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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 03/30/2011 | . | |
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The Committee on Governmental Oversight and Accountability
(Bogdanoff) recommended the following:

Senate Amendment (with title amendment)

Delete lines 1316 - 2009
and insert:

Section 26. Subsections (2) and (4) of section 320.02,
Florida Statutes, are amended, paragraphs (o), (p), and (q) are
added to subsection (15) of that section, and subsection (18) is
added to that section, to read:

320.02 Registration required; application for registration;
forms.—

(2) (a) The application for registration shall include the
street address of the owner's permanent residence or the address



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13 of his or her permanent place of business and shall be
14 accompanied by personal or business identification information
15 which may include, but need not be limited to, a driver's
16 license number, Florida identification card number, or federal
17 employer identification number. If the owner does not have a
18 permanent residence or permanent place of business or if the
19 owner's permanent residence or permanent place of business
20 cannot be identified by a street address, the application shall
21 include:

22 1. If the vehicle is registered to a business, the name and
23 street address of the permanent residence of an owner of the
24 business, an officer of the corporation, or an employee who is
25 in a supervisory position.

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

29

30 If the vehicle is registered to an active-duty military member
31 who is a Florida resident, the member is exempt from the
32 requirement of a Florida residential address.

33 (b) The department shall prescribe a form upon which motor
34 vehicle owners may record odometer readings when registering
35 their motor vehicles.

36 (4) The owner of any motor vehicle registered in the state
37 shall notify the department in writing of any change of address
38 within 20 days of such change. The notification shall include
39 the registration license plate number, the vehicle
40 identification number (VIN) or title certificate number, year of
41 vehicle make, and the owner's full name. Any owner or registrant



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42 who possesses a Florida driver's license or identification card
43 and changes residence or mailing address must obtain a
44 replacement as provided for in s. 322.19(2) before changing the
45 address on the motor vehicle record.

46 (15)

47 (o) The application form for motor vehicle registration and
48 renewal registration must include language permitting the
49 voluntary contribution of \$1 to End Hunger in Florida. The
50 proceeds shall be distributed monthly by the department to the
51 Florida Association of Food Banks, Inc., a corporation not for
52 profit under s. 501(c)(3) of the Internal Revenue Code. The
53 funds shall be used by the organization for the purpose of
54 ending hunger in Florida.

55 (p) The application form for motor vehicle registration and
56 renewal registration must include language permitting a
57 voluntary contribution of \$1 for Autism Services and Supports.
58 The proceeds shall be transferred by the department each month
59 to the Achievement and Rehabilitation Centers, Inc., Autism
60 Services Fund.

61 (q) The application form for motor vehicle registration and
62 renewal registration must include language permitting a
63 voluntary contribution of \$1 for Support Our Troops. The
64 proceeds shall be transferred by the department each month to
65 Support Our Troops, Inc.

66
67 For the purpose of applying the service charge provided in s.
68 215.20, contributions received under this subsection are not
69 income of a revenue nature.

70 (18) All electronic registration records shall be retained



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71 by the department for at least 10 years.

72 Section 27. Subsection (9) is added to section 320.023,
73 Florida Statutes, to read:

74 320.023 Requests to establish voluntary checkoff on motor
75 vehicle registration application.-

76 (9) The department may annually retain from the first
77 proceeds derived from the voluntary contributions collected an
78 amount sufficient to defray for each voluntary contribution the
79 pro rata share of the department's costs directly related to the
80 voluntary contributions program. Such costs include renewal
81 notices, postage, distribution costs, direct costs to the
82 department, and costs associated with reviewing each
83 organization's compliance with the audit and attestation
84 requirements of this section. The revenues retained by the
85 department may not be less than 0.005 percent and may not exceed
86 0.015 percent. The balance of the proceeds from the voluntary
87 contributions collected shall be distributed as provided by law.

88 Section 28. Subsections (7) and (8) of section 320.03,
89 Florida Statutes, are amended to read:

90 320.03 Registration; duties of tax collectors;
91 International Registration Plan.-

92 (7) The Department of Highway Safety and Motor Vehicles
93 shall register apportionable ~~apportioned~~ ~~motor~~ vehicles under
94 the provisions of the International Registration Plan. The
95 department may adopt rules to implement and enforce the
96 provisions of the plan.

97 (8) If the applicant's name appears on the list referred to
98 in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a license
99 plate or revalidation sticker may not be issued until that



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100 person's name no longer appears on the list or until the person
101 presents a receipt from the governmental entity or the clerk of
102 court that provided the data showing that the fines outstanding
103 have been paid. This subsection does not apply to the owner of a
104 leased vehicle if the vehicle is registered in the name of the
105 lessee of the vehicle. The tax collector and the clerk of the
106 court are each entitled to receive monthly, as costs for
107 implementing and administering this subsection, 10 percent of
108 the civil penalties and fines recovered from such persons. As
109 used in this subsection, the term "civil penalties and fines"
110 does not include a wrecker operator's lien as described in s.
111 713.78(13). If the tax collector has private tag agents, such
112 tag agents are entitled to receive a pro rata share of the
113 amount paid to the tax collector, based upon the percentage of
114 license plates and revalidation stickers issued by the tag agent
115 compared to the total issued within the county. The authority of
116 any private agent to issue license plates shall be revoked,
117 after notice and a hearing as provided in chapter 120, if he or
118 she issues any license plate or revalidation sticker contrary to
119 the provisions of this subsection. This section applies only to
120 the annual renewal in the owner's birth month of a motor vehicle
121 registration and does not apply to the transfer of a
122 registration of a motor vehicle sold by a motor vehicle dealer
123 licensed under this chapter, except for the transfer of
124 registrations which is inclusive of the annual renewals. This
125 section does not affect the issuance of the title to a motor
126 vehicle, notwithstanding s. 319.23(8)(b) ~~319.23(7)(b)~~.

127 Section 29. Paragraph (b) of subsection (3) and subsection
128 (5) of section 320.05, Florida Statutes, are amended to read:



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129 320.05 Records of the department; inspection procedure;
130 lists and searches; fees.—
131 (3)
132 (b) Fees therefor shall be charged and collected as
133 follows:
134 1. For providing lists of motor vehicle or vessel records
135 for the entire state, or any part or parts thereof, divided
136 according to counties, a sum computed at a rate of not less than
137 1 cent nor more than 5 cents per item.
138 2. For providing noncertified photographic copies of motor
139 vehicle or vessel documents, \$1 per page.
140 3. For providing noncertified photographic copies of
141 micrographic records, \$1 per page.
142 4. For providing certified copies of motor vehicle or
143 vessel records, \$3 per record.
144 5. For providing noncertified computer-generated printouts
145 of motor vehicle or vessel records, 50 cents per record.
146 6. For providing certified computer-generated printouts of
147 motor vehicle or vessel records, \$3 per record.
148 7. For providing electronic access to motor vehicle,
149 vessel, and mobile home registration data requested by tag,
150 vehicle identification number, title number, or decal number, 50
151 cents per item.
152 8. For providing electronic access to driver's license
153 status report by name, sex, and date of birth or by driver
154 license number, 50 cents per item.
155 9. For providing lists of licensed mobile home dealers and
156 manufacturers and recreational vehicle dealers and
157 manufacturers, \$15 per list.



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158 10. For providing lists of licensed motor vehicle dealers,
159 \$25 per list.

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

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

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

167 Section 30. Paragraph (d) is added to subsection (1) of
168 section 320.06, Florida Statutes, and subsection (5) is added to
169 that section, to read:

170 320.06 Registration certificates, license plates, and
171 validation stickers generally.—

172 (1)

173 (d) The department may conduct a pilot program to evaluate
174 designs, concepts, and technologies for alternative license
175 plate technologies. The pilot program shall investigate the
176 feasibility and use of alternative license plate technologies
177 and shall be limited to license plates that are used on
178 government-owned motor vehicles, as defined in s. 320.0655.
179 Government license plates in the pilot program are exempt from
180 current license plate requirements in s. 320.06(3)(a).

181 (5) All license plates issued pursuant to this chapter are
182 the property of the State of Florida.

183 Section 31. Section 320.061, Florida Statutes, is amended
184 to read:

185 320.061 Unlawful to alter motor vehicle registration
186 certificates, temporary license plates, license plates, mobile



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187 home stickers, or validation stickers or to obscure license
188 plates; penalty.—No person shall alter the original appearance
189 of any registration license plate, temporary license plate,
190 mobile home sticker, validation sticker, or vehicle registration
191 certificate issued for and assigned to any motor vehicle or
192 mobile home, whether by mutilation, alteration, defacement, or
193 change of color or in any other manner. No person shall apply or
194 attach any substance, reflective matter, illuminated device,
195 spray, coating, covering, or other material onto or around any
196 license plate that interferes with the legibility, angular
197 visibility, or detectability of any feature or detail on the
198 license plate or interferes with the ability to record any
199 feature or detail on the license plate. Any person who violates
200 this section commits a noncriminal traffic infraction,
201 punishable as a moving violation as provided in chapter 318.

202 Section 32. Subsection (1) of section 320.071, Florida
203 Statutes, is amended to read:

204 320.071 Advance registration renewal; procedures.—

205 (1) (a) The owner of any motor vehicle or mobile home
206 currently registered in this state may file an application for
207 renewal of registration with the department, or its authorized
208 agent in the county wherein the owner resides, any time during
209 the 3 months preceding the date of expiration of the
210 registration period. The registration period may not exceed 27
211 months.

212 (b) The owner of any apportionable ~~apportioned motor~~
213 vehicle currently registered in this state under the provisions
214 of the International Registration Plan may file an application
215 for renewal of registration with the department any time during



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216 the 3 months preceding the date of expiration of the
217 registration period.

218 Section 33. Subsections (1) and (3) of section 320.0715,
219 Florida Statutes, are amended to read:

220 320.0715 International Registration Plan; motor carrier
221 services; permits; retention of records.—

222 (1) All apportionable ~~commercial motor~~ vehicles domiciled
223 in this state ~~and engaged in interstate commerce~~ shall be
224 registered in accordance with the provisions of the
225 International Registration Plan ~~and shall display apportioned~~
226 ~~license plates.~~

227 (3) (a) If the department is unable to immediately issue the
228 apportioned license plate to an applicant currently registered
229 in this state under the International Registration Plan or to a
230 vehicle currently titled in this state, the department or its
231 designated agent is authorized to issue a 60-day temporary
232 operational permit. The department or agent of the department
233 shall charge a \$3 fee and the service charge authorized by s.
234 320.04 for each temporary operational permit it issues.

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

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

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

242 (c) Issuance of a temporary operational permit provides
243 ~~commercial motor vehicle~~ registration privileges in each
244 International Registration Plan member jurisdiction designated



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245 on said permit and therefore requires payment of all applicable
246 registration fees and taxes due for that period of registration.

247 (d) Application for permanent registration must be made to
248 the department within 10 days following ~~from~~ issuance of a
249 temporary operational permit. Failure to file an application
250 within this 10-day period may result in cancellation of the
251 temporary operational permit.

252 Section 34. Paragraph (d) of subsection (5) of section
253 320.08, Florida Statutes, is amended to read:

254 320.08 License taxes.—Except as otherwise provided herein,
255 there are hereby levied and imposed annual license taxes for the
256 operation of motor vehicles, mopeds, motorized bicycles as
257 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
258 and mobile homes, as defined in s. 320.01, which shall be paid
259 to and collected by the department or its agent upon the
260 registration or renewal of registration of the following:

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

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

269 Section 35. Subsection (1) of section 320.0847, Florida
270 Statutes, is amended to read:

271 320.0847 Mini truck and low-speed vehicle license plates.—

272 (1) The department shall issue a license plate to the owner
273 or lessee of any vehicle registered as a low-speed vehicle as



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274 defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
275 320.01~~(45)~~ upon payment of the appropriate license taxes and
276 fees prescribed in s. 320.08.

277 Section 36. Subsection (4) of section 320.0848, Florida
278 Statutes, is amended to read:

279 320.0848 Persons who have disabilities; issuance of
280 disabled parking permits; temporary permits; permits for certain
281 providers of transportation services to persons who have
282 disabilities.—

283 (4) From the proceeds of the temporary disabled parking
284 permit fees:

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

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

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

293 1. To the Florida Endowment Foundation for Vocational
294 Rehabilitation, known as "The Able Trust," ~~Florida Governor's~~
295 ~~Alliance for the Employment of Disabled Citizens~~ for the purpose
296 of improving employment and training opportunities for persons
297 who have disabilities, with special emphasis on removing
298 transportation barriers, \$4. These fees must be directly
299 deposited into the Florida Endowment Foundation for Vocational
300 Rehabilitation as established in s. 413.615 ~~Transportation~~
301 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
302 ~~Alliance for Employment of Disabled Citizens.~~



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

306 Section 37. Paragraphs (a) and (b) of subsection (2) of
307 section 320.275, Florida Statutes, are amended to read:

308 320.275 Automobile Dealers Industry Advisory Board.—

309 (2) MEMBERSHIP, TERMS, MEETINGS.—

310 (a) The board shall be composed of 12 members. The
311 executive director of the Department of Highway Safety and Motor
312 Vehicles shall appoint the members from names submitted by the
313 entities for the designated categories the member will
314 represent. The executive director shall appoint one
315 representative of the Department of Highway Safety and Motor
316 Vehicles, ~~who must represent the Division of Motor Vehicles;~~ two
317 representatives of the independent motor vehicle industry as
318 recommended by the Florida Independent Automobile Dealers
319 Association; two representatives of the franchise motor vehicle
320 industry as recommended by the Florida Automobile Dealers
321 Association; one representative of the auction motor vehicle
322 industry who is from an auction chain and is recommended by a
323 group affiliated with the National Auto Auction Association; one
324 representative of the auction motor vehicle industry who is from
325 an independent auction and is recommended by a group affiliated
326 with the National Auto Auction Association; one representative
327 from the Department of Revenue; a Florida tax collector
328 representative recommended by the Florida Tax Collectors
329 Association; one representative from the Better Business Bureau;
330 one representative from the Department of Agriculture and
331 Consumer Services, who must represent the Division of Consumer



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332 Services; and one representative of the insurance industry who
333 writes motor vehicle dealer surety bonds.

334 (b)1. The executive director shall appoint the following
335 initial members to 1-year terms: one representative from the
336 motor vehicle auction industry who represents an auction chain,
337 one representative from the independent motor vehicle industry,
338 one representative from the franchise motor vehicle industry,
339 one representative from the Department of Revenue, one Florida
340 tax collector, and one representative from the Better Business
341 Bureau.

342 2. The executive director shall appoint the following
343 initial members to 2-year terms: one representative from the
344 motor vehicle auction industry who represents an independent
345 auction, one representative from the independent motor vehicle
346 industry, one representative from the franchise motor vehicle
347 industry, one representative from the Division of Consumer
348 Services, one representative from the insurance industry, and
349 one representative from the department ~~Division of Motor~~
350 ~~Vehicles~~.

351 3. As the initial terms expire, the executive director
352 shall appoint successors from the same designated category for
353 terms of 2 years. If renominated, a member may succeed himself
354 or herself.

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

357 Section 38. Subsection (1) of section 320.771, Florida
358 Statutes, is amended to read:

359 320.771 License required of recreational vehicle dealers.-

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



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361 (a) "Dealer" means any person engaged in the business of
362 buying, selling, or dealing in recreational vehicles or offering
363 or displaying recreational vehicles for sale. The term "dealer"
364 includes a recreational vehicle broker. Any person who buys,
365 sells, deals in, or offers or displays for sale, or who acts as
366 the agent for the sale of, one or more recreational vehicles in
367 any 12-month period shall be prima facie presumed to be a
368 dealer. The terms "selling" and "sale" include lease-purchase
369 transactions. The term "dealer" does not include banks, credit
370 unions, and finance companies that acquire recreational vehicles
371 as an incident to their regular business and does not include
372 mobile home rental and leasing companies that sell recreational
373 vehicles to dealers licensed under this section. A licensed
374 dealer may transact business in recreational vehicles with a
375 motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a
376 licensed dealer may, at retail or wholesale, sell a motor
377 vehicle, as described in s. 320.01(1)(a), acquired in exchange
378 for the sale of a recreational vehicle, if such acquisition is
379 incidental to the principal business of being a recreational
380 vehicle dealer. However, a recreational vehicle dealer may not
381 buy a motor vehicle for the purpose of resale unless licensed as
382 a motor vehicle dealer pursuant to s. 320.27.

383 (b) "Recreational vehicle broker" means any person who is
384 engaged in the business of offering to procure or procuring used
385 recreational vehicles for the general public; who holds himself
386 or herself out through solicitation, advertisement, or otherwise
387 as one who offers to procure or procures used recreational
388 vehicles for the general public; or who acts as the agent or
389 intermediary on behalf of the owner or seller of a used



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390 recreational vehicle which is for sale or who assists or
391 represents the seller in finding a buyer for the recreational
392 vehicle.

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

396 (d) A dealer may apply for a certificate of title to a
397 recreational vehicle required to be registered under s.
398 320.08(9) using a manufacturer's statement of origin as
399 permitted by s. 319.23(1) only if such dealer is authorized by a
400 manufacturer/dealer agreement as defined in s. 320.3202(8) on
401 file with the department to buy, sell, or deal in that
402 particular line-make of recreational vehicle and is authorized
403 by such agreement to perform delivery and preparation
404 obligations and warranty defect adjustments on that line-make.

405 Section 39. Section 320.95, Florida Statutes, is amended to
406 read:

407 320.95 Transactions by electronic or telephonic means.—

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

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

414 Section 40. Section 321.02, Florida Statutes, is amended to
415 read:

416 321.02 Powers and duties of department, highway patrol.—The
417 director of the Division of Highway Patrol of the Department of
418 Highway Safety and Motor Vehicles shall be designated the



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419 Colonel ~~also be the commander~~ of the Florida Highway Patrol. The
420 said department shall set up and promulgate rules and
421 regulations by which the personnel of the Florida Highway Patrol
422 officers shall be examined, employed, trained, located,
423 suspended, reduced in rank, discharged, recruited, paid and
424 pensioned, subject to civil service provisions hereafter set
425 out. The department may enter into contracts or agreements, with
426 or without competitive bidding or procurement, to make
427 available, on a fair, reasonable, nonexclusive, and
428 nondiscriminatory basis, property and other structures under
429 division control for the placement of new facilities by any
430 wireless provider of mobile service as defined in 47 U.S.C. s.
431 153(27) or s. 332(d), and any telecommunications company as
432 defined in s. 364.02 when it is determined to be practical and
433 feasible to make such property or other structures available.
434 The department may, without adopting a rule, charge a just,
435 reasonable, and nondiscriminatory fee for placement of the
436 facilities, payable annually, based on the fair market value of
437 space used by comparable communications facilities in the state.
438 The department and a wireless provider or telecommunications
439 company may negotiate the reduction or elimination of a fee in
440 consideration of services provided to the division by the
441 wireless provider or the telecommunications company. All such
442 fees collected by the department shall be deposited directly
443 into the State Agency Law Enforcement Radio System Trust Fund,
444 and may be used to construct, maintain, or support the system.
445 The department is further specifically authorized to purchase,
446 sell, trade, rent, lease and maintain all necessary equipment,
447 uniforms, motor vehicles, communication systems, housing



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448 facilities, office space, and perform any other acts necessary
449 for the proper administration and enforcement of this chapter.
450 However, all supplies and equipment consisting of single items
451 or in lots shall be purchased under the requirements of s.
452 287.057. Purchases shall be made by accepting the bid of the
453 lowest responsive bidder, the right being reserved to reject all
454 bids. The department shall prescribe a distinctive uniform and
455 distinctive emblem to be worn by all officers of the Florida
456 Highway Patrol. It shall be unlawful for any other person or
457 persons to wear a similar uniform or emblem, or any part or
458 parts thereof. The department shall also prescribe distinctive
459 colors for use on motor vehicles and motorcycles operated by the
460 Florida Highway Patrol. The prescribed colors shall be referred
461 to as "Florida Highway Patrol black and tan."

462 Section 41. Subsection (3) of section 322.02, Florida
463 Statutes, is amended to read:

464 322.02 Legislative intent; administration.-

465 (3) The department shall employ a director, who is charged
466 with the duty of serving as the executive officer of the
467 Division of Motorist Services within ~~Driver Licenses~~ of the
468 department insofar as the administration of this chapter is
469 concerned. He or she shall be subject to the supervision and
470 direction of the department, and his or her official actions and
471 decisions as executive officer shall be conclusive unless the
472 same are superseded or reversed by the department or by a court
473 of competent jurisdiction.

474 Section 42. Subsection (1) of section 322.04, Florida
475 Statutes, is amended to read:

476 322.04 Persons exempt from obtaining driver's license.-



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

479 (a) Any employee of the United States Government, while
480 operating a noncommercial motor vehicle owned by or leased to
481 the United States Government and being operated on official
482 business.

483 (b) Any person while driving or operating any road machine,
484 farm tractor, or implement of husbandry temporarily operated or
485 moved on a highway.

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

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

495 2. An International Driving Permit issued in his or her
496 name by their country of residence.

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

502 ~~(d)~~ (e) Any person operating a golf cart, as defined in s.
503 320.01, which is operated in accordance with the provisions of
504 s. 316.212.

505 Section 43. Paragraph (a) of subsection (1) of section



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506 322.051, Florida Statutes, is amended, and subsection (9) is
507 added to that section, to read:

508 322.051 Identification cards.—

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

514 (a) Each such application shall include the following
515 information regarding the applicant:

516 1. Full name (first, middle or maiden, and last), gender,
517 proof of social security card number satisfactory to the
518 department, county of residence, mailing address, proof of
519 residential address satisfactory to the department, country of
520 birth, and a brief description.

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

522 3. Proof of identity satisfactory to the department. Such
523 proof must include one of the following documents issued to the
524 applicant:

525 a. A driver's license record or identification card record
526 from another jurisdiction that required the applicant to submit
527 a document for identification which is substantially similar to
528 a document required under sub-subparagraph b., sub-subparagraph
529 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
530 f., sub-subparagraph g., or sub-subparagraph h.;

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

532 c. A valid, unexpired United States passport;

533 d. A naturalization certificate issued by the United States
534 Department of Homeland Security;



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- 535 e. A valid, unexpired alien registration receipt card
536 (green card);
- 537 f. A Consular Report of Birth Abroad provided by the United
538 States Department of State;
- 539 g. An unexpired employment authorization card issued by the
540 United States Department of Homeland Security; or
- 541 h. Proof of nonimmigrant classification provided by the
542 United States Department of Homeland Security, for an original
543 identification card. In order to prove such nonimmigrant
544 classification, applicants must provide at least one of ~~may~~
545 ~~produce but are not limited to~~ the following documents, and, in
546 addition, the department may require other documents for the
547 sole purpose of establishing the maintenance of or efforts to
548 maintain continuous lawful presence:
- 549 (I) A notice of hearing from an immigration court
550 scheduling a hearing on any proceeding.
- 551 (II) A notice from the Board of Immigration Appeals
552 acknowledging pendency of an appeal.
- 553 (III) Notice of the approval of an application for
554 adjustment of status issued by the United States Bureau of
555 Citizenship and Immigration Services.
- 556 (IV) Any official documentation confirming the filing of a
557 petition for asylum or refugee status or any other relief issued
558 by the United States Bureau of Citizenship and Immigration
559 Services.
- 560 (V) Notice of action transferring any pending matter from
561 another jurisdiction to Florida, issued by the United States
562 Bureau of Citizenship and Immigration Services.
- 563 (VI) Order of an immigration judge or immigration officer



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564 granting any relief that authorizes the alien to live and work
565 in the United States including, but not limited to asylum.

566 (VII) Evidence that an application is pending for
567 adjustment of status to that of an alien lawfully admitted for
568 permanent residence in the United States or conditional
569 permanent resident status in the United States, if a visa number
570 is available having a current priority date for processing by
571 the United States Bureau of Citizenship and Immigration
572 Services.

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

577
578 An identification card issued based on documents required
579 ~~Presentation of any of the documents described in sub-~~
580 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
581 ~~applicant to an identification card~~ for a period not to exceed
582 the expiration date of the document presented or 1 year,
583 whichever first occurs.

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

588 Section 44. Subsection (4) of section 322.058, Florida
589 Statutes, is amended to read:

590 322.058 Suspension of driving privileges due to support
591 delinquency; reinstatement.-

592 (4) This section applies only to the annual renewal in the



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593 owner's birth month of a motor vehicle registration and does not
594 apply to the transfer of a registration of a motor vehicle sold
595 by a motor vehicle dealer licensed under chapter 320, except for
596 the transfer of registrations which is inclusive of the annual
597 renewals. This section does not affect the issuance of the title
598 to a motor vehicle, notwithstanding s. 319.23(8)(b)
599 ~~319.23(7)(b)~~.

600 Section 45. Section 322.065, Florida Statutes, is amended
601 to read:

602 322.065 Driver's license expired for 6 4 months or less;
603 penalties.—Any person whose driver's license has been expired
604 for 6 4 months or less and who drives a motor vehicle upon the
605 highways of this state commits ~~is guilty of~~ an infraction and is
606 subject to the penalty provided in s. 318.18.

607 Section 46. Subsection (3) of section 322.07, Florida
608 Statutes, is amended to read:

609 322.07 Instruction permits and temporary licenses.—

610 (3) Any person who, except for his or her lack of
611 instruction in operating a commercial motor vehicle, would
612 otherwise be qualified to obtain a commercial driver's license
613 under this chapter, may apply for a temporary commercial
614 instruction permit. The department shall issue such a permit
615 entitling the applicant, while having the permit in his or her
616 immediate possession, to drive a commercial motor vehicle on the
617 highways, provided that:

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

620 (b) The applicant, while operating a commercial motor
621 vehicle, is accompanied by a licensed driver who is 21 years of



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622 age or older, who is licensed to operate the class of vehicle
623 being operated, and who is actually occupying the closest seat
624 to the right of the driver.

625 Section 47. Subsection (2) of section 322.08, Florida
626 Statutes, is amended, paragraphs (o) and (p) are added to
627 subsection (7) of that section, and subsection (8) is added to
628 that section, to read:

629 322.08 Application for license; requirements for license
630 and identification card forms.—

631 (2) Each such application shall include the following
632 information regarding the applicant:

633 (a) Full name (first, middle or maiden, and last), gender,
634 proof of social security card number satisfactory to the
635 department, county of residence, mailing address, proof of
636 residential address satisfactory to the department, country of
637 birth, and a brief description.

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

639 (c) Proof of identity satisfactory to the department. Such
640 proof must include one of the following documents issued to the
641 applicant:

642 1. A driver's license record or identification card record
643 from another jurisdiction that required the applicant to submit
644 a document for identification which is substantially similar to
645 a document required under subparagraph 2., subparagraph 3.,
646 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
647 7., or subparagraph 8.;

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

649 3. A valid, unexpired United States passport;

650 4. A naturalization certificate issued by the United States



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651 Department of Homeland Security;

652 5. A valid, unexpired alien registration receipt card

653 (green card);

654 6. A Consular Report of Birth Abroad provided by the United

655 States Department of State;

656 7. An unexpired employment authorization card issued by the

657 United States Department of Homeland Security; or

658 8. Proof of nonimmigrant classification provided by the

659 United States Department of Homeland Security, for an original

660 driver's license. In order to prove nonimmigrant classification,

661 an applicant must provide at least one of the following

662 documents; in addition, the department may require other

663 documents for the sole purpose of establishing the maintenance

664 of or efforts to maintain continuous lawful presence ~~may produce~~

665 ~~the following documents, including, but not limited to:~~

666 a. A notice of hearing from an immigration court scheduling

667 a hearing on any proceeding.

668 b. A notice from the Board of Immigration Appeals

669 acknowledging pendency of an appeal.

670 c. A notice of the approval of an application for

671 adjustment of status issued by the United States Bureau of

672 Citizenship and Immigration Services.

673 d. Any official documentation confirming the filing of a

674 petition for asylum or refugee status or any other relief issued

675 by the United States Bureau of Citizenship and Immigration

676 Services.

677 e. A notice of action transferring any pending matter from

678 another jurisdiction to this state issued by the United States

679 Bureau of Citizenship and Immigration Services.



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

683 g. Evidence that an application is pending for adjustment
684 of status to that of an alien lawfully admitted for permanent
685 residence in the United States or conditional permanent resident
686 status in the United States, if a visa number is available
687 having a current priority date for processing by the United
688 States Bureau of Citizenship and Immigration Services.

689 h. On or after January 1, 2010, an unexpired foreign
690 passport with an unexpired United States Visa affixed,
691 accompanied by an approved I-94, documenting the most recent
692 admittance into the United States.

693
694 A driver's license or temporary permit issued based on documents
695 required ~~Presentation of any of the documents~~ in subparagraph 7.
696 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
697 ~~license or temporary permit~~ for a period not to exceed the
698 expiration date of the document presented or 1 year, whichever
699 occurs first.

700 (d) Whether the applicant has previously been licensed to
701 drive, and, if so, when and by what state, and whether any such
702 license or driving privilege has ever been disqualified,
703 revoked, or suspended, or whether an application has ever been
704 refused, and, if so, the date of and reason for such
705 disqualification, suspension, revocation, or refusal.

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

708 (7) The application form for an original, renewal, or



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709 replacement driver's license or identification card shall
710 include language permitting the following:

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

715 (p) A voluntary contribution of \$1 per applicant for
716 Support Our Troops. Such contributions must be transferred by
717 the department each month to Support Our Troops, Inc.

718
719 A statement providing an explanation of the purpose of the trust
720 funds shall also be included. For the purpose of applying the
721 service charge provided in s. 215.20, contributions received
722 under paragraphs (b)-(n) are not income of a revenue nature.

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

726
727 ===== T I T L E A M E N D M E N T =====

728 And the title is amended as follows:

729 Delete lines 92 - 158

730 and insert:

731 Hunger in Florida, Autism Services and Supports, and
732 Support Our Troops; requiring that the department
733 retain certain records for a specified period;
734 amending s. 320.023, F.S.; authorizing the department
735 to retain certain proceeds derived from the voluntary
736 contributions program to cover certain specified costs
737 to the department; amending s. 320.03, F.S., relating



738 to the International Registration Plan; conforming
739 provisions to changes made by the act; amending s.
740 320.05, F.S.; deleting a provision requiring that the
741 department provide a procedures manual for a fee;
742 clarifying that the creation and maintenance of
743 records by the Division of Motorist Services is not a
744 law enforcement function of agency recordkeeping;
745 amending s. 320.06, F.S.; authorizing the department
746 to conduct a pilot program to evaluate alternative
747 license plate technologies for use on government-owned
748 motor vehicles; specifying that all license plates
749 issued by the department are the property of the
750 state; amending s. 320.061, F.S.; providing that it is
751 a noncriminal traffic infraction to alter a temporary
752 license plate; amending s. 320.071, F.S.; providing
753 for the renewal of registration for an apportionable
754 vehicle that is registered under the International
755 Registration Plan; amending s. 320.0715, F.S.;
756 clarifying provisions requiring the registration of
757 apportionable vehicles under the International
758 Registration Plan; amending s. 320.08, F.S., relating
759 to license taxes; conforming cross-references;
760 amending s. 320.0847, F.S., relating to license plates
761 for mini trucks and low-speed vehicles; conforming
762 cross-references; amending s. 320.0848, F.S.; revising
763 the requirements for the deposit of fee proceeds from
764 temporary disabled parking permits; amending s.
765 320.275, F.S., relating to the Automobile Dealers
766 Industry Advisory Board; conforming provisions to the



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767 elimination of the Division of Motor Vehicles within
768 the department; amending s. 320.771, F.S.; specifying
769 circumstances under which certain dealers may apply
770 for a certificate of title to a recreational vehicle
771 using a manufacturer's statement of origin; amending
772 s. 320.95, F.S.; authorizing the department to use
773 electronic mail addresses for the purpose of providing
774 license renewal notices; amending s. 321.02, F.S.;
775 designating the director of the Division of Highway
776 Patrol of the department as the Colonel of the Florida
777 Highway Patrol; amending s. 322.02, F.S.; providing
778 for a director of the Division of Motorist Services;
779 amending s. 322.04, F.S.; revising provisions
780 exempting a nonresident from the requirement to obtain
781 a driver's license under certain circumstances;
782 amending s. 322.051, F.S.; revising requirements by
783 which an applicant for an identification card may
784 prove nonimmigrant classification; clarifying the
785 validity of an identification card based on specified
786 documents; providing for the department to waive the
787 fees for issuing or renewing an identification card to
788 persons who present good cause for such waiver;
789 amending s. 322.058, F.S.; conforming a cross-
790 reference; amending s. 322.065, F.S.; revising the
791 period of expiration that constitutes the offense of
792 driving with an expired driver's license; amending s.
793 322.07, F.S.; clarifying the qualifications for
794 obtaining a temporary commercial instruction permit;
795 amending s. 322.08, F.S.; revising requirements by



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796 which an applicant for a driver's license may prove
797 nonimmigrant classification; clarifying the validity
798 of a license based on specified documents; providing
799 for driver's license application forms to allow the
800 applicant to make a voluntary contribution to Autism
801 Services and Supports and Support Our Troops;
802 authorizing