in, a dealer may reassign the
731 title certificate by using a separate dealer reassignment form
732 issued by the department in compliance with 49 C.F.R. ss. 580.4
733 and 580.5, which form shall contain an original, ~~two carbon~~
734 ~~copies one of~~ which shall be submitted ~~directly~~ to the
735 department by the dealer ~~within 5 business days after the~~
736 ~~transfer~~ and a copy, ~~one of~~ which shall be retained by the
737 dealer in his or her records for 5 years. The provisions of this
738 subsection ~~shall~~ also apply to vehicles not previously titled in
739 this state and vehicles whose title certificates do not contain
740 the forms required by this section.

741 (4) Upon transfer or reassignment of a certificate of
742 title to a used motor vehicle, the transferor shall complete the
743 odometer disclosure statement provided for by this section and
744 the transferee shall acknowledge the disclosure by signing and

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745 printing his or her name in the spaces provided. This subsection
746 does not apply to a vehicle that has a gross vehicle rating of
747 more than 16,000 pounds, a vehicle that is not self-propelled,
748 or a vehicle that is 10 years old or older. A lessor who
749 transfers title to his or her vehicle without obtaining
750 possession of the vehicle shall make odometer disclosure as
751 provided by 49 C.F.R. s. 580.7. Any person who fails to complete
752 or acknowledge a disclosure statement as required by this
753 subsection commits ~~is guilty of~~ a misdemeanor of the second
754 degree, punishable as provided in s. 775.082 or s. 775.083. The
755 department may not issue a certificate of title unless this
756 subsection has been complied with.

757 (5) The same person may not sign a disclosure statement as
758 both the transferor and the transferee in the same transaction
759 except as provided in subsection (6).

760 (6) (a) If the certificate of title is physically held by a
761 lienholder, the transferor may give a power of attorney to his
762 or her transferee for the purpose of odometer disclosure. The
763 power of attorney must be on a form issued or authorized by the
764 department, which form must be in compliance with 49 C.F.R. ss.
765 580.4 and 580.13. The department shall not require the signature
766 of the transferor to be notarized on the form; however, in lieu
767 of notarization, the form shall include an affidavit with the
768 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I
769 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
770 ARE TRUE. The transferee shall sign the power of attorney form,
771 print his or her name, and return a copy of the power of
772 attorney form to the transferor. Upon receipt of a title

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773 certificate, the transferee shall complete the space for mileage
774 disclosure on the title certificate exactly as the mileage was
775 disclosed by the transferor on the power of attorney form. If
776 the transferee is a licensed motor vehicle dealer who is
777 transferring the vehicle to a retail purchaser, the dealer shall
778 make application on behalf of the retail purchaser as provided
779 in s. 319.23(6) and shall submit the original power of attorney
780 form to the department with the application for title and the
781 transferor's title certificate; otherwise, a dealer may reassign
782 the title certificate by using the dealer reassignment form in
783 the manner prescribed in subsection (3), and, at the time of
784 physical transfer of the vehicle, the original power of attorney
785 shall be delivered to the person designated as the transferee of
786 the dealer on the dealer reassignment form. ~~A copy of the~~
787 ~~executed power of attorney shall be submitted to the department~~
788 ~~with a copy of the executed dealer reassignment form within 5~~
789 ~~business days after the certificate of title and dealer~~
790 ~~reassignment form are delivered by the dealer to its transferee.~~

791 (b) If the certificate of title is lost or otherwise
792 unavailable, the transferor may give a power of attorney to his
793 or her transferee for the purpose of odometer disclosure. The
794 power of attorney must be on a form issued or authorized by the
795 department, which form must be in compliance with 49 C.F.R. ss.
796 580.4 and 580.13. The department shall not require the signature
797 of the transferor to be notarized on the form; however, in lieu
798 of notarization, the form shall include an affidavit with the
799 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I
800 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT

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801 ARE TRUE. The transferee shall sign the power of attorney form,
802 print his or her name, and return a copy of the power of
803 attorney form to the transferor. Upon receipt of the title
804 certificate or a duplicate title certificate, the transferee
805 shall complete the space for mileage disclosure on the title
806 certificate exactly as the mileage was disclosed by the
807 transferor on the power of attorney form. If the transferee is a
808 licensed motor vehicle dealer who is transferring the vehicle to
809 a retail purchaser, the dealer shall make application on behalf
810 of the retail purchaser as provided in s. 319.23(6) and shall
811 submit the original power of attorney form to the department
812 with the application for title and the transferor's title
813 certificate or duplicate title certificate; otherwise, a dealer
814 may reassign the title certificate by using the dealer
815 reassignment form in the manner prescribed in subsection (3),
816 and, at the time of physical transfer of the vehicle, the
817 original power of attorney shall be delivered to the person
818 designated as the transferee of the dealer on the dealer
819 reassignment form. If the dealer sells the vehicle to an out-of-
820 state resident or an out-of-state dealer and the power of
821 attorney form is applicable to the transaction, the dealer must
822 photocopy the completed original of the form and mail it
823 directly to the department within 5 business days after the
824 certificate of title and dealer reassignment form are delivered
825 by the dealer to the purchaser. A copy of the executed power of
826 attorney shall be submitted to the department with a copy of the
827 executed dealer reassignment form within 5 business days after
828 the duplicate certificate of title and dealer reassignment form

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829 ~~are delivered by the dealer to its transferee.~~

830 (c) If the mechanics of the transfer of title to a motor
831 vehicle in accordance with the provisions of paragraph (a) or
832 paragraph (b) are determined to be incompatible with and
833 unlawful under the provisions of 49 C.F.R. part 580, the
834 transfer of title to a motor vehicle by operation of this
835 subsection can be effected in any manner not inconsistent with
836 49 C.F.R. part 580 and Florida law; provided, any power of
837 attorney form issued or authorized by the department under this
838 subsection shall contain an original, ~~two carbon copies, one of~~
839 which shall be submitted ~~directly~~ to the department by the
840 dealer ~~within 5 business days of use by the dealer~~ to effect
841 transfer of a title certificate as provided in paragraphs (a)
842 and (b) and a copy, ~~one of~~ which shall be retained by the dealer
843 in its records for 5 years.

844 (d) Any person who fails to complete the information
845 required by this subsection or to file with the department the
846 forms required by this subsection commits ~~is guilty of~~ a
847 misdemeanor of the second degree, punishable as provided in s.
848 775.082 or s. 775.083. The department shall not issue a
849 certificate of title unless this subsection has been complied
850 with.

851 (7) Subject to approval by the National Highway Traffic
852 Safety Administration or any other applicable authority, if a
853 title is held electronically and the transferee agrees to
854 maintain the title electronically, the transferor and transferee
855 shall complete a secure reassignment document that discloses the
856 odometer reading and is signed by both the transferor and

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857 transferee at the tax collector's office or license plate
858 agency. A dealer acquiring a motor vehicle that has an
859 electronic title shall use a secure reassignment document signed
860 by the person from whom the dealer acquired the motor vehicle.
861 Upon transferring the motor vehicle to a purchaser, a separate
862 reassignment document shall be executed.

863 (8)-(7) Each certificate of title issued by the department
864 must contain ~~on its reverse side~~ a minimum of three ~~four~~ spaces
865 for notation of the name and license number of any auction
866 through which the vehicle is sold and the date the vehicle was
867 auctioned. Each separate dealer reassignment form issued by the
868 department must also have the space referred to in this section.
869 When a transfer of title is made at a motor vehicle auction, the
870 reassignment must note the name and address of the auction, but
871 the auction shall not thereby be deemed to be the owner, seller,
872 transferor, or assignor of title. A motor vehicle auction is
873 required to execute a dealer reassignment only when it is the
874 owner of a vehicle being sold.

875 (9)-(8) Upon transfer or reassignment of a used motor
876 vehicle through the services of an auction, the auction shall
877 complete the information in the space provided for by subsection
878 (8) -(7). Any person who fails to complete the information as
879 required by this subsection commits ~~is guilty of~~ a misdemeanor
880 of the second degree, punishable as provided in s. 775.082 or s.
881 775.083. The department shall not issue a certificate of title
882 unless this subsection has been complied with.

883 (10)-(9) This section shall be construed to conform to 49
884 C.F.R. part 580.

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885 Section 25. Subsection (6) of section 319.23, Florida
886 Statutes, is amended, present subsections (7) through (11) of
887 that section are renumbered as subsections (8) through (12),
888 respectively, and a new subsection (7) is added to that
889 section, to read:

890 319.23 Application for, and issuance of, certificate of
891 title.—

892 (6)(a) In the case of the sale of a motor vehicle or
893 mobile home by a licensed dealer to a general purchaser, the
894 certificate of title must be obtained in the name of the
895 purchaser by the dealer upon application signed by the
896 purchaser, and in each other case such certificate must be
897 obtained by the purchaser. In each case of transfer of a motor
898 vehicle or mobile home, the application for a certificate of
899 title, a corrected certificate, or an assignment or reassignment
900 must be filed within 30 days after the delivery of the motor
901 vehicle or from consummation of the sale of a mobile home to the
902 purchaser. An applicant must pay a fee of \$20, in addition to
903 all other fees and penalties required by law, for failing to
904 file such application within the specified time. In the case of
905 the sale of a motor vehicle by a licensed motor vehicle dealer
906 to a general purchaser who resides in another state or country,
907 the dealer is not required to apply for a certificate of title
908 for the motor vehicle; however, the dealer must transfer
909 ownership and reassign the certificate of title or
910 manufacturer's certificate of origin to the purchaser, and the
911 purchaser must sign an affidavit, as approved by the department,
912 that the purchaser will title and register the motor vehicle in

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913 another state or country.

914 (b) If a licensed dealer acquires a motor vehicle or
915 mobile home as a trade-in, the dealer must file with the
916 department, within 30 days, a notice of sale signed by the
917 seller. The department shall update its database for that title
918 record to indicate "sold." A licensed dealer need not apply for
919 a certificate of title for any motor vehicle or mobile home in
920 stock acquired for stock purposes except as provided in s.
921 319.225.

922 (7) If an applicant for a certificate of title is unable
923 to provide the department with a certificate of title that
924 assigns the prior owner's interest in the motor vehicle, the
925 department may accept a bond in the form prescribed by the
926 department, along with an affidavit in a form prescribed by the
927 department, which includes verification of the vehicle
928 identification number and an application for title.

929 (a) The bond must be:

- 930 1. In a form prescribed by the department;
931 2. Executed by the applicant;
932 3. Issued by a person authorized to conduct a surety
933 business in this state;
934 4. In an amount equal to two times the value of the
935 vehicle as determined by the department; and
936 5. Conditioned to indemnify all prior owners and
937 lienholders and all subsequent purchasers of the vehicle or
938 persons who acquire a security interest in the vehicle, and
939 their successors in interest, against any expense, loss, or
940 damage, including reasonable attorney's fees, occurring because

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941 of the issuance of the certificate of title for the vehicle or
942 for a defect in or undisclosed security interest on the right,
943 title, or interest of the applicant to the vehicle.

944 (b) An interested person has a right to recover on the
945 bond for a breach of the bond's condition. The aggregate
946 liability of the surety to all persons may not exceed the amount
947 of the bond.

948 (c) A bond under this subsection expires on the third
949 anniversary of the date the bond became effective.

950 (d) The affidavit must:

951 1. Be in a form prescribed by the department;

952 2. Include the facts and circumstances through which the
953 applicant acquired ownership and possession of the motor
954 vehicle;

955 3. Disclose that no security interests, liens, or
956 encumbrances against the motor vehicle are known to the
957 applicant against the motor vehicle; and

958 4. State that the applicant has the right to have a
959 certificate of title issued.

960 Section 26. Paragraph (b) of subsection (2) of section
961 319.28, Florida Statutes, is amended, and subsection (3) is
962 added to that section, to read:

963 319.28 Transfer of ownership by operation of law.—

964 (2)

965 (b) In case of repossession of a motor vehicle or mobile
966 home pursuant to the terms of a security agreement or similar
967 instrument, an affidavit by the party to whom possession has
968 passed stating that the vehicle or mobile home was repossessed

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969 upon default in the terms of the security agreement or other
970 instrument shall be considered satisfactory proof of ownership
971 and right of possession. At least 5 days before ~~prior to~~ selling
972 the repossessed vehicle, any subsequent lienholder named in the
973 last issued certificate of title shall be sent notice of the
974 repossession by certified mail, on a form prescribed by the
975 department. If such notice is given and no written protest to
976 the department is presented by a subsequent lienholder within 15
977 days after ~~from~~ the date on which the notice was mailed, the
978 certificate of title ~~or the certificate of repossession~~ shall be
979 issued showing no liens. If the former owner or any subsequent
980 lienholder files a written protest under oath within such 15-day
981 period, the department shall not issue the certificate of title
982 ~~or certificate of repossession~~ for 10 days thereafter. If within
983 the 10-day period no injunction or other order of a court of
984 competent jurisdiction has been served on the department
985 commanding it not to deliver the certificate of title ~~or~~
986 ~~certificate of repossession~~, the department shall deliver the
987 certificate of title ~~or repossession~~ to the applicant or as may
988 otherwise be directed in the application showing no other liens
989 than those shown in the application. Any lienholder who has
990 repossessed a vehicle in this state in compliance with the
991 provisions of this section must apply to a tax collector's
992 office in this state or to the department for a ~~certificate of~~
993 ~~repossession or to the department for a~~ certificate of title
994 pursuant to s. 319.323. Proof of the required notice to
995 subsequent lienholders shall be submitted together with regular
996 title fees. ~~A lienholder to whom a certificate of repossession~~

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997 ~~has been issued may assign the certificate of title to the~~
998 ~~subsequent owner. Any person who violates found guilty of~~
999 ~~violating~~ any requirements of this paragraph commits ~~shall be~~
1000 ~~guilty of~~ a felony of the third degree, punishable as provided
1001 in s. 775.082, s. 775.083, or s. 775.084.

1002 (3) A dealer of farm or industrial equipment, as those
1003 terms are used in s. 493.6101(22), conducting a repossession of
1004 such equipment is not subject to licensure as a recovery agent
1005 or recovery agency if such dealer is regularly engaged in the
1006 sale of such equipment for a particular manufacturer and the
1007 lender is affiliated with that manufacturer.

1008 Section 27. Section 319.323, Florida Statutes, is amended
1009 to read:

1010 319.323 Expedited service; applications; fees.—The
1011 department shall establish a separate title office which may be
1012 used by private citizens and licensed motor vehicle dealers to
1013 receive expedited service on title transfers, title issuances,
1014 duplicate titles, and recordation of liens, ~~and certificates of~~
1015 ~~repossession~~. A fee of \$10 shall be charged for this service,
1016 which fee is in addition to the fees imposed by s. 319.32. The
1017 fee, after deducting the amount referenced by s. 319.324 and
1018 \$3.50 to be retained by the processing agency, shall be
1019 deposited into the General Revenue Fund. Application for
1020 expedited service may be made by mail or in person. The
1021 department shall issue each title applied for under this section
1022 within 5 working days after receipt of the application except
1023 for an application for a duplicate title certificate covered by
1024 s. 319.23(4), in which case the title must be issued within 5

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1025 working days after compliance with the department's verification
1026 requirements.

1027 Section 28. Section 319.40, Florida Statutes, is amended
1028 to read:

1029 319.40 Transactions by electronic or telephonic means.—

1030 (1) The department may ~~is authorized to~~ accept any
1031 application provided for under this chapter by electronic or
1032 telephonic means.

1033 (2) The department may issue an electronic certificate of
1034 title in lieu of printing a paper title.

1035 (3) The department may collect and use electronic mail
1036 addresses as a notification method in lieu of the United States
1037 Postal Service, except for any notice regarding the potential
1038 forfeiture or foreclosure of an interest in property.

1039 Section 29. Paragraph (a) of subsection (1) of section
1040 320.01, Florida Statutes, is amended, present subsections (24)
1041 through (45) are renumbered as subsections (23) through (44),
1042 respectively, present subsections (23), (25), and (26) are
1043 amended, and a new subsection (45) is added to that section, to
1044 read:

1045 320.01 Definitions, general.—As used in the Florida
1046 Statutes, except as otherwise provided, the term:

1047 (1) "Motor vehicle" means:

1048 (a) An automobile, motorcycle, truck, trailer,
1049 semitrailer, truck tractor and semitrailer combination, or any
1050 other vehicle operated on the roads of this state, used to
1051 transport persons or property, and propelled by power other than
1052 muscular power, but the term does not include traction engines,

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1053 road rollers, special mobile equipment as defined in chapter
1054 316, such vehicles as run only upon a track, bicycles, swamp
1055 buggies, or mopeds.

1056 ~~(23) "Apportioned motor vehicle" means any motor vehicle~~
1057 ~~which is required to be registered, or with respect to which an~~
1058 ~~election has been made to register it, under the International~~
1059 ~~Registration Plan.~~

1060 ~~(24)~~(25) "Apportionable vehicle" means any vehicle, except
1061 recreational vehicles, vehicles displaying restricted plates,
1062 city pickup and delivery vehicles, buses used in transportation
1063 of chartered parties, and government-owned vehicles, which is
1064 used or intended for use in two or more member jurisdictions
1065 that allocate or proportionally register vehicles and which is
1066 used for the transportation of persons for hire or is designed,
1067 used, or maintained primarily for the transportation of property
1068 and:

1069 (a) Is a power unit having a gross vehicle weight in
1070 excess of 26,000 ~~26,001~~ pounds;

1071 (b) Is a power unit having three or more axles, regardless
1072 of weight; or

1073 (c) Is used in combination, when the weight of such
1074 combination exceeds 26,000 ~~26,001~~ pounds gross vehicle weight.

1075
1076 Vehicles, or combinations thereof, having a gross vehicle weight
1077 of 26,000 ~~26,001~~ pounds or less and two-axle vehicles may be
1078 proportionally registered.

1079 ~~(25)~~(26) "Commercial motor vehicle" means any vehicle that
1080 ~~which~~ is not owned or operated by a governmental entity, that

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1081 ~~which~~ uses special fuel or motor fuel on the public highways,
1082 and that ~~which~~ has a gross vehicle weight of 26,001 pounds or
1083 more, or has three or more axles regardless of weight, or is
1084 used in combination when the weight of such combination exceeds
1085 26,000 ~~26,001~~ pounds gross vehicle weight. A vehicle that
1086 occasionally transports personal property to and from a closed-
1087 course motorsport facility, as defined in s. 549.09(1)(a), is
1088 not a commercial motor vehicle if the use is not for profit and
1089 corporate sponsorship is not involved. As used in this
1090 subsection, the term "corporate sponsorship" means a payment,
1091 donation, gratuity, in-kind service, or other benefit provided
1092 to or derived by a person in relation to the underlying
1093 activity, other than the display of product or corporate names,
1094 logos, or other graphic information on the property being
1095 transported.

1096 (45) SWAMP BUGGY.—A motorized off-road vehicle designed to
1097 travel over swampy terrain, which may utilize large tires or
1098 tracks operated from an elevated platform, and may be used upon
1099 varied terrain. A swamp buggy does not include any vehicle
1100 defined in chapter 261 or otherwise defined or classified in
1101 this chapter. A swamp buggy may not be operated upon the public
1102 roads, streets, or highways of this state, except to the extent
1103 specifically authorized by a state or federal agency to be used
1104 exclusively upon lands, managed, owned, or leased by that
1105 agency.

1106 Section 30. Subsection (2) of section 320.02, Florida
1107 Statutes, is amended, paragraphs (o), (p), (q), and (r) are
1108 added to subsection (15), and subsection (18) is added to that

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1109 section, to read:

1110 320.02 Registration required; application for
1111 registration; forms.-

1112 (2) (a) The application for registration shall include the
1113 street address of the owner's permanent residence or the address
1114 of his or her permanent place of business and shall be
1115 accompanied by personal or business identification information
1116 which may include, but need not be limited to, a driver's
1117 license number, Florida identification card number, or federal
1118 employer identification number. If the owner does not have a
1119 permanent residence or permanent place of business or if the
1120 owner's permanent residence or permanent place of business
1121 cannot be identified by a street address, the application shall
1122 include:

1123 1. If the vehicle is registered to a business, the name
1124 and street address of the permanent residence of an owner of the
1125 business, an officer of the corporation, or an employee who is
1126 in a supervisory position.

1127 2. If the vehicle is registered to an individual, the name
1128 and street address of the permanent residence of a close
1129 relative or friend who is a resident of this state.

1130
1131 If the vehicle is registered to an active-duty military member
1132 who is a Florida resident, the member is exempt from the
1133 requirement to provide a Florida residential address.

1134 (b) The department shall prescribe a form upon which motor
1135 vehicle owners may record odometer readings when registering
1136 their motor vehicles.

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1137 (15)

1138 (o) The application form for motor vehicle registration
1139 and renewal registration must include language permitting the
1140 voluntary contribution of \$1 to End Hunger in Florida. The
1141 proceeds shall be distributed monthly by the department to the
1142 Florida Association of Food Banks, Inc., a corporation not for
1143 profit under s. 501(c)(3) of the Internal Revenue Code. The
1144 funds shall be used by the organization for the purpose of
1145 ending hunger in Florida.

1146 (p) The application form for motor vehicle registration
1147 and renewal of registration must include language permitting a
1148 voluntary contribution of \$1 to Take Stock In Children. Such
1149 contributions shall be transferred by the department each month
1150 to Take Stock In Children, Inc.

1151 (q) The application form for motor vehicle registration
1152 and renewal of registration must include language permitting a
1153 voluntary contribution of \$1 per applicant for Autism Services
1154 and Supports. Such contributions must be transferred by the
1155 department each month to the Achievement and Rehabilitation
1156 Centers, Inc., Autism Services Fund.

1157 (r) The application form for motor vehicle registration
1158 and renewal of registration must include language permitting a
1159 voluntary contribution of \$1 to Support Our Troops, which shall
1160 be distributed monthly to Support Our Troops, Inc., a Florida
1161 not-for-profit organization.

1162
1163 For the purpose of applying the service charge provided in s.
1164 215.20, contributions received under this subsection are not
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1165 income of a revenue nature.

1166 (18) All electronic registration records shall be retained
1167 by the department for not less than 10 years.

1168 Section 31. Subsection (9) is added to section 320.023,
1169 Florida Statutes, to read:

1170 320.023 Requests to establish voluntary checkoff on motor
1171 vehicle registration application.-

1172 (9) The department may annually retain from the first
1173 proceeds derived from the voluntary contributions collected an
1174 amount sufficient to defray for each voluntary contribution the
1175 pro rata share of the department's costs directly related to the
1176 voluntary contributions program. Such costs include renewal
1177 notices, postage, distribution costs, direct costs to the
1178 department, and costs associated with reviewing each
1179 organization's compliance with the audit and attestation
1180 requirements of this section. The revenues retained by the
1181 department may not be less than 0.5 percent and may not exceed
1182 1.5 percent. The balance of the proceeds from the voluntary
1183 contributions collected shall be distributed as provided by law.

1184 Section 32. Subsections (7) and (8) of section 320.03,
1185 Florida Statutes, are amended to read:

1186 320.03 Registration; duties of tax collectors;
1187 International Registration Plan.-

1188 (7) The Department of Highway Safety and Motor Vehicles
1189 shall register apportionable ~~apportioned~~ ~~motor~~ vehicles under
1190 the provisions of the International Registration Plan. The
1191 department may adopt rules to implement and enforce the
1192 provisions of the plan.

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1193 (8) If the applicant's name appears on the list referred
1194 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a
1195 license plate or revalidation sticker may not be issued until
1196 that person's name no longer appears on the list or until the
1197 person presents a receipt from the governmental entity or the
1198 clerk of court that provided the data showing that the fines
1199 outstanding have been paid. This subsection does not apply to
1200 the owner of a leased vehicle if the vehicle is registered in
1201 the name of the lessee of the vehicle. The tax collector and the
1202 clerk of the court are each entitled to receive monthly, as
1203 costs for implementing and administering this subsection, 10
1204 percent of the civil penalties and fines recovered from such
1205 persons. As used in this subsection, the term "civil penalties
1206 and fines" does not include a wrecker operator's lien as
1207 described in s. 713.78(13). If the tax collector has private tag
1208 agents, such tag agents are entitled to receive a pro rata share
1209 of the amount paid to the tax collector, based upon the
1210 percentage of license plates and revalidation stickers issued by
1211 the tag agent compared to the total issued within the county.
1212 The authority of any private agent to issue license plates shall
1213 be revoked, after notice and a hearing as provided in chapter
1214 120, if he or she issues any license plate or revalidation
1215 sticker contrary to the provisions of this subsection. This
1216 section applies only to the annual renewal in the owner's birth
1217 month of a motor vehicle registration and does not apply to the
1218 transfer of a registration of a motor vehicle sold by a motor
1219 vehicle dealer licensed under this chapter, except for the
1220 transfer of registrations which is inclusive of the annual

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1221 renewals. This section does not affect the issuance of the title
1222 to a motor vehicle, notwithstanding s. 319.23(8)~~(7)~~(b).

1223 Section 33. Paragraph (b) of subsection (3) and subsection
1224 (5) of section 320.05, Florida Statutes, are amended to read:

1225 320.05 Records of the department; inspection procedure;
1226 lists and searches; fees.—

1227 (3)

1228 (b) Fees therefor shall be charged and collected as
1229 follows:

1230 1. For providing lists of motor vehicle or vessel records
1231 for the entire state, or any part or parts thereof, divided
1232 according to counties, a sum computed at a rate of not less than
1233 1 cent nor more than 5 cents per item.

1234 2. For providing noncertified photographic copies of motor
1235 vehicle or vessel documents, \$1 per page.

1236 3. For providing noncertified photographic copies of
1237 micrographic records, \$1 per page.

1238 4. For providing certified copies of motor vehicle or
1239 vessel records, \$3 per record.

1240 5. For providing noncertified computer-generated printouts
1241 of motor vehicle or vessel records, 50 cents per record.

1242 6. For providing certified computer-generated printouts of
1243 motor vehicle or vessel records, \$3 per record.

1244 7. For providing electronic access to motor vehicle,
1245 vessel, and mobile home registration data requested by tag,
1246 vehicle identification number, title number, or decal number, 50
1247 cents per item.

1248 8. For providing electronic access to driver's license
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1249 status report by name, sex, and date of birth or by driver
1250 license number, 50 cents per item.

1251 9. For providing lists of licensed mobile home dealers and
1252 manufacturers and recreational vehicle dealers and
1253 manufacturers, \$15 per list.

1254 10. For providing lists of licensed motor vehicle dealers,
1255 \$25 per list.

1256 11. For each copy of a videotape record, \$15 per tape.

1257 ~~12. For each copy of the Division of Motor Vehicles~~
1258 ~~Procedures Manual, \$25.~~

1259 (5) The creation and maintenance of records by the
1260 Division of Motorist Services within the department ~~and the~~
1261 ~~Division of Motor Vehicles~~ pursuant to this chapter shall not be
1262 regarded as law enforcement functions of agency recordkeeping.

1263 Section 34. Section 320.061, Florida Statutes, is amended
1264 to read:

1265 320.061 Unlawful to alter motor vehicle registration
1266 certificates, temporary license plates, license plates, mobile
1267 home stickers, or validation stickers or to obscure license
1268 plates; penalty.—No person shall alter the original appearance
1269 of any registration license plate, temporary license plate,
1270 mobile home sticker, validation sticker, or vehicle registration
1271 certificate issued for and assigned to any motor vehicle or
1272 mobile home, whether by mutilation, alteration, defacement, or
1273 change of color or in any other manner. No person shall apply or
1274 attach any substance, reflective matter, illuminated device,
1275 spray, coating, covering, or other material onto or around any
1276 license plate that interferes with the legibility, angular

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1277 visibility, or detectability of any feature or detail on the
1278 license plate or interferes with the ability to record any
1279 feature or detail on the license plate. Any person who violates
1280 this section commits a noncriminal traffic infraction,
1281 punishable as a moving violation as provided in chapter 318.

1282 Section 35. Subsection (1) of section 320.071, Florida
1283 Statutes, is amended to read:

1284 320.071 Advance registration renewal; procedures.—

1285 (1) (a) The owner of any motor vehicle or mobile home
1286 currently registered in this state may file an application for
1287 renewal of registration with the department, or its authorized
1288 agent in the county wherein the owner resides, any time during
1289 the 3 months preceding the date of expiration of the
1290 registration period. The registration period may not exceed 27
1291 months.

1292 (b) The owner of any apportionable ~~apportioned motor~~
1293 vehicle currently registered in this state under the provisions
1294 of the International Registration Plan may file an application
1295 for renewal of registration with the department any time during
1296 the 3 months preceding the date of expiration of the
1297 registration period.

1298 Section 36. Subsections (1) and (3) of section 320.0715,
1299 Florida Statutes, are amended to read:

1300 320.0715 International Registration Plan; motor carrier
1301 services; permits; retention of records.—

1302 (1) All apportionable ~~commercial motor~~ vehicles domiciled
1303 in this state ~~and engaged in interstate commerce~~ shall be
1304 registered in accordance with the provisions of the

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1305 International Registration Plan ~~and shall display apportioned~~
1306 ~~license plates.~~

1307 (3) (a) If the department is unable to immediately issue
1308 the apportioned license plate to an applicant currently
1309 registered in this state under the International Registration
1310 Plan or to a vehicle currently titled in this state, the
1311 department or its designated agent is authorized to issue a 60-
1312 day temporary operational permit. The department or agent of the
1313 department shall charge a \$3 fee and the service charge
1314 authorized by s. 320.04 for each temporary operational permit it
1315 issues.

1316 (b) The department shall in no event issue a temporary
1317 operational permit for any apportionable ~~commercial motor~~
1318 vehicle to any applicant until the applicant has shown that:

1319 1. All sales or use taxes due on the registration of the
1320 vehicle are paid; and

1321 2. Insurance requirements have been met in accordance with
1322 ss. 320.02(5) and 627.7415.

1323 (c) Issuance of a temporary operational permit provides
1324 ~~commercial motor vehicle~~ registration privileges in each
1325 International Registration Plan member jurisdiction designated
1326 on said permit and therefore requires payment of all applicable
1327 registration fees and taxes due for that period of registration.

1328 (d) Application for permanent registration must be made to
1329 the department within 10 days following ~~from~~ issuance of a
1330 temporary operational permit. Failure to file an application
1331 within this 10-day period may result in cancellation of the
1332 temporary operational permit.

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1333 Section 37. Paragraph (d) of subsection (5) of section
1334 320.08, Florida Statutes, is amended to read:

1335 320.08 License taxes.—Except as otherwise provided herein,
1336 there are hereby levied and imposed annual license taxes for the
1337 operation of motor vehicles, mopeds, motorized bicycles as
1338 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
1339 and mobile homes, as defined in s. 320.01, which shall be paid
1340 to and collected by the department or its agent upon the
1341 registration or renewal of registration of the following:

1342 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
1343 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

1344 (d) A wrecker, as defined in s. 320.01~~(40)~~, which is used
1345 to tow a vessel as defined in s. 327.02(39), a disabled,
1346 abandoned, stolen-recovered, or impounded motor vehicle as
1347 defined in s. 320.01~~(38)~~, or a replacement motor vehicle as
1348 defined in s. 320.01~~(39)~~: \$41 flat, of which \$11 shall be
1349 deposited into the General Revenue Fund.

1350 Section 38. Subsection (9) of section 320.08056, Florida
1351 Statutes, is amended, and paragraph (aaaa) is added to
1352 subsection (4) of that section, to read:

1353 320.08056 Specialty license plates.—

1354 (4) The following license plate annual use fees shall be
1355 collected for the appropriate specialty license plates:

1356 (aaaa) Go Green license plate, \$25.

1357 (9) (a) The organization that requested the specialty
1358 license plate may not redesign the specialty license plate
1359 unless the inventory of those plates has been depleted. However,
1360 the organization may purchase the remaining inventory of the

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1361 specialty license plates from the department at cost.

1362 (b) An organization with a specialty license plate must
1363 submit a written request to the department 90 days before the
1364 convening of the next regular session of the Legislature in
1365 order to change the name of the recipient organization listed in
1366 this section or s. 320.08058.

1367 Section 39. Paragraph (b) of subsection (48) and
1368 subsection (53) of section 320.08058, Florida Statutes, are
1369 amended, and subsection (79) is added to that section, to read:

1370 320.08058 Specialty license plates.—

1371 (48) LIVE THE DREAM LICENSE PLATES.—

1372 (b) The proceeds of the annual use fee shall be
1373 distributed to the Florida Dream Foundation, Inc. The Florida
1374 Dream Foundation, Inc., shall retain the first \$60,000 in
1375 proceeds from the annual use fees as reimbursement for
1376 administrative costs, startup costs, and costs incurred in the
1377 approval process. Thereafter, up to 25 percent shall be used for
1378 continuing promotion and marketing of the license plate and
1379 concept. The remaining funds shall be used in the following
1380 manner:

1381 1. Twenty-five percent shall be distributed equally among
1382 the sickle cell organizations that are Florida members of the
1383 Sickle Cell Disease Association of America, Inc., for programs
1384 that provide research, care, and treatment for sickle cell
1385 disease.

1386 2. Twenty-five percent shall be distributed to the Florida
1387 chapter of the March of Dimes for programs and services that
1388 improve the health of babies through the prevention of birth

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1389 defects and infant mortality.

1390 3. Ten percent shall be distributed to the Florida
1391 Association of Healthy Start Coalitions to decrease racial
1392 disparity in infant mortality and to increase healthy birth
1393 outcomes. Funding will be used by local Healthy Start Coalitions
1394 to provide services and increase screening rates for high-risk
1395 pregnant women, children under 4 years of age, and women of
1396 childbearing age.

1397 4. Ten percent shall be distributed to the Community
1398 Partnership for Homeless, Inc., for programs that provide relief
1399 from poverty, hunger, and homelessness.

1400 5. Five percent of the proceeds shall be used by the
1401 foundation for administrative costs directly associated with
1402 operations as they relate to the management and distribution of
1403 the proceeds.

1404 (53) SUPPORT SOCCER LICENSE PLATES.—

1405 (a) The department shall develop a Support Soccer license
1406 plate as provided in this section. Support Soccer license plates
1407 must bear the colors and design approved by the department. The
1408 word "Florida" must appear at the top of the plate, and the
1409 words "Support Soccer" must appear at the bottom of the plate.

1410 (b) The annual use fees shall be distributed to the
1411 Florida Lighthouse Soccer Foundation, Inc., which shall retain
1412 the initial revenues from the sale of such plates until all
1413 startup costs for developing and establishing the plate have
1414 been recovered, not to exceed \$85,000. Thereafter, the proceeds
1415 of the annual use fee shall be used in the following manner:

1416 1. Up to 25 percent of the proceeds may be used by the
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1417 Florida Lighthouse Soccer Foundation, Inc., for continuing
1418 promotion and marketing of the license plate and concept.

1419 2. Twenty percent shall be distributed to the Florida
1420 Youth Soccer Association for programs and services that foster
1421 the physical, mental, and emotional growth and development of
1422 Florida's youth through the sport of soccer at all levels of age
1423 and competition, including a portion to be determined by the
1424 Florida Youth Soccer Association for the TOPSoccer program to
1425 promote participation by the physically and mentally
1426 disadvantaged.

1427 3. Twenty percent shall be distributed as grants for
1428 programs that promote participation by the economically
1429 disadvantaged and to support soccer programs where none
1430 previously existed.

1431 4. Ten percent shall be distributed to the Florida State
1432 Soccer Association to promote the sport of soccer and the long-
1433 term development of the sport.

1434 5. Ten percent shall be distributed as grants for programs
1435 that promote and support the construction of fields and soccer-
1436 specific infrastructure.

1437 6. Ten percent shall be distributed as grants for programs
1438 that foster and promote health, physical fitness, and
1439 educational opportunities through soccer.

1440 7. Five percent shall be expended by the Florida
1441 ~~Lighthouse~~ Soccer Foundation, Inc., for administrative costs
1442 directly associated with the foundation's operations as they
1443 relate to the management and distribution of the proceeds.

1444 (79) GO GREEN LICENSE PLATE.-

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1445 (a) Notwithstanding the provisions of s. 45 of chapter
1446 2008-176, Laws of Florida, as amended by s. 21 of chapter 2010-
1447 223, Laws of Florida, and upon receipt of \$60,000 and submission
1448 of the proposed art design for the specialty license plate to
1449 the department in a medium prescribed by the department, as soon
1450 as practicable, but no later than 60 days after the effective
1451 date of this act, the department shall develop a Go Green
1452 license plate as provided in this section. The plate must bear
1453 the colors and design approved by the department. The word
1454 "Florida" must appear at the top of the plate, and the words "Go
1455 Green" must appear at the bottom of the plate.

1456 (b) The annual use fees shall be distributed to the
1457 Coalition for Renewable Energy Solutions, Inc., which shall
1458 retain the initial revenues from the sales of such plates until
1459 all startup costs incurred in the development and approval of
1460 the plates have been reimbursed. Thereafter, the proceeds shall
1461 be used by the coalition as follows:

1462 1. A maximum of 10 percent of the proceeds may be used to
1463 fund the administrative and marketing costs of the license plate
1464 program.

1465 2. The remaining fees shall be used to fund programs and
1466 projects that educate the public and implement or publicize
1467 renewable energy solutions.

1468 Section 40. Paragraph (e) of subsection (4) of section
1469 320.08068, Florida Statutes, is amended to read:

1470 320.08068 Motorcycle specialty license plates.-

1471 (4) A license plate annual use fee of \$20 shall be
1472 collected for each motorcycle specialty license plate. Annual
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1473 use fees shall be distributed to The Able Trust as custodial
1474 agent. The Able Trust may retain a maximum of 10 percent of the
1475 proceeds from the sale of the license plate for administrative
1476 costs. The Able Trust shall distribute the remaining funds as
1477 follows:

1478 (e) Twenty percent to the Florida Association of Centers
1479 for Independent Living ~~to be used to leverage additional funding~~
1480 ~~and new sources of revenue for the centers for independent~~
1481 ~~living in this state.~~

1482 Section 41. Subsection (1) of section 320.0847, Florida
1483 Statutes, is amended to read:

1484 320.0847 Mini truck and low-speed vehicle license plates.-

1485 (1) The department shall issue a license plate to the
1486 owner or lessee of any vehicle registered as a low-speed vehicle
1487 as defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
1488 320.01~~(45)~~ upon payment of the appropriate license taxes and
1489 fees prescribed in s. 320.08.

1490 Section 42. Subsections (1), (2), and (4) of section
1491 320.0848, Florida Statutes, are amended to read:

1492 320.0848 Persons who have disabilities; issuance of
1493 disabled parking permits; temporary permits; permits for certain
1494 providers of transportation services to persons who have
1495 disabilities.-

1496 (1) (a) The Department of Highway Safety and Motor Vehicles
1497 or its authorized agents shall, upon application and receipt of
1498 the fee, issue a disabled parking permit for a period of up to 4
1499 years, which period ends on the applicant's birthday, to any
1500 person who has long-term mobility impairment, or a temporary

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1501 disabled parking permit not to exceed 6 months to any person who
1502 has a temporary mobility impairment. No person will be required
1503 to pay a fee for a parking permit for disabled persons more than
1504 once in a 12-month period from the date of the prior fee
1505 payment.

1506 (b)1. The person must be currently certified as being
1507 legally blind or as having any of the following disabilities
1508 that render him or her unable to walk 200 feet without stopping
1509 to rest:

1510 a. Inability to walk without the use of or assistance from
1511 a brace, cane, crutch, prosthetic device, or other assistive
1512 device, or without the assistance of another person. If the
1513 assistive device significantly restores the person's ability to
1514 walk to the extent that the person can walk without severe
1515 limitation, the person is not eligible for the exemption parking
1516 permit.

1517 b. The need to permanently use a wheelchair.

1518 c. Restriction by lung disease to the extent that the
1519 person's forced (respiratory) expiratory volume for 1 second,
1520 when measured by spirometry, is less than 1 liter, or the
1521 person's arterial oxygen is less than 60 mm/hg on room air at
1522 rest.

1523 d. Use of portable oxygen.

1524 e. Restriction by cardiac condition to the extent that the
1525 person's functional limitations are classified in severity as
1526 Class III or Class IV according to standards set by the American
1527 Heart Association.

1528 f. Severe limitation in the person's ability to walk due
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1529 to an arthritic, neurological, or orthopedic condition.

1530 2. The certification of disability which is required under
1531 subparagraph 1. must be provided by a physician licensed under
1532 chapter 458, chapter 459, or chapter 460, by a podiatric
1533 physician licensed under chapter 461, by an optometrist licensed
1534 under chapter 463, by an advanced registered nurse practitioner
1535 licensed under chapter 464 under the protocol of a licensed
1536 physician as stated in this subparagraph, by a physician
1537 assistant licensed under chapter 458 or chapter 459, or by a
1538 similarly licensed physician from another state if the
1539 application is accompanied by documentation of the physician's
1540 licensure in the other state and a form signed by the out-of-
1541 state physician verifying his or her knowledge of this state's
1542 eligibility guidelines.

1543 (c) The certificate of disability must include, but need
1544 not be limited to:

1545 1. The disability of the applicant; the certifying
1546 practitioner's name and address; the practitioner's
1547 certification number; the eligibility criteria for the permit;
1548 the penalty for falsification by either the certifying
1549 practitioner or the applicant; the duration of the condition
1550 that entitles the person to the permit; and justification for
1551 the additional placard pursuant to subsection (2).

1552 2. The statement, in bold letters: "A disabled parking
1553 permit may be issued only for a medical necessity that severely
1554 affects mobility."

1555 3. The signatures of:

1556 a. The applicant's physician or other certifying

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1557 practitioner.

1558 b. The applicant or the applicant's parent or guardian.

1559 c. The employee of the department's authorized agent which
1560 employee is processing the application.

1561 (d) Beginning October 1, 2011 ~~April 1, 1999~~, the
1562 Department of Highway Safety and Motor Vehicles shall renew the
1563 disabled parking permit of any person certified as permanently
1564 disabled on the application if the person applies for renewal in
1565 person and provides a current certificate of disability pursuant
1566 to this subsection. The requirement to apply for renewal in
1567 person does not apply if the severity of the disability prevents
1568 a disabled person from physically visiting or being transported
1569 to a driver license or tax collector office and the certifying
1570 physician has signed an additional section of the department's
1571 parking permit application to exempt the disabled person from
1572 the appearance requirement.

1573 (e) The Department of Highway Safety and Motor Vehicles
1574 shall, in consultation with the Commission for the
1575 Transportation Disadvantaged, adopt rules, in accordance with
1576 chapter 120, for the issuance of a disabled parking permit to
1577 any organization that can adequately demonstrate a bona fide
1578 need for such a permit because the organization provides regular
1579 transportation services to persons who have disabilities and are
1580 certified as provided in this subsection.

1581 (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
1582 MOBILITY PROBLEMS.—

1583 (a) The disabled parking permit is a placard that can be
1584 placed in a motor vehicle so as to be visible from the front and
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1585 rear of the vehicle. Each side of the placard must have the
1586 international symbol of accessibility in a contrasting color in
1587 the center so as to be visible. One side of the placard must
1588 display the applicant's driver's license number or state
1589 identification card number along with a warning that the
1590 applicant must have such identification at all times while using
1591 the parking permit. In those cases where the severity of the
1592 disability prevents a disabled person from physically visiting
1593 or being transported to a driver license or tax collector office
1594 to obtain a driver's license or identification card, a
1595 certifying physician may sign the exemption section of the
1596 department's parking permit application to exempt the disabled
1597 person from being issued a driver's license or identification
1598 card for the number to be displayed on the parking permit. A
1599 validation sticker must also be issued with each disabled
1600 parking permit, showing the month and year of expiration on each
1601 side of the placard. Validation stickers must be of the size
1602 specified by the Department of Highway Safety and Motor Vehicles
1603 and must be affixed to the disabled parking permits. The
1604 disabled parking permits must use the same colors as license
1605 plate validations.

1606 (b) License plates issued under ss. 320.084, 320.0842,
1607 320.0843, and 320.0845 are valid for the same parking privileges
1608 and other privileges provided under ss. 316.1955, 316.1964, and
1609 526.141(5)(a).

1610 (c) The department shall not issue an additional disabled
1611 parking permit unless the applicant states that he or she is a
1612 frequent traveler or a quadriplegic. The department may not

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1613 issue to any one eligible applicant more than two disabled
1614 parking permits except to an organization in accordance with
1615 paragraph (1)(e). Subsections (1), (5), (6), and (7) apply to
1616 this subsection.

1617 (d) If an applicant who is a disabled veteran, is a
1618 resident of this state, has been honorably discharged, and
1619 either has been determined by the Department of Defense or the
1620 United States Department of Veterans Affairs or its predecessor
1621 to have a service-connected disability rating for compensation
1622 of 50 percent or greater or has been determined to have a
1623 service-connected disability rating of 50 percent or greater and
1624 is in receipt of both disability retirement pay from the United
1625 States Department of Veterans Affairs, he or she must still
1626 provide a signed physician's statement of qualification for the
1627 disabled parking permits.

1628 (e) To obtain a replacement for a disabled parking permit
1629 that has been lost or stolen, a person must appear in person,
1630 submit an application on a form prescribed by the department,
1631 and ~~must~~ pay a replacement fee in the amount of \$1.00, to be
1632 retained by the issuing agency. If the person submits with the
1633 application a police report documenting that the permit was
1634 stolen, there is no replacement fee. The requirement to apply
1635 for replacement in person does not apply if the severity of the
1636 disability prevents a disabled person from physically visiting
1637 or being transported to a driver license or tax collector
1638 office, and the certifying physician has signed an additional
1639 section of the department's parking permit application to exempt
1640 the disabled person from the appearance requirement.

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1641 (f) A person who qualifies for a disabled parking permit
1642 under this section may be issued an international wheelchair
1643 user symbol license plate under s. 320.0843 in lieu of the
1644 disabled parking permit; or, if the person qualifies for a "DV"
1645 license plate under s. 320.084, such a license plate may be
1646 issued to him or her in lieu of a disabled parking permit.

1647 (4) From the proceeds of the temporary disabled parking
1648 permit fees:

1649 (a) The Department of Highway Safety and Motor Vehicles
1650 must receive \$3.50 for each temporary permit, to be deposited
1651 into the Highway Safety Operating Trust Fund and used for
1652 implementing the real-time disabled parking permit database and
1653 for administering the disabled parking permit program.

1654 (b) The tax collector, for processing, must receive \$2.50
1655 for each temporary permit.

1656 (c) The remainder must be distributed monthly as follows:

1657 1. To the Florida Endowment Foundation for Vocational
1658 Rehabilitation, known as "The Able Trust," ~~Florida Governor's~~
1659 ~~Alliance for the Employment of Disabled Citizens~~ for the purpose
1660 of improving employment and training opportunities for persons
1661 who have disabilities, with special emphasis on removing
1662 transportation barriers, \$4. These fees must be directly
1663 deposited into the Florida Endowment Foundation for Vocational
1664 Rehabilitation as established in s. 413.615 ~~Transportation~~
1665 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
1666 ~~Alliance for Employment of Disabled Citizens.~~

1667 2. To the Transportation Disadvantaged Trust Fund to be
1668 used for funding matching grants to counties for the purpose of
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1669 improving transportation of persons who have disabilities, \$5.

1670 Section 43. Effective October 1, 2011, subsection (1) of
1671 section 320.089, Florida Statutes, is amended to read:

1672 320.089 Members of National Guard and active United States
1673 Armed Forces reservists; former prisoners of war; survivors of
1674 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
1675 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
1676 Badge recipients; special license plates; fee.—

1677 (1) (a) Each owner or lessee of an automobile or truck for
1678 private use or recreational vehicle as specified in s.
1679 320.08(9) (c) or (d), which is not used for hire or commercial
1680 use, who is a resident of the state and an active or retired
1681 member of the Florida National Guard, a survivor of the attack
1682 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
1683 active or retired member of any branch of the United States
1684 Armed Forces Reserve, or a recipient of the Combat Infantry
1685 Badge shall, upon application to the department, accompanied by
1686 proof of active membership or retired status in the Florida
1687 National Guard, proof of membership in the Pearl Harbor
1688 Survivors Association or proof of active military duty in Pearl
1689 Harbor on December 7, 1941, proof of being a Purple Heart medal
1690 recipient, ~~or~~ proof of active or retired membership in any
1691 branch of the Armed Forces Reserve, or proof of membership in
1692 the Combat Infantrymen's Association, Inc., or other proof of
1693 being a recipient of the Combat Infantry Badge, and upon payment
1694 of the license tax for the vehicle as provided in s. 320.08, be
1695 issued a license plate as provided by s. 320.06, upon which, in
1696 lieu of the serial numbers prescribed by s. 320.06, shall be

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1697 stamped the words "National Guard," "Pearl Harbor Survivor,"
1698 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
1699 Badge," as appropriate, followed by the serial number of the
1700 license plate. Additionally, the Purple Heart plate may have the
1701 words "Purple Heart" stamped on the plate and the likeness of
1702 the Purple Heart medal appearing on the plate.

1703 (b) Notwithstanding any other provision of law to the
1704 contrary, beginning with fiscal year 2002-2003 and annually
1705 thereafter, the first \$100,000 in general revenue generated from
1706 the sale of license plates issued under this section shall be
1707 deposited into the Grants and Donations Trust Fund, as described
1708 in s. 296.38(2), to be used for the purposes established by law
1709 for that trust fund. Any additional general revenue generated
1710 from the sale of such plates shall be deposited into the State
1711 Homes for Veterans Trust Fund and used solely to construct,
1712 operate, and maintain domiciliary and nursing homes for
1713 veterans, subject to the requirements of chapter 216.

1714 (c) Notwithstanding any provisions of law to the contrary,
1715 an applicant for a Pearl Harbor Survivor license plate or a
1716 Purple Heart license plate who also qualifies for a disabled
1717 veteran's license plate under s. 320.084 shall be issued the
1718 appropriate special license plate without payment of the license
1719 tax imposed by s. 320.08.

1720 Section 44. Subsection (3) of section 320.27, Florida
1721 Statutes, is amended to read:

1722 320.27 Motor vehicle dealers.—

1723 (3) APPLICATION AND FEE.—The application for the license
1724 shall be in such form as may be prescribed by the department and
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1725 shall be subject to such rules with respect thereto as may be so
1726 prescribed by it. Such application shall be verified by oath or
1727 affirmation and shall contain a full statement of the name and
1728 birth date of the person or persons applying therefor; the name
1729 of the firm or copartnership, with the names and places of
1730 residence of all members thereof, if such applicant is a firm or
1731 copartnership; the names and places of residence of the
1732 principal officers, if the applicant is a body corporate or
1733 other artificial body; the name of the state under whose laws
1734 the corporation is organized; the present and former place or
1735 places of residence of the applicant; and prior business in
1736 which the applicant has been engaged and the location thereof.
1737 Such application shall describe the exact location of the place
1738 of business and shall state whether the place of business is
1739 owned by the applicant and when acquired, or, if leased, a true
1740 copy of the lease shall be attached to the application. The
1741 applicant shall certify that the location provides an adequately
1742 equipped office and is not a residence; that the location
1743 affords sufficient unoccupied space upon and within which
1744 adequately to store all motor vehicles offered and displayed for
1745 sale; and that the location is a suitable place where the
1746 applicant can in good faith carry on such business and keep and
1747 maintain books, records, and files necessary to conduct such
1748 business, which will be available at all reasonable hours to
1749 inspection by the department or any of its inspectors or other
1750 employees. The applicant shall certify that the business of a
1751 motor vehicle dealer is the principal business which shall be
1752 conducted at that location. Such application shall contain a

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1753 statement that the applicant is either franchised by a
1754 manufacturer of motor vehicles, in which case the name of each
1755 motor vehicle that the applicant is franchised to sell shall be
1756 included, or an independent (nonfranchised) motor vehicle
1757 dealer. Such application shall contain such other relevant
1758 information as may be required by the department, including
1759 evidence that the applicant is insured under a garage liability
1760 insurance policy or a general liability insurance policy coupled
1761 with a business automobile policy, which shall include, at a
1762 minimum, \$25,000 combined single-limit liability coverage
1763 including bodily injury and property damage protection and
1764 \$10,000 personal injury protection. A salvage motor vehicle
1765 dealer as defined in subparagraph (1)(c)5. is exempt from the
1766 requirements for garage liability insurance and personal injury
1767 protection insurance on those vehicles that cannot be legally
1768 operated on Florida roads, highways, or streets. Franchise
1769 dealers must submit a garage liability insurance policy, and all
1770 other dealers must submit a garage liability insurance policy or
1771 a general liability insurance policy coupled with a business
1772 automobile policy. Such policy shall be for the license period,
1773 and evidence of a new or continued policy shall be delivered to
1774 the department at the beginning of each license period. Upon
1775 making initial application, the applicant shall pay to the
1776 department a fee of \$300 in addition to any other fees now
1777 required by law; upon making a subsequent renewal application,
1778 the applicant shall pay to the department a fee of \$75 in
1779 addition to any other fees now required by law. Upon making an
1780 application for a change of location, the person shall pay a fee

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1781 of \$50 in addition to any other fees now required by law. The
1782 department shall, in the case of every application for initial
1783 licensure, verify whether certain facts set forth in the
1784 application are true. Each applicant, general partner in the
1785 case of a partnership, or corporate officer and director in the
1786 case of a corporate applicant, must file a set of fingerprints
1787 with the department for the purpose of determining any prior
1788 criminal record or any outstanding warrants. The department
1789 shall submit the fingerprints to the Department of Law
1790 Enforcement for state processing and forwarding to the Federal
1791 Bureau of Investigation for federal processing. The actual cost
1792 of state and federal processing shall be borne by the applicant
1793 and is in addition to the fee for licensure. The department may
1794 issue a license to an applicant pending the results of the
1795 fingerprint investigation, which license is fully revocable if
1796 the department subsequently determines that any facts set forth
1797 in the application are not true or correctly represented.

1798 Section 45. Paragraphs (a) and (b) of subsection (2) of
1799 section 320.275, Florida Statutes, are amended to read:

1800 320.275 Automobile Dealers Industry Advisory Board.—

1801 (2) MEMBERSHIP, TERMS, MEETINGS.—

1802 (a) The board shall be composed of 12 members. The
1803 executive director of the Department of Highway Safety and Motor
1804 Vehicles shall appoint the members from names submitted by the
1805 entities for the designated categories the member will
1806 represent. The executive director shall appoint one
1807 representative of the Department of Highway Safety and Motor
1808 Vehicles, ~~who must represent the Division of Motor Vehicles;~~ two

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1809 representatives of the independent motor vehicle industry as
1810 recommended by the Florida Independent Automobile Dealers
1811 Association; two representatives of the franchise motor vehicle
1812 industry as recommended by the Florida Automobile Dealers
1813 Association; one representative of the auction motor vehicle
1814 industry who is from an auction chain and is recommended by a
1815 group affiliated with the National Auto Auction Association; one
1816 representative of the auction motor vehicle industry who is from
1817 an independent auction and is recommended by a group affiliated
1818 with the National Auto Auction Association; one representative
1819 from the Department of Revenue; a Florida tax collector
1820 representative recommended by the Florida Tax Collectors
1821 Association; one representative from the Better Business Bureau;
1822 one representative from the Department of Agriculture and
1823 Consumer Services, who must represent the Division of Consumer
1824 Services; and one representative of the insurance industry who
1825 writes motor vehicle dealer surety bonds.

1826 (b)1. The executive director shall appoint the following
1827 initial members to 1-year terms: one representative from the
1828 motor vehicle auction industry who represents an auction chain,
1829 one representative from the independent motor vehicle industry,
1830 one representative from the franchise motor vehicle industry,
1831 one representative from the Department of Revenue, one Florida
1832 tax collector, and one representative from the Better Business
1833 Bureau.

1834 2. The executive director shall appoint the following
1835 initial members to 2-year terms: one representative from the
1836 motor vehicle auction industry who represents an independent

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1837 auction, one representative from the independent motor vehicle
1838 industry, one representative from the franchise motor vehicle
1839 industry, one representative from the Division of Consumer
1840 Services, one representative from the insurance industry, and
1841 one representative from the department ~~Division of Motor~~
1842 ~~Vehicles~~.

1843 3. As the initial terms expire, the executive director
1844 shall appoint successors from the same designated category for
1845 terms of 2 years. If renominated, a member may succeed himself
1846 or herself.

1847 4. The board shall appoint a chair and vice chair at its
1848 initial meeting and every 2 years thereafter.

1849 Section 46. Subsection (1) of section 320.771, Florida
1850 Statutes, is amended to read:

1851 320.771 License required of recreational vehicle dealers.-

1852 (1) DEFINITIONS.-As used in this section:

1853 (a) "Dealer" means any person engaged in the business of
1854 buying, selling, or dealing in recreational vehicles or offering
1855 or displaying recreational vehicles for sale. The term "dealer"
1856 includes a recreational vehicle broker. Any person who buys,
1857 sells, deals in, or offers or displays for sale, or who acts as
1858 the agent for the sale of, one or more recreational vehicles in
1859 any 12-month period shall be prima facie presumed to be a
1860 dealer. The terms "selling" and "sale" include lease-purchase
1861 transactions. The term "dealer" does not include banks, credit
1862 unions, and finance companies that acquire recreational vehicles
1863 as an incident to their regular business and does not include
1864 mobile home rental and leasing companies that sell recreational

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1865 vehicles to dealers licensed under this section. A licensed
1866 dealer may transact business in recreational vehicles with a
1867 motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a
1868 licensed dealer may, at retail or wholesale, sell a motor
1869 vehicle, as described in s. 320.01(1)(a), acquired in exchange
1870 for the sale of a recreational vehicle, if such acquisition is
1871 incidental to the principal business of being a recreational
1872 vehicle dealer. However, a recreational vehicle dealer may not
1873 buy a motor vehicle for the purpose of resale unless licensed as
1874 a motor vehicle dealer pursuant to s. 320.27.

1875 (b) "Recreational vehicle broker" means any person who is
1876 engaged in the business of offering to procure or procuring used
1877 recreational vehicles for the general public; who holds himself
1878 or herself out through solicitation, advertisement, or otherwise
1879 as one who offers to procure or procures used recreational
1880 vehicles for the general public; or who acts as the agent or
1881 intermediary on behalf of the owner or seller of a used
1882 recreational vehicle which is for sale or who assists or
1883 represents the seller in finding a buyer for the recreational
1884 vehicle.

1885 (c) For the purposes of this section, the term
1886 "recreational vehicle" does not include any camping trailer, as
1887 defined in s. 320.01(1)(b)2.

1888 (d) A dealer may apply for a certificate of title to a
1889 recreational vehicle required to be registered under s.
1890 320.08(9) using a manufacturer's statement of origin as
1891 permitted by s. 319.23(1) only if such dealer is authorized by a
1892 manufacturer/dealer agreement as defined in s. 320.3202(8) on

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1893 file with the department to buy, sell, or deal in that
1894 particular line-make of recreational vehicle and is authorized
1895 by such agreement to perform delivery and preparation
1896 obligations and warranty defect adjustments on that line-make.

1897 Section 47. Section 320.95, Florida Statutes, is amended
1898 to read:

1899 320.95 Transactions by electronic or telephonic means.—

1900 (1) The department may ~~is authorized to~~ accept any
1901 application provided for under this chapter by electronic or
1902 telephonic means.

1903 (2) The department may collect and use electronic mail
1904 addresses for the purpose of providing renewal notices in lieu
1905 of the United States Postal Service.

1906 Section 48. Section 321.02, Florida Statutes, is amended
1907 to read:

1908 321.02 Powers and duties of department, highway patrol.—
1909 The director of the Division of Highway Patrol of the Department
1910 of Highway Safety and Motor Vehicles shall be designated the
1911 Colonel ~~also be the commander~~ of the Florida Highway Patrol. The
1912 said department shall set up and promulgate rules and
1913 regulations by which the personnel of the Florida Highway Patrol
1914 officers shall be examined, employed, trained, located,
1915 suspended, reduced in rank, discharged, recruited, paid and
1916 pensioned, subject to civil service provisions hereafter set
1917 out. The department may enter into contracts or agreements, with
1918 or without competitive bidding or procurement, to make
1919 available, on a fair, reasonable, nonexclusive, and
1920 nondiscriminatory basis, property and other structures under

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1921 division control for the placement of new facilities by any
1922 wireless provider of mobile service as defined in 47 U.S.C. s.
1923 153(27) or s. 332(d), and any telecommunications company as
1924 defined in s. 364.02 when it is determined to be practical and
1925 feasible to make such property or other structures available.
1926 The department may, without adopting a rule, charge a just,
1927 reasonable, and nondiscriminatory fee for placement of the
1928 facilities, payable annually, based on the fair market value of
1929 space used by comparable communications facilities in the state.
1930 The department and a wireless provider or telecommunications
1931 company may negotiate the reduction or elimination of a fee in
1932 consideration of services provided to the division by the
1933 wireless provider or the telecommunications company. All such
1934 fees collected by the department shall be deposited directly
1935 into the State Agency Law Enforcement Radio System Trust Fund,
1936 and may be used to construct, maintain, or support the system.
1937 The department is further specifically authorized to purchase,
1938 sell, trade, rent, lease and maintain all necessary equipment,
1939 uniforms, motor vehicles, communication systems, housing
1940 facilities, office space, and perform any other acts necessary
1941 for the proper administration and enforcement of this chapter.
1942 However, all supplies and equipment consisting of single items
1943 or in lots shall be purchased under the requirements of s.
1944 287.057. Purchases shall be made by accepting the bid of the
1945 lowest responsive bidder, the right being reserved to reject all
1946 bids. The department shall prescribe a distinctive uniform and
1947 distinctive emblem to be worn by all officers of the Florida
1948 Highway Patrol. It shall be unlawful for any other person or

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1949 persons to wear a similar uniform or emblem, or any part or
1950 parts thereof. The department shall also prescribe distinctive
1951 colors for use on motor vehicles and motorcycles operated by the
1952 Florida Highway Patrol. The prescribed colors shall be referred
1953 to as "Florida Highway Patrol black and tan."

1954 Section 49. Subsection (3) of section 322.02, Florida
1955 Statutes, is amended to read:

1956 322.02 Legislative intent; administration.—

1957 (3) The department shall employ a director, who is charged
1958 with the duty of serving as the executive officer of the
1959 Division of Motorist Services within ~~Driver Licenses~~ of the
1960 department insofar as the administration of this chapter is
1961 concerned. He or she shall be subject to the supervision and
1962 direction of the department, and his or her official actions and
1963 decisions as executive officer shall be conclusive unless the
1964 same are superseded or reversed by the department or by a court
1965 of competent jurisdiction.

1966 Section 50. Subsection (1) of section 322.04, Florida
1967 Statutes, is amended to read:

1968 322.04 Persons exempt from obtaining driver's license.—

1969 (1) The following persons are exempt from obtaining a
1970 driver's license:

1971 (a) Any employee of the United States Government, while
1972 operating a noncommercial motor vehicle owned by or leased to
1973 the United States Government and being operated on official
1974 business.

1975 (b) Any person while driving or operating any road
1976 machine, farm tractor, or implement of husbandry temporarily

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operated or moved on a highway.

(c) A nonresident who is at least 16 years of age ~~and who has in his or her immediate possession a valid noncommercial driver's license issued to the nonresident in his or her home state or country,~~ may operate a motor vehicle of the type for which a Class E driver's license is required in this state if he or she has in their immediate possession:

1. A valid noncommercial driver's license issued in his or her name from another state or territory of the United States;
or

2. An International Driving Permit issued in his or her name in their country of residence and a valid license issued in that country.

~~(d) A nonresident who is at least 18 years of age and who has in his or her immediate possession a valid noncommercial driver's license issued to the nonresident in his or her home state or country may operate a motor vehicle, other than a commercial motor vehicle, in this state.~~

(d)(e) Any person operating a golf cart, as defined in s. 320.01, which is operated in accordance with the provisions of s. 316.212.

Section 51. Paragraph (a) of subsection (1) of section 322.051, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an

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2005 identification card by the department upon completion of an
2006 application and payment of an application fee.

2007 (a) Each such application shall include the following
2008 information regarding the applicant:

2009 1. Full name (first, middle or maiden, and last), gender,
2010 proof of social security card number satisfactory to the
2011 department, county of residence, mailing address, proof of
2012 residential address satisfactory to the department, country of
2013 birth, and a brief description.

2014 2. Proof of birth date satisfactory to the department.

2015 3. Proof of identity satisfactory to the department. Such
2016 proof must include one of the following documents issued to the
2017 applicant:

2018 a. A driver's license record or identification card record
2019 from another jurisdiction that required the applicant to submit
2020 a document for identification which is substantially similar to
2021 a document required under sub-subparagraph b., sub-subparagraph
2022 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
2023 f., sub-subparagraph g., or sub-subparagraph h.;

2024 b. A certified copy of a United States birth certificate;

2025 c. A valid, unexpired United States passport;

2026 d. A naturalization certificate issued by the United
2027 States Department of Homeland Security;

2028 e. A valid, unexpired alien registration receipt card
2029 (green card);

2030 f. A Consular Report of Birth Abroad provided by the
2031 United States Department of State;

2032 g. An unexpired employment authorization card issued by
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2033 the United States Department of Homeland Security; or

2034 h. Proof of nonimmigrant classification provided by the
2035 United States Department of Homeland Security, for an original
2036 identification card. In order to prove such nonimmigrant
2037 classification, applicants must provide at least one of ~~may~~
2038 ~~produce but are not limited to~~ the following documents, and, in
2039 addition, the department may require applicants to produce
2040 United States Department of Homeland Security documents for the
2041 sole purpose of establishing the maintenance of or efforts to
2042 maintain continuous lawful presence:

2043 (I) A notice of hearing from an immigration court
2044 scheduling a hearing on any proceeding.

2045 (II) A notice from the Board of Immigration Appeals
2046 acknowledging pendency of an appeal.

2047 (III) Notice of the approval of an application for
2048 adjustment of status issued by the United States Bureau of
2049 Citizenship and Immigration Services.

2050 (IV) Any official documentation confirming the filing of a
2051 petition for asylum or refugee status or any other relief issued
2052 by the United States Bureau of Citizenship and Immigration
2053 Services.

2054 (V) Notice of action transferring any pending matter from
2055 another jurisdiction to Florida, issued by the United States
2056 Bureau of Citizenship and Immigration Services.

2057 (VI) Order of an immigration judge or immigration officer
2058 granting any relief that authorizes the alien to live and work
2059 in the United States including, but not limited to asylum.

2060 (VII) Evidence that an application is pending for

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2061 adjustment of status to that of an alien lawfully admitted for
2062 permanent residence in the United States or conditional
2063 permanent resident status in the United States, if a visa number
2064 is available having a current priority date for processing by
2065 the United States Bureau of Citizenship and Immigration
2066 Services.

2067 (VIII) On or after January 1, 2010, an unexpired foreign
2068 passport with an unexpired United States Visa affixed,
2069 accompanied by an approved I-94, documenting the most recent
2070 admittance into the United States.

2071
2072 An identification card issued based on documents required
2073 ~~Presentation of any of the documents described in sub-~~
2074 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
2075 ~~applicant to an identification card~~ for a period not to exceed
2076 the expiration date of the document presented or 1 year,
2077 whichever first occurs.

2078 (9) Notwithstanding any other provision of this section or
2079 s. 322.21 to the contrary, the department shall issue or renew a
2080 card at no charge to a person who presents good cause for a fee
2081 waiver.

2082 Section 52. Subsection (4) of section 322.058, Florida
2083 Statutes, is amended to read:

2084 322.058 Suspension of driving privileges due to support
2085 delinquency; reinstatement.—

2086 (4) This section applies only to the annual renewal in the
2087 owner's birth month of a motor vehicle registration and does not
2088 apply to the transfer of a registration of a motor vehicle sold

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2089 by a motor vehicle dealer licensed under chapter 320, except for
2090 the transfer of registrations which is inclusive of the annual
2091 renewals. This section does not affect the issuance of the title
2092 to a motor vehicle, notwithstanding s. 319.23(8)~~(7)~~(b).

2093 Section 53. Section 322.065, Florida Statutes, is amended
2094 to read:

2095 322.065 Driver's license expired for 6 4 months or less;
2096 penalties.—Any person whose driver's license has been expired
2097 for 6 4 months or less and who drives a motor vehicle upon the
2098 highways of this state commits ~~is guilty of~~ an infraction and is
2099 subject to the penalty provided in s. 318.18.

2100 Section 54. Subsection (3) of section 322.07, Florida
2101 Statutes, is amended to read:

2102 322.07 Instruction permits and temporary licenses.—

2103 (3) Any person who, except for his or her lack of
2104 instruction in operating a commercial motor vehicle, would
2105 otherwise be qualified to obtain a commercial driver's license
2106 under this chapter, may apply for a temporary commercial
2107 instruction permit. The department shall issue such a permit
2108 entitling the applicant, while having the permit in his or her
2109 immediate possession, to drive a commercial motor vehicle on the
2110 highways, provided that:

2111 (a) The applicant possesses a valid Florida driver's
2112 license ~~issued in any state~~; and

2113 (b) The applicant, while operating a commercial motor
2114 vehicle, is accompanied by a licensed driver who is 21 years of
2115 age or older, who is licensed to operate the class of vehicle
2116 being operated, and who is actually occupying the closest seat

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2117 to the right of the driver.

2118 Section 55. Subsections (2) and (7) of section 322.08,
2119 Florida Statutes, are amended, and subsection (8) is added to
2120 that section, to read:

2121 322.08 Application for license; requirements for license
2122 and identification card forms.—

2123 (2) Each such application shall include the following
2124 information regarding the applicant:

2125 (a) Full name (first, middle or maiden, and last), gender,
2126 proof of social security card number satisfactory to the
2127 department, county of residence, mailing address, proof of
2128 residential address satisfactory to the department, country of
2129 birth, and a brief description.

2130 (b) Proof of birth date satisfactory to the department.

2131 (c) Proof of identity satisfactory to the department. Such
2132 proof must include one of the following documents issued to the
2133 applicant:

2134 1. A driver's license record or identification card record
2135 from another jurisdiction that required the applicant to submit
2136 a document for identification which is substantially similar to
2137 a document required under subparagraph 2., subparagraph 3.,
2138 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
2139 7., or subparagraph 8.;

2140 2. A certified copy of a United States birth certificate;

2141 3. A valid, unexpired United States passport;

2142 4. A naturalization certificate issued by the United
2143 States Department of Homeland Security;

2144 5. A valid, unexpired alien registration receipt card

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(green card);

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

7. An unexpired employment authorization card issued by the United States Department of Homeland Security; or

8. Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver's license. In order to prove nonimmigrant classification, an applicant must provide at least one of the following documents, and, in addition, the department may require applicants to produce United States Department of Homeland Security documents for the sole purpose of establishing the maintenance of or efforts to maintain continuous lawful presence ~~may produce the following documents, including, but not limited to:~~

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

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

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

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

e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States

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2173 Bureau of Citizenship and Immigration Services.

2174 f. An order of an immigration judge or immigration officer
2175 granting any relief that authorizes the alien to live and work
2176 in the United States, including, but not limited to, asylum.

2177 g. Evidence that an application is pending for adjustment
2178 of status to that of an alien lawfully admitted for permanent
2179 residence in the United States or conditional permanent resident
2180 status in the United States, if a visa number is available
2181 having a current priority date for processing by the United
2182 States Bureau of Citizenship and Immigration Services.

2183 h. On or after January 1, 2010, an unexpired foreign
2184 passport with an unexpired United States Visa affixed,
2185 accompanied by an approved I-94, documenting the most recent
2186 admittance into the United States.

2187
2188 A driver's license or temporary permit issued based on documents
2189 required ~~Presentation of any of the documents~~ in subparagraph 7.
2190 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
2191 ~~license or temporary permit~~ for a period not to exceed the
2192 expiration date of the document presented or 1 year, whichever
2193 occurs first.

2194 (d) Whether the applicant has previously been licensed to
2195 drive, and, if so, when and by what state, and whether any such
2196 license or driving privilege has ever been disqualified,
2197 revoked, or suspended, or whether an application has ever been
2198 refused, and, if so, the date of and reason for such
2199 disqualification, suspension, revocation, or refusal.

2200 (e) Each such application may include fingerprints and
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2201 other unique biometric means of identity.

2202 (7) The application form for an original, renewal, or
2203 replacement driver's license or identification card shall
2204 include language permitting the following:

2205 (a) A voluntary contribution of \$1 per applicant, which
2206 contribution shall be deposited into the Health Care Trust Fund
2207 for organ and tissue donor education and for maintaining the
2208 organ and tissue donor registry.

2209 (b) A voluntary contribution of \$1 per applicant, which
2210 contribution shall be distributed to the Florida Council of the
2211 Blind.

2212 (c) A voluntary contribution of \$2 per applicant, which
2213 shall be distributed to the Hearing Research Institute,
2214 Incorporated.

2215 (d) A voluntary contribution of \$1 per applicant, which
2216 shall be distributed to the Juvenile Diabetes Foundation
2217 International.

2218 (e) A voluntary contribution of \$1 per applicant, which
2219 shall be distributed to the Children's Hearing Help Fund.

2220 (f) A voluntary contribution of \$1 per applicant, which
2221 shall be distributed to Family First, a nonprofit organization.

2222 (g) A voluntary contribution of \$1 per applicant to Stop
2223 Heart Disease, which shall be distributed to the Florida Heart
2224 Research Institute, a nonprofit organization.

2225 (h) A voluntary contribution of \$1 per applicant to Senior
2226 Vision Services, which shall be distributed to the Florida
2227 Association of Agencies Serving the Blind, Inc., a not-for-
2228 profit organization.

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2229 (i) A voluntary contribution of \$1 per applicant for
2230 services for persons with developmental disabilities, which
2231 shall be distributed to The Arc of Florida.

2232 (j) A voluntary contribution of \$1 to the Ronald McDonald
2233 House, which shall be distributed each month to Ronald McDonald
2234 House Charities of Tampa Bay, Inc.

2235 (k) Notwithstanding s. 322.081, a voluntary contribution
2236 of \$1 per applicant, which shall be distributed to the League
2237 Against Cancer/La Liga Contra el Cancer, a not-for-profit
2238 organization.

2239 (l) A voluntary contribution of \$1 per applicant to
2240 Prevent Child Sexual Abuse, which shall be distributed to
2241 Lauren's Kids, Inc., a nonprofit organization.

2242 (m) A voluntary contribution of \$1 per applicant, which
2243 shall be distributed to Prevent Blindness Florida, a not-for-
2244 profit organization, to prevent blindness and preserve the sight
2245 of the residents of this state.

2246 (n) Notwithstanding s. 322.081, a voluntary contribution
2247 of \$1 per applicant to the state homes for veterans, to be
2248 distributed on a quarterly basis by the department to the State
2249 Homes for Veterans Trust Fund, which is administered by the
2250 Department of Veterans' Affairs.

2251 (o) A voluntary contribution of \$1 per applicant for
2252 Autism Services and Supports. Such contributions must be
2253 transferred by the department each month to the Achievement and
2254 Rehabilitation Centers, Inc., Autism Services Fund.

2255 (p) A voluntary contribution of \$1 per applicant to
2256 Support Our Troops, which shall be distributed monthly to

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2257 Support Our Troops, Inc., a Florida not-for-profit organization.

2258
2259 A statement providing an explanation of the purpose of the trust
2260 funds shall also be included. For the purpose of applying the
2261 service charge provided in s. 215.20, contributions received
2262 under paragraphs (b)-(p) ~~(b)-(n)~~ are not income of a revenue
2263 nature.

2264 (8) The department may collect and use electronic mail
2265 addresses for the purpose of providing renewal notices in lieu
2266 of the United State Postal Service.

2267 Section 56. Subsection (9) is added to section 322.081,
2268 Florida Statutes, to read:

2269 322.081 Requests to establish voluntary checkoff on
2270 driver's license application.—

2271 (9) The department may annually retain from the first
2272 proceeds derived from the voluntary contributions collected an
2273 amount sufficient to defray for each voluntary contribution the
2274 pro rata share of the department's costs directly related to the
2275 voluntary contributions program. Such costs include renewal
2276 notices, postage, distribution costs, direct costs to the
2277 department, and costs associated with reviewing each
2278 organization's compliance with the audit and attestation
2279 requirements of this section. The revenues retained by the
2280 department may not be less than 0.5 percent and may not exceed
2281 1.5 percent. The balance of the proceeds from the voluntary
2282 contributions collected shall be distributed as provided by law.

2283 Section 57. Subsection (1) of section 322.095, Florida
2284 Statutes, is amended to read:

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2285 322.095 Traffic law and substance abuse education program
2286 for driver's license applicants.-

2287 (1) The Department of Highway Safety and Motor Vehicles
2288 must approve traffic law and substance abuse education courses
2289 that must be completed by applicants for a Florida driver's
2290 license. The curricula for the courses must provide instruction
2291 on the physiological and psychological consequences of the abuse
2292 of alcohol and other drugs, the societal and economic costs of
2293 alcohol and drug abuse, the effects of alcohol and drug abuse on
2294 the driver of a motor vehicle, the dangers of driving while
2295 distracted, which must specifically include the use of
2296 technology while driving, and the laws of this state relating to
2297 the operation of a motor vehicle. All instructors teaching the
2298 courses shall be certified by the department.

2299 Section 58. Subsection (5) of section 322.12, Florida
2300 Statutes, is amended to read:

2301 322.12 Examination of applicants.-

2302 ~~(5)(a) The department shall formulate a separate~~
2303 ~~examination for applicants for licenses to operate motorcycles.~~
2304 ~~Any applicant for a driver's license who wishes to operate a~~
2305 ~~motorcycle, and who is otherwise qualified, must successfully~~
2306 ~~complete such an examination, which is in addition to the~~
2307 ~~examination administered under subsection (3). The examination~~
2308 ~~must test the applicant's knowledge of the operation of a~~
2309 ~~motorcycle and of any traffic laws specifically relating thereto~~
2310 ~~and must include an actual demonstration of his or her ability~~
2311 ~~to exercise ordinary and reasonable control in the operation of~~
2312 ~~a motorcycle. Any applicant who fails to pass the initial~~

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2313 ~~knowledge examination will incur a \$5 fee for each subsequent~~
2314 ~~examination, to be deposited into the Highway Safety Operating~~
2315 ~~Trust Fund. Any applicant who fails to pass the initial skills~~
2316 ~~examination will incur a \$10 fee for each subsequent~~
2317 ~~examination, to be deposited into the Highway Safety Operating~~
2318 ~~Trust Fund. In the formulation of the examination, the~~
2319 ~~department shall consider the use of the Motorcycle Operator~~
2320 ~~Skills Test and the Motorcycle in Traffic Test offered by the~~
2321 ~~Motorcycle Safety Foundation. The department shall indicate on~~
2322 ~~the license of any person who successfully completes the~~
2323 ~~examination that the licensee is authorized to operate a~~
2324 ~~motorcycle. If the applicant wishes to be licensed to operate a~~
2325 ~~motorcycle only, he or she need not take the skill or road test~~
2326 ~~required under subsection (3) for the operation of a motor~~
2327 ~~vehicle, and the department shall indicate such a limitation on~~
2328 ~~his or her license as a restriction. Every first-time applicant~~
2329 ~~for licensure to operate a motorcycle must provide proof of~~
2330 ~~completion of a motorcycle safety course, as provided for in s.~~
2331 ~~322.0255, which shall include a final examination before the~~
2332 ~~applicant may be licensed to operate a motorcycle. The~~
2333 ~~department shall indicate on the license of any person who~~
2334 ~~successfully completes the course that the licensee is~~
2335 ~~authorized to operate a motorcycle. If the applicant wishes to~~
2336 ~~be licensed to operate a motorcycle only, he or she need not~~
2337 ~~take the skills or road test required under subsection (3) for~~
2338 ~~the operation of a motor vehicle, and the department shall~~
2339 ~~indicate such a limitation on his or her license as a~~
2340 ~~restriction.~~

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2341 ~~(b) The department may exempt any applicant from the~~
2342 ~~examination provided in this subsection if the applicant~~
2343 ~~presents a certificate showing successful completion of a course~~
2344 ~~approved by the department, which course includes a similar~~
2345 ~~examination of the knowledge and skill of the applicant in the~~
2346 ~~operation of a motorcycle.~~

2347 Section 59. Subsection (5) of section 322.121, Florida
2348 Statutes, is amended to read:

2349 322.121 Periodic reexamination of all drivers.-

2350 (5) Members of the Armed Forces, or their dependents
2351 residing with them, shall be granted an automatic extension for
2352 the expiration of their Class E licenses without reexamination
2353 while serving on active duty outside this state. This extension
2354 is valid for 90 days after the member of the Armed Forces is
2355 either discharged or returns to this state to live.

2356 Section 60. Paragraph (a) of subsection (1) of section
2357 322.14, Florida Statutes, is amended to read:

2358 322.14 Licenses issued to drivers.-

2359 (1)(a) The department shall, upon successful completion of
2360 all required examinations and payment of the required fee, issue
2361 to every applicant qualifying therefor, a driver's license as
2362 applied for, which license shall bear thereon a color photograph
2363 or digital image of the licensee; the name of the state; a
2364 distinguishing number assigned to the licensee; and the
2365 licensee's full name, date of birth, and residence address; a
2366 brief description of the licensee, including, but not limited
2367 to, the licensee's gender and height; and the dates of issuance
2368 and expiration of the license. A space shall be provided upon

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2369 which the licensee shall affix his or her usual signature. No
2370 license shall be valid until it has been so signed by the
2371 licensee except that the signature of said licensee shall not be
2372 required if it appears thereon in facsimile or if the licensee
2373 is not present within the state at the time of issuance.

2374 ~~Applicants qualifying to receive a Class A, Class B, or Class C~~
2375 ~~driver's license must appear in person within the state for~~
2376 ~~issuance of a color photographic or digital imaged driver's~~
2377 ~~license pursuant to s. 322.142.~~

2378 Section 61. Section 322.1415, Florida Statutes, is created
2379 to read:

2380 322.1415 Specialty driver's license and identification
2381 card program.-

2382 (1) The department may issue to any applicant qualified
2383 pursuant to s. 322.14 a specialty driver's license or
2384 identification card upon payment of the appropriate fee pursuant
2385 to s. 322.21.

2386 (2) Department-approved specialty driver's licenses and
2387 identification cards shall, at a minimum, be available for state
2388 and independent universities domiciled in this state, all
2389 Florida professional sports teams designated in s.
2390 320.08058(9)(a), and all branches of the United States military.

2391 (3) The design and use of each specialty driver's license
2392 and identification card must be approved by the department and
2393 the organization that is recognized by the driver's license or
2394 card.

2395 (4) Organizations receiving funds from this program shall
2396 attest as provided in 320.08062 that the funds have been

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2397 expended in the same manner as provided in s. 320.08058. On
2398 December 1 of each year, the department shall deliver an annual
2399 report to the President of the Senate and the Speaker of the
2400 House of Representatives addressing the viability of the program
2401 and detailing the amounts distributed to each entity.

2402 (5) This section is repealed August 31, 2015.

2403 Section 62. Subsection (2) of section 322.19, Florida
2404 Statutes, is amended to read:

2405 322.19 Change of address or name.—

2406 (2) Whenever any person, after applying for or receiving a
2407 driver's license, changes the legal residence or mailing address
2408 in the application or license, the person must, within 10
2409 calendar days, obtain a replacement license that reflects the
2410 change. A written request to the department must include the old
2411 and new addresses and the driver's license number. Persons with
2412 a valid, current student identification card issued by an
2413 educational institution in this state are presumed not to have
2414 changed their legal residence or mailing address. Nothing in
2415 this provision shall affect any person required to register a
2416 permanent or temporary address change pursuant to s. 775.13, s.
2417 775.21, s. 775.25, or s. 943.0435.

2418 Section 63. Subsections (9), (10), (13), (14), and (16) of
2419 section 322.20, Florida Statutes, are amended to read:

2420 322.20 Records of the department; fees; destruction of
2421 records.—

2422 (9) The department may, upon application, furnish to any
2423 person, from its ~~the records of the Division of Driver Licenses,~~
2424 a list of the names, addresses, and birth dates of the licensed
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2425 drivers of the entire state or any portion thereof by age group.
2426 In addition, the department may furnish to the courts, for the
2427 purpose of establishing jury selection lists, the names,
2428 addresses, and birth dates of the persons of the entire state or
2429 any portion thereof by age group having identification cards
2430 issued by the department. Each person who requests such
2431 information shall pay a fee, set by the department, of 1 cent
2432 per name listed, except that the department shall furnish such
2433 information without charge to the courts for the purpose of jury
2434 selection or to any state agency or to any state attorney,
2435 sheriff, or chief of police. Such court, state agency, state
2436 attorney, or law enforcement agency may not sell, give away, or
2437 allow the copying of such information. Noncompliance with this
2438 prohibition shall authorize the department to charge the
2439 noncomplying court, state agency, state attorney, or law
2440 enforcement agency the appropriate fee for any subsequent lists
2441 requested. The department may adopt rules necessary to implement
2442 this subsection.

2443 (10) The department ~~Division of Driver Licenses~~ is
2444 authorized, upon application of any person and payment of the
2445 proper fees, to search and to assist such person in the search
2446 of the records of the department and make reports thereof and to
2447 make photographic copies of the departmental records and
2448 attestations thereof.

2449 (13) The department ~~Division of Driver Licenses~~ shall
2450 implement a system that allows either parent of a minor, or a
2451 guardian, or other responsible adult who signed a minor's
2452 application for a driver's license to have Internet access

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2453 through a secure website to inspect the minor's driver history
2454 record. Internet access to driver history records granted to a
2455 minor's parents, guardian, or other responsible adult shall be
2456 furnished by the department at no fee and shall terminate when
2457 the minor attains 18 years of age.

2458 (14) The department is authorized in accordance with
2459 chapter 257 to destroy reports, records, documents, papers, and
2460 correspondence in the department ~~Division of Driver Licenses~~
2461 which are considered obsolete.

2462 (16) The creation and maintenance of records by the
2463 Division of Motorist Services within the department ~~and the~~
2464 ~~Division of Driver Licenses~~ pursuant to this chapter shall not
2465 be regarded as law enforcement functions of agency
2466 recordkeeping.

2467 Section 64. Section 322.202, Florida Statutes, is amended
2468 to read:

2469 322.202 Admission of evidence obtained from the Division
2470 of Motorist Services ~~Driver Licenses and the Division of Motor~~
2471 ~~Vehicles.~~—

2472 (1) The Legislature finds that the Division of Motorist
2473 Services ~~Driver Licenses and the Division of Motor Vehicles~~ of
2474 the Department of Highway Safety and Motor Vehicles is ~~are~~ not a
2475 law enforcement agency ~~agencies~~. The Legislature also finds that
2476 the division is ~~divisions~~ are not an adjunct ~~adjuncts~~ of any law
2477 enforcement agency in that employees have no stake in particular
2478 prosecutions. The Legislature further finds that errors in
2479 records maintained by the Division of Motorist Services
2480 ~~divisions~~ are not within the collective knowledge of any law

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2481 enforcement agency. The Legislature also finds that the mission
2482 ~~missions~~ of the Division of Motorist Services Driver Licenses,
2483 ~~the Division of Motor Vehicles~~, and the Department of Highway
2484 Safety and Motor Vehicles provides ~~provide~~ a sufficient
2485 incentive to maintain records in a current and correct fashion.

2486 (2) The Legislature finds that the purpose of the
2487 exclusionary rule is to deter misconduct on the part of law
2488 enforcement officers and law enforcement agencies.

2489 (3) The Legislature finds that the application of the
2490 exclusionary rule to cases where a law enforcement officer
2491 effects an arrest based on objectively reasonable reliance on
2492 information obtained from the division ~~divisions~~ is repugnant to
2493 the purposes of the exclusionary rule and contrary to the
2494 decisions of the United States Supreme Court in *Arizona v.*
2495 *Evans*, 514 U.S. 1 (1995) and *United States v. Leon*, 468 U.S. 897
2496 (1984).

2497 (4) In any case where a law enforcement officer effects an
2498 arrest based on objectively reasonable reliance on information
2499 obtained from the division ~~divisions~~, evidence found pursuant to
2500 such an arrest shall not be suppressed by application of the
2501 exclusionary rule on the grounds that the arrest is subsequently
2502 determined to be unlawful due to erroneous information obtained
2503 from the divisions.

2504 Section 65. Paragraph (i) is added to subsection (1) of
2505 section 322.21, Florida Statutes, and subsections (2) and (4) of
2506 that section are amended, to read:

2507 322.21 License fees; procedure for handling and collecting
2508 fees.—

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2509 (1) Except as otherwise provided herein, the fee for:

2510 (i) The specialty license or identification card issued
2511 pursuant to s. 322.1415 is \$25, which is in addition to other
2512 fees required in this section. The specialty fee shall be
2513 distributed as follows:

2514 1. Fifty percent shall be distributed as provided in
2515 section 320.08058 to the appropriate state or independent
2516 university, the professional sports team, or branches of the
2517 military.

2518 2. Fifty percent shall be distributed to the department
2519 for department costs directly related to the specialty driver's
2520 license and identification card program and to defray costs of
2521 production enhancements and distribution.

2522 (2) It is the duty of the director of the Division of
2523 Motorist Services to provide ~~Driver Licenses to set up a~~
2524 ~~division in the department with the~~ necessary personnel to
2525 perform the necessary clerical and routine work for the
2526 department in issuing and recording applications, licenses, and
2527 certificates of eligibility, including the receiving and
2528 accounting of all license funds and their payment into the State
2529 Treasury, and other incidental clerical work connected with the
2530 administration of this chapter. The department may use such
2531 electronic, mechanical, or other devices as necessary to
2532 accomplish the purposes of this chapter.

2533 (4) If the department determines from its records or is
2534 otherwise satisfied that the holder of a license about to expire
2535 is entitled to have it renewed, the department shall mail a
2536 renewal notice to the licensee at his or her last known address,
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2537 at least ~~within~~ 30 days before the licensee's birthday. The
2538 licensee may ~~shall~~ be issued a renewal license, after
2539 reexamination, if required, ~~during the 30 days immediately~~
2540 ~~preceding his or her birthday upon presenting a renewal notice,~~
2541 ~~his or her current license, and the fee for renewal to the~~
2542 ~~department at any driver's license examining office. A driver~~
2543 may renew his or her driver's license up to 18 months prior to
2544 the license expiration date.

2545 Section 66. Subsection (1) of section 322.22, Florida
2546 Statutes, is amended to read:

2547 322.22 Authority of department to cancel license.—

2548 (1) The department is authorized to cancel any driver's
2549 license, upon determining that the licensee is ~~was~~ not entitled
2550 to the license ~~issuance thereof~~, or that the licensee failed to
2551 give the required or correct information in his or her
2552 application or committed any fraud in making such application,
2553 or that the licensee has two or more licenses on file with the
2554 department, each in a different name but bearing the photograph
2555 of the licensee, unless the licensee has complied with the
2556 requirements of this chapter in obtaining the licenses. The
2557 department may cancel any driver's license, identification card,
2558 vehicle or vessel registration, or fuel-use decal if the
2559 licensee fails to pay the correct fee or pays for the driver's
2560 license, identification card, vehicle or vessel registration, or
2561 fuel-use decal; pays any tax liability, penalty, or interest
2562 specified in chapter 207; or pays any administrative,
2563 delinquency, or reinstatement fee by a dishonored check.

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2564 Section 67. Subsection (6) of section 322.2615, Florida
2565 Statutes, is amended to read:

2566 322.2615 Suspension of license; right to review.—

2567 (6) (a) If the person whose license was suspended requests
2568 a formal review, the department must schedule a hearing to be
2569 held within 30 days after such request is received by the
2570 department and must notify the person of the date, time, and
2571 place of the hearing.

2572 (b) Such formal review hearing shall be held before a
2573 hearing officer employed by the department, and the hearing
2574 officer shall be authorized to administer oaths, examine
2575 witnesses and take testimony, receive relevant evidence, issue
2576 subpoenas for the officers and witnesses identified in documents
2577 in subsection (2), regulate the course and conduct of the
2578 hearing, question witnesses, and make a ruling on the
2579 suspension. The party requesting the presence of a witness shall
2580 be responsible for the payment of any witness fees and for
2581 notifying in writing the state attorney's office in the
2582 appropriate circuit of the issuance of the subpoena. If the
2583 person who requests a formal review hearing fails to appear and
2584 the hearing officer finds such failure to be without just cause,
2585 the right to a formal hearing is waived and the suspension shall
2586 be sustained.

2587 (c) A party may seek enforcement of a subpoena under
2588 paragraph (b) by:

2589 1. Filing a motion for enforcement of a subpoena in the
2590 related criminal case, if any; or

2591 2. Filing a petition for enforcement in the circuit court
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2592 of the judicial circuit in which the person failing to comply
2593 with the subpoena resides. A failure to comply with an order of
2594 the court shall result in a finding of contempt of court.
2595 However, a person is not in contempt while a subpoena is being
2596 challenged.

2597 (d) The department must, within 7 working days after a
2598 formal review hearing, send notice to the person of the hearing
2599 officer's decision as to whether sufficient cause exists to
2600 sustain, amend, or invalidate the suspension.

2601 Section 68. Subsection (12) is added to section 322.34,
2602 Florida Statutes, to read:

2603 322.34 Driving while license suspended, revoked, canceled,
2604 or disqualified.-

2605 (1) Except as provided in subsection (2), any person whose
2606 driver's license or driving privilege has been canceled,
2607 suspended, or revoked, except a "habitual traffic offender" as
2608 defined in s. 322.264, who drives a vehicle upon the highways of
2609 this state while such license or privilege is canceled,
2610 suspended, or revoked is guilty of a moving violation,
2611 punishable as provided in chapter 318.

2612 (12) A person who commits a moving violation as provided
2613 in subsection (1) shall not have his or her motor vehicle
2614 impounded or immobilized.

2615 Section 69. Subsection (2) of section 322.53, Florida
2616 Statutes, is amended to read:

2617 322.53 License required; exemptions.-

2618 (2) The following persons are exempt from the requirement
2619 to obtain a commercial driver's license:

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- 2620 (a) Drivers of authorized emergency vehicles.
- 2621 (b) Military personnel driving vehicles operated for
2622 military purposes.
- 2623 (c) Farmers transporting agricultural products, farm
2624 supplies, or farm machinery to or from their farms within 150
2625 miles of their farm if the vehicle operated under this exemption
2626 is not used in the operations of a common or contract motor
2627 carrier, or transporting agricultural products to or from the
2628 first place of storage or processing or directly to or from
2629 market, within 150 miles of their farm.
- 2630 (d) Drivers of recreational vehicles, as defined in s.
2631 320.01.
- 2632 (e) Drivers who operate straight trucks, as defined in s.
2633 316.003, which ~~that~~ are exclusively transporting their own
2634 tangible personal property that ~~which~~ is not for sale or hire,
2635 and the vehicles are not used in commerce.
- 2636 (f) An employee of a publicly owned transit system who is
2637 limited to moving vehicles for maintenance or parking purposes
2638 exclusively within the restricted-access confines of a transit
2639 system's property.
- 2640 Section 70. Subsection (5) is added to section 322.54,
2641 Florida Statutes, to read:
- 2642 322.54 Classification.—
- 2643 (5) The required driver's license classification of any
2644 person operating a commercial motor vehicle that has no gross
2645 vehicle weight rating plate or no vehicle identification number
2646 shall be determined by the actual weight of the vehicle.
- 2647 Section 71. Section 322.58, Florida Statutes, is repealed.

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2648 Section 72. Section 322.59, Florida Statutes, is amended
2649 to read:

2650 322.59 Possession of medical examiner's certificate.—

2651 (1) The department shall not issue a commercial driver's
2652 license to any person who is required by the laws of this state
2653 or by federal law to possess a medical examiner's certificate,
2654 unless such person provides ~~presents~~ a valid certificate, as
2655 described in 49 C.F.R. s. 383.71 prior to licensure.

2656 (2) The department shall disqualify a driver from
2657 operating a commercial motor vehicle if that driver holds a
2658 commercial driver's license and fails to comply with the medical
2659 certification requirements described in 49 C.F.R. s. 383.71.

2660 ~~(2) This section does not expand the requirements as to~~
2661 ~~who must possess a medical examiner's certificate.~~

2662 Section 73. Subsection (5) of section 322.61, Florida
2663 Statutes, is amended to read:

2664 322.61 Disqualification from operating a commercial motor
2665 vehicle.—

2666 (5) Any person who is convicted of two violations
2667 specified in subsection (3) which were committed while operating
2668 a commercial motor vehicle, or any combination thereof, arising
2669 in separate incidents shall be permanently disqualified from
2670 operating a commercial motor vehicle. Any holder of a commercial
2671 driver's license who is convicted of two violations specified in
2672 subsection (3), which were committed while operating any a
2673 ~~noncommercial~~ motor vehicle, ~~or any combination thereof,~~ arising
2674 in separate incidents shall be permanently disqualified from
2675 operating a commercial motor vehicle. The penalty provided in

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2676 this subsection is in addition to any other applicable penalty.

2677 Section 74. Subsections (1), (4), (7), (8), and (11) of
2678 section 322.64, Florida Statutes, are amended to read:

2679 322.64 Holder of commercial driver's license; persons
2680 operating a commercial motor vehicle; driving with unlawful
2681 blood-alcohol level; refusal to submit to breath, urine, or
2682 blood test.—

2683 (1)(a) A law enforcement officer or correctional officer
2684 shall, on behalf of the department, disqualify from operating
2685 any commercial motor vehicle a person who while operating or in
2686 actual physical control of a commercial motor vehicle is
2687 arrested for a violation of s. 316.193, relating to unlawful
2688 blood-alcohol level or breath-alcohol level, or a person who has
2689 refused to submit to a breath, urine, or blood test authorized
2690 by s. 322.63 or s. 316.1932 arising out of the operation or
2691 actual physical control of a commercial motor vehicle. A law
2692 enforcement officer or correctional officer shall, on behalf of
2693 the department, disqualify the holder of a commercial driver's
2694 license from operating any commercial motor vehicle if the
2695 licenseholder, while operating or in actual physical control of
2696 a motor vehicle, is arrested for a violation of s. 316.193,
2697 relating to unlawful blood-alcohol level or breath-alcohol
2698 level, or refused to submit to a breath, urine, or blood test
2699 authorized by s. 322.63 or s. 316.1932. Upon disqualification of
2700 the person, the officer shall take the person's driver's license
2701 and issue the person a 10-day temporary permit for the operation
2702 of noncommercial vehicles only if the person is otherwise
2703 eligible for the driving privilege and shall issue the person a
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2704 notice of disqualification. If the person has been given a
2705 blood, breath, or urine test, the results of which are not
2706 available to the officer at the time of the arrest, the agency
2707 employing the officer shall transmit such results to the
2708 department within 5 days after receipt of the results. If the
2709 department then determines that the person had a blood-alcohol
2710 level or breath-alcohol level of 0.08 or higher, the department
2711 shall disqualify the person from operating a commercial motor
2712 vehicle pursuant to subsection (3).

2713 (b) For purposes of determining the period of
2714 disqualification described in 49 C.F.R. s. 383.51,
2715 disqualifications listed in paragraph (a) shall be treated as
2716 convictions.

2717 (c) ~~(b)~~ The disqualification under paragraph (a) shall be
2718 pursuant to, and the notice of disqualification shall inform the
2719 driver of, the following:

2720 1.a. The driver refused to submit to a lawful breath,
2721 blood, or urine test and he or she is disqualified from
2722 operating a commercial motor vehicle for the time period
2723 specified in 49 C.F.R. s. 383.51 ~~a period of 1 year, for a first~~
2724 ~~refusal, or permanently, if he or she has previously been~~
2725 ~~disqualified under this section; or~~

2726 b. The driver had an unlawful blood-alcohol or breath-
2727 alcohol level of 0.08 or higher while driving or in actual
2728 physical control of a commercial motor vehicle, or any motor
2729 vehicle if the driver holds a commercial driver license, and is
2730 disqualified for the time period specified in 49 C.F.R. s.

2731 383.51. ~~The driver was driving or in actual physical control of~~
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2732 ~~a commercial motor vehicle, or any motor vehicle if the driver~~
2733 ~~holds a commercial driver's license, had an unlawful blood-~~
2734 ~~alcohol level or breath-alcohol level of 0.08 or higher, and his~~
2735 ~~or her driving privilege shall be disqualified for a period of 1~~
2736 ~~year for a first offense or permanently disqualified if his or~~
2737 ~~her driving privilege has been previously disqualified under~~
2738 ~~this section.~~

2739 2. The disqualification period for operating commercial
2740 vehicles shall commence on the date of issuance of the notice of
2741 disqualification.

2742 3. The driver may request a formal or informal review of
2743 the disqualification by the department within 10 days after the
2744 date of issuance of the notice of disqualification.

2745 4. The temporary permit issued at the time of
2746 disqualification expires at midnight of the 10th day following
2747 the date of disqualification.

2748 5. The driver may submit to the department any materials
2749 relevant to the disqualification.

2750 (4) If the person disqualified requests an informal review
2751 pursuant to subparagraph (1) ~~(c)~~ ~~(b)~~ 3., the department shall
2752 conduct the informal review by a hearing officer employed by the
2753 department. Such informal review hearing shall consist solely of
2754 an examination by the department of the materials submitted by a
2755 law enforcement officer or correctional officer and by the
2756 person disqualified, and the presence of an officer or witness
2757 is not required.

2758 (7) In a formal review hearing under subsection (6) or an
2759 informal review hearing under subsection (4), the hearing

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2760 officer shall determine by a preponderance of the evidence
2761 whether sufficient cause exists to sustain, amend, or invalidate
2762 the disqualification. The scope of the review shall be limited
2763 to the following issues:

2764 (a) If the person was disqualified from operating a
2765 commercial motor vehicle for driving with an unlawful blood-
2766 alcohol level:

2767 1. Whether the ~~arresting~~ law enforcement officer had
2768 probable cause to believe that the person was driving or in
2769 actual physical control of a commercial motor vehicle, or any
2770 motor vehicle if the driver holds a commercial driver's license,
2771 in this state while he or she had any alcohol, chemical
2772 substances, or controlled substances in his or her body.

2773 2. Whether the person had an unlawful blood-alcohol level
2774 or breath-alcohol level of 0.08 or higher.

2775 (b) If the person was disqualified from operating a
2776 commercial motor vehicle for refusal to submit to a breath,
2777 blood, or urine test:

2778 1. Whether the law enforcement officer had probable cause
2779 to believe that the person was driving or in actual physical
2780 control of a commercial motor vehicle, or any motor vehicle if
2781 the driver holds a commercial driver's license, in this state
2782 while he or she had any alcohol, chemical substances, or
2783 controlled substances in his or her body.

2784 2. Whether the person refused to submit to the test after
2785 being requested to do so by a law enforcement officer or
2786 correctional officer.

2787 3. Whether the person was told that if he or she refused
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2788 to submit to such test he or she would be disqualified from
2789 operating a commercial motor vehicle for a period of 1 year or,
2790 if previously disqualified under this section, permanently.

2791 (8) Based on the determination of the hearing officer
2792 pursuant to subsection (7) for both informal hearings under
2793 subsection (4) and formal hearings under subsection (6), the
2794 department shall:

2795 ~~(a) sustain the disqualification for the time period~~
2796 ~~described in 49 C.F.R. s. 383.51 a period of 1 year for a first~~
2797 ~~refusal, or permanently if such person has been previously~~
2798 ~~disqualified from operating a commercial motor vehicle under~~
2799 ~~this section.~~ The disqualification period commences on the date
2800 of the issuance of the notice of disqualification.

2801 ~~(b) Sustain the disqualification:~~

2802 ~~1. For a period of 1 year if the person was driving or in~~
2803 ~~actual physical control of a commercial motor vehicle, or any~~
2804 ~~motor vehicle if the driver holds a commercial driver's license,~~
2805 ~~and had an unlawful blood alcohol level or breath alcohol level~~
2806 ~~of 0.08 or higher; or~~

2807 ~~2. Permanently if the person has been previously~~
2808 ~~disqualified from operating a commercial motor vehicle under~~
2809 ~~this section or his or her driving privilege has been previously~~
2810 ~~suspended for driving or being in actual physical control of a~~
2811 ~~commercial motor vehicle, or any motor vehicle if the driver~~
2812 ~~holds a commercial driver's license, and had an unlawful blood-~~
2813 ~~alcohol level or breath-alcohol level of 0.08 or higher.~~

2814
2815 ~~The disqualification period commences on the date of the~~

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2816 ~~issuance of the notice of disqualification.~~

2817 (11) The formal review hearing may be conducted upon a
2818 review of the reports of a law enforcement officer or a
2819 correctional officer, including documents relating to the
2820 administration of a breath test or blood test or the refusal to
2821 take a breath, blood, or urine ~~either~~ test. However, as provided
2822 in subsection (6), the driver may subpoena the officer or any
2823 person who administered or analyzed a breath or blood test.

2824 Section 75. Section 328.30, Florida Statutes, is amended
2825 to read:

2826 328.30 Transactions by electronic or telephonic means.—

2827 (1) The department may ~~is authorized to~~ accept any
2828 application provided for under this chapter by electronic or
2829 telephonic means.

2830 (2) The department may issue an electronic certificate of
2831 title in lieu of printing a paper title.

2832 (3) The department may collect and use electronic mail
2833 addresses for the purpose of providing renewal notices in lieu
2834 of the United States Postal Service.

2835 Section 76. Subsection (2) of section 413.012, Florida
2836 Statutes, is amended to read:

2837 413.012 Confidential records disclosure prohibited;
2838 exemptions.—

2839 (2) It is unlawful for any person to disclose, authorize
2840 the disclosure, solicit, receive, or make use of any list of
2841 names and addresses or any record containing any information set
2842 forth in subsection (1) and maintained in the division. The
2843 prohibition provided for in this subsection shall not apply to

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2844 the use of such information for purposes directly connected with
2845 the administration of the vocational rehabilitation program or
2846 with the monthly dispatch to ~~the Division of Driver Licenses of~~
2847 the Department of Highway Safety and Motor Vehicles of the name
2848 in full, place and date of birth, sex, social security number,
2849 and resident address of individuals with central visual acuity
2850 20/200 or less in the better eye with correcting glasses, or a
2851 disqualifying field defect in which the peripheral field has
2852 contracted to such an extent that the widest diameter or visual
2853 field subtends an angular distance no greater than 20 degrees.
2854 When requested in writing by an applicant or client, or her or
2855 his representative, the Division of Blind Services shall release
2856 confidential information to the applicant or client or her or
2857 his representative.

2858 Section 77. Paragraph (f) of subsection (13) of section
2859 713.78, Florida Statutes, is amended to read:

2860 713.78 Liens for recovering, towing, or storing vehicles
2861 and vessels.—

2862 (13)

2863 (f) This subsection applies only to the annual renewal in
2864 the registered owner's birth month of a motor vehicle
2865 registration and does not apply to the transfer of a
2866 registration of a motor vehicle sold by a motor vehicle dealer
2867 licensed under chapter 320, except for the transfer of
2868 registrations which is inclusive of the annual renewals. This
2869 subsection does not apply to any vehicle registered in the name
2870 of the lessor. This subsection does not affect the issuance of
2871 the title to a motor vehicle, notwithstanding s.

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2872 319.23 (8) ~~(7)~~ (b).

2873 Section 78. Edna S. Hargrett-Thrower Avenue designated;
2874 Department of Transportation to erect suitable markers.-

2875 (1) That portion of Orange Blossom Trail between Gore
2876 Street and Church Street in Orange County is designated as "Edna
2877 S. Hargrett-Thrower Avenue."

2878 (2) The Department of Transportation is directed to erect
2879 suitable markers designating Edna S. Hargrett-Thrower Avenue as
2880 described in subsection (1).

2881 Section 79. SP4 Thomas Berry Corbin Memorial Highway
2882 designated; Department of Transportation to erect suitable
2883 markers.-

2884 (1) That portion of U.S. Highway 19/27A/98/State Road 55
2885 between the Suwannee River Bridge and N.E. 592nd Street/Chavous
2886 Road/Kate Green Road in Dixie County is designated as "SP4
2887 Thomas Berry Corbin Memorial Highway."

2888 (2) The Department of Transportation is directed to erect
2889 suitable markers designating SP4 Thomas Berry Corbin Memorial
2890 Highway as described in subsection (1).

2891 Section 80. U.S. Navy BMC Samuel Calhoun Chavous, Jr.
2892 Memorial Highway designated; Department of Transportation to
2893 erect suitable markers.-

2894 (1) That portion of U.S. Highway 19/98/State Road 55
2895 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.
2896 170th Street in Dixie County is designated as "U.S. Navy BMC
2897 Samuel Calhoun Chavous, Jr. Memorial Highway."

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2898 (2) The Department of Transportation is directed to erect
2899 suitable markers designating U.S. Navy BMC Samuel Calhoun
2900 Chavous, Jr. Memorial Highway as described in subsection (1).

2901 Section 81. Marine Lance Corporal Brian R. Buesing
2902 Memorial Highway designated; Department of Transportation to
2903 erect suitable markers.-

2904 (1) That portion of State Road 24 between County Road 347
2905 and Bridge Number 340053 in Levy County is designated as "Marine
2906 Lance Corporal Brian R. Buesing Memorial Highway."

2907 (2) The Department of Transportation is directed to erect
2908 suitable markers designating Marine Lance Corporal Brian R.
2909 Buesing Memorial Highway as described in subsection (1).

2910 Section 82. United States Army Sergeant Karl A. Campbell
2911 Memorial Highway designated; Department of Transportation to
2912 erect suitable markers.-

2913 (1) That portion of U.S. Highway 19/98/State Road 55/S.
2914 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy
2915 County is designated as "United States Army Sergeant Karl A.
2916 Campbell Memorial Highway."

2917 (2) The Department of Transportation is directed to erect
2918 suitable markers designating United States Army Sergeant Karl A.
2919 Campbell Memorial Highway as described in subsection (1).

2920 Section 83. U.S. Army SPC James A. Page Memorial Highway
2921 designated; Department of Transportation to erect suitable
2922 markers.-

2923 (1) That portion of U.S. Highway 27A/State Road
2924 500/Hathaway Avenue between State Road 24/Thrasher Drive and

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2925 Town Court in Levy County is designated as "U.S. Army SPC James
2926 A. Page Memorial Highway."

2927 (2) The Department of Transportation is directed to erect
2928 suitable markers designating U.S. Army SPC James A. Page
2929 Memorial Highway as described in subsection (1).

2930 Section 84. Veterans Memorial Highway designated;
2931 Department of Transportation to erect suitable markers.-

2932 (1) That portion of State Road 19 between U.S. Highway
2933 17/State Road 15 and Carriage Drive in the City of Palatka in
2934 Putnam County is designated as "Veterans Memorial Highway."

2935 (2) The Department of Transportation is directed to erect
2936 suitable markers designating Veterans Memorial Highway as
2937 described in subsection (1).

2938 Section 85. Ben G. Watts Highway designated; Department of
2939 Transportation to erect suitable markers.-

2940 (1) That portion of U.S. Highway 90/State Road 10 between
2941 the Holmes County line and the Jackson County line in Washington
2942 County is designated as "Ben G. Watts Highway."

2943 (2) The Department of Transportation is directed to erect
2944 suitable markers designating Ben G. Watts Highway as described
2945 in subsection (1).

2946 Section 86. Mardi Gras Way designated; Department of
2947 Transportation to erect suitable markers.-

2948 (1) That portion of State Road 824 between Interstate 95
2949 and U.S. Highway 1 in Broward County is designated as "Mardi
2950 Gras Way."

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2951 (2) The Department of Transportation is directed to erect
2952 suitable markers designating Mardi Gras Way as described in
2953 subsection (1).

2954 Section 87. West Park Boulevard designated; Department of
2955 Transportation to erect suitable markers.-

2956 (1) That portion of State Road 7 between Pembroke Road and
2957 County Line Road in Broward County is designated as "West Park
2958 Boulevard."

2959 (2) The Department of Transportation is directed to erect
2960 suitable markers designating West Park Boulevard as described in
2961 subsection (1).

2962 Section 88. Pembroke Park Boulevard designated; Department
2963 of Transportation to erect suitable markers.-

2964 (1) That portion of State Road 858/Hallandale Beach
2965 Boulevard between Interstate 95 and U.S. Highway 441/State Road
2966 7 in Broward County is designated as "Pembroke Park Boulevard."

2967 (2) The Department of Transportation is directed to erect
2968 suitable markers designating Pembroke Park Boulevard as
2969 described in subsection (1).

2970 Section 89. Stark Memorial Drive designated; Department of
2971 Transportation to erect suitable markers.-

2972 (1) That portion of State Road 101/Mayport Road between
2973 State Road A1A and Wonderwood Connector in Duval County is
2974 designated as "Stark Memorial Drive."

2975 (2) The Department of Transportation is directed to erect
2976 suitable markers designating Stark Memorial Drive as described
2977 in subsection (1).

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2978 Section 90. Duval County Law Enforcement Memorial Overpass
2979 designated; Department of Transportation to erect suitable
2980 markers.-

2981 (1) The Interstate 295/State Road 9A overpass (Bridge
2982 Numbers 720256 and 720347) over Interstate 10/State Road 8 in
2983 Duval County is designated as "Duval County Law Enforcement
2984 Memorial Overpass."

2985 (2) The Department of Transportation is directed to erect
2986 suitable markers designating Duval County Law Enforcement
2987 Memorial Overpass as described in subsection (1).

2988 Section 91. Verna Bell Way designated; Department of
2989 Transportation to erect suitable markers.-

2990 (1) That portion of State Road 200 between Lime Street and
2991 Beech Street in the City of Fernandina Beach in Nassau County is
2992 designated as "Verna Bell Way."

2993 (2) The Department of Transportation is directed to erect
2994 suitable markers designating Verna Bell Way as described in
2995 subsection (1).

2996 Section 92. Deputy Hal P. Croft and Deputy Ronald Jackson
2997 Memorial Highway designated; Department of Transportation to
2998 erect suitable markers.-

2999 (1) That portion of State Road 100 East in Union County
3000 between the Bradford County line and the Columbia County line is
3001 designated as "Deputy Hal P. Croft and Deputy Ronald Jackson
3002 Memorial Highway."

3003 (2) The Department of Transportation is directed to erect
3004 suitable markers designating Deputy Hal P. Croft and Deputy
3005 Ronald Jackson Memorial Highway as described in subsection (1).

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3006 Section 93. Dr. Oscar Elias Biscet Boulevard designated;
3007 Department of Transportation to erect suitable markers.-

3008 (1) That portion of Coral Way between S.W. 32nd Avenue and
3009 S.W. 37th Avenue in Miami-Dade County is designated as "Dr.
3010 Oscar Elias Biscet Boulevard."

3011 (2) The Department of Transportation is directed to erect
3012 suitable markers designating Dr. Oscar Elias Biscet Boulevard as
3013 described in subsection (1).

3014 Section 94. Hugh Anderson Boulevard designated; Department
3015 of Transportation to erect suitable markers.-

3016 (1) That portion of Biscayne Boulevard between N.E. 88th
3017 Street and N.E. 105th Street in Miami Shores Village in Miami-
3018 Dade County is designated as "Hugh Anderson Boulevard."

3019 (2) The Department of Transportation is directed to erect
3020 suitable markers designating Hugh Anderson Boulevard as
3021 described in subsection (1).

3022 Section 95. Palmetto General Hospital Way designated;
3023 Department of Transportation to erect suitable markers.-

3024 (1) That portion of West 20th Avenue between West 68th
3025 Street and West 73rd Street in Miami-Dade County is designated
3026 as "Palmetto General Hospital Way."

3027 (2) The Department of Transportation is directed to erect
3028 suitable markers designating Palmetto General Hospital Way as
3029 described in subsection (1).

3030 Section 96. Senator Javier D. Souto Way designated;
3031 Department of Transportation to erect suitable markers.-

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3032 (1) That portion of State Road 976/Bird Road between S.W.
3033 87th Avenue and the Palmetto Expressway Ramp in Miami-Dade
3034 County is designated as "Senator Javier D. Souto Way."

3035 (2) The Department of Transportation is directed to erect
3036 suitable markers designating Senator Javier D. Souto Way as
3037 described subsection (1).

3038 Section 97. Reverend Max Salvadore Avenue designated;
3039 Department of Transportation to erect suitable markers.-

3040 (1) That portion of S.W. 27th Avenue between S.W. 8th
3041 Street and S.W. 13th Street in the City of Miami in Miami-Dade
3042 County is designated as "Reverend Max Salvadore Avenue."

3043 (2) The Department of Transportation is directed to erect
3044 suitable markers designating Reverend Max Salvadore Avenue as
3045 described in subsection (1).

3046 Section 98. BRIGADA 2506 STREET, Carlos Rodriguez Santana
3047 designated; Department of Transportation to erect suitable
3048 markers.-

3049 (1) That portion of S.W. 8th Street between S.W. 10th
3050 Avenue and S.W. 12th Avenue in the City of Miami in Miami-Dade
3051 County is designated as "BRIGADA 2506 STREET, Carlos Rodriguez
3052 Santana."

3053 (2) The Department of Transportation is directed to erect
3054 suitable markers designating BRIGADA 2506 STREET, Carlos
3055 Rodriguez Santana as described in subsection (1).

3056 Section 99. Rev. Jorge Comesanas Way designated;
3057 Department of Transportation to erect suitable markers.-

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3058 (1) That portion of S.W. 87th Avenue between S.W. 8th
3059 Street and S.W. 24th Street in Miami-Dade County is designated
3060 as "Rev. Jorge Comesanas Way."

3061 (2) The Department of Transportation is directed to erect
3062 suitable markers designating Rev. Jorge Comesanas Way as
3063 described in subsection (1).

3064 Section 100. Amadeo Lopez-Castro, Jr. Road designated;
3065 Department of Transportation to erect suitable markers.-

3066 (1) That portion of S.W. 57th Avenue/Red Road between S.W.
3067 8th Street and S.W. 88th Street/Kendall Drive in Miami-Dade
3068 County is designated as "Amadeo Lopez-Castro, Jr. Road."

3069 (2) The Department of Transportation is directed to erect
3070 suitable markers designating Amadeo Lopez-Castro, Jr. Road as
3071 described in subsection (1).

3072 Section 101. Benjamin Leon, Jr. Way designated; Department
3073 of Transportation to erect suitable markers.-

3074 (1) That portion of 27th Avenue located in Miami-Dade
3075 County is designated as "Benjamin Leon, Jr. Way."

3076 (2) The Department of Transportation is directed to erect
3077 suitable markers designating Benjamin Leon, Jr. Way as described
3078 in subsection (1).

3079 Section 102. Miami Medical Team Way designated; Department
3080 of Transportation to erect suitable markers.-

3081 (1) That portion of Coral Way/S.W. 22nd Street between
3082 24th Avenue and 27th Avenue in Miami-Dade County is designated
3083 as "Miami Medical Team Way."

3084 (2) The Department of Transportation is directed to erect
3085 suitable markers designating Miami Medical Team Way as described

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3086 in subsection (1).

3087 Section 103. Alma Lee Loy Bridge designated; Department of
3088 Transportation to erect suitable markers.-

3089 (1) Bridge Number 880077 on State Road 656 between State
3090 Road A1A and Indian River Boulevard in the City of Vero Beach in
3091 Indian River County is designated as "Alma Lee Loy Bridge."

3092 (2) The Department of Transportation is directed to erect
3093 suitable markers designating Alma Lee Loy Bridge as described
3094 subsection (1).

3095 Section 104. Samuel B. Love Memorial Highway designated;
3096 Department of Transportation to erect suitable markers.-

3097 (1) That portion of Sunset Harbor Road between S.E. 105th
3098 Avenue and S.E. 115th Avenue in Marion County is designated as
3099 "Samuel B. Love Memorial Highway."

3100 (2) The Department of Transportation is directed to erect
3101 suitable markers designating Samuel B. Love Memorial Highway as
3102 described in subsection (1).

3103 Section 105. Elvin Martinez Road designated; Department of
3104 Transportation to erect suitable markers.-

3105 (1) That portion of Tampa Bay Boulevard between Armenia
3106 Avenue and Himes Avenue in Hillsborough County is designated as
3107 "Elvin Martinez Road."

3108 (2) The Department of Transportation is directed to erect
3109 suitable markers designating Elvin Martinez Road as described in
3110 subsection (1).

3111 Section 106. Whale Harbor Joe Roth, Jr. Bridge designated;
3112 Department of Transportation to erect suitable markers.-

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3113 (1) Whale Harbor Bridge (Bridge Number 900076) on U.S.
3114 Highway 1/State Road 5 in Monroe County is designated as "Whale
3115 Harbor Joe Roth Jr. Bridge."

3116 (2) The Department of Transportation is directed to erect
3117 suitable markers designating Whale Harbor Joe Roth Jr. Bridge as
3118 described in subsection (1).

3119 Section 107. Florida Highway Patrol Trooper Sgt. Nicholas
3120 G. Sottile Memorial designated; Department of Transportation to
3121 erect suitable markers.-

3122 (1) Milepost 22.182 on U.S. Highway 27 in Highlands County
3123 is designated as "Florida Highway Patrol Trooper Sgt. Nicholas
3124 G. Sottile Memorial."

3125 (2) The Department of Transportation is directed to erect
3126 suitable markers designating Florida Highway Patrol Trooper Sgt.
3127 Nicholas G. Sottile Memorial as described subsection (1).

3128 Section 108. Coach Jimmy Carnes Boulevard designated;
3129 Department of Transportation to erect suitable markers.-

3130 (1) That portion of S.W. 23rd Street, in front of James G.
3131 Pressly Stadium, and 4211 S.W. 23rd Street, located between S.W.
3132 2nd Avenue and Fraternity Row/Drive in Alachua County, is
3133 designated as "Coach Jimmy Carnes Boulevard."

3134 (2) The Department of Transportation is directed to erect
3135 suitable markers designating Coach Jimmy Carnes Boulevard as
3136 described in subsection (1).

3137 Section 109. Section 24 of chapter 2010-230, Laws of
3138 Florida, is amended to read:

3139 Section 24. Miss Lillie Williams Boulevard designated;
3140 Department of Transportation to erect suitable markers.-

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3141 (1) That portion of N.W. 79th Street between N.W. 6th
3142 Avenue and N.W. 7th ~~E. 12th~~ Avenue in Miami-Dade County is
3143 designated as "Miss Lillie Williams Boulevard."

3144 (2) The Department of Transportation is directed to erect
3145 suitable markers designating Miss Lillie Williams Boulevard as
3146 described in subsection (1).

3147 Section 110. Section 45 of chapter 2010-230, Laws of
3148 Florida, is amended to read:

3149 Section 45. Father Gerard Jean-Juste Street designated;
3150 Department of Transportation to erect suitable markers.—

3151 (1) That portion of N.W. 54th Street in Miami-Dade County
3152 between N.W. 2nd Avenue and N.E. ~~N.W.~~ 3rd Avenue in Little Haiti
3153 is designated "Father Gerard Jean-Juste Street."

3154 (2) The Department of Transportation is directed to erect
3155 suitable markers designating Father Gerard Jean-Juste Street as
3156 described in subsection (1).

3157 Section 111. Tanya Martin Oubre Pekel Street designated;
3158 Department of Transportation to erect suitable markers.—

3159 (1) That portion of State Road 932/N.E. 103rd Street
3160 between N.W. 3rd Avenue and N.E. 6th Avenue in Miami-Dade County
3161 is designated as "Tanya Martin Oubre Pekel Street."

3162 (2) The Department of Transportation is directed to erect
3163 suitable markers designating Tanya Martin Oubre Pekel Street as
3164 described in subsection (1).

3165 Section 112. Deputy Jack A. Romeis Road designated;
3166 Department of Transportation to erect suitable markers.—

3167 (1) That portion of State Road 26A in Gainesville, Alachua
3168 County, between West University Avenue and S.W. 25th Street, is

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3169 designated "Deputy Jack A. Romeis Road."

3170 (2) The Department of Transportation is directed to erect
3171 suitable markers designating Deputy Jack A. Romeis Road as
3172 described in subsection (1).

3173 Section 113. Nona and Papa Road designated; Department of
3174 Transportation to erect suitable markers.-

3175 (1) That portion of the San Juan Road Extension in
3176 Anastasia State Park in St. Johns County is designated as "Nona
3177 and Papa Road."

3178 (2) The Department of Transportation is directed to erect
3179 suitable markers designating Nona and Papa Road as described
3180 subsection (1).

3181 Section 114. Walter Francis Spence Parkway designated;
3182 Department of Transportation to erect suitable markers.-

3183 (1) That portion of State Road 293 from U.S. Highway
3184 98/State Road 30 to State Road 20 in Okaloosa County is
3185 designated as "Walter Francis Spence Parkway."

3186 (2) The Department of Transportation is directed to erect
3187 suitable markers designating Walter Francis Spence Parkway as
3188 described subsection (1).

3189 Section 115. Florida's Beaches and Rivers Parkway
3190 designated; Department of Transportation to erect suitable
3191 markers.-

3192 (1) That portion of State Route 87 from its intersection
3193 with U.S. Highway 98 northward to its intersection with U.S.
3194 Highway 90 in Santa Rosa County is designated "Florida's Beaches
3195 and Rivers Parkway."

3196 (2) The Department of Transportation is directed to erect

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3197 suitable markers designating Florida's Beaches and Rivers
3198 Parkway as described subsection (1).

3199 Section 116. Corporal Michael J. Roberts Parkway
3200 designated; Department of Transportation to erect suitable
3201 markers.-

3202 (1) That portion of U.S. 41/State Road 45/Nebraska Avenue
3203 from County Road 584/Waters Avenue to State Road 580/Busch
3204 Boulevard is designated as "Corporal Michael J. Roberts
3205 Parkway."

3206 (2) The Department of Transportation is directed to erect
3207 suitable markers designating Corporal Michael J. Roberts as
3208 described subsection (1).

3209 Section 117. Harry T. and Harriette V. Moore Memorial
3210 Highway designated; Department of Transportation to erect
3211 suitable markers.-

3212 (1) That portion of State Road 46 in Brevard County from
3213 U.S. Highway 1 to the Volusia County line is designated as
3214 "Harry T. and Harriette V. Moore Memorial Highway."

3215 (2) The Department of Transportation is directed to erect
3216 suitable markers designating Harry T. and Harriette V. Moore
3217 Memorial Highway as described in subsection (1).

3218 Section 118. Elizabeth G. Means Memorial Boulevard
3219 designated; Department of Transportation to erect suitable
3220 markers.-

3221 (1) That portion of Beaver Street in Duval County between
3222 Laura Street and Rushing Street is designated as "Elizabeth G.
3223 Means Memorial Boulevard."

3224 (2) The Department of Transportation is directed to erect

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3225 suitable markers designating Elizabeth G. Means Memorial
3226 Boulevard as described in subsection (1).

3227 Section 119. Louise Steward Memorial Boulevard designated;
3228 Department of Transportation to erect suitable markers.-

3229 (1) That portion of U.S. Highway 1 Alternate/SR 115/SR
3230 115A/Haines Street Expressway in Duval County between 8th Street
3231 and Duval Street is designated as "Louise Steward Memorial
3232 Boulevard."

3233 (2) The Department of Transportation is directed to erect
3234 suitable markers designating Louise Steward Memorial Boulevard
3235 as described in subsection (1).

3236 Section 120. Isiah J. Williams, III, Memorial Boulevard
3237 designated; Department of Transportation to erect suitable
3238 markers.-

3239 (1) That portion of Edgewood Avenue in Duval County
3240 between Commonwealth Avenue and Beaver Street is designated as
3241 "Isiah J. Williams, III, Memorial Boulevard."

3242 (2) The Department of Transportation is directed to erect
3243 suitable markers designating Isiah J. Williams, III, Memorial
3244 Boulevard as described in subsection (1).

3245 Section 121. (1) This section may be cited as the "To
3246 Inform Families First Act."

3247 (2) The Department of Highway Safety and Motor Vehicles is
3248 encouraged to educate the law enforcement community and the
3249 general public about the importance of making certain that
3250 drivers are aware of and use the Emergency Contact Information
3251 program, established by the department. The department shall
3252 provide signs for the driver license offices to advertise the

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3253 program. This voluntary program allows each driver the
3254 opportunity to register the names of up to two individuals as
3255 the person he or she would want to be contacted if he or she is
3256 involved in a crash.

3257 Section 122. Section 322.145, Florida Statutes, is created
3258 to read:

3259 322.145 Electronic authentication of licenses.-

3260 (1) Any driver's license issued on or after July 1, 2012,
3261 must contain a means of electronic authentication, which
3262 conforms to a recognized standard for such authentication, such
3263 as public key infrastructure, symmetric key algorithms, security
3264 tokens, mediametrics, or biometrics. Electronic authentication
3265 capabilities must not interfere with or change the driver's
3266 license format or topology.

3267 (2) The department shall provide, at the applicant's
3268 option and at the time a license is issued, a security token
3269 that can be electronically authenticated through a personal
3270 computer. The token must also conform to one of the standards
3271 provided subsection (1).

3272 (3) The department shall negotiate a new contract with the
3273 vendor selected to implement the electronic authentication
3274 feature which provides that the vendor pay all costs of
3275 implementing the system. This contract must not conflict with
3276 current contractual arrangements for the issuance of driver's
3277 licenses.

3278 Section 123. Subsection (1) of section 316.066, Florida
3279 Statutes, is amended to read:

3280 316.066 Written reports of crashes.-

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3281 (1) (a) A Florida Traffic Crash Report, Long Form, must ~~is~~
3282 ~~required to~~ be completed and submitted to the department within
3283 10 days after ~~completing~~ an investigation is completed by the
3284 ~~every~~ law enforcement officer who in the regular course of duty
3285 investigates a motor vehicle crash:

3286 1. That resulted in death of, ~~or~~ personal injury to, or
3287 any indication of complaints of pain or discomfort by any of the
3288 parties or passengers involved in the crash;

3289 2. That involved one or more passengers, other than the
3290 drivers of the vehicles, in any of the vehicles involved in the
3291 crash;

3292 ~~3.2.~~ That involved a violation of s. 316.061(1) or s.
3293 316.193; ~~or.~~

3294 ~~4.3.~~ In which a vehicle was rendered inoperative to a
3295 degree that required a wrecker to remove it from traffic, if
3296 such action is appropriate, in the officer's discretion.

3297 (b) The long form must include:

3298 1. The date, time, and location of the crash.

3299 2. A description of the vehicles involved.

3300 3. The names and addresses of the parties involved.

3301 4. The names and addresses of witnesses.

3302 5. The name, badge number, and law enforcement agency of
3303 the officer investigating the crash.

3304 6. The names of the insurance companies for the respective
3305 parties involved in the crash.

3306 7. The names and addresses of all passengers in all
3307 vehicles involved in the crash, each clearly identified as being
3308 a passenger, including the identification of the vehicle in

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3309 which each was a passenger.

3310 (c)-(b) In every crash for which a Florida Traffic Crash
3311 Report, Long Form, is not required ~~by this section~~, the law
3312 enforcement officer may complete a short-form crash report or
3313 provide a short-form crash report to be completed by each party
3314 involved in the crash. The short-form report must include all of
3315 the items listed in subparagraphs (b)1.-6. Short-form crash
3316 reports prepared by the law enforcement officer shall be
3317 maintained by the officer's agency.÷

3318 ~~1. The date, time, and location of the crash.~~

3319 ~~2. A description of the vehicles involved.~~

3320 ~~3. The names and addresses of the parties involved.~~

3321 ~~4. The names and addresses of witnesses.~~

3322 ~~5. The name, badge number, and law enforcement agency of~~
3323 ~~the officer investigating the crash.~~

3324 ~~6. The names of the insurance companies for the respective~~
3325 ~~parties involved in the crash.~~

3326 (d)-(e) Each party to the crash must shall provide the law
3327 enforcement officer with proof of insurance, which must to be
3328 included in the crash report. If a law enforcement officer
3329 submits a report on the accident, proof of insurance must be
3330 provided to the officer by each party involved in the crash. Any
3331 party who fails to provide the required information commits a
3332 noncriminal traffic infraction, punishable as a nonmoving
3333 violation as provided in chapter 318, unless the officer
3334 determines that due to injuries or other special circumstances
3335 such insurance information cannot be provided immediately. If
3336 the person provides the law enforcement agency, within 24 hours

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3337 after the crash, proof of insurance that was valid at the time
3338 of the crash, the law enforcement agency may void the citation.

3339 ~~(e)-(d)~~ The driver of a vehicle that was in any manner
3340 involved in a crash resulting in damage to any vehicle or other
3341 property in an amount of \$500 or more, which ~~crash~~ was not
3342 investigated by a law enforcement agency, shall, within 10 days
3343 after the crash, submit a written report of the crash to the
3344 department or traffic records center. The entity receiving the
3345 report may require witnesses of the crash ~~crashes~~ to render
3346 reports and may require any driver of a vehicle involved in the
3347 ~~a crash of which a written report must be made as provided in~~
3348 ~~this section~~ to file supplemental written reports if whenever
3349 the original report is deemed insufficient by the receiving
3350 entity.

3351 (f) The investigating law enforcement officer may testify
3352 at trial or provide a signed affidavit to confirm or supplement
3353 the information included on the long-form or short-form report.

3354 ~~(e) Short form crash reports prepared by law enforcement~~
3355 ~~shall be maintained by the law enforcement officer's agency.~~

3356 Section 124. Subsections (5), (6), and (7) are added to
3357 section 316.0083, Florida Statutes, to read:

3358 316.0083 Mark Wandall Traffic Safety Program;
3359 administration; report.-

3360 (5) Prior to installing a traffic infraction detector, the
3361 department, a county, or a municipality must request that the
3362 Department of Transportation perform a safety hazard study for
3363 the intersection. The department, a county, or a municipality
3364 shall be responsible for the cost of the study. A traffic

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3365 infraction detector may not be installed until the Department of
3366 Transportation has performed the study and determined that the
3367 intersection warrants a traffic infraction detector.

3368 (6) A safety hazard study required under this section
3369 shall evaluate the safety of an intersection within a 6-month
3370 period. A safety hazard exists if, at the end of the study
3371 period, the Department of Transportation identifies a
3372 statistically disproportionate number of motor vehicle crashes
3373 at the intersection, greater than that of similarly situated
3374 intersections in the county or municipality.

3375 (7) Notwithstanding subsection (1), the department, a
3376 county, or a municipality may not use a traffic infraction
3377 detector to enforce a violation of s. 316.075(1)(c)1. when a
3378 driver is making a right turn or when a driver is making a left
3379 turn from a one-way street onto a one-way street.

3380 Section 125. Except as otherwise expressly provided in
3381 this act, this act shall take effect July 1, 2011.

3382

3383

3384

3385

T I T L E A M E N D M E N T

3386

Remove the entire title and insert:

3387

A bill to be entitled

3388

An act relating to highway safety and motor vehicles; amending
3389 s. 20.24, F.S.; specifying that the executive director of the
3390 Department of Highway Safety and Motor Vehicles serves at the
3391 pleasure of the Governor and Cabinet; creating a Division of
3392 Motorist Services within the department; eliminating the

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3393 Division of Driver Licenses and the Division of Motor Vehicles;
3394 amending ss. 261.03 and 288.816, F.S., relating to off-highway
3395 vehicle safety and recreation and Consul Corps license plates,
3396 respectively; conforming references; amending s. 311.121, F.S.,
3397 relating to membership of the Seaport Security Officer
3398 Qualification, Training, and Standards Coordinating Council;
3399 conforming provisions to changes made by the act; amending s.
3400 316.003, F.S.; revising definitions and defining the term "swamp
3401 buggy" for purposes of the Florida Uniform Traffic Control Law;
3402 reenacting s. 316.065(4), F.S., relating to crash reports, to
3403 incorporate changes made to s. 316.066, F.S., by chapter 2010-
3404 163, Laws of Florida; amending s. 316.1303, F.S.; authorizing a
3405 person with impaired mobility using a motorized wheelchair or
3406 scooter to temporarily leave the sidewalk and use the roadway
3407 under certain circumstances; amending s. 316.1957, F.S.,
3408 relating to parking violations; conforming a reference; amending
3409 s. 316.2065, F.S.; revising safety standard requirements for
3410 bicycle helmets that must be worn by certain riders and
3411 passengers; revising requirements for a bicycle operator to ride
3412 in a bicycle lane or along the curb or edge of the roadway;
3413 providing for enforcement of requirements for bicycle lighting
3414 equipment; providing penalties for violations; providing for
3415 dismissal of the charge following a first offense under certain
3416 circumstances; amending s. 316.2085, F.S.; requiring the license
3417 tag of a motorcycle or moped to remain clearly visible from the
3418 rear; prohibiting deliberate acts to conceal or obscure the tag;
3419 providing for certain tags to be affixed perpendicularly;
3420 amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and
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3421 316.550, F.S., relating to low-speed vehicles, disability access
3422 vehicles, all-terrain and utility vehicles, motor carriers, and
3423 special permits, respectively; conforming cross-references;
3424 amending s. 316.545, F.S.; providing for the regulation of
3425 apportionable vehicles; amending s. 316.613, F.S.; providing an
3426 exception for certain for-hire passenger vehicles from
3427 provisions requiring the use of child restraint devices in motor
3428 vehicles; amending s. 317.0003, F.S., relating to off-highway
3429 vehicles; conforming a cross-reference; amending s. 317.0016,
3430 F.S.; eliminating a requirement that the department provide
3431 expedited service for certificates of repossession; amending s.
3432 318.14, F.S.; clarifying provisions authorizing a person cited
3433 for a noncriminal traffic infraction to elect to attend a driver
3434 improvement course or enter a plea of nolo contendere; amending
3435 s. 318.1451, F.S.; requiring the curricula of driver improvement
3436 schools to include instruction on the dangers of driving while
3437 distracted; amending s. 318.15, F.S., relating to the suspension
3438 of driving privileges; conforming a reference; providing that a
3439 person charged with a traffic infraction may request a hearing
3440 that the clerk must set; providing criteria; amending s. 319.14,
3441 F.S.; prohibiting a person from knowingly offering for sale,
3442 selling, or exchanging certain vehicles unless the department
3443 has stamped in a conspicuous place on the certificate of title
3444 words stating that the vehicle is a custom vehicle or street rod
3445 vehicle; defining the terms "custom vehicle" and "street rod";
3446 providing requirements for inspection and issuance of a rebuilt
3447 title; amending s. 319.225, F.S.; revising provisions for
3448 vehicle certificates of title; revising requirements for the

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3449 transfer and reassignment forms for vehicles; revising dealer
3450 submission requirements; requiring a dealer selling a vehicle
3451 out of state to mail a copy of the power of attorney form to the
3452 department; providing for the electronic transfer of a vehicle
3453 title; amending s. 319.23, F.S.; providing for the application
3454 for a certificate of title, corrected certificate, or assignment
3455 or reassignment to be filed from the consummation of the sale of
3456 a mobile home; authorizing the department to accept a bond if
3457 the applicant for a certificate of title is unable to provide a
3458 title that assigns the prior owner's interest in the motor
3459 vehicle; providing requirements for the bond and the affidavit;
3460 providing for future expiration of the bond; amending s. 319.28,
3461 F.S.; eliminating certain requirements that a lienholder obtain
3462 a certificate of repossession following repossession of a
3463 vehicle or mobile home; providing that a dealer of certain farm
3464 or industrial equipment is not subject to licensure as a
3465 recovery agent or agency under certain conditions; amending s.
3466 319.323, F.S., relating to title offices for expedited service;
3467 conforming provisions to changes made by the act; amending s.
3468 319.40, F.S.; authorizing the department to issue electronic
3469 certificates of title and use electronic mail addresses for
3470 purposes of certain notifications; amending s. 320.01, F.S.;
3471 revising definitions; excluding special mobile equipment and
3472 swamp buggies from the meaning of the term "motor vehicle";
3473 deleting an obsolete definition; revising the gross vehicle
3474 weight for purposes of defining the terms "apportionable
3475 vehicle" and "commercial motor vehicle"; defining the term
3476 "swamp buggy"; amending s. 320.02, F.S.; providing that an

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3477 active-duty military member is exempt from the requirement to
3478 provide an address on an application for vehicle registration;
3479 requiring the application forms for motor vehicle registration
3480 and renewal of registration to include language permitting the
3481 applicant to make a voluntary contribution to End Hunger in
3482 Florida, Take Stock In Children, Autism Services and Supports,
3483 and Support Our Troops; requiring the department to retain
3484 certain records for a specified period; amending s. 320.023,
3485 F.S.; relating to voluntary contributions; authorizing the
3486 department to retain certain proceeds derived from voluntary
3487 contributions to cover certain specified costs to the
3488 department; amending s. 320.03, F.S., relating to the
3489 International Registration Plan; conforming provisions to
3490 changes made by the act; amending s. 320.05, F.S.; deleting a
3491 provision requiring that the department provide a procedures
3492 manual for a fee; clarifying that the creation and maintenance
3493 of records by the Division of Motorist Services is not a law
3494 enforcement function of agency recordkeeping; amending s.
3495 320.061, F.S.; providing that it is a noncriminal traffic
3496 infraction to alter a temporary license plate; amending s.
3497 320.071, F.S.; providing for the renewal of registration for an
3498 apportionable vehicle that is registered under the International
3499 Registration Plan; amending s. 320.0715, F.S.; clarifying
3500 provisions requiring the registration of apportionable vehicles
3501 under the International Registration Plan; amending s. 320.08,
3502 F.S., relating to license taxes; conforming cross-references;
3503 amending s. 320.08056, F.S., relating to specialty license
3504 plates; providing a fee for Go Green license plates; revising
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3505 | procedures to change the name of a recipient of the fees
3506 | collected; amending s. 320.08058, F.S.; providing for a Go Green
3507 | License plate; providing for distribution of fees collected;
3508 | changing the recipient of the proceeds for the Live the Dream
3509 | license plates to the Florida Dream Foundation, Inc.; providing
3510 | that proceeds from the sale of Support Soccer license plates
3511 | shall be distributed to the Florida Soccer Foundation, Inc.;
3512 | amending s. 320.08068, F.S.; revising use of funds received from
3513 | the sale of motorcycle specialty license plates; amending s.
3514 | 320.0847, F.S., relating to license plates for mini trucks and
3515 | low-speed vehicles; conforming cross-references; amending s.
3516 | 320.0848, F.S.; revising the requirements for disabled parking
3517 | permit renewals; requiring a permitholder to personally appear
3518 | to obtain a renewal or replacement permit; revising the
3519 | requirements for the deposit of fee proceeds from temporary
3520 | disabled parking permits; amending s. 320.089, F.S.; providing
3521 | for the issuance of a Combat Infantry Badge license plate;
3522 | providing qualifications and requirements for the plate;
3523 | providing for the use of proceeds from the sale of the plate;
3524 | amending s. 320.27, F.S.; exempting salvage motor vehicle
3525 | dealers from certain security requirements; amending s. 320.275,
3526 | F.S., relating to the Automobile Dealers Industry Advisory
3527 | Board; conforming provisions to the elimination of the Division
3528 | of Motor Vehicles within the department; amending s. 320.771,
3529 | F.S.; providing criteria for a dealer to apply for a certificate
3530 | of title to a recreational vehicle under certain circumstances;
3531 | amending s. 320.95, F.S.; authorizing the department to use
3532 | electronic mail addresses for the purpose of providing license
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3533 renewal notices; amending s. 321.02, F.S.; designating the
3534 director of the Division of Highway Patrol of the department as
3535 the Colonel of the Florida Highway Patrol; amending s. 322.02,
3536 F.S.; providing for a director of the Division of Motorist
3537 Services; amending s. 322.04, F.S.; revising provisions
3538 exempting a nonresident from the requirement to obtain a
3539 driver's license under certain circumstances; amending s.
3540 322.051, F.S.; revising requirements by which an applicant for
3541 an identification card may prove nonimmigrant classification;
3542 clarifying the validity of an identification card based on
3543 specified documents; providing for the department to waive the
3544 fees for issuing or renewing an identification card to persons
3545 who present good cause for such waiver; amending s. 322.058,
3546 F.S., relating to renewal of motor vehicle registration;
3547 conforming a cross-reference; amending s. 322.065, F.S.;;
3548 revising the period of expiration that constitutes the offense
3549 of driving with an expired driver's license; amending s. 322.07,
3550 F.S.; revising qualifications for obtaining a temporary
3551 commercial instruction permit; amending s. 322.08, F.S.;;
3552 revising requirements by which an applicant for a driver's
3553 license may prove nonimmigrant classification; clarifying the
3554 validity of a license based on specified documents; providing
3555 for driver's license application forms to allow the applicant to
3556 make a voluntary contribution to Autism Services and Supports
3557 and Support Our Troops, Inc.; authorizing the department to use
3558 electronic mail addresses for the purposes of providing license
3559 renewal notices; amending s. 322.081, F.S., relating to requests
3560 to establish voluntary contributions; authorizing the department

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3561 to retain certain proceeds derived from the voluntary
3562 contributions made on driver's license applications to cover
3563 certain specified costs to the department; amending s. 322.095,
3564 F.S.; requiring the curricula of traffic law and substance abuse
3565 education courses to include instruction on the dangers of
3566 driving while distracted; amending s. 322.12, F.S.; deleting
3567 provisions requiring a separate examination for applicants for a
3568 license to operate a motorcycle; requiring that the motorcycle
3569 safety course for a first-time applicant include a final
3570 examination; requiring that completion of the course be
3571 indicated on the license; amending s. 322.121, F.S.; clarifying
3572 provisions authorizing the automatic extension of a license for
3573 members of the Armed Forces or their dependents while serving on
3574 active duty outside the state; amending s. 322.14, F.S.;

3575 deleting a requirement that applicants for specified licenses
3576 appear in person for issuance of a color photographic or digital
3577 imaged driver's license; creating s. 322.1415, F.S.; authorizing
3578 the Department of Highway Safety and Motor Vehicles to issue a
3579 specialty driver's license or identification card to qualified
3580 applicants; specifying that, at a minimum, the specialty
3581 driver's licenses and identification cards must be available for
3582 certain state and independent universities and professional
3583 sports teams and all of the branches of the United States
3584 military; requiring that the design of each specialty driver's
3585 license and identification card be approved by the department;
3586 providing for future repeal; amending s. 322.19, F.S.; providing
3587 that certain persons with a valid student identification card
3588 are presumed not to have changed their legal residence or

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3589 mailing address; amending s. 322.20, F.S., relating to
3590 department records; conforming provisions to changes made by the
3591 act; amending s. 322.202, F.S.; clarifying that the Division of
3592 Motorist Services is not a law enforcement agency; amending s.
3593 322.21, F.S., relating to handling and collecting license fees;
3594 providing for the distribution of funds collected from the
3595 specialty driver's license and identification card fees;
3596 conforming provisions to changes made by the act; authorizing a
3597 driver to renew his or her driver's license during a specified
3598 period before the license expiration date; amending s. 322.22,
3599 F.S.; clarifying provisions authorizing the department to cancel
3600 a driver's license; authorizing the department to cancel a
3601 license upon determining that the licensee is not entitled to
3602 the license; amending s. 322.2615, F.S., relating to a person's
3603 right to review of a license suspension; revising provisions for
3604 a formal review hearing and enforcement of a subpoena; amending
3605 s. 322.34, F.S.; providing that a person who commits a certain
3606 infraction shall not have a vehicle impounded or immobilized;
3607 amending s. 322.53, F.S.; revising provisions exempting certain
3608 farmers and drivers who operate straight trucks from the
3609 requirement to obtain a commercial driver's license; amending s.
3610 322.54, F.S.; requiring that the driver's license classification
3611 be determined by the actual weight of the vehicle under certain
3612 circumstances; repealing s. 322.58, F.S., relating to holders of
3613 chauffeur's licenses; amending s. 322.59, F.S.; requiring that
3614 the department disqualify a driver holding a commercial driver's
3615 license who fails to comply with specified federal certification
3616 requirements; amending s. 322.61, F.S.; providing that the

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3617 holder of a commercial driver's license is permanently
3618 disqualified from operating a commercial motor vehicle following
3619 two violations of specified offenses committed while operating
3620 any vehicle; amending s. 322.64, F.S.; providing that a notice
3621 of disqualification from operating a commercial motor vehicle
3622 acts as a conviction for purposes of certain federal
3623 restrictions imposed for the offense of operating a commercial
3624 motor vehicle while under the influence of alcohol; deleting
3625 provisions authorizing the department to impose certain
3626 alternative restrictions for such offense; amending s. 328.30,
3627 F.S.; authorizing the department to issue electronic
3628 certificates of title for vessels and use electronic mail
3629 addresses for purposes of providing renewal notices; amending s.
3630 413.012, F.S., relating to a prohibition on disclosing
3631 confidential records held by the department; conforming
3632 provisions to changes made by the act; amending s. 713.78, F.S.,
3633 relating to renewal of motor vehicle registration; conforming a
3634 cross-reference; designating Edna S. Hargrett-Thrower Avenue in
3635 Orange County; designating SP4 Thomas Berry Corbin Memorial
3636 Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial
3637 Highway in Dixie County; designating Marine Lance Corporal Brian
3638 R. Buesing Memorial Highway, United States Army Sergeant Karl A.
3639 Campbell Memorial Highway, and U.S. Army SPC James A. Page
3640 Memorial Highway in Levy County; designating Veterans Memorial
3641 Highway in Putnam County; designating Ben G. Watts Highway in
3642 Washington County; designating Mardi Gras Way, West Park
3643 Boulevard, and Pembroke Park Boulevard in Broward County;
3644 designating Stark Memorial Drive and Duval County Law

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3645 Enforcement Memorial Overpass in Duval County; designating Verna
3646 Bell Way in Nassau County; designating Deputy Hal P. Croft and
3647 Deputy Ronald Jackson Memorial Highway in Union County;
3648 designating Dr. Oscar Elias Biscet Boulevard, Hugh Anderson
3649 Boulevard, Palmetto General Hospital Way, Senator Javier D.
3650 Souto Way, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET,
3651 Carlos Rodriguez Santana, Rev. Jorge Comesanas Way, Amadeo
3652 Lopez-Castro, Jr. Road, Benjamin Leon, Jr. Way, and Miami
3653 Medical Team Way in Miami-Dade County; designating Alma Lee Loy
3654 Bridge in Indian River County; designating Samuel B. Love
3655 Memorial Highway in Marion County; designating Elvin Martinez
3656 Road in Hillsborough County; designating Whale Harbor Joe Roth,
3657 Jr. Bridge in Monroe County; designating Florida Highway Patrol
3658 Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County;
3659 designating Coach Jimmy Carnes Boulevard in Alachua County;
3660 amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising
3661 the designation for Miss Lillie Williams Boulevard and Father
3662 Gerard Jean-Juste Street in Miami-Dade County; designating Tanya
3663 Martin Oubre Pekel Street in Miami-Dade County; designating
3664 Deputy Jack A. Romeis Road in Alachua County; designating Nona
3665 and Papa Road in St. Johns County; designating Walter Francis
3666 Spence Parkway in Okaloosa County; designating Florida's Beaches
3667 and Rivers Parkway in Santa Rosa County; designating Corporal
3668 Michael J. Roberts Parkway in Hillsborough County; designating
3669 Harry T. and Harriette V. Moore Memorial Highway in Brevard
3670 County; designating Elizabeth G. Means Memorial Boulevard,
3671 Louise Steward Memorial Boulevard, and Isiah J. Williams, III,
3672 Memorial Boulevard in Duval County; directing the Department of
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3673 Transportation to erect suitable markers; providing a short
3674 title; providing for a voluntary emergency contact information
3675 program established by the department; creating s. 322.145,
3676 F.S.; requiring the Department of Highway Safety and Motor
3677 Vehicles to implement a system providing for the electronic
3678 authentication of driver's licenses; providing criteria for a
3679 token for security authenticity; requiring that the department
3680 contract for implementation of the electronic verification;
3681 amending s. 316.066, F.S.; revising provisions requiring written
3682 reports of motor vehicle crashes; revising conditions under
3683 which a report must be submitted to the department; authorizing
3684 the investigating officer to testify at trial or provide an
3685 affidavit concerning the content of the reports; amending s.
3686 316.0083, F.S.; requiring the Department of Highway Safety and
3687 Motor Vehicles, a municipality, or a county to request that the
3688 Department of Transportation perform a safety hazard study
3689 before installing a traffic infraction detector; specifying
3690 which entity is responsible for the cost of the study; providing
3691 that a traffic infraction detector may not be installed unless
3692 it is determined to be warranted; providing requirements for the
3693 safety hazard study; providing that traffic infraction detectors
3694 may not be used to issue certain violations; providing effective
3695 dates.

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