

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Steinberg offered the following:

2
3 **Substitute Amendment for Amendment (162081) (with title**
4 **amendment)**

5 Remove everything after the enacting clause and insert:

6
7 Section 1. Section 20.24, Florida Statutes, is amended to
8 read:

9 20.24 Department of Highway Safety and Motor Vehicles.—
10 There is created a Department of Highway Safety and Motor
11 Vehicles.

12 (1) The head of the Department of Highway Safety and Motor
13 Vehicles is the Governor and Cabinet. An executive director
14 shall serve at the pleasure of the Governor and Cabinet. The
15 executive director may establish a command, operational, and
16 administrative services structure to assist, manage, and support

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17 the department in operating programs and delivering services.

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

21 (a) Division of the Florida Highway Patrol.

22 (b) Division of Motorist Services.

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

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

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

27 261.03 Definitions.—As used in this chapter, the term:

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

36 Section 3. Paragraph (e) of subsection (2) of section
37 288.816, Florida Statutes, is amended to read:

38 288.816 Intergovernmental relations.—

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

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rules which shall:

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

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

311.121 Qualifications, training, and certification of licensed security officers at Florida seaports.—

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

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

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

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

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

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

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

6. One director of a state law enforcement academy.

7. One representative of a local law enforcement agency.

8. Two representatives of contract security services.

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73 9. One representative of ~~the Division of Driver Licenses~~
74 ~~of~~ the Department of Highway Safety and Motor Vehicles.

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

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

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

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

98 (89) SWAMP BUGGY.—A motorized off-road vehicle designed to
99 travel over swampy terrain, which may use large tires or tracks
100 operated from an elevated platform, and may be used upon varied

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101 terrain. A swamp buggy does not include any vehicle defined in
102 chapter 261 or otherwise defined or classified in this chapter.

103 A swamp buggy may not be operated upon the public roads,
104 streets, or highways of this state, except to the extent
105 specifically authorized by a state or federal agency to be used
106 exclusively upon lands, managed, owned, or leased by that
107 agency.

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

113 316.065 Crashes; reports; penalties.—

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

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

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

125 (1) Whenever a pedestrian is in the process of crossing a
126 public street or highway and the pedestrian is mobility impaired
127 ~~mobility-impaired~~ (using a guide dog or service animal
128 designated as such with a visible means of identification, a
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129 walker, a crutch, an orthopedic cane, or a wheelchair), the
130 driver of every vehicle approaching the intersection, as defined
131 in s. 316.003(17), shall bring his or her vehicle to a full stop
132 before arriving at such intersection and, before proceeding,
133 shall take such precautions as may be necessary to avoid
134 injuring such pedestrian.

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

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

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

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

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

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157 to read:

158 316.2065 Bicycle regulations.—

159 (3)

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

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

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

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

184 3. When reasonably necessary to avoid any condition or
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185 potential conflict, including, but not limited to, a fixed or
186 moving object, parked or moving vehicle, bicycle, pedestrian,
187 animal, surface hazard, turn lane, or substandard-width lane,
188 which ~~that~~ makes it unsafe to continue along the right-hand curb
189 or edge or within a bicycle lane. For the purposes of this
190 subsection, a "substandard-width lane" is a lane that is too
191 narrow for a bicycle and another vehicle to travel safely side
192 by side within the lane.

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

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

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

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213 316.2085 Riding on motorcycles or mopeds.—

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

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

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

239 (1) A low-speed vehicle or mini truck may be operated only
240 on streets where the posted speed limit is 35 miles per hour or
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241 less. This does not prohibit a low-speed vehicle or mini truck
242 from crossing a road or street at an intersection where the road
243 or street has a posted speed limit of more than 35 miles per
244 hour.

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

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

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

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

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

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

265 316.2124 Motorized disability access vehicles.—The
266 Department of Highway Safety and Motor Vehicles is directed to
267 provide, by rule, for the regulation of motorized disability
268 access vehicles as described in s. 320.01(34). The department

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269 shall provide that motorized disability access vehicles shall be
270 registered in the same manner as motorcycles and shall pay the
271 same registration fee as for a motorcycle. There shall also be
272 assessed, in addition to the registration fee, a \$2.50 surcharge
273 for motorized disability access vehicles. This surcharge shall
274 be paid into the Highway Safety Operating Trust Fund. Motorized
275 disability access vehicles shall not be required to be titled by
276 the department. The department shall require motorized
277 disability access vehicles to be subject to the same safety
278 requirements as set forth in this chapter for motorcycles.

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

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

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

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

293 316.3026 Unlawful operation of motor carriers.—

294 (1) The Office of Motor Carrier Compliance of the
295 Department of Transportation may issue out-of-service orders to
296 motor carriers, as defined in s. 320.01~~(33)~~, who have after

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

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

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

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

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

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

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325 allowable gross weight, the maximum fine for the first 600
326 pounds of unlawful axle weight shall be \$10;

327 (c) For a vehicle equipped with fully functional idle-
328 reduction technology, any penalty shall be calculated by
329 reducing the actual gross vehicle weight or the internal bridge
330 weight by the certified weight of the idle-reduction technology
331 or by 400 pounds, whichever is less. The vehicle operator must
332 present written certification of the weight of the idle-
333 reduction technology and must demonstrate or certify that the
334 idle-reduction technology is fully functional at all times. This
335 calculation is not allowed for vehicles described in s.
336 316.535(6);

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

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

345 Section 16. Paragraph (a) of subsection (5) and subsection
346 (10) of section 316.550, Florida Statutes, are amended to read:
347 316.550 Operations not in conformity with law; special
348 permits.—

349 (5) (a) The Department of Transportation may issue a
350 wrecker special blanket permit to authorize a wrecker as defined
351 in s. 320.01~~(40)~~ to tow a disabled vehicle as defined in s.
352 320.01~~(38)~~ where the combination of the wrecker and the disabled
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353 vehicle being towed exceeds the maximum weight limits as
354 established by s. 316.535.

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

361 (a) For violation of weight criteria contained in a
362 special permit, the penalty per pound or portion thereof
363 exceeding the permitted weight shall be as provided in s.
364 316.545.

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

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

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

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381 dimensional limits for the vehicle shall be as established in s.
382 316.515 or s. 316.535, whichever is applicable, and:

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

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

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

394 316.613 Child restraint requirements.-

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

403 Section 18. Effective July 1, 2012, subsection (1) and
404 paragraph (b) of subsection (2) of section 316.613, Florida
405 Statutes, are amended, and subsection (7) is added to that
406 section, to read:

407 316.613 Child restraint requirements.-

408 (1) (a) Each ~~Every~~ operator of a motor vehicle ~~as defined~~

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409 ~~herein~~, while transporting a child in a motor vehicle operated
410 on the roadways, streets, or highways of this state, shall, if
411 the child is 7 5 years of age or younger and is less than 4 feet
412 9 inches in height, provide for protection of the child by
413 properly using a crash-tested, federally approved child
414 restraint device that is appropriate for the height and weight
415 of the child. The device may include a vehicle manufacturer's
416 integrated child seat, a separate child safety seat, or a child
417 booster seat that displays the child's weight and height
418 specifications for the seat on the attached manufacturer's label
419 as required by Federal Motor Vehicle Safety Standard No. 213.
420 The device must comply with the standards of the United States
421 Department of Transportation and be secured in the motor vehicle
422 in accordance with the manufacturer's instructions. The court
423 may dismiss the charge against a motor vehicle operator for a
424 first violation of this subsection upon proof that a federally
425 approved child restraint device has been purchased or otherwise
426 obtained.

427 (b) For children aged through 3 years, such restraint
428 device must be a separate carrier or a vehicle manufacturer's
429 integrated child seat.

430 (c) For children aged 4 through 7 5 years who are less
431 than 4 feet 9 inches in height, a separate carrier, an
432 integrated child seat, or a child booster seat ~~belt~~ may be used.
433 However, the requirement to use a child booster seat does not
434 apply when a separate carrier, integrated child seat, or seat
435 belt as required in s. 316.614(4) (a) is used and the person is:

436 1. Transporting the child gratuitously and in good faith

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437 in response to a declared emergency situation or an immediate
438 emergency involving the child; or

439 2. Transporting a child whose medical condition
440 necessitates an exception as evidenced by appropriate
441 documentation from a health professional.

442 (d) ~~(b)~~ The Division of Motor Vehicles shall provide notice
443 of the requirement for child restraint devices, which notice
444 shall accompany the delivery of each motor vehicle license tag.

445 (2) As used in this section, the term "motor vehicle"
446 means a motor vehicle as defined in s. 316.003 that is operated
447 on the roadways, streets, and highways of the state. The term
448 does not include:

449 (b) A bus or a passenger vehicle designed to accommodate
450 10 or more persons and used for the transportation of persons
451 for compensation, other than a bus regularly used to transport
452 children to or from school, as defined in s. 316.615(1)(b), or
453 in conjunction with school activities.

454 (7) It is the legislative intent that the child-restraint
455 requirements imposed by this section shall not apply to a
456 chauffeur-driven taxi, limousine, sedan, van, bus, motor coach,
457 or other passenger vehicle if the operator and the motor vehicle
458 are hired and used for transporting persons for compensation. It
459 shall be the obligation and responsibility of the parent,
460 guardian, or other person responsible for a child's welfare as
461 defined in s. 39.01(47), to comply with the requirements of this
462 section.

463 Section 19. Effective July 1, 2011, a driver of a motor
464 vehicle who does not violate the then-existing provisions of s.
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465 316.613(1)(c), Florida Statutes, but whose conduct would violate
466 that provision, as amended July 1, 2012, shall be issued a
467 verbal warning and given educational literature by a law
468 enforcement officer.

469 Section 20. Subsection (9) of section 317.0003, Florida
470 Statutes, is amended to read:

471 317.0003 Definitions.—As used in this chapter, the term:

472 (9) "ROV" means any motorized recreational off-highway
473 vehicle 64 inches or less in width, having a dry weight of 2,000
474 pounds or less, designed to travel on four or more nonhighway
475 tires, having nonstraddle seating and a steering wheel, and
476 manufactured for recreational use by one or more persons. The
477 term "ROV" does not include a golf cart as defined in ss.
478 320.01~~(22)~~ and 316.003(68) or a low-speed vehicle as defined in
479 s. 320.01~~(42)~~.

480 Section 21. Section 317.0016, Florida Statutes, is amended
481 to read:

482 317.0016 Expedited service; applications; fees.—The
483 department shall provide, through its agents and for use by the
484 public, expedited service on title transfers, title issuances,
485 duplicate titles, and recordation of liens, ~~and certificates of~~
486 ~~repossession~~. A fee of \$7 shall be charged for this service,
487 which is in addition to the fees imposed by ss. 317.0007 and
488 317.0008, and \$3.50 of this fee shall be retained by the
489 processing agency. All remaining fees shall be deposited in the
490 Incidental Trust Fund of the Division of Forestry of the
491 Department of Agriculture and Consumer Services. Application for
492 expedited service may be made by mail or in person. The

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493 department shall issue each title applied for pursuant to this
494 section within 5 working days after receipt of the application
495 except for an application for a duplicate title certificate
496 covered by s. 317.0008(3), in which case the title must be
497 issued within 5 working days after compliance with the
498 department's verification requirements.

499 Section 22. Subsection (9) and paragraph (a) of subsection
500 (10) of section 318.14, Florida Statutes, are amended to read:

501 318.14 Noncriminal traffic infractions; exception;
502 procedures.—

503 (9) Any person who does not hold a commercial driver's
504 license and who is cited while driving a noncommercial motor
505 vehicle for an infraction under this section other than a
506 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the
507 driver exceeds the posted limit by 30 miles per hour or more, s.
508 320.0605, s. 320.07(3) (a) or (b), s. 322.065, s. 322.15(1), s.
509 322.61, or s. 322.62 may, in lieu of a court appearance, elect
510 to attend in the location of his or her choice within this state
511 a basic driver improvement course approved by the Department of
512 Highway Safety and Motor Vehicles. In such a case, adjudication
513 must be withheld and points, as provided by s. 322.27, may not
514 be assessed. However, a person may not make an election under
515 this subsection if the person has made an election under this
516 subsection in the preceding 12 months. A person may make no more
517 than five elections within his or her lifetime under this
518 subsection. The requirement for community service under s.
519 318.18(8) is not waived by a plea of nolo contendere or by the
520 withholding of adjudication of guilt by a court. If a person

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521 makes an election to attend a basic driver improvement course
522 under this subsection, 18 percent of the civil penalty imposed
523 under s. 318.18(3) shall be deposited in the State Courts
524 Revenue Trust Fund; however, that portion is not revenue for
525 purposes of s. 28.36 and may not be used in establishing the
526 budget of the clerk of the court under that section or s. 28.35.

527 (10) (a) Any person who does not hold a commercial driver's
528 license and who is cited while driving a noncommercial motor
529 vehicle for an offense listed under this subsection may, in lieu
530 of payment of fine or court appearance, elect to enter a plea of
531 nolo contendere and provide proof of compliance to the clerk of
532 the court, designated official, or authorized operator of a
533 traffic violations bureau. In such case, adjudication shall be
534 withheld; however, no election shall be made under this
535 subsection if such person has made an election under this
536 subsection in the 12 months preceding election hereunder. No
537 person may make more than three elections under this subsection.
538 This subsection applies to the following offenses:

539 1. Operating a motor vehicle without a valid driver's
540 license in violation of the provisions of s. 322.03, s. 322.065,
541 or s. 322.15(1), or operating a motor vehicle with a license
542 that has been suspended for failure to appear, failure to pay
543 civil penalty, or failure to attend a driver improvement course
544 pursuant to s. 322.291.

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

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

548 4. Operating a motor vehicle with a license that has been

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549 suspended under s. 61.13016 or s. 322.245 for failure to pay
550 child support or for failure to pay any other financial
551 obligation as provided in s. 322.245; however, this subparagraph
552 does not apply if the license has been suspended pursuant to s.
553 322.245(1).

554 5. Operating a motor vehicle with a license that has been
555 suspended under s. 322.091 for failure to meet school attendance
556 requirements.

557 Section 23. Paragraph (a) of subsection (2) of section
558 318.1451, Florida Statutes, is amended to read:

559 318.1451 Driver improvement schools.—

560 (2)(a) In determining whether to approve the courses
561 referenced in this section, the department shall consider course
562 content designed to promote safety, driver awareness, crash
563 avoidance techniques, the dangers of driving while distracted,
564 which must specifically include the use of technology while
565 driving, and other factors or criteria to improve driver
566 performance from a safety viewpoint.

567 Section 24. Paragraph (a) of subsection (1) of section
568 318.15, Florida Statutes, is amended, and paragraph (c) is added
569 to that subsection, to read:

570 318.15 Failure to comply with civil penalty or to appear;
571 penalty.—

572 (1)(a) If a person fails to comply with the civil
573 penalties provided in s. 318.18 within the time period specified
574 in s. 318.14(4), fails to enter into or comply with the terms of
575 a penalty payment plan with the clerk of the court in accordance
576 with ss. 318.14 and 28.246, fails to attend driver improvement
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577 school, or fails to appear at a scheduled hearing, the clerk of
578 the court shall notify the ~~Division of Driver Licenses of the~~
579 Department of Highway Safety and Motor Vehicles of such failure
580 within 10 days after such failure. Upon receipt of such notice,
581 the department shall immediately issue an order suspending the
582 driver's license and privilege to drive of such person effective
583 20 days after the date the order of suspension is mailed in
584 accordance with s. 322.251(1), (2), and (6). Any such suspension
585 of the driving privilege which has not been reinstated,
586 including a similar suspension imposed outside Florida, shall
587 remain on the records of the department for a period of 7 years
588 from the date imposed and shall be removed from the records
589 after the expiration of 7 years from the date it is imposed.

590 (c) A person charged with a traffic infraction may request
591 a hearing within 180 days after the date of the violation,
592 regardless of any action taken by the court or the department to
593 suspend the driving privilege of the person, and, upon request,
594 the clerk must set the case for hearing. The person shall be
595 given a form for requesting that the driving privilege be
596 reinstated. If the 180th day after the date of the violation is
597 a Saturday, Sunday, or a legal holiday, then the person charged
598 must request the hearing within 177 days after the violation;
599 however, the court may grant a request for a hearing made after
600 180 days after the alleged offense. This paragraph does not
601 affect the assessment of late fees as otherwise provided in this
602 chapter.

603 Section 25. Section 319.14, Florida Statutes, is amended
604 to read:

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605 319.14 Sale of motor vehicles registered or used as
606 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,
607 ~~and~~ nonconforming vehicles, custom vehicles, or street rod
608 vehicles.—

609 (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
610 sell, or exchange any vehicle that has been licensed,
611 registered, or used as a taxicab, police vehicle, or short-term-
612 lease vehicle, or a vehicle that has been repurchased by a
613 manufacturer pursuant to a settlement, determination, or
614 decision under chapter 681, until the department has stamped in
615 a conspicuous place on the certificate of title of the vehicle,
616 or its duplicate, words stating the nature of the previous use
617 of the vehicle or the title has been stamped "Manufacturer's Buy
618 Back" to reflect that the vehicle is a nonconforming vehicle. If
619 the certificate of title or duplicate was not so stamped upon
620 initial issuance thereof or if, subsequent to initial issuance
621 of the title, the use of the vehicle is changed to a use
622 requiring the notation provided for in this section, the owner
623 or lienholder of the vehicle shall surrender the certificate of
624 title or duplicate to the department before ~~prior to~~ offering
625 the vehicle for sale, and the department shall stamp the
626 certificate or duplicate as required herein. If ~~When~~ a vehicle
627 has been repurchased by a manufacturer pursuant to a settlement,
628 determination, or decision under chapter 681, the title shall be
629 stamped "Manufacturer's Buy Back" to reflect that the vehicle is
630 a nonconforming vehicle.

631 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
632 sell, or exchange a rebuilt vehicle until the department has
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633 stamped in a conspicuous place on the certificate of title for
634 the vehicle words stating that the vehicle has been rebuilt or
635 assembled from parts, or is a kit car, glider kit, replica, ~~or~~
636 flood vehicle, custom vehicle, or street rod vehicle unless
637 proper application for a certificate of title for a vehicle that
638 is rebuilt or assembled from parts, or is a kit car, glider kit,
639 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle
640 has been made to the department in accordance with this chapter
641 and the department has conducted the physical examination of the
642 vehicle to assure the identity of the vehicle and all major
643 component parts, as defined in s. 319.30(1), which have been
644 repaired or replaced. Thereafter, the department shall affix a
645 decal to the vehicle, in the manner prescribed by the
646 department, showing the vehicle to be rebuilt. A vehicle may not
647 be inspected or issued a rebuilt title until all major component
648 parts, as defined in s. 319.30, which were damaged have been
649 repaired or replaced.

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

651 1. "Police vehicle" means a motor vehicle owned or leased
652 by the state or a county or municipality and used in law
653 enforcement.

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

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

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661 c. "Lease vehicle" includes both short-term-lease vehicles
662 and long-term-lease vehicles.

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

665 4. "Assembled from parts" means a motor vehicle or mobile
666 home assembled from parts or combined from parts of motor
667 vehicles or mobile homes, new or used. "Assembled from parts"
668 does not mean a motor vehicle defined as a "rebuilt vehicle" in
669 subparagraph 3., which has been declared a total loss pursuant
670 to s. 319.30.

671 5. "Kit car" means a motor vehicle assembled with a kit
672 supplied by a manufacturer to rebuild a wrecked or outdated
673 motor vehicle with a new body kit.

674 6. "Glider kit" means a vehicle assembled with a kit
675 supplied by a manufacturer to rebuild a wrecked or outdated
676 truck or truck tractor.

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

679 8. "Flood vehicle" means a motor vehicle or mobile home
680 that has been declared to be a total loss pursuant to s.
681 319.30(3)(a) resulting from damage caused by water.

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

685 10. "Settlement" means an agreement entered into between a
686 manufacturer and a consumer that occurs after a dispute is
687 submitted to a program, or an informal dispute settlement
688 procedure established by a manufacturer or is approved for

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689 arbitration before the New Motor Vehicle Arbitration Board as
690 defined in s. 681.102.

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

692 a. Is 25 years of age or older and of a model year after
693 1948, or was manufactured to resemble a vehicle that is 25 years
694 of age or older and of a model year after 1948; and

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

697

698 The model year and year of manufacture which the body of a
699 custom vehicle resembles is the model year and year of
700 manufacture listed on the certificate of title, regardless of
701 when the vehicle was actually manufactured.

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

703 a. Is a model year of 1948 or older or was manufactured
704 after 1948 to resemble a vehicle of a model year of 1948 or
705 older; and

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

708

709 The model year and year of manufacture which the body of a
710 street rod resembles is the model year and year of manufacture
711 listed on the certificate of title, regardless of when the
712 vehicle was actually manufactured.

713 (2) A ~~No~~ person may not shall knowingly sell, exchange, or
714 transfer a vehicle referred to in subsection (1) without, before
715 ~~prior to~~ consummating the sale, exchange, or transfer,
716 disclosing in writing to the purchaser, customer, or transferee

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717 the fact that the vehicle has previously been titled,
718 registered, or used as a taxicab, police vehicle, or short-term-
719 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from
720 parts, ~~or~~ is a kit car, glider kit, replica, or flood vehicle,
721 or is a nonconforming vehicle, custom vehicle, or street rod
722 vehicle, as the case may be.

723 (3) Any person who, with intent to offer for sale or
724 exchange any vehicle referred to in subsection (1), knowingly or
725 intentionally advertises, publishes, disseminates, circulates,
726 or places before the public in any communications medium,
727 whether directly or indirectly, any offer to sell or exchange
728 the vehicle shall clearly and precisely state in each ~~such~~ offer
729 that the vehicle has previously been titled, registered, or used
730 as a taxicab, police vehicle, or short-term-lease vehicle or
731 that the vehicle or mobile home is a vehicle that is rebuilt or
732 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or
733 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
734 street rod vehicle, as the case may be. Any person who violates
735 this subsection commits a misdemeanor of the second degree,
736 punishable as provided in s. 775.082 or s. 775.083.

737 (4) If ~~When~~ a certificate of title, including a foreign
738 certificate, is branded to reflect a condition or prior use of
739 the titled vehicle, the brand must be noted on the registration
740 certificate of the vehicle and such brand shall be carried
741 forward on all subsequent certificates of title and registration
742 certificates issued for the life of the vehicle.

743 (5) Any person who knowingly sells, exchanges, or offers
744 to sell or exchange a motor vehicle or mobile home contrary to
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745 ~~the provisions of~~ this section or any officer, agent, or
746 employee of a person who knowingly authorizes, directs, aids in,
747 or consents to the sale, exchange, or offer to sell or exchange
748 a motor vehicle or mobile home contrary to ~~the provisions of~~
749 this section commits a misdemeanor of the second degree,
750 punishable as provided in s. 775.082 or s. 775.083.

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

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

759 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in
760 any civil action arising out of a violation of this section if
761 the designation of the previous use or condition of the motor
762 vehicle is not noted on the certificate of title and
763 registration certificate of the vehicle which was received by,
764 or delivered to, such person, unless the ~~such~~ person has
765 actively concealed the prior use or condition of the vehicle
766 from the purchaser.

767 (9) Subsections (1), (2), and (3) do not apply to the
768 transfer of ownership of a motor vehicle after the motor vehicle
769 has ceased to be used as a lease vehicle and the ownership has
770 been transferred to an owner for private use or to the transfer
771 of ownership of a nonconforming vehicle with 36,000 or more
772 miles on its odometer, or 34 months whichever is later and the
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773 ownership has been transferred to an owner for private use. Such
774 owner, as shown on the title certificate, may request the
775 department to issue a corrected certificate of title that does
776 not contain the statement of the previous use of the vehicle as
777 a lease vehicle or condition as a nonconforming vehicle.

778 Section 26. Section 319.225, Florida Statutes, is amended
779 to read:

780 319.225 Transfer and reassignment forms; odometer
781 disclosure statements.-

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

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

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

791 (3) Each certificate of title issued by the department
792 must contain ~~on its reverse side~~ as many forms as space allows
793 for reassignment of title by a licensed dealer as permitted by
794 s. 319.21(3), which form or forms shall contain an odometer
795 disclosure statement in the form required by 49 C.F.R. s. 580.5.
796 When all dealer reassignment forms ~~provided on the back of the~~
797 ~~title certificate~~ have been filled in, a dealer may reassign the
798 title certificate by using a separate dealer reassignment form
799 issued by the department in compliance with 49 C.F.R. ss. 580.4
800 and 580.5, which form shall contain an original, ~~two carbon~~

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801 ~~copies one of~~ which shall be submitted ~~directly~~ to the
802 department by the dealer ~~within 5 business days after the~~
803 ~~transfer~~ and a copy, ~~one of~~ which shall be retained by the
804 dealer in his or her records for 5 years. The provisions of this
805 subsection ~~shall~~ also apply to vehicles not previously titled in
806 this state and vehicles whose title certificates do not contain
807 the forms required by this section.

808 (4) Upon transfer or reassignment of a certificate of
809 title to a used motor vehicle, the transferor shall complete the
810 odometer disclosure statement provided for by this section and
811 the transferee shall acknowledge the disclosure by signing and
812 printing his or her name in the spaces provided. This subsection
813 does not apply to a vehicle that has a gross vehicle rating of
814 more than 16,000 pounds, a vehicle that is not self-propelled,
815 or a vehicle that is 10 years old or older. A lessor who
816 transfers title to his or her vehicle without obtaining
817 possession of the vehicle shall make odometer disclosure as
818 provided by 49 C.F.R. s. 580.7. Any person who fails to complete
819 or acknowledge a disclosure statement as required by this
820 subsection commits ~~is guilty of~~ a misdemeanor of the second
821 degree, punishable as provided in s. 775.082 or s. 775.083. The
822 department may not issue a certificate of title unless this
823 subsection has been complied with.

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

827 (6) (a) If the certificate of title is physically held by a
828 lienholder, the transferor may give a power of attorney to his
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829 or her transferee for the purpose of odometer disclosure. The
830 power of attorney must be on a form issued or authorized by the
831 department, which form must be in compliance with 49 C.F.R. ss.
832 580.4 and 580.13. The department shall not require the signature
833 of the transferor to be notarized on the form; however, in lieu
834 of notarization, the form shall include an affidavit with the
835 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I
836 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
837 ARE TRUE. The transferee shall sign the power of attorney form,
838 print his or her name, and return a copy of the power of
839 attorney form to the transferor. Upon receipt of a title
840 certificate, the transferee shall complete the space for mileage
841 disclosure on the title certificate exactly as the mileage was
842 disclosed by the transferor on the power of attorney form. If
843 the transferee is a licensed motor vehicle dealer who is
844 transferring the vehicle to a retail purchaser, the dealer shall
845 make application on behalf of the retail purchaser as provided
846 in s. 319.23(6) and shall submit the original power of attorney
847 form to the department with the application for title and the
848 transferor's title certificate; otherwise, a dealer may reassign
849 the title certificate by using the dealer reassignment form in
850 the manner prescribed in subsection (3), and, at the time of
851 physical transfer of the vehicle, the original power of attorney
852 shall be delivered to the person designated as the transferee of
853 the dealer on the dealer reassignment form. ~~A copy of the
854 executed power of attorney shall be submitted to the department
855 with a copy of the executed dealer reassignment form within 5
856 business days after the certificate of title and dealer~~

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857 ~~reassignment form are delivered by the dealer to its transferee.~~

858 (b) If the certificate of title is lost or otherwise
859 unavailable, the transferor may give a power of attorney to his
860 or her transferee for the purpose of odometer disclosure. The
861 power of attorney must be on a form issued or authorized by the
862 department, which form must be in compliance with 49 C.F.R. ss.
863 580.4 and 580.13. The department shall not require the signature
864 of the transferor to be notarized on the form; however, in lieu
865 of notarization, the form shall include an affidavit with the
866 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I
867 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
868 ARE TRUE. The transferee shall sign the power of attorney form,
869 print his or her name, and return a copy of the power of
870 attorney form to the transferor. Upon receipt of the title
871 certificate or a duplicate title certificate, the transferee
872 shall complete the space for mileage disclosure on the title
873 certificate exactly as the mileage was disclosed by the
874 transferor on the power of attorney form. If the transferee is a
875 licensed motor vehicle dealer who is transferring the vehicle to
876 a retail purchaser, the dealer shall make application on behalf
877 of the retail purchaser as provided in s. 319.23(6) and shall
878 submit the original power of attorney form to the department
879 with the application for title and the transferor's title
880 certificate or duplicate title certificate; otherwise, a dealer
881 may reassign the title certificate by using the dealer
882 reassignment form in the manner prescribed in subsection (3),
883 and, at the time of physical transfer of the vehicle, the
884 original power of attorney shall be delivered to the person

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885 designated as the transferee of the dealer on the dealer
886 reassignment form. If the dealer sells the vehicle to an out-of-
887 state resident or an out-of-state dealer and the power of
888 attorney form is applicable to the transaction, the dealer must
889 photocopy the completed original of the form and mail it
890 directly to the department within 5 business days after the
891 certificate of title and dealer reassignment form are delivered
892 by the dealer to the purchaser. ~~A copy of the executed power of~~
893 ~~attorney shall be submitted to the department with a copy of the~~
894 ~~executed dealer reassignment form within 5 business days after~~
895 ~~the duplicate certificate of title and dealer reassignment form~~
896 ~~are delivered by the dealer to its transferee.~~

897 (c) If the mechanics of the transfer of title to a motor
898 vehicle in accordance with the provisions of paragraph (a) or
899 paragraph (b) are determined to be incompatible with and
900 unlawful under the provisions of 49 C.F.R. part 580, the
901 transfer of title to a motor vehicle by operation of this
902 subsection can be effected in any manner not inconsistent with
903 49 C.F.R. part 580 and Florida law; provided, any power of
904 attorney form issued or authorized by the department under this
905 subsection shall contain an original, ~~two carbon copies, one of~~
906 which shall be submitted ~~directly~~ to the department by the
907 dealer ~~within 5 business days of use by the dealer~~ to effect
908 transfer of a title certificate as provided in paragraphs (a)
909 and (b) and a copy, ~~one of~~ which shall be retained by the dealer
910 in its records for 5 years.

911 (d) Any person who fails to complete the information
912 required by this subsection or to file with the department the
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913 forms required by this subsection commits ~~is guilty of~~ a
914 misdemeanor of the second degree, punishable as provided in s.
915 775.082 or s. 775.083. The department shall not issue a
916 certificate of title unless this subsection has been complied
917 with.

918 (7) Subject to approval by the National Highway Traffic
919 Safety Administration or any other applicable authority, if a
920 title is held electronically and the transferee agrees to
921 maintain the title electronically, the transferor and transferee
922 shall complete a secure reassignment document that discloses the
923 odometer reading and is signed by both the transferor and
924 transferee at the tax collector's office or license plate
925 agency. A dealer acquiring a motor vehicle that has an
926 electronic title shall use a secure reassignment document signed
927 by the person from whom the dealer acquired the motor vehicle.
928 Upon transferring the motor vehicle to a purchaser, a separate
929 reassignment document shall be executed.

930 (8) ~~(7)~~ Each certificate of title issued by the department
931 must contain ~~on its reverse side~~ a minimum of three ~~four~~ spaces
932 for notation of the name and license number of any auction
933 through which the vehicle is sold and the date the vehicle was
934 auctioned. Each separate dealer reassignment form issued by the
935 department must also have the space referred to in this section.
936 When a transfer of title is made at a motor vehicle auction, the
937 reassignment must note the name and address of the auction, but
938 the auction shall not thereby be deemed to be the owner, seller,
939 transferor, or assignor of title. A motor vehicle auction is
940 required to execute a dealer reassignment only when it is the
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941 owner of a vehicle being sold.

942 ~~(9)(8)~~ Upon transfer or reassignment of a used motor
943 vehicle through the services of an auction, the auction shall
944 complete the information in the space provided for by subsection
945 ~~(8) (7)~~. Any person who fails to complete the information as
946 required by this subsection commits ~~is guilty of~~ a misdemeanor
947 of the second degree, punishable as provided in s. 775.082 or s.
948 775.083. The department shall not issue a certificate of title
949 unless this subsection has been complied with.

950 ~~(10)(9)~~ This section shall be construed to conform to 49
951 C.F.R. part 580.

952 Section 27. Subsection (6) of section 319.23, Florida
953 Statutes, is amended, present subsections (7) through (11) of
954 that section are renumbered as subsections (8) through (12),
955 respectively, and a new subsection (7) is added to that
956 section, to read:

957 319.23 Application for, and issuance of, certificate of
958 title.-

959 (6) (a) In the case of the sale of a motor vehicle or
960 mobile home by a licensed dealer to a general purchaser, the
961 certificate of title must be obtained in the name of the
962 purchaser by the dealer upon application signed by the
963 purchaser, and in each other case such certificate must be
964 obtained by the purchaser. In each case of transfer of a motor
965 vehicle or mobile home, the application for a certificate of
966 title, a corrected certificate, or an assignment or reassignment
967 must be filed within 30 days after the delivery of the motor
968 vehicle or from consummation of the sale of a mobile home to the
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969 purchaser. An applicant must pay a fee of \$20, in addition to
970 all other fees and penalties required by law, for failing to
971 file such application within the specified time. In the case of
972 the sale of a motor vehicle by a licensed motor vehicle dealer
973 to a general purchaser who resides in another state or country,
974 the dealer is not required to apply for a certificate of title
975 for the motor vehicle; however, the dealer must transfer
976 ownership and reassign the certificate of title or
977 manufacturer's certificate of origin to the purchaser, and the
978 purchaser must sign an affidavit, as approved by the department,
979 that the purchaser will title and register the motor vehicle in
980 another state or country.

981 (b) If a licensed dealer acquires a motor vehicle or
982 mobile home as a trade-in, the dealer must file with the
983 department, within 30 days, a notice of sale signed by the
984 seller. The department shall update its database for that title
985 record to indicate "sold." A licensed dealer need not apply for
986 a certificate of title for any motor vehicle or mobile home in
987 stock acquired for stock purposes except as provided in s.
988 319.225.

989 (7) If an applicant for a certificate of title is unable
990 to provide the department with a certificate of title that
991 assigns the prior owner's interest in the motor vehicle, the
992 department may accept a bond in the form prescribed by the
993 department, along with an affidavit in a form prescribed by the
994 department, which includes verification of the vehicle
995 identification number and an application for title.

996 (a) The bond must be:

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997 1. In a form prescribed by the department;

998 2. Executed by the applicant;

999 3. Issued by a person authorized to conduct a surety
1000 business in this state;

1001 4. In an amount equal to two times the value of the
1002 vehicle as determined by the department; and

1003 5. Conditioned to indemnify all prior owners and
1004 lienholders and all subsequent purchasers of the vehicle or
1005 persons who acquire a security interest in the vehicle, and
1006 their successors in interest, against any expense, loss, or
1007 damage, including reasonable attorney's fees, occurring because
1008 of the issuance of the certificate of title for the vehicle or
1009 for a defect in or undisclosed security interest on the right,
1010 title, or interest of the applicant to the vehicle.

1011 (b) An interested person has a right to recover on the
1012 bond for a breach of the bond's condition. The aggregate
1013 liability of the surety to all persons may not exceed the amount
1014 of the bond.

1015 (c) A bond under this subsection expires on the third
1016 anniversary of the date the bond became effective.

1017 (d) The affidavit must:

1018 1. Be in a form prescribed by the department;

1019 2. Include the facts and circumstances through which the
1020 applicant acquired ownership and possession of the motor
1021 vehicle;

1022 3. Disclose that no security interests, liens, or
1023 encumbrances against the motor vehicle are known to the
1024 applicant against the motor vehicle; and

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1025 4. State that the applicant has the right to have a
1026 certificate of title issued.

1027 Section 28. Paragraph (b) of subsection (2) of section
1028 319.28, Florida Statutes, is amended, and subsection (3) is
1029 added to that section, to read:

1030 319.28 Transfer of ownership by operation of law.—

1031 (2)

1032 (b) In case of repossession of a motor vehicle or mobile
1033 home pursuant to the terms of a security agreement or similar
1034 instrument, an affidavit by the party to whom possession has
1035 passed stating that the vehicle or mobile home was repossessed
1036 upon default in the terms of the security agreement or other
1037 instrument shall be considered satisfactory proof of ownership
1038 and right of possession. At least 5 days before ~~prior to~~ selling
1039 the repossessed vehicle, any subsequent lienholder named in the
1040 last issued certificate of title shall be sent notice of the
1041 repossession by certified mail, on a form prescribed by the
1042 department. If such notice is given and no written protest to
1043 the department is presented by a subsequent lienholder within 15
1044 days after ~~from~~ the date on which the notice was mailed, the
1045 certificate of title ~~or the certificate of repossession~~ shall be
1046 issued showing no liens. If the former owner or any subsequent
1047 lienholder files a written protest under oath within such 15-day
1048 period, the department shall not issue the certificate of title
1049 ~~or certificate of repossession~~ for 10 days thereafter. If within
1050 the 10-day period no injunction or other order of a court of
1051 competent jurisdiction has been served on the department
1052 commanding it not to deliver the certificate of title ~~or~~

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1053 ~~certificate of repossession~~, the department shall deliver the
1054 certificate of title ~~or repossession~~ to the applicant or as may
1055 otherwise be directed in the application showing no other liens
1056 than those shown in the application. Any lienholder who has
1057 repossessed a vehicle in this state in compliance with the
1058 provisions of this section must apply to a tax collector's
1059 office in this state or to the department for a ~~certificate of~~
1060 ~~repossession or to the department for a~~ certificate of title
1061 pursuant to s. 319.323. Proof of the required notice to
1062 subsequent lienholders shall be submitted together with regular
1063 title fees. ~~A lienholder to whom a certificate of repossession~~
1064 ~~has been issued may assign the certificate of title to the~~
1065 ~~subsequent owner.~~ Any person who violates ~~found guilty of~~
1066 ~~violating~~ any requirements of this paragraph commits ~~shall be~~
1067 ~~guilty of~~ a felony of the third degree, punishable as provided
1068 in s. 775.082, s. 775.083, or s. 775.084.

1069 (3) A dealer of farm or industrial equipment, as those
1070 terms are used in s. 493.6101(22), conducting a repossession of
1071 such equipment is not subject to licensure as a recovery agent
1072 or recovery agency if such dealer is regularly engaged in the
1073 sale of such equipment for a particular manufacturer and the
1074 lender is affiliated with that manufacturer.

1075 Section 29. Section 319.323, Florida Statutes, is amended
1076 to read:

1077 319.323 Expedited service; applications; fees.—The
1078 department shall establish a separate title office which may be
1079 used by private citizens and licensed motor vehicle dealers to
1080 receive expedited service on title transfers, title issuances,
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1081 duplicate titles, and recordation of liens, ~~and certificates of~~
1082 ~~repossession~~. A fee of \$10 shall be charged for this service,
1083 which fee is in addition to the fees imposed by s. 319.32. The
1084 fee, after deducting the amount referenced by s. 319.324 and
1085 \$3.50 to be retained by the processing agency, shall be
1086 deposited into the General Revenue Fund. Application for
1087 expedited service may be made by mail or in person. The
1088 department shall issue each title applied for under this section
1089 within 5 working days after receipt of the application except
1090 for an application for a duplicate title certificate covered by
1091 s. 319.23(4), in which case the title must be issued within 5
1092 working days after compliance with the department's verification
1093 requirements.

1094 Section 30. Section 319.40, Florida Statutes, is amended
1095 to read:

1096 319.40 Transactions by electronic or telephonic means.—

1097 (1) The department may ~~is authorized to~~ accept any
1098 application provided for under this chapter by electronic or
1099 telephonic means.

1100 (2) The department may issue an electronic certificate of
1101 title in lieu of printing a paper title.

1102 (3) The department may collect and use electronic mail
1103 addresses as a notification method in lieu of the United States
1104 Postal Service, except for any notice regarding the potential
1105 forfeiture or foreclosure of an interest in property.

1106 Section 31. Paragraph (a) of subsection (1) of section
1107 320.01, Florida Statutes, is amended, present subsections (24)
1108 through (45) are renumbered as subsections (23) through (44),
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1109 respectively, present subsections (23), (25), and (26) are
1110 amended, and a new subsection (45) is added to that section, to
1111 read:

1112 320.01 Definitions, general.—As used in the Florida
1113 Statutes, except as otherwise provided, the term:

1114 (1) "Motor vehicle" means:

1115 (a) An automobile, motorcycle, truck, trailer,
1116 semitrailer, truck tractor and semitrailer combination, or any
1117 other vehicle operated on the roads of this state, used to
1118 transport persons or property, and propelled by power other than
1119 muscular power, but the term does not include traction engines,
1120 road rollers, special mobile equipment as defined in chapter
1121 316, such vehicles as run only upon a track, bicycles, swamp
1122 buggies, or mopeds.

1123 ~~(23) "Apportioned motor vehicle" means any motor vehicle~~
1124 ~~which is required to be registered, or with respect to which an~~
1125 ~~election has been made to register it, under the International~~
1126 ~~Registration Plan.~~

1127 ~~(24)-(25)~~ "Apportionable vehicle" means any vehicle, except
1128 recreational vehicles, vehicles displaying restricted plates,
1129 city pickup and delivery vehicles, buses used in transportation
1130 of chartered parties, and government-owned vehicles, which is
1131 used or intended for use in two or more member jurisdictions
1132 that allocate or proportionally register vehicles and which is
1133 used for the transportation of persons for hire or is designed,
1134 used, or maintained primarily for the transportation of property
1135 and:

1136 (a) Is a power unit having a gross vehicle weight in
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1137 excess of 26,000 ~~26,001~~ pounds;

1138 (b) Is a power unit having three or more axles, regardless
1139 of weight; or

1140 (c) Is used in combination, when the weight of such
1141 combination exceeds 26,000 ~~26,001~~ pounds gross vehicle weight.

1142
1143 Vehicles, or combinations thereof, having a gross vehicle weight
1144 of 26,000 ~~26,001~~ pounds or less and two-axle vehicles may be
1145 proportionally registered.

1146 ~~(25)-(26)~~ "Commercial motor vehicle" means any vehicle that
1147 ~~which~~ is not owned or operated by a governmental entity, that
1148 ~~which~~ uses special fuel or motor fuel on the public highways,
1149 and that ~~which~~ has a gross vehicle weight of 26,001 pounds or
1150 more, or has three or more axles regardless of weight, or is
1151 used in combination when the weight of such combination exceeds
1152 26,000 ~~26,001~~ pounds gross vehicle weight. A vehicle that
1153 occasionally transports personal property to and from a closed-
1154 course motorsport facility, as defined in s. 549.09(1)(a), is
1155 not a commercial motor vehicle if the use is not for profit and
1156 corporate sponsorship is not involved. As used in this
1157 subsection, the term "corporate sponsorship" means a payment,
1158 donation, gratuity, in-kind service, or other benefit provided
1159 to or derived by a person in relation to the underlying
1160 activity, other than the display of product or corporate names,
1161 logos, or other graphic information on the property being
1162 transported.

1163 (45) SWAMP BUGGY.—A motorized off-road vehicle designed to
1164 travel over swampy terrain, which may utilize large tires or

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1165 tracks operated from an elevated platform, and may be used upon
1166 varied terrain. A swamp buggy does not include any vehicle
1167 defined in chapter 261 or otherwise defined or classified in
1168 this chapter. A swamp buggy may not be operated upon the public
1169 roads, streets, or highways of this state, except to the extent
1170 specifically authorized by a state or federal agency to be used
1171 exclusively upon lands, managed, owned, or leased by that
1172 agency.

1173 Section 32. Subsection (2) of section 320.02, Florida
1174 Statutes, is amended, paragraphs (o), (p), (q), and (r) are
1175 added to subsection (15), and subsection (18) is added to that
1176 section, to read:

1177 320.02 Registration required; application for
1178 registration; forms.—

1179 (2) (a) The application for registration shall include the
1180 street address of the owner's permanent residence or the address
1181 of his or her permanent place of business and shall be
1182 accompanied by personal or business identification information
1183 which may include, but need not be limited to, a driver's
1184 license number, Florida identification card number, or federal
1185 employer identification number. If the owner does not have a
1186 permanent residence or permanent place of business or if the
1187 owner's permanent residence or permanent place of business
1188 cannot be identified by a street address, the application shall
1189 include:

1190 1. If the vehicle is registered to a business, the name
1191 and street address of the permanent residence of an owner of the
1192 business, an officer of the corporation, or an employee who is
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1193 in a supervisory position.

1194 2. If the vehicle is registered to an individual, the name
1195 and street address of the permanent residence of a close
1196 relative or friend who is a resident of this state.

1197
1198 If the vehicle is registered to an active-duty military member
1199 who is a Florida resident, the member is exempt from the
1200 requirement to provide a Florida residential address.

1201 (b) The department shall prescribe a form upon which motor
1202 vehicle owners may record odometer readings when registering
1203 their motor vehicles.

1204 (15)

1205 (o) The application form for motor vehicle registration
1206 and renewal registration must include language permitting the
1207 voluntary contribution of \$1 to End Hunger in Florida. The
1208 proceeds shall be distributed monthly by the department to the
1209 Florida Association of Food Banks, Inc., a corporation not for
1210 profit under s. 501(c)(3) of the Internal Revenue Code. The
1211 funds shall be used by the organization for the purpose of
1212 ending hunger in Florida.

1213 (p) The application form for motor vehicle registration
1214 and renewal of registration must include language permitting a
1215 voluntary contribution of \$1 to Take Stock In Children. Such
1216 contributions shall be transferred by the department each month
1217 to Take Stock In Children, Inc.

1218 (q) The application form for motor vehicle registration
1219 and renewal of registration must include language permitting a
1220 voluntary contribution of \$1 per applicant for Autism Services

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1221 and Supports. Such contributions must be transferred by the
1222 department each month to the Achievement and Rehabilitation
1223 Centers, Inc., Autism Services Fund.

1224 (r) The application form for motor vehicle registration
1225 and renewal of registration must include language permitting a
1226 voluntary contribution of \$1 to Support Our Troops, which shall
1227 be distributed monthly to Support Our Troops, Inc., a Florida
1228 not-for-profit organization.

1229
1230 For the purpose of applying the service charge provided in s.
1231 215.20, contributions received under this subsection are not
1232 income of a revenue nature.

1233 (18) All electronic registration records shall be retained
1234 by the department for not less than 10 years.

1235 Section 33. Subsection (9) is added to section 320.023,
1236 Florida Statutes, to read:

1237 320.023 Requests to establish voluntary checkoff on motor
1238 vehicle registration application.—

1239 (9) The department may annually retain from the first
1240 proceeds derived from the voluntary contributions collected an
1241 amount sufficient to defray for each voluntary contribution the
1242 pro rata share of the department's costs directly related to the
1243 voluntary contributions program. Such costs include renewal
1244 notices, postage, distribution costs, direct costs to the
1245 department, and costs associated with reviewing each
1246 organization's compliance with the audit and attestation
1247 requirements of this section. The revenues retained by the
1248 department may not be less than 0.5 percent and may not exceed

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1249 1.5 percent. The balance of the proceeds from the voluntary
1250 contributions collected shall be distributed as provided by law.

1251 Section 34. Subsections (7) and (8) of section 320.03,
1252 Florida Statutes, are amended to read:

1253 320.03 Registration; duties of tax collectors;
1254 International Registration Plan.—

1255 (7) The Department of Highway Safety and Motor Vehicles
1256 shall register apportionable ~~apportioned motor~~ vehicles under
1257 the provisions of the International Registration Plan. The
1258 department may adopt rules to implement and enforce the
1259 provisions of the plan.

1260 (8) If the applicant's name appears on the list referred
1261 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a
1262 license plate or revalidation sticker may not be issued until
1263 that person's name no longer appears on the list or until the
1264 person presents a receipt from the governmental entity or the
1265 clerk of court that provided the data showing that the fines
1266 outstanding have been paid. This subsection does not apply to
1267 the owner of a leased vehicle if the vehicle is registered in
1268 the name of the lessee of the vehicle. The tax collector and the
1269 clerk of the court are each entitled to receive monthly, as
1270 costs for implementing and administering this subsection, 10
1271 percent of the civil penalties and fines recovered from such
1272 persons. As used in this subsection, the term "civil penalties
1273 and fines" does not include a wrecker operator's lien as
1274 described in s. 713.78(13). If the tax collector has private tag
1275 agents, such tag agents are entitled to receive a pro rata share
1276 of the amount paid to the tax collector, based upon the

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1277 percentage of license plates and revalidation stickers issued by
1278 the tag agent compared to the total issued within the county.
1279 The authority of any private agent to issue license plates shall
1280 be revoked, after notice and a hearing as provided in chapter
1281 120, if he or she issues any license plate or revalidation
1282 sticker contrary to the provisions of this subsection. This
1283 section applies only to the annual renewal in the owner's birth
1284 month of a motor vehicle registration and does not apply to the
1285 transfer of a registration of a motor vehicle sold by a motor
1286 vehicle dealer licensed under this chapter, except for the
1287 transfer of registrations which is inclusive of the annual
1288 renewals. This section does not affect the issuance of the title
1289 to a motor vehicle, notwithstanding s. 319.23(8)~~(7)~~(b).

1290 Section 35. Paragraph (b) of subsection (3) and subsection
1291 (5) of section 320.05, Florida Statutes, are amended to read:

1292 320.05 Records of the department; inspection procedure;
1293 lists and searches; fees.—

1294 (3)

1295 (b) Fees therefor shall be charged and collected as
1296 follows:

1297 1. For providing lists of motor vehicle or vessel records
1298 for the entire state, or any part or parts thereof, divided
1299 according to counties, a sum computed at a rate of not less than
1300 1 cent nor more than 5 cents per item.

1301 2. For providing noncertified photographic copies of motor
1302 vehicle or vessel documents, \$1 per page.

1303 3. For providing noncertified photographic copies of
1304 micrographic records, \$1 per page.

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1305 4. For providing certified copies of motor vehicle or
1306 vessel records, \$3 per record.

1307 5. For providing noncertified computer-generated printouts
1308 of motor vehicle or vessel records, 50 cents per record.

1309 6. For providing certified computer-generated printouts of
1310 motor vehicle or vessel records, \$3 per record.

1311 7. For providing electronic access to motor vehicle,
1312 vessel, and mobile home registration data requested by tag,
1313 vehicle identification number, title number, or decal number, 50
1314 cents per item.

1315 8. For providing electronic access to driver's license
1316 status report by name, sex, and date of birth or by driver
1317 license number, 50 cents per item.

1318 9. For providing lists of licensed mobile home dealers and
1319 manufacturers and recreational vehicle dealers and
1320 manufacturers, \$15 per list.

1321 10. For providing lists of licensed motor vehicle dealers,
1322 \$25 per list.

1323 11. For each copy of a videotape record, \$15 per tape.

1324 ~~12. For each copy of the Division of Motor Vehicles~~
1325 ~~Procedures Manual, \$25.~~

1326 (5) The creation and maintenance of records by the
1327 Division of Motorist Services within the department ~~and the~~
1328 ~~Division of Motor Vehicles~~ pursuant to this chapter shall not be
1329 regarded as law enforcement functions of agency recordkeeping.

1330 Section 36. Paragraph (d) is added to subsection (1) of
1331 section 320.06, Florida Statutes, to read:

1332 320.06 Registration certificates, license plates, and
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1333 validation stickers generally.—

1334 (1)

1335 (d) The department may conduct a pilot program to evaluate
1336 designs, concepts, and technologies for alternative license
1337 plate technologies. The pilot program shall investigate the
1338 feasibility and use of alternative license plate technologies
1339 and shall be limited to license plates that are used on
1340 government-owned motor vehicles, as defined in s. 320.0655.
1341 Government license plates in the pilot program are exempt from
1342 current license plate requirements in paragraph (3) (a).

1343 Section 37. Section 320.061, Florida Statutes, is amended
1344 to read:

1345 320.061 Unlawful to alter motor vehicle registration
1346 certificates, temporary license plates, license plates, mobile
1347 home stickers, or validation stickers or to obscure license
1348 plates; penalty.—No person shall alter the original appearance
1349 of any registration license plate, temporary license plate,
1350 mobile home sticker, validation sticker, or vehicle registration
1351 certificate issued for and assigned to any motor vehicle or
1352 mobile home, whether by mutilation, alteration, defacement, or
1353 change of color or in any other manner. No person shall apply or
1354 attach any substance, reflective matter, illuminated device,
1355 spray, coating, covering, or other material onto or around any
1356 license plate that interferes with the legibility, angular
1357 visibility, or detectability of any feature or detail on the
1358 license plate or interferes with the ability to record any
1359 feature or detail on the license plate. Any person who violates
1360 this section commits a noncriminal traffic infraction,

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1361 punishable as a moving violation as provided in chapter 318.

1362 Section 38. Subsection (1) of section 320.071, Florida
1363 Statutes, is amended to read:

1364 320.071 Advance registration renewal; procedures.—

1365 (1) (a) The owner of any motor vehicle or mobile home
1366 currently registered in this state may file an application for
1367 renewal of registration with the department, or its authorized
1368 agent in the county wherein the owner resides, any time during
1369 the 3 months preceding the date of expiration of the
1370 registration period. The registration period may not exceed 27
1371 months.

1372 (b) The owner of any apportionable ~~apportioned motor~~
1373 vehicle currently registered in this state under the provisions
1374 of the International Registration Plan may file an application
1375 for renewal of registration with the department any time during
1376 the 3 months preceding the date of expiration of the
1377 registration period.

1378 Section 39. Subsections (1) and (3) of section 320.0715,
1379 Florida Statutes, are amended to read:

1380 320.0715 International Registration Plan; motor carrier
1381 services; permits; retention of records.—

1382 (1) All apportionable ~~commercial motor~~ vehicles domiciled
1383 in this state ~~and engaged in interstate commerce~~ shall be
1384 registered in accordance with the provisions of the
1385 International Registration Plan ~~and shall display apportioned~~
1386 ~~license plates~~.

1387 (3) (a) If the department is unable to immediately issue
1388 the apportioned license plate to an applicant currently

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1389 registered in this state under the International Registration
1390 Plan or to a vehicle currently titled in this state, the
1391 department or its designated agent is authorized to issue a 60-
1392 day temporary operational permit. The department or agent of the
1393 department shall charge a \$3 fee and the service charge
1394 authorized by s. 320.04 for each temporary operational permit it
1395 issues.

1396 (b) The department shall in no event issue a temporary
1397 operational permit for any apportionable ~~commercial motor~~
1398 vehicle to any applicant until the applicant has shown that:

1399 1. All sales or use taxes due on the registration of the
1400 vehicle are paid; and

1401 2. Insurance requirements have been met in accordance with
1402 ss. 320.02(5) and 627.7415.

1403 (c) Issuance of a temporary operational permit provides
1404 ~~commercial motor vehicle~~ registration privileges in each
1405 International Registration Plan member jurisdiction designated
1406 on said permit and therefore requires payment of all applicable
1407 registration fees and taxes due for that period of registration.

1408 (d) Application for permanent registration must be made to
1409 the department within 10 days following ~~from~~ issuance of a
1410 temporary operational permit. Failure to file an application
1411 within this 10-day period may result in cancellation of the
1412 temporary operational permit.

1413 Section 40. Paragraph (d) of subsection (5) of section
1414 320.08, Florida Statutes, is amended to read:

1415 320.08 License taxes.—Except as otherwise provided herein,
1416 there are hereby levied and imposed annual license taxes for the
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1417 operation of motor vehicles, mopeds, motorized bicycles as
1418 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
1419 and mobile homes, as defined in s. 320.01, which shall be paid
1420 to and collected by the department or its agent upon the
1421 registration or renewal of registration of the following:

1422 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
1423 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

1424 (d) A wrecker, as defined in s. 320.01~~(40)~~, which is used
1425 to tow a vessel as defined in s. 327.02(39), a disabled,
1426 abandoned, stolen-recovered, or impounded motor vehicle as
1427 defined in s. 320.01~~(38)~~, or a replacement motor vehicle as
1428 defined in s. 320.01~~(39)~~: \$41 flat, of which \$11 shall be
1429 deposited into the General Revenue Fund.

1430 Section 41. Subsection (9) of section 320.08056, Florida
1431 Statutes, is amended, and paragraph (aaaa) is added to
1432 subsection (4) of that section, to read:

1433 320.08056 Specialty license plates.—

1434 (4) The following license plate annual use fees shall be
1435 collected for the appropriate specialty license plates:

1436 (aaaa) Go Green license plate, \$25.

1437 (9) (a) The organization that requested the specialty
1438 license plate may not redesign the specialty license plate
1439 unless the inventory of those plates has been depleted. However,
1440 the organization may purchase the remaining inventory of the
1441 specialty license plates from the department at cost.

1442 (b) An organization with a specialty license plate must
1443 submit a written request to the department 90 days before the
1444 convening of the next regular session of the Legislature in

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1445 order to change the name of the recipient organization listed in
1446 this section or s. 320.08058.

1447 Section 42. Paragraph (b) of subsection (48) and
1448 subsection (53) of section 320.08058, Florida Statutes, are
1449 amended, and subsection (79) is added to that section, to read:

1450 320.08058 Specialty license plates.—

1451 (48) LIVE THE DREAM LICENSE PLATES.—

1452 (b) The proceeds of the annual use fee shall be
1453 distributed to the Florida Dream Foundation, Inc. The Florida
1454 Dream Foundation, Inc., shall retain the first \$60,000 in
1455 proceeds from the annual use fees as reimbursement for
1456 administrative costs, startup costs, and costs incurred in the
1457 approval process. Thereafter, up to 25 percent shall be used for
1458 continuing promotion and marketing of the license plate and
1459 concept. The remaining funds shall be used in the following
1460 manner:

1461 1. Twenty-five percent shall be distributed equally among
1462 the sickle cell organizations that are Florida members of the
1463 Sickle Cell Disease Association of America, Inc., for programs
1464 that provide research, care, and treatment for sickle cell
1465 disease.

1466 2. Twenty-five percent shall be distributed to the Florida
1467 chapter of the March of Dimes for programs and services that
1468 improve the health of babies through the prevention of birth
1469 defects and infant mortality.

1470 3. Ten percent shall be distributed to the Florida
1471 Association of Healthy Start Coalitions to decrease racial
1472 disparity in infant mortality and to increase healthy birth

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1473 outcomes. Funding will be used by local Healthy Start Coalitions
1474 to provide services and increase screening rates for high-risk
1475 pregnant women, children under 4 years of age, and women of
1476 childbearing age.

1477 4. Ten percent shall be distributed to the Community
1478 Partnership for Homeless, Inc., for programs that provide relief
1479 from poverty, hunger, and homelessness.

1480 5. Five percent of the proceeds shall be used by the
1481 foundation for administrative costs directly associated with
1482 operations as they relate to the management and distribution of
1483 the proceeds.

1484 (53) SUPPORT SOCCER LICENSE PLATES.—

1485 (a) The department shall develop a Support Soccer license
1486 plate as provided in this section. Support Soccer license plates
1487 must bear the colors and design approved by the department. The
1488 word "Florida" must appear at the top of the plate, and the
1489 words "Support Soccer" must appear at the bottom of the plate.

1490 (b) The annual use fees shall be distributed to the
1491 Florida Lighthouse Soccer Foundation, Inc., which shall retain
1492 the initial revenues from the sale of such plates until all
1493 startup costs for developing and establishing the plate have
1494 been recovered, not to exceed \$85,000. Thereafter, the proceeds
1495 of the annual use fee shall be used in the following manner:

1496 1. Up to 25 percent of the proceeds may be used by the
1497 Florida Lighthouse Soccer Foundation, Inc., for continuing
1498 promotion and marketing of the license plate and concept.

1499 2. Twenty percent shall be distributed to the Florida
1500 Youth Soccer Association for programs and services that foster
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1501 the physical, mental, and emotional growth and development of
1502 Florida's youth through the sport of soccer at all levels of age
1503 and competition, including a portion to be determined by the
1504 Florida Youth Soccer Association for the TOPSoccer program to
1505 promote participation by the physically and mentally
1506 disadvantaged.

1507 3. Twenty percent shall be distributed as grants for
1508 programs that promote participation by the economically
1509 disadvantaged and to support soccer programs where none
1510 previously existed.

1511 4. Ten percent shall be distributed to the Florida State
1512 Soccer Association to promote the sport of soccer and the long-
1513 term development of the sport.

1514 5. Ten percent shall be distributed as grants for programs
1515 that promote and support the construction of fields and soccer-
1516 specific infrastructure.

1517 6. Ten percent shall be distributed as grants for programs
1518 that foster and promote health, physical fitness, and
1519 educational opportunities through soccer.

1520 7. Five percent shall be expended by the Florida
1521 ~~Lighthouse~~ Soccer Foundation, Inc., for administrative costs
1522 directly associated with the foundation's operations as they
1523 relate to the management and distribution of the proceeds.

1524 (79) GO GREEN LICENSE PLATE.-

1525 (a) Notwithstanding the provisions of s. 45 of chapter
1526 2008-176, Laws of Florida, as amended by s. 21 of chapter 2010-
1527 223, Laws of Florida, and upon receipt of \$60,000 and submission
1528 of the proposed art design for the specialty license plate to
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1529 the department in a medium prescribed by the department, as soon
1530 as practicable, but no later than 60 days after the effective
1531 date of this act, the department shall develop a Go Green
1532 license plate as provided in this section. The plate must bear
1533 the colors and design approved by the department. The word
1534 "Florida" must appear at the top of the plate, and the words "Go
1535 Green" must appear at the bottom of the plate.

1536 (b) The annual use fees shall be distributed to the
1537 Coalition for Renewable Energy Solutions, Inc., which shall
1538 retain the initial revenues from the sales of such plates until
1539 all startup costs incurred in the development and approval of
1540 the plates have been reimbursed. Thereafter, the proceeds shall
1541 be used by the coalition as follows:

1542 1. A maximum of 10 percent of the proceeds may be used to
1543 fund the administrative and marketing costs of the license plate
1544 program.

1545 2. The remaining fees shall be used to fund programs and
1546 projects that educate the public and implement or publicize
1547 renewable energy solutions.

1548 Section 43. Paragraph (e) of subsection (4) of section
1549 320.08068, Florida Statutes, is amended to read:

1550 320.08068 Motorcycle specialty license plates.-

1551 (4) A license plate annual use fee of \$20 shall be
1552 collected for each motorcycle specialty license plate. Annual
1553 use fees shall be distributed to The Able Trust as custodial
1554 agent. The Able Trust may retain a maximum of 10 percent of the
1555 proceeds from the sale of the license plate for administrative
1556 costs. The Able Trust shall distribute the remaining funds as
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1557 follows:

1558 (e) Twenty percent to the Florida Association of Centers
1559 for Independent Living ~~to be used to leverage additional funding~~
1560 ~~and new sources of revenue for the centers for independent~~
1561 ~~living in this state.~~

1562 Section 44. Subsection (1) of section 320.0847, Florida
1563 Statutes, is amended to read:

1564 320.0847 Mini truck and low-speed vehicle license plates.—

1565 (1) The department shall issue a license plate to the
1566 owner or lessee of any vehicle registered as a low-speed vehicle
1567 as defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
1568 320.01~~(45)~~ upon payment of the appropriate license taxes and
1569 fees prescribed in s. 320.08.

1570 Section 45. Subsections (1), (2), and (4) of section
1571 320.0848, Florida Statutes, are amended to read:

1572 320.0848 Persons who have disabilities; issuance of
1573 disabled parking permits; temporary permits; permits for certain
1574 providers of transportation services to persons who have
1575 disabilities.—

1576 (1) (a) The Department of Highway Safety and Motor Vehicles
1577 or its authorized agents shall, upon application and receipt of
1578 the fee, issue a disabled parking permit for a period of up to 4
1579 years, which period ends on the applicant's birthday, to any
1580 person who has long-term mobility impairment, or a temporary
1581 disabled parking permit not to exceed 6 months to any person who
1582 has a temporary mobility impairment. No person will be required
1583 to pay a fee for a parking permit for disabled persons more than
1584 once in a 12-month period from the date of the prior fee

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1585 payment.

1586 (b)1. The person must be currently certified as being
1587 legally blind or as having any of the following disabilities
1588 that render him or her unable to walk 200 feet without stopping
1589 to rest:

1590 a. Inability to walk without the use of or assistance from
1591 a brace, cane, crutch, prosthetic device, or other assistive
1592 device, or without the assistance of another person. If the
1593 assistive device significantly restores the person's ability to
1594 walk to the extent that the person can walk without severe
1595 limitation, the person is not eligible for the exemption parking
1596 permit.

1597 b. The need to permanently use a wheelchair.

1598 c. Restriction by lung disease to the extent that the
1599 person's forced (respiratory) expiratory volume for 1 second,
1600 when measured by spirometry, is less than 1 liter, or the
1601 person's arterial oxygen is less than 60 mm/hg on room air at
1602 rest.

1603 d. Use of portable oxygen.

1604 e. Restriction by cardiac condition to the extent that the
1605 person's functional limitations are classified in severity as
1606 Class III or Class IV according to standards set by the American
1607 Heart Association.

1608 f. Severe limitation in the person's ability to walk due
1609 to an arthritic, neurological, or orthopedic condition.

1610 2. The certification of disability which is required under
1611 subparagraph 1. must be provided by a physician licensed under
1612 chapter 458, chapter 459, or chapter 460, by a podiatric

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1613 physician licensed under chapter 461, by an optometrist licensed
1614 under chapter 463, by an advanced registered nurse practitioner
1615 licensed under chapter 464 under the protocol of a licensed
1616 physician as stated in this subparagraph, by a physician
1617 assistant licensed under chapter 458 or chapter 459, or by a
1618 similarly licensed physician from another state if the
1619 application is accompanied by documentation of the physician's
1620 licensure in the other state and a form signed by the out-of-
1621 state physician verifying his or her knowledge of this state's
1622 eligibility guidelines.

1623 (c) The certificate of disability must include, but need
1624 not be limited to:

1625 1. The disability of the applicant; the certifying
1626 practitioner's name and address; the practitioner's
1627 certification number; the eligibility criteria for the permit;
1628 the penalty for falsification by either the certifying
1629 practitioner or the applicant; the duration of the condition
1630 that entitles the person to the permit; and justification for
1631 the additional placard pursuant to subsection (2).

1632 2. The statement, in bold letters: "A disabled parking
1633 permit may be issued only for a medical necessity that severely
1634 affects mobility."

1635 3. The signatures of:

1636 a. The applicant's physician or other certifying
1637 practitioner.

1638 b. The applicant or the applicant's parent or guardian.

1639 c. The employee of the department's authorized agent which
1640 employee is processing the application.

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1641 (d) Beginning October 1, 2011 ~~April 1, 1999~~, the
1642 Department of Highway Safety and Motor Vehicles shall renew the
1643 disabled parking permit of any person certified as permanently
1644 disabled on the application if the person applies for renewal in
1645 person and provides a current certificate of disability pursuant
1646 to this subsection. The requirement to apply for renewal in
1647 person does not apply if the severity of the disability prevents
1648 a disabled person from physically visiting or being transported
1649 to a driver license or tax collector office and the certifying
1650 physician has signed an additional section of the department's
1651 parking permit application to exempt the disabled person from
1652 the appearance requirement.

1653 (e) The Department of Highway Safety and Motor Vehicles
1654 shall, in consultation with the Commission for the
1655 Transportation Disadvantaged, adopt rules, in accordance with
1656 chapter 120, for the issuance of a disabled parking permit to
1657 any organization that can adequately demonstrate a bona fide
1658 need for such a permit because the organization provides regular
1659 transportation services to persons who have disabilities and are
1660 certified as provided in this subsection.

1661 (2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM
1662 MOBILITY PROBLEMS.—

1663 (a) The disabled parking permit is a placard that can be
1664 placed in a motor vehicle so as to be visible from the front and
1665 rear of the vehicle. Each side of the placard must have the
1666 international symbol of accessibility in a contrasting color in
1667 the center so as to be visible. One side of the placard must
1668 display the applicant's driver's license number or state

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1669 identification card number along with a warning that the
1670 applicant must have such identification at all times while using
1671 the parking permit. In those cases where the severity of the
1672 disability prevents a disabled person from physically visiting
1673 or being transported to a driver license or tax collector office
1674 to obtain a driver's license or identification card, a
1675 certifying physician may sign the exemption section of the
1676 department's parking permit application to exempt the disabled
1677 person from being issued a driver's license or identification
1678 card for the number to be displayed on the parking permit. A
1679 validation sticker must also be issued with each disabled
1680 parking permit, showing the month and year of expiration on each
1681 side of the placard. Validation stickers must be of the size
1682 specified by the Department of Highway Safety and Motor Vehicles
1683 and must be affixed to the disabled parking permits. The
1684 disabled parking permits must use the same colors as license
1685 plate validations.

1686 (b) License plates issued under ss. 320.084, 320.0842,
1687 320.0843, and 320.0845 are valid for the same parking privileges
1688 and other privileges provided under ss. 316.1955, 316.1964, and
1689 526.141(5)(a).

1690 (c) The department shall not issue an additional disabled
1691 parking permit unless the applicant states that he or she is a
1692 frequent traveler or a quadriplegic. The department may not
1693 issue to any one eligible applicant more than two disabled
1694 parking permits except to an organization in accordance with
1695 paragraph (1)(e). Subsections (1), (5), (6), and (7) apply to
1696 this subsection.

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1697 (d) If an applicant who is a disabled veteran, is a
1698 resident of this state, has been honorably discharged, and
1699 either has been determined by the Department of Defense or the
1700 United States Department of Veterans Affairs or its predecessor
1701 to have a service-connected disability rating for compensation
1702 of 50 percent or greater or has been determined to have a
1703 service-connected disability rating of 50 percent or greater and
1704 is in receipt of both disability retirement pay from the United
1705 States Department of Veterans Affairs, he or she must still
1706 provide a signed physician's statement of qualification for the
1707 disabled parking permits.

1708 (e) To obtain a replacement for a disabled parking permit
1709 that has been lost or stolen, a person must appear in person,
1710 submit an application on a form prescribed by the department,
1711 and ~~must~~ pay a replacement fee in the amount of \$1.00, to be
1712 retained by the issuing agency. If the person submits with the
1713 application a police report documenting that the permit was
1714 stolen, there is no replacement fee. The requirement to apply
1715 for replacement in person does not apply if the severity of the
1716 disability prevents a disabled person from physically visiting
1717 or being transported to a driver license or tax collector
1718 office, and the certifying physician has signed an additional
1719 section of the department's parking permit application to exempt
1720 the disabled person from the appearance requirement.

1721 (f) A person who qualifies for a disabled parking permit
1722 under this section may be issued an international wheelchair
1723 user symbol license plate under s. 320.0843 in lieu of the
1724 disabled parking permit; or, if the person qualifies for a "DV"
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1725 license plate under s. 320.084, such a license plate may be
1726 issued to him or her in lieu of a disabled parking permit.

1727 (4) From the proceeds of the temporary disabled parking
1728 permit fees:

1729 (a) The Department of Highway Safety and Motor Vehicles
1730 must receive \$3.50 for each temporary permit, to be deposited
1731 into the Highway Safety Operating Trust Fund and used for
1732 implementing the real-time disabled parking permit database and
1733 for administering the disabled parking permit program.

1734 (b) The tax collector, for processing, must receive \$2.50
1735 for each temporary permit.

1736 (c) The remainder must be distributed monthly as follows:

1737 1. To the Florida Endowment Foundation for Vocational
1738 Rehabilitation, known as "The Able Trust," ~~Florida Governor's~~
1739 ~~Alliance for the Employment of Disabled Citizens~~ for the purpose
1740 of improving employment and training opportunities for persons
1741 who have disabilities, with special emphasis on removing
1742 transportation barriers, \$4. These fees must be directly
1743 deposited into the Florida Endowment Foundation for Vocational
1744 Rehabilitation as established in s. 413.615 ~~Transportation~~
1745 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
1746 ~~Alliance for Employment of Disabled Citizens.~~

1747 2. To the Transportation Disadvantaged Trust Fund to be
1748 used for funding matching grants to counties for the purpose of
1749 improving transportation of persons who have disabilities, \$5.

1750 Section 46. Effective October 1, 2011, subsection (1) of
1751 section 320.089, Florida Statutes, is amended to read:

1752 320.089 Members of National Guard and active United States
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1753 Armed Forces reservists; former prisoners of war; survivors of
1754 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
1755 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
1756 Badge recipients; special license plates; fee.—

1757 (1) (a) Each owner or lessee of an automobile or truck for
1758 private use or recreational vehicle as specified in s.
1759 320.08(9) (c) or (d), which is not used for hire or commercial
1760 use, who is a resident of the state and an active or retired
1761 member of the Florida National Guard, a survivor of the attack
1762 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
1763 active or retired member of any branch of the United States
1764 Armed Forces Reserve, or a recipient of the Combat Infantry
1765 Badge shall, upon application to the department, accompanied by
1766 proof of active membership or retired status in the Florida
1767 National Guard, proof of membership in the Pearl Harbor
1768 Survivors Association or proof of active military duty in Pearl
1769 Harbor on December 7, 1941, proof of being a Purple Heart medal
1770 recipient, ~~or~~ proof of active or retired membership in any
1771 branch of the Armed Forces Reserve, or proof of membership in
1772 the Combat Infantrymen's Association, Inc., or other proof of
1773 being a recipient of the Combat Infantry Badge, and upon payment
1774 of the license tax for the vehicle as provided in s. 320.08, be
1775 issued a license plate as provided by s. 320.06, upon which, in
1776 lieu of the serial numbers prescribed by s. 320.06, shall be
1777 stamped the words "National Guard," "Pearl Harbor Survivor,"
1778 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
1779 Badge," as appropriate, followed by the serial number of the
1780 license plate. Additionally, the Purple Heart plate may have the
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1781 words "Purple Heart" stamped on the plate and the likeness of
1782 the Purple Heart medal appearing on the plate.

1783 (b) Notwithstanding any other provision of law to the
1784 contrary, beginning with fiscal year 2002-2003 and annually
1785 thereafter, the first \$100,000 in general revenue generated from
1786 the sale of license plates issued under this section shall be
1787 deposited into the Grants and Donations Trust Fund, as described
1788 in s. 296.38(2), to be used for the purposes established by law
1789 for that trust fund. Any additional general revenue generated
1790 from the sale of such plates shall be deposited into the State
1791 Homes for Veterans Trust Fund and used solely to construct,
1792 operate, and maintain domiciliary and nursing homes for
1793 veterans, subject to the requirements of chapter 216.

1794 (c) Notwithstanding any provisions of law to the contrary,
1795 an applicant for a Pearl Harbor Survivor license plate or a
1796 Purple Heart license plate who also qualifies for a disabled
1797 veteran's license plate under s. 320.084 shall be issued the
1798 appropriate special license plate without payment of the license
1799 tax imposed by s. 320.08.

1800 Section 47. Subsection (3) of section 320.27, Florida
1801 Statutes, is amended to read:

1802 320.27 Motor vehicle dealers.—

1803 (3) APPLICATION AND FEE.—The application for the license
1804 shall be in such form as may be prescribed by the department and
1805 shall be subject to such rules with respect thereto as may be so
1806 prescribed by it. Such application shall be verified by oath or
1807 affirmation and shall contain a full statement of the name and
1808 birth date of the person or persons applying therefor; the name
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1809 of the firm or copartnership, with the names and places of
1810 residence of all members thereof, if such applicant is a firm or
1811 copartnership; the names and places of residence of the
1812 principal officers, if the applicant is a body corporate or
1813 other artificial body; the name of the state under whose laws
1814 the corporation is organized; the present and former place or
1815 places of residence of the applicant; and prior business in
1816 which the applicant has been engaged and the location thereof.
1817 Such application shall describe the exact location of the place
1818 of business and shall state whether the place of business is
1819 owned by the applicant and when acquired, or, if leased, a true
1820 copy of the lease shall be attached to the application. The
1821 applicant shall certify that the location provides an adequately
1822 equipped office and is not a residence; that the location
1823 affords sufficient unoccupied space upon and within which
1824 adequately to store all motor vehicles offered and displayed for
1825 sale; and that the location is a suitable place where the
1826 applicant can in good faith carry on such business and keep and
1827 maintain books, records, and files necessary to conduct such
1828 business, which will be available at all reasonable hours to
1829 inspection by the department or any of its inspectors or other
1830 employees. The applicant shall certify that the business of a
1831 motor vehicle dealer is the principal business which shall be
1832 conducted at that location. Such application shall contain a
1833 statement that the applicant is either franchised by a
1834 manufacturer of motor vehicles, in which case the name of each
1835 motor vehicle that the applicant is franchised to sell shall be
1836 included, or an independent (nonfranchised) motor vehicle

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1837 dealer. Such application shall contain such other relevant
1838 information as may be required by the department, including
1839 evidence that the applicant is insured under a garage liability
1840 insurance policy or a general liability insurance policy coupled
1841 with a business automobile policy, which shall include, at a
1842 minimum, \$25,000 combined single-limit liability coverage
1843 including bodily injury and property damage protection and
1844 \$10,000 personal injury protection. A salvage motor vehicle
1845 dealer as defined in subparagraph (1)(c)5. is exempt from the
1846 requirements for garage liability insurance and personal injury
1847 protection insurance on those vehicles that have been issued a
1848 certificate of destruction and if the vehicle cannot be legally
1849 operated on Florida roads, highways, or streets. Franchise
1850 dealers must submit a garage liability insurance policy, and all
1851 other dealers must submit a garage liability insurance policy or
1852 a general liability insurance policy coupled with a business
1853 automobile policy. Such policy shall be for the license period,
1854 and evidence of a new or continued policy shall be delivered to
1855 the department at the beginning of each license period. Upon
1856 making initial application, the applicant shall pay to the
1857 department a fee of \$300 in addition to any other fees now
1858 required by law; upon making a subsequent renewal application,
1859 the applicant shall pay to the department a fee of \$75 in
1860 addition to any other fees now required by law. Upon making an
1861 application for a change of location, the person shall pay a fee
1862 of \$50 in addition to any other fees now required by law. The
1863 department shall, in the case of every application for initial
1864 licensure, verify whether certain facts set forth in the

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1865 application are true. Each applicant, general partner in the
1866 case of a partnership, or corporate officer and director in the
1867 case of a corporate applicant, must file a set of fingerprints
1868 with the department for the purpose of determining any prior
1869 criminal record or any outstanding warrants. The department
1870 shall submit the fingerprints to the Department of Law
1871 Enforcement for state processing and forwarding to the Federal
1872 Bureau of Investigation for federal processing. The actual cost
1873 of state and federal processing shall be borne by the applicant
1874 and is in addition to the fee for licensure. The department may
1875 issue a license to an applicant pending the results of the
1876 fingerprint investigation, which license is fully revocable if
1877 the department subsequently determines that any facts set forth
1878 in the application are not true or correctly represented.

1879 Section 48. Paragraphs (a) and (b) of subsection (2) of
1880 section 320.275, Florida Statutes, are amended to read:

1881 320.275 Automobile Dealers Industry Advisory Board.—

1882 (2) MEMBERSHIP, TERMS, MEETINGS.—

1883 (a) The board shall be composed of 12 members. The
1884 executive director of the Department of Highway Safety and Motor
1885 Vehicles shall appoint the members from names submitted by the
1886 entities for the designated categories the member will
1887 represent. The executive director shall appoint one
1888 representative of the Department of Highway Safety and Motor
1889 Vehicles, ~~who must represent the Division of Motor Vehicles;~~ two
1890 representatives of the independent motor vehicle industry as
1891 recommended by the Florida Independent Automobile Dealers
1892 Association; two representatives of the franchise motor vehicle
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1893 industry as recommended by the Florida Automobile Dealers
1894 Association; one representative of the auction motor vehicle
1895 industry who is from an auction chain and is recommended by a
1896 group affiliated with the National Auto Auction Association; one
1897 representative of the auction motor vehicle industry who is from
1898 an independent auction and is recommended by a group affiliated
1899 with the National Auto Auction Association; one representative
1900 from the Department of Revenue; a Florida tax collector
1901 representative recommended by the Florida Tax Collectors
1902 Association; one representative from the Better Business Bureau;
1903 one representative from the Department of Agriculture and
1904 Consumer Services, who must represent the Division of Consumer
1905 Services; and one representative of the insurance industry who
1906 writes motor vehicle dealer surety bonds.

1907 (b)1. The executive director shall appoint the following
1908 initial members to 1-year terms: one representative from the
1909 motor vehicle auction industry who represents an auction chain,
1910 one representative from the independent motor vehicle industry,
1911 one representative from the franchise motor vehicle industry,
1912 one representative from the Department of Revenue, one Florida
1913 tax collector, and one representative from the Better Business
1914 Bureau.

1915 2. The executive director shall appoint the following
1916 initial members to 2-year terms: one representative from the
1917 motor vehicle auction industry who represents an independent
1918 auction, one representative from the independent motor vehicle
1919 industry, one representative from the franchise motor vehicle
1920 industry, one representative from the Division of Consumer

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1921 Services, one representative from the insurance industry, and
1922 one representative from the department ~~Division of Motor~~
1923 ~~Vehicles~~.

1924 3. As the initial terms expire, the executive director
1925 shall appoint successors from the same designated category for
1926 terms of 2 years. If renominated, a member may succeed himself
1927 or herself.

1928 4. The board shall appoint a chair and vice chair at its
1929 initial meeting and every 2 years thereafter.

1930 Section 49. Subsection (1) of section 320.771, Florida
1931 Statutes, is amended to read:

1932 320.771 License required of recreational vehicle dealers.-

1933 (1) DEFINITIONS.-As used in this section:

1934 (a) "Dealer" means any person engaged in the business of
1935 buying, selling, or dealing in recreational vehicles or offering
1936 or displaying recreational vehicles for sale. The term "dealer"
1937 includes a recreational vehicle broker. Any person who buys,
1938 sells, deals in, or offers or displays for sale, or who acts as
1939 the agent for the sale of, one or more recreational vehicles in
1940 any 12-month period shall be prima facie presumed to be a
1941 dealer. The terms "selling" and "sale" include lease-purchase
1942 transactions. The term "dealer" does not include banks, credit
1943 unions, and finance companies that acquire recreational vehicles
1944 as an incident to their regular business and does not include
1945 mobile home rental and leasing companies that sell recreational
1946 vehicles to dealers licensed under this section. A licensed
1947 dealer may transact business in recreational vehicles with a
1948 motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a
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1949 licensed dealer may, at retail or wholesale, sell a motor
1950 vehicle, as described in s. 320.01(1)(a), acquired in exchange
1951 for the sale of a recreational vehicle, if such acquisition is
1952 incidental to the principal business of being a recreational
1953 vehicle dealer. However, a recreational vehicle dealer may not
1954 buy a motor vehicle for the purpose of resale unless licensed as
1955 a motor vehicle dealer pursuant to s. 320.27.

1956 (b) "Recreational vehicle broker" means any person who is
1957 engaged in the business of offering to procure or procuring used
1958 recreational vehicles for the general public; who holds himself
1959 or herself out through solicitation, advertisement, or otherwise
1960 as one who offers to procure or procures used recreational
1961 vehicles for the general public; or who acts as the agent or
1962 intermediary on behalf of the owner or seller of a used
1963 recreational vehicle which is for sale or who assists or
1964 represents the seller in finding a buyer for the recreational
1965 vehicle.

1966 (c) For the purposes of this section, the term
1967 "recreational vehicle" does not include any camping trailer, as
1968 defined in s. 320.01(1)(b)2.

1969 (d) A dealer may apply for a certificate of title to a
1970 recreational vehicle required to be registered under s.
1971 320.08(9) using a manufacturer's statement of origin as
1972 permitted by s. 319.23(1) only if such dealer is authorized by a
1973 manufacturer/dealer agreement as defined in s. 320.3202(8) on
1974 file with the department to buy, sell, or deal in that
1975 particular line-make of recreational vehicle and is authorized
1976 by such agreement to perform delivery and preparation

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1977 obligations and warranty defect adjustments on that line-make.

1978 Section 50. Section 320.95, Florida Statutes, is amended
1979 to read:

1980 320.95 Transactions by electronic or telephonic means.—

1981 (1) The department may ~~is authorized to~~ accept any
1982 application provided for under this chapter by electronic or
1983 telephonic means.

1984 (2) The department may collect and use electronic mail
1985 addresses for the purpose of providing renewal notices in lieu
1986 of the United States Postal Service.

1987 Section 51. Section 321.02, Florida Statutes, is amended
1988 to read:

1989 321.02 Powers and duties of department, highway patrol.—
1990 The director of the Division of Highway Patrol of the Department
1991 of Highway Safety and Motor Vehicles shall be designated the
1992 Colonel ~~also be the commander~~ of the Florida Highway Patrol. The
1993 said department shall set up and promulgate rules and
1994 regulations by which the personnel of the Florida Highway Patrol
1995 officers shall be examined, employed, trained, located,
1996 suspended, reduced in rank, discharged, recruited, paid and
1997 pensioned, subject to civil service provisions hereafter set
1998 out. The department may enter into contracts or agreements, with
1999 or without competitive bidding or procurement, to make
2000 available, on a fair, reasonable, nonexclusive, and
2001 nondiscriminatory basis, property and other structures under
2002 division control for the placement of new facilities by any
2003 wireless provider of mobile service as defined in 47 U.S.C. s.
2004 153(27) or s. 332(d), and any telecommunications company as
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2005 defined in s. 364.02 when it is determined to be practical and
2006 feasible to make such property or other structures available.
2007 The department may, without adopting a rule, charge a just,
2008 reasonable, and nondiscriminatory fee for placement of the
2009 facilities, payable annually, based on the fair market value of
2010 space used by comparable communications facilities in the state.
2011 The department and a wireless provider or telecommunications
2012 company may negotiate the reduction or elimination of a fee in
2013 consideration of services provided to the division by the
2014 wireless provider or the telecommunications company. All such
2015 fees collected by the department shall be deposited directly
2016 into the State Agency Law Enforcement Radio System Trust Fund,
2017 and may be used to construct, maintain, or support the system.
2018 The department is further specifically authorized to purchase,
2019 sell, trade, rent, lease and maintain all necessary equipment,
2020 uniforms, motor vehicles, communication systems, housing
2021 facilities, office space, and perform any other acts necessary
2022 for the proper administration and enforcement of this chapter.
2023 However, all supplies and equipment consisting of single items
2024 or in lots shall be purchased under the requirements of s.
2025 287.057. Purchases shall be made by accepting the bid of the
2026 lowest responsive bidder, the right being reserved to reject all
2027 bids. The department shall prescribe a distinctive uniform and
2028 distinctive emblem to be worn by all officers of the Florida
2029 Highway Patrol. It shall be unlawful for any other person or
2030 persons to wear a similar uniform or emblem, or any part or
2031 parts thereof. The department shall also prescribe distinctive
2032 colors for use on motor vehicles and motorcycles operated by the
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2033 Florida Highway Patrol. The prescribed colors shall be referred
2034 to as "Florida Highway Patrol black and tan."

2035 Section 52. Subsection (3) of section 322.02, Florida
2036 Statutes, is amended to read:

2037 322.02 Legislative intent; administration.—

2038 (3) The department shall employ a director, who is charged
2039 with the duty of serving as the executive officer of the
2040 Division of Motorist Services within ~~Driver Licenses~~ of the
2041 department insofar as the administration of this chapter is
2042 concerned. He or she shall be subject to the supervision and
2043 direction of the department, and his or her official actions and
2044 decisions as executive officer shall be conclusive unless the
2045 same are superseded or reversed by the department or by a court
2046 of competent jurisdiction.

2047 Section 53. Subsection (1) of section 322.04, Florida
2048 Statutes, is amended to read:

2049 322.04 Persons exempt from obtaining driver's license.—

2050 (1) The following persons are exempt from obtaining a
2051 driver's license:

2052 (a) Any employee of the United States Government, while
2053 operating a noncommercial motor vehicle owned by or leased to
2054 the United States Government and being operated on official
2055 business.

2056 (b) Any person while driving or operating any road
2057 machine, farm tractor, or implement of husbandry temporarily
2058 operated or moved on a highway.

2059 (c) A nonresident who is at least 16 years of age ~~and who~~
2060 ~~has in his or her immediate possession a valid noncommercial~~

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2061 ~~driver's license issued to the nonresident in his or her home~~
2062 ~~state or country,~~ may operate a motor vehicle of the type for
2063 which a Class E driver's license is required in this state if he
2064 or she has in their immediate possession:

2065 1. A valid noncommercial driver's license issued in his or
2066 her name from another state or territory of the United States;
2067 or

2068 2. An International Driving Permit issued in his or her
2069 name in their country of residence and a valid license issued in
2070 that country.

2071 ~~(d) A nonresident who is at least 18 years of age and who~~
2072 ~~has in his or her immediate possession a valid noncommercial~~
2073 ~~driver's license issued to the nonresident in his or her home~~
2074 ~~state or country may operate a motor vehicle, other than a~~
2075 ~~commercial motor vehicle, in this state.~~

2076 ~~(d)(e)~~ Any person operating a golf cart, as defined in s.
2077 320.01, which is operated in accordance with the provisions of
2078 s. 316.212.

2079 Section 54. Paragraph (a) of subsection (1) of section
2080 322.051, Florida Statutes, is amended to read:

2081 322.051 Identification cards.—

2082 (1) Any person who is 5 years of age or older, or any
2083 person who has a disability, regardless of age, who applies for
2084 a disabled parking permit under s. 320.0848, may be issued an
2085 identification card by the department upon completion of an
2086 application and payment of an application fee.

2087 (a) Each such application shall include the following
2088 information regarding the applicant:

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2089 1. Full name (first, middle or maiden, and last), gender,
2090 proof of social security card number satisfactory to the
2091 department, county of residence, mailing address, proof of
2092 residential address satisfactory to the department, country of
2093 birth, and a brief description.

2094 2. Proof of birth date satisfactory to the department.

2095 3. Proof of identity satisfactory to the department. Such
2096 proof must include one of the following documents issued to the
2097 applicant:

2098 a. A driver's license record or identification card record
2099 from another jurisdiction that required the applicant to submit
2100 a document for identification which is substantially similar to
2101 a document required under sub-subparagraph b., sub-subparagraph
2102 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
2103 f., sub-subparagraph g., or sub-subparagraph h.;

2104 b. A certified copy of a United States birth certificate;

2105 c. A valid, unexpired United States passport;

2106 d. A naturalization certificate issued by the United
2107 States Department of Homeland Security;

2108 e. A valid, unexpired alien registration receipt card
2109 (green card);

2110 f. A Consular Report of Birth Abroad provided by the
2111 United States Department of State;

2112 g. An unexpired employment authorization card issued by
2113 the United States Department of Homeland Security; or

2114 h. Proof of nonimmigrant classification provided by the
2115 United States Department of Homeland Security, for an original
2116 identification card. In order to prove such nonimmigrant

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2117 classification, applicants must provide at least one of ~~may~~
2118 ~~produce but are not limited to~~ the following documents, and, in
2119 addition, the department may require applicants to produce
2120 United States Department of Homeland Security documents for the
2121 sole purpose of establishing the maintenance of or efforts to
2122 maintain continuous lawful presence:

2123 (I) A notice of hearing from an immigration court
2124 scheduling a hearing on any proceeding.

2125 (II) A notice from the Board of Immigration Appeals
2126 acknowledging pendency of an appeal.

2127 (III) Notice of the approval of an application for
2128 adjustment of status issued by the United States Bureau of
2129 Citizenship and Immigration Services.

2130 (IV) Any official documentation confirming the filing of a
2131 petition for asylum or refugee status or any other relief issued
2132 by the United States Bureau of Citizenship and Immigration
2133 Services.

2134 (V) Notice of action transferring any pending matter from
2135 another jurisdiction to Florida, issued by the United States
2136 Bureau of Citizenship and Immigration Services.

2137 (VI) Order of an immigration judge or immigration officer
2138 granting any relief that authorizes the alien to live and work
2139 in the United States including, but not limited to asylum.

2140 (VII) Evidence that an application is pending for
2141 adjustment of status to that of an alien lawfully admitted for
2142 permanent residence in the United States or conditional
2143 permanent resident status in the United States, if a visa number
2144 is available having a current priority date for processing by
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2145 the United States Bureau of Citizenship and Immigration
2146 Services.

2147 (VIII) On or after January 1, 2010, an unexpired foreign
2148 passport with an unexpired United States Visa affixed,
2149 accompanied by an approved I-94, documenting the most recent
2150 admittance into the United States.

2151
2152 An identification card issued based on documents required
2153 ~~Presentation of any of the documents described in sub-~~
2154 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
2155 ~~applicant to an identification card~~ for a period not to exceed
2156 the expiration date of the document presented or 1 year,
2157 whichever first occurs.

2158 Section 55. Subsection (4) of section 322.058, Florida
2159 Statutes, is amended to read:

2160 322.058 Suspension of driving privileges due to support
2161 delinquency; reinstatement.-

2162 (4) This section applies only to the annual renewal in the
2163 owner's birth month of a motor vehicle registration and does not
2164 apply to the transfer of a registration of a motor vehicle sold
2165 by a motor vehicle dealer licensed under chapter 320, except for
2166 the transfer of registrations which is inclusive of the annual
2167 renewals. This section does not affect the issuance of the title
2168 to a motor vehicle, notwithstanding s. 319.23(8)(7)(b).

2169 Section 56. Section 322.065, Florida Statutes, is amended
2170 to read:

2171 322.065 Driver's license expired for 6 4 months or less;
2172 penalties.-Any person whose driver's license has been expired
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2173 for 6 4 months or less and who drives a motor vehicle upon the
2174 highways of this state commits ~~is guilty of~~ an infraction and is
2175 subject to the penalty provided in s. 318.18.

2176 Section 57. Subsection (3) of section 322.07, Florida
2177 Statutes, is amended to read:

2178 322.07 Instruction permits and temporary licenses.—

2179 (3) Any person who, except for his or her lack of
2180 instruction in operating a commercial motor vehicle, would
2181 otherwise be qualified to obtain a commercial driver's license
2182 under this chapter, may apply for a temporary commercial
2183 instruction permit. The department shall issue such a permit
2184 entitling the applicant, while having the permit in his or her
2185 immediate possession, to drive a commercial motor vehicle on the
2186 highways, provided that:

2187 (a) The applicant possesses a valid Florida driver's
2188 license ~~issued in any state~~; and

2189 (b) The applicant, while operating a commercial motor
2190 vehicle, is accompanied by a licensed driver who is 21 years of
2191 age or older, who is licensed to operate the class of vehicle
2192 being operated, and who is actually occupying the closest seat
2193 to the right of the driver.

2194 Section 58. Subsections (2) and (7) of section 322.08,
2195 Florida Statutes, are amended, and subsection (8) is added to
2196 that section, to read:

2197 322.08 Application for license; requirements for license
2198 and identification card forms.—

2199 (2) Each such application shall include the following
2200 information regarding the applicant:

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2201 (a) Full name (first, middle or maiden, and last), gender,
2202 proof of social security card number satisfactory to the
2203 department, county of residence, mailing address, proof of
2204 residential address satisfactory to the department, country of
2205 birth, and a brief description.

2206 (b) Proof of birth date satisfactory to the department.

2207 (c) Proof of identity satisfactory to the department. Such
2208 proof must include one of the following documents issued to the
2209 applicant:

2210 1. A driver's license record or identification card record
2211 from another jurisdiction that required the applicant to submit
2212 a document for identification which is substantially similar to
2213 a document required under subparagraph 2., subparagraph 3.,
2214 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
2215 7., or subparagraph 8.;

2216 2. A certified copy of a United States birth certificate;

2217 3. A valid, unexpired United States passport;

2218 4. A naturalization certificate issued by the United
2219 States Department of Homeland Security;

2220 5. A valid, unexpired alien registration receipt card
2221 (green card);

2222 6. A Consular Report of Birth Abroad provided by the
2223 United States Department of State;

2224 7. An unexpired employment authorization card issued by
2225 the United States Department of Homeland Security; or

2226 8. Proof of nonimmigrant classification provided by the
2227 United States Department of Homeland Security, for an original
2228 driver's license. In order to prove nonimmigrant classification,
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2229 an applicant must provide at least one of the following
2230 documents, and, in addition, the department may require
2231 applicants to produce United States Department of Homeland
2232 Security documents for the sole purpose of establishing the
2233 maintenance of or efforts to maintain continuous lawful presence
2234 ~~may produce the following documents, including, but not limited~~
2235 ~~to:~~

2236 a. A notice of hearing from an immigration court
2237 scheduling a hearing on any proceeding.

2238 b. A notice from the Board of Immigration Appeals
2239 acknowledging pendency of an appeal.

2240 c. A notice of the approval of an application for
2241 adjustment of status issued by the United States Bureau of
2242 Citizenship and Immigration Services.

2243 d. Any official documentation confirming the filing of a
2244 petition for asylum or refugee status or any other relief issued
2245 by the United States Bureau of Citizenship and Immigration
2246 Services.

2247 e. A notice of action transferring any pending matter from
2248 another jurisdiction to this state issued by the United States
2249 Bureau of Citizenship and Immigration Services.

2250 f. An order of an immigration judge or immigration officer
2251 granting any relief that authorizes the alien to live and work
2252 in the United States, including, but not limited to, asylum.

2253 g. Evidence that an application is pending for adjustment
2254 of status to that of an alien lawfully admitted for permanent
2255 residence in the United States or conditional permanent resident
2256 status in the United States, if a visa number is available

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2257 having a current priority date for processing by the United
2258 States Bureau of Citizenship and Immigration Services.

2259 h. On or after January 1, 2010, an unexpired foreign
2260 passport with an unexpired United States Visa affixed,
2261 accompanied by an approved I-94, documenting the most recent
2262 admittance into the United States.

2263
2264 A driver's license or temporary permit issued based on documents
2265 required ~~Presentation of any of the documents~~ in subparagraph 7.
2266 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
2267 ~~license or temporary permit~~ for a period not to exceed the
2268 expiration date of the document presented or 1 year, whichever
2269 occurs first.

2270 (d) Whether the applicant has previously been licensed to
2271 drive, and, if so, when and by what state, and whether any such
2272 license or driving privilege has ever been disqualified,
2273 revoked, or suspended, or whether an application has ever been
2274 refused, and, if so, the date of and reason for such
2275 disqualification, suspension, revocation, or refusal.

2276 (e) Each such application may include fingerprints and
2277 other unique biometric means of identity.

2278 (7) The application form for an original, renewal, or
2279 replacement driver's license or identification card shall
2280 include language permitting the following:

2281 (a) A voluntary contribution of \$1 per applicant, which
2282 contribution shall be deposited into the Health Care Trust Fund
2283 for organ and tissue donor education and for maintaining the
2284 organ and tissue donor registry.

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2285 (b) A voluntary contribution of \$1 per applicant, which
2286 contribution shall be distributed to the Florida Council of the
2287 Blind.

2288 (c) A voluntary contribution of \$2 per applicant, which
2289 shall be distributed to the Hearing Research Institute,
2290 Incorporated.

2291 (d) A voluntary contribution of \$1 per applicant, which
2292 shall be distributed to the Juvenile Diabetes Foundation
2293 International.

2294 (e) A voluntary contribution of \$1 per applicant, which
2295 shall be distributed to the Children's Hearing Help Fund.

2296 (f) A voluntary contribution of \$1 per applicant, which
2297 shall be distributed to Family First, a nonprofit organization.

2298 (g) A voluntary contribution of \$1 per applicant to Stop
2299 Heart Disease, which shall be distributed to the Florida Heart
2300 Research Institute, a nonprofit organization.

2301 (h) A voluntary contribution of \$1 per applicant to Senior
2302 Vision Services, which shall be distributed to the Florida
2303 Association of Agencies Serving the Blind, Inc., a not-for-
2304 profit organization.

2305 (i) A voluntary contribution of \$1 per applicant for
2306 services for persons with developmental disabilities, which
2307 shall be distributed to The Arc of Florida.

2308 (j) A voluntary contribution of \$1 to the Ronald McDonald
2309 House, which shall be distributed each month to Ronald McDonald
2310 House Charities of Tampa Bay, Inc.

2311 (k) Notwithstanding s. 322.081, a voluntary contribution
2312 of \$1 per applicant, which shall be distributed to the League
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2313 Against Cancer/La Liga Contra el Cancer, a not-for-profit
2314 organization.

2315 (l) A voluntary contribution of \$1 per applicant to
2316 Prevent Child Sexual Abuse, which shall be distributed to
2317 Lauren's Kids, Inc., a nonprofit organization.

2318 (m) A voluntary contribution of \$1 per applicant, which
2319 shall be distributed to Prevent Blindness Florida, a not-for-
2320 profit organization, to prevent blindness and preserve the sight
2321 of the residents of this state.

2322 (n) Notwithstanding s. 322.081, a voluntary contribution
2323 of \$1 per applicant to the state homes for veterans, to be
2324 distributed on a quarterly basis by the department to the State
2325 Homes for Veterans Trust Fund, which is administered by the
2326 Department of Veterans' Affairs.

2327 (o) A voluntary contribution of \$1 per applicant for
2328 Autism Services and Supports. Such contributions must be
2329 transferred by the department each month to the Achievement and
2330 Rehabilitation Centers, Inc., Autism Services Fund.

2331 (p) A voluntary contribution of \$1 per applicant to
2332 Support Our Troops, which shall be distributed monthly to
2333 Support Our Troops, Inc., a Florida not-for-profit organization.

2334
2335 A statement providing an explanation of the purpose of the trust
2336 funds shall also be included. For the purpose of applying the
2337 service charge provided in s. 215.20, contributions received
2338 under paragraphs (b)-(p) ~~(b)-(n)~~ are not income of a revenue
2339 nature.

2340 (8) The department may collect and use electronic mail

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2341 addresses for the purpose of providing renewal notices in lieu
2342 of the United State Postal Service.

2343 Section 59. Subsection (9) is added to section 322.081,
2344 Florida Statutes, to read:

2345 322.081 Requests to establish voluntary checkoff on
2346 driver's license application.-

2347 (9) The department may annually retain from the first
2348 proceeds derived from the voluntary contributions collected an
2349 amount sufficient to defray for each voluntary contribution the
2350 pro rata share of the department's costs directly related to the
2351 voluntary contributions program. Such costs include renewal
2352 notices, postage, distribution costs, direct costs to the
2353 department, and costs associated with reviewing each
2354 organization's compliance with the audit and attestation
2355 requirements of this section. The revenues retained by the
2356 department may not be less than 0.5 percent and may not exceed
2357 1.5 percent. The balance of the proceeds from the voluntary
2358 contributions collected shall be distributed as provided by law.

2359 Section 60. Subsection (1) of section 322.095, Florida
2360 Statutes, is amended to read:

2361 322.095 Traffic law and substance abuse education program
2362 for driver's license applicants.-

2363 (1) The Department of Highway Safety and Motor Vehicles
2364 must approve traffic law and substance abuse education courses
2365 that must be completed by applicants for a Florida driver's
2366 license. The curricula for the courses must provide instruction
2367 on the physiological and psychological consequences of the abuse
2368 of alcohol and other drugs, the societal and economic costs of
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2369 alcohol and drug abuse, the effects of alcohol and drug abuse on
2370 the driver of a motor vehicle, the dangers of driving while
2371 distracted, which must specifically include the use of
2372 technology while driving, and the laws of this state relating to
2373 the operation of a motor vehicle. All instructors teaching the
2374 courses shall be certified by the department.

2375 Section 61. Subsection (5) of section 322.12, Florida
2376 Statutes, is amended to read:

2377 322.12 Examination of applicants.—

2378 ~~(5)(a) The department shall formulate a separate~~
2379 ~~examination for applicants for licenses to operate motorcycles.~~
2380 ~~Any applicant for a driver's license who wishes to operate a~~
2381 ~~motorcycle, and who is otherwise qualified, must successfully~~
2382 ~~complete such an examination, which is in addition to the~~
2383 ~~examination administered under subsection (3). The examination~~
2384 ~~must test the applicant's knowledge of the operation of a~~
2385 ~~motorcycle and of any traffic laws specifically relating thereto~~
2386 ~~and must include an actual demonstration of his or her ability~~
2387 ~~to exercise ordinary and reasonable control in the operation of~~
2388 ~~a motorcycle. Any applicant who fails to pass the initial~~
2389 ~~knowledge examination will incur a \$5 fee for each subsequent~~
2390 ~~examination, to be deposited into the Highway Safety Operating~~
2391 ~~Trust Fund. Any applicant who fails to pass the initial skills~~
2392 ~~examination will incur a \$10 fee for each subsequent~~
2393 ~~examination, to be deposited into the Highway Safety Operating~~
2394 ~~Trust Fund. In the formulation of the examination, the~~
2395 ~~department shall consider the use of the Motorcycle Operator~~
2396 ~~Skills Test and the Motorcycle in Traffic Test offered by the~~
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2397 ~~Motorcycle Safety Foundation. The department shall indicate on~~
2398 ~~the license of any person who successfully completes the~~
2399 ~~examination that the licensee is authorized to operate a~~
2400 ~~motorcycle. If the applicant wishes to be licensed to operate a~~
2401 ~~motorcycle only, he or she need not take the skill or road test~~
2402 ~~required under subsection (3) for the operation of a motor~~
2403 ~~vehicle, and the department shall indicate such a limitation on~~
2404 ~~his or her license as a restriction. Every first-time applicant~~
2405 ~~for licensure to operate a motorcycle must provide proof of~~
2406 ~~completion of a motorcycle safety course, as provided for in s.~~
2407 ~~322.0255, which shall include a final examination before the~~
2408 ~~applicant may be licensed to operate a motorcycle. The~~
2409 ~~department shall indicate on the license of any person who~~
2410 ~~successfully completes the course that the licensee is~~
2411 ~~authorized to operate a motorcycle. If the applicant wishes to~~
2412 ~~be licensed to operate a motorcycle only, he or she need not~~
2413 ~~take the skills or road test required under subsection (3) for~~
2414 ~~the operation of a motor vehicle, and the department shall~~
2415 ~~indicate such a limitation on his or her license as a~~
2416 ~~restriction.~~

2417 ~~(b) The department may exempt any applicant from the~~
2418 ~~examination provided in this subsection if the applicant~~
2419 ~~presents a certificate showing successful completion of a course~~
2420 ~~approved by the department, which course includes a similar~~
2421 ~~examination of the knowledge and skill of the applicant in the~~
2422 ~~operation of a motorcycle.~~

2423 Section 62. Subsection (5) of section 322.121, Florida
2424 Statutes, is amended to read:

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2425 322.121 Periodic reexamination of all drivers.—

2426 (5) Members of the Armed Forces, or their dependents
2427 residing with them, shall be granted an automatic extension for
2428 the expiration of their Class E licenses without reexamination
2429 while serving on active duty outside this state. This extension
2430 is valid for 90 days after the member of the Armed Forces is
2431 either discharged or returns to this state to live.

2432 Section 63. Paragraph (a) of subsection (1) of section
2433 322.14, Florida Statutes, is amended to read:

2434 322.14 Licenses issued to drivers.—

2435 (1)(a) The department shall, upon successful completion of
2436 all required examinations and payment of the required fee, issue
2437 to every applicant qualifying therefor, a driver's license as
2438 applied for, which license shall bear thereon a color photograph
2439 or digital image of the licensee; the name of the state; a
2440 distinguishing number assigned to the licensee; and the
2441 licensee's full name, date of birth, and residence address; a
2442 brief description of the licensee, including, but not limited
2443 to, the licensee's gender and height; and the dates of issuance
2444 and expiration of the license. A space shall be provided upon
2445 which the licensee shall affix his or her usual signature. No
2446 license shall be valid until it has been so signed by the
2447 licensee except that the signature of said licensee shall not be
2448 required if it appears thereon in facsimile or if the licensee
2449 is not present within the state at the time of issuance.

2450 ~~Applicants qualifying to receive a Class A, Class B, or Class C~~
2451 ~~driver's license must appear in person within the state for~~
2452 ~~issuance of a color photographic or digital imaged driver's~~

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2453 ~~license pursuant to s. 322.142.~~

2454 Section 64. Section 322.1415, Florida Statutes, is created
2455 to read:

2456 322.1415 Specialty driver's license and identification
2457 card program.—

2458 (1) The department may issue to any applicant qualified
2459 pursuant to s. 322.14 a specialty driver's license or
2460 identification card upon payment of the appropriate fee pursuant
2461 to s. 322.21.

2462 (2) Department-approved specialty driver's licenses and
2463 identification cards shall, at a minimum, be available for state
2464 and independent universities domiciled in this state, all
2465 Florida professional sports teams designated in s.
2466 320.08058(9) (a), and all branches of the United States military.

2467 (3) The design and use of each specialty driver's license
2468 and identification card must be approved by the department and
2469 the organization that is recognized by the driver's license or
2470 card.

2471 (4) Organizations receiving funds from this program shall
2472 attest as provided in 320.08062 that the funds have been
2473 expended in the same manner as provided in s. 320.08058. On
2474 December 1 of each year, the department shall deliver an annual
2475 report to the President of the Senate and the Speaker of the
2476 House of Representatives addressing the viability of the program
2477 and detailing the amounts distributed to each entity.

2478 (5) This section is repealed August 31, 2015.

2479 Section 65. Subsection (2) of section 322.19, Florida
2480 Statutes, is amended to read:

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2481 322.19 Change of address or name.—

2482 (2) Whenever any person, after applying for or receiving a
2483 driver's license, changes the legal residence or mailing address
2484 in the application or license, the person must, within 10
2485 calendar days, obtain a replacement license that reflects the
2486 change. A written request to the department must include the old
2487 and new addresses and the driver's license number. Persons with
2488 a valid, current student identification card issued by an
2489 educational institution in this state are presumed not to have
2490 changed their legal residence or mailing address. Nothing in
2491 this provision shall affect any person required to register a
2492 permanent or temporary address change pursuant to s. 775.13, s.
2493 775.21, s. 775.25, or s. 943.0435.

2494 Section 66. Subsections (9), (10), (13), (14), and (16) of
2495 section 322.20, Florida Statutes, are amended to read:

2496 322.20 Records of the department; fees; destruction of
2497 records.—

2498 (9) The department may, upon application, furnish to any
2499 person, from its ~~the records of the Division of Driver Licenses,~~
2500 a list of the names, addresses, and birth dates of the licensed
2501 drivers of the entire state or any portion thereof by age group.
2502 In addition, the department may furnish to the courts, for the
2503 purpose of establishing jury selection lists, the names,
2504 addresses, and birth dates of the persons of the entire state or
2505 any portion thereof by age group having identification cards
2506 issued by the department. Each person who requests such
2507 information shall pay a fee, set by the department, of 1 cent
2508 per name listed, except that the department shall furnish such
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2509 information without charge to the courts for the purpose of jury
2510 selection or to any state agency or to any state attorney,
2511 sheriff, or chief of police. Such court, state agency, state
2512 attorney, or law enforcement agency may not sell, give away, or
2513 allow the copying of such information. Noncompliance with this
2514 prohibition shall authorize the department to charge the
2515 noncomplying court, state agency, state attorney, or law
2516 enforcement agency the appropriate fee for any subsequent lists
2517 requested. The department may adopt rules necessary to implement
2518 this subsection.

2519 (10) The department ~~Division of Driver Licenses~~ is
2520 authorized, upon application of any person and payment of the
2521 proper fees, to search and to assist such person in the search
2522 of the records of the department and make reports thereof and to
2523 make photographic copies of the departmental records and
2524 attestations thereof.

2525 (13) The department ~~Division of Driver Licenses~~ shall
2526 implement a system that allows either parent of a minor, or a
2527 guardian, or other responsible adult who signed a minor's
2528 application for a driver's license to have Internet access
2529 through a secure website to inspect the minor's driver history
2530 record. Internet access to driver history records granted to a
2531 minor's parents, guardian, or other responsible adult shall be
2532 furnished by the department at no fee and shall terminate when
2533 the minor attains 18 years of age.

2534 (14) The department is authorized in accordance with
2535 chapter 257 to destroy reports, records, documents, papers, and
2536 correspondence in the department ~~Division of Driver Licenses~~
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2537 which are considered obsolete.

2538 (16) The creation and maintenance of records by the
2539 Division of Motorist Services within the department ~~and the~~
2540 ~~Division of Driver Licenses~~ pursuant to this chapter shall not
2541 be regarded as law enforcement functions of agency
2542 recordkeeping.

2543 Section 67. Section 322.202, Florida Statutes, is amended
2544 to read:

2545 322.202 Admission of evidence obtained from the Division
2546 of Motorist Services ~~Driver Licenses and the Division of Motor~~
2547 ~~Vehicles.~~—

2548 (1) The Legislature finds that the Division of Motorist
2549 Services ~~Driver Licenses and the Division of Motor Vehicles~~ of
2550 the Department of Highway Safety and Motor Vehicles is ~~are~~ not a
2551 law enforcement agency ~~agencies~~. The Legislature also finds that
2552 the division is ~~divisions are~~ not an adjunct ~~adjuncts~~ of any law
2553 enforcement agency in that employees have no stake in particular
2554 prosecutions. The Legislature further finds that errors in
2555 records maintained by the Division of Motorist Services
2556 ~~divisions~~ are not within the collective knowledge of any law
2557 enforcement agency. The Legislature also finds that the mission
2558 ~~missions~~ of the Division of Motorist Services ~~Driver Licenses,~~
2559 ~~the Division of Motor Vehicles,~~ and the Department of Highway
2560 Safety and Motor Vehicles provides ~~provide~~ a sufficient
2561 incentive to maintain records in a current and correct fashion.

2562 (2) The Legislature finds that the purpose of the
2563 exclusionary rule is to deter misconduct on the part of law
2564 enforcement officers and law enforcement agencies.

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2565 (3) The Legislature finds that the application of the
2566 exclusionary rule to cases where a law enforcement officer
2567 effects an arrest based on objectively reasonable reliance on
2568 information obtained from the division ~~divisions~~ is repugnant to
2569 the purposes of the exclusionary rule and contrary to the
2570 decisions of the United States Supreme Court in *Arizona v.*
2571 *Evans*, 514 U.S. 1 (1995) and *United States v. Leon*, 468 U.S. 897
2572 (1984).

2573 (4) In any case where a law enforcement officer effects an
2574 arrest based on objectively reasonable reliance on information
2575 obtained from the division ~~divisions~~, evidence found pursuant to
2576 such an arrest shall not be suppressed by application of the
2577 exclusionary rule on the grounds that the arrest is subsequently
2578 determined to be unlawful due to erroneous information obtained
2579 from the divisions.

2580 Section 68. Paragraph (i) is added to subsection (1) of
2581 section 322.21, Florida Statutes, and subsections (2) and (4) of
2582 that section are amended, to read:

2583 322.21 License fees; procedure for handling and collecting
2584 fees.—

2585 (1) Except as otherwise provided herein, the fee for:

2586 (i) The specialty license or identification card issued
2587 pursuant to s. 322.1415 is \$25, which is in addition to other
2588 fees required in this section. The specialty fee shall be
2589 distributed as follows:

2590 1. Fifty percent shall be distributed as provided in
2591 section 320.08058 to the appropriate state or independent
2592 university, the professional sports team, or branches of the

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2593 military.

2594 2. Fifty percent shall be distributed to the department
2595 for department costs directly related to the specialty driver's
2596 license and identification card program and to defray costs of
2597 production enhancements and distribution.

2598 (2) It is the duty of the director of the Division of
2599 Motorist Services to provide Driver Licenses to set up a
2600 division in the department with the necessary personnel to
2601 perform the necessary clerical and routine work for the
2602 department in issuing and recording applications, licenses, and
2603 certificates of eligibility, including the receiving and
2604 accounting of all license funds and their payment into the State
2605 Treasury, and other incidental clerical work connected with the
2606 administration of this chapter. The department may use such
2607 electronic, mechanical, or other devices as necessary to
2608 accomplish the purposes of this chapter.

2609 (4) If the department determines from its records or is
2610 otherwise satisfied that the holder of a license about to expire
2611 is entitled to have it renewed, the department shall mail a
2612 renewal notice to the licensee at his or her last known address,
2613 at least within 30 days before the licensee's birthday. The
2614 licensee may shall be issued a renewal license, after
2615 reexamination, if required, during the 30 days immediately
2616 preceding his or her birthday upon presenting a renewal notice,
2617 his or her current license, and the fee for renewal to the
2618 department at any driver's license examining office. A driver
2619 may renew his or her driver's license up to 18 months prior to
2620 the license expiration date.

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2621 Section 69. Subsection (1) of section 322.22, Florida
2622 Statutes, is amended to read:

2623 322.22 Authority of department to cancel license.—

2624 (1) The department is authorized to cancel any driver's
2625 license, upon determining that the licensee is ~~was~~ not entitled
2626 to the license issuance ~~thereof~~, or that the licensee failed to
2627 give the required or correct information in his or her
2628 application or committed any fraud in making such application,
2629 or that the licensee has two or more licenses on file with the
2630 department, each in a different name but bearing the photograph
2631 of the licensee, unless the licensee has complied with the
2632 requirements of this chapter in obtaining the licenses. The
2633 department may cancel any driver's license, identification card,
2634 vehicle or vessel registration, or fuel-use decal if the
2635 licensee fails to pay the correct fee or pays for the driver's
2636 license, identification card, vehicle or vessel registration, or
2637 fuel-use decal; pays any tax liability, penalty, or interest
2638 specified in chapter 207; or pays any administrative,
2639 delinquency, or reinstatement fee by a dishonored check.

2640 Section 70. Subsection (6) of section 322.2615, Florida
2641 Statutes, is amended to read:

2642 322.2615 Suspension of license; right to review.—

2643 (6) (a) If the person whose license was suspended requests
2644 a formal review, the department must schedule a hearing to be
2645 held within 30 days after such request is received by the
2646 department and must notify the person of the date, time, and
2647 place of the hearing.

2648 (b) Such formal review hearing shall be held before a
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2649 hearing officer employed by the department, and the hearing
2650 officer shall be authorized to administer oaths, examine
2651 witnesses and take testimony, receive relevant evidence, issue
2652 subpoenas for the officers and witnesses identified in documents
2653 in subsection (2), regulate the course and conduct of the
2654 hearing, question witnesses, and make a ruling on the
2655 suspension. The party requesting the presence of a witness shall
2656 be responsible for the payment of any witness fees and for
2657 notifying in writing the state attorney's office in the
2658 appropriate circuit of the issuance of the subpoena. If the
2659 person who requests a formal review hearing fails to appear and
2660 the hearing officer finds such failure to be without just cause,
2661 the right to a formal hearing is waived and the suspension shall
2662 be sustained.

2663 (c) A party may seek enforcement of a subpoena under
2664 paragraph (b) by:

2665 1. Filing a motion for enforcement of a subpoena in the
2666 related criminal case, if any; or

2667 2. Filing a petition for enforcement in the circuit court
2668 of the judicial circuit in which the person failing to comply
2669 with the subpoena resides. A failure to comply with an order of
2670 the court shall result in a finding of contempt of court.
2671 However, a person is not in contempt while a subpoena is being
2672 challenged.

2673 (d) The department must, within 7 working days after a
2674 formal review hearing, send notice to the person of the hearing
2675 officer's decision as to whether sufficient cause exists to
2676 sustain, amend, or invalidate the suspension.

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2677 Section 71. Subsection (12) is added to section 322.34,
2678 Florida Statutes, to read:

2679 322.34 Driving while license suspended, revoked, canceled,
2680 or disqualified.—

2681 (1) Except as provided in subsection (2), any person whose
2682 driver's license or driving privilege has been canceled,
2683 suspended, or revoked, except a "habitual traffic offender" as
2684 defined in s. 322.264, who drives a vehicle upon the highways of
2685 this state while such license or privilege is canceled,
2686 suspended, or revoked is guilty of a moving violation,
2687 punishable as provided in chapter 318.

2688 (12) A person who commits a moving violation as provided
2689 in subsection (1) shall not have his or her motor vehicle
2690 impounded or immobilized.

2691 Section 72. Subsection (2) of section 322.53, Florida
2692 Statutes, is amended to read:

2693 322.53 License required; exemptions.—

2694 (2) The following persons are exempt from the requirement
2695 to obtain a commercial driver's license:

2696 (a) Drivers of authorized emergency vehicles.

2697 (b) Military personnel driving vehicles operated for
2698 military purposes.

2699 (c) Farmers transporting agricultural products, farm
2700 supplies, or farm machinery to or from their farms within 150
2701 miles of their farm if the vehicle operated under this exemption
2702 is not used in the operations of a common or contract motor
2703 carrier, or transporting agricultural products to or from the
2704 first place of storage or processing or directly to or from

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2705 ~~market, within 150 miles of their farm.~~

2706 (d) Drivers of recreational vehicles, as defined in s.
2707 320.01.

2708 (e) Drivers who operate straight trucks, as defined in s.
2709 316.003, which ~~that~~ are exclusively transporting their own
2710 tangible personal property that ~~which~~ is not for sale or hire,
2711 and the vehicles are not used in commerce.

2712 (f) An employee of a publicly owned transit system who is
2713 limited to moving vehicles for maintenance or parking purposes
2714 exclusively within the restricted-access confines of a transit
2715 system's property.

2716 Section 73. Subsection (5) is added to section 322.54,
2717 Florida Statutes, to read:

2718 322.54 Classification.—

2719 (5) The required driver's license classification of any
2720 person operating a commercial motor vehicle that has no gross
2721 vehicle weight rating plate or no vehicle identification number
2722 shall be determined by the actual weight of the vehicle.

2723 Section 74. Section 322.58, Florida Statutes, is repealed.

2724 Section 75. Section 322.59, Florida Statutes, is amended
2725 to read:

2726 322.59 Possession of medical examiner's certificate.—

2727 (1) The department shall not issue a commercial driver's
2728 license to any person who is required by the laws of this state
2729 or by federal law to possess a medical examiner's certificate,
2730 unless such person provides ~~presents~~ a valid certificate, as
2731 described in 49 C.F.R. s. 383.71 prior to licensure.

2732 (2) The department shall disqualify a driver from

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2733 operating a commercial motor vehicle if that driver holds a
2734 commercial driver's license and fails to comply with the medical
2735 certification requirements described in 49 C.F.R. s. 383.71.

2736 ~~(2) This section does not expand the requirements as to~~
2737 ~~who must possess a medical examiner's certificate.~~

2738 Section 76. Subsection (5) of section 322.61, Florida
2739 Statutes, is amended to read:

2740 322.61 Disqualification from operating a commercial motor
2741 vehicle.-

2742 (5) Any person who is convicted of two violations
2743 specified in subsection (3) which were committed while operating
2744 a commercial motor vehicle, or any combination thereof, arising
2745 in separate incidents shall be permanently disqualified from
2746 operating a commercial motor vehicle. Any holder of a commercial
2747 driver's license who is convicted of two violations specified in
2748 subsection (3), which were committed while operating any a
2749 ~~noncommercial~~ motor vehicle, ~~or any combination thereof,~~ arising
2750 in separate incidents shall be permanently disqualified from
2751 operating a commercial motor vehicle. The penalty provided in
2752 this subsection is in addition to any other applicable penalty.

2753 Section 77. Subsections (1), (4), (7), (8), and (11) of
2754 section 322.64, Florida Statutes, are amended to read:

2755 322.64 Holder of commercial driver's license; persons
2756 operating a commercial motor vehicle; driving with unlawful
2757 blood-alcohol level; refusal to submit to breath, urine, or
2758 blood test.-

2759 (1) (a) A law enforcement officer or correctional officer
2760 shall, on behalf of the department, disqualify from operating
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2761 any commercial motor vehicle a person who while operating or in
2762 actual physical control of a commercial motor vehicle is
2763 arrested for a violation of s. 316.193, relating to unlawful
2764 blood-alcohol level or breath-alcohol level, or a person who has
2765 refused to submit to a breath, urine, or blood test authorized
2766 by s. 322.63 or s. 316.1932 arising out of the operation or
2767 actual physical control of a commercial motor vehicle. A law
2768 enforcement officer or correctional officer shall, on behalf of
2769 the department, disqualify the holder of a commercial driver's
2770 license from operating any commercial motor vehicle if the
2771 licenseholder, while operating or in actual physical control of
2772 a motor vehicle, is arrested for a violation of s. 316.193,
2773 relating to unlawful blood-alcohol level or breath-alcohol
2774 level, or refused to submit to a breath, urine, or blood test
2775 authorized by s. 322.63 or s. 316.1932. Upon disqualification of
2776 the person, the officer shall take the person's driver's license
2777 and issue the person a 10-day temporary permit for the operation
2778 of noncommercial vehicles only if the person is otherwise
2779 eligible for the driving privilege and shall issue the person a
2780 notice of disqualification. If the person has been given a
2781 blood, breath, or urine test, the results of which are not
2782 available to the officer at the time of the arrest, the agency
2783 employing the officer shall transmit such results to the
2784 department within 5 days after receipt of the results. If the
2785 department then determines that the person had a blood-alcohol
2786 level or breath-alcohol level of 0.08 or higher, the department
2787 shall disqualify the person from operating a commercial motor
2788 vehicle pursuant to subsection (3).

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2789 (b) For purposes of determining the period of
2790 disqualification described in 49 C.F.R. s. 383.51,
2791 disqualifications listed in paragraph (a) shall be treated as
2792 convictions.

2793 (c)~~(b)~~ The disqualification under paragraph (a) shall be
2794 pursuant to, and the notice of disqualification shall inform the
2795 driver of, the following:

2796 1.a. The driver refused to submit to a lawful breath,
2797 blood, or urine test and he or she is disqualified from
2798 operating a commercial motor vehicle for the time period
2799 specified in 49 C.F.R. s. 383.51 ~~a period of 1 year, for a first~~
2800 ~~refusal, or permanently, if he or she has previously been~~
2801 ~~disqualified under this section; or~~

2802 b. The driver had an unlawful blood-alcohol or breath-
2803 alcohol level of 0.08 or higher while driving or in actual
2804 physical control of a commercial motor vehicle, or any motor
2805 vehicle if the driver holds a commercial driver license, and is
2806 disqualified for the time period specified in 49 C.F.R. s.
2807 383.51. ~~The driver was driving or in actual physical control of~~
2808 ~~a commercial motor vehicle, or any motor vehicle if the driver~~
2809 ~~holds a commercial driver's license, had an unlawful blood-~~
2810 ~~alcohol level or breath-alcohol level of 0.08 or higher, and his~~
2811 ~~or her driving privilege shall be disqualified for a period of 1~~
2812 ~~year for a first offense or permanently disqualified if his or~~
2813 ~~her driving privilege has been previously disqualified under~~
2814 ~~this section.~~

2815 2. The disqualification period for operating commercial
2816 vehicles shall commence on the date of issuance of the notice of
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2817 disqualification.

2818 3. The driver may request a formal or informal review of
2819 the disqualification by the department within 10 days after the
2820 date of issuance of the notice of disqualification.

2821 4. The temporary permit issued at the time of
2822 disqualification expires at midnight of the 10th day following
2823 the date of disqualification.

2824 5. The driver may submit to the department any materials
2825 relevant to the disqualification.

2826 (4) If the person disqualified requests an informal review
2827 pursuant to subparagraph (1) (c) ~~(b)~~ 3., the department shall
2828 conduct the informal review by a hearing officer employed by the
2829 department. Such informal review hearing shall consist solely of
2830 an examination by the department of the materials submitted by a
2831 law enforcement officer or correctional officer and by the
2832 person disqualified, and the presence of an officer or witness
2833 is not required.

2834 (7) In a formal review hearing under subsection (6) or an
2835 informal review hearing under subsection (4), the hearing
2836 officer shall determine by a preponderance of the evidence
2837 whether sufficient cause exists to sustain, amend, or invalidate
2838 the disqualification. The scope of the review shall be limited
2839 to the following issues:

2840 (a) If the person was disqualified from operating a
2841 commercial motor vehicle for driving with an unlawful blood-
2842 alcohol level:

2843 1. Whether the ~~arresting~~ law enforcement officer had
2844 probable cause to believe that the person was driving or in
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2845 actual physical control of a commercial motor vehicle, or any
2846 motor vehicle if the driver holds a commercial driver's license,
2847 in this state while he or she had any alcohol, chemical
2848 substances, or controlled substances in his or her body.

2849 2. Whether the person had an unlawful blood-alcohol level
2850 or breath-alcohol level of 0.08 or higher.

2851 (b) If the person was disqualified from operating a
2852 commercial motor vehicle for refusal to submit to a breath,
2853 blood, or urine test:

2854 1. Whether the law enforcement officer had probable cause
2855 to believe that the person was driving or in actual physical
2856 control of a commercial motor vehicle, or any motor vehicle if
2857 the driver holds a commercial driver's license, in this state
2858 while he or she had any alcohol, chemical substances, or
2859 controlled substances in his or her body.

2860 2. Whether the person refused to submit to the test after
2861 being requested to do so by a law enforcement officer or
2862 correctional officer.

2863 3. Whether the person was told that if he or she refused
2864 to submit to such test he or she would be disqualified from
2865 operating a commercial motor vehicle for a period of 1 year or,
2866 if previously disqualified under this section, permanently.

2867 (8) Based on the determination of the hearing officer
2868 pursuant to subsection (7) for both informal hearings under
2869 subsection (4) and formal hearings under subsection (6), the
2870 department shall:

2871 ~~(a)~~ sustain the disqualification for the time period
2872 described in 49 C.F.R. s. 383.51 ~~a period of 1 year for a first~~
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2873 ~~refusal, or permanently if such person has been previously~~
2874 ~~disqualified from operating a commercial motor vehicle under~~
2875 ~~this section.~~ The disqualification period commences on the date
2876 of the issuance of the notice of disqualification.

2877 ~~(b) Sustain the disqualification:~~

2878 ~~1. For a period of 1 year if the person was driving or in~~
2879 ~~actual physical control of a commercial motor vehicle, or any~~
2880 ~~motor vehicle if the driver holds a commercial driver's license,~~
2881 ~~and had an unlawful blood alcohol level or breath alcohol level~~
2882 ~~of 0.08 or higher; or~~

2883 ~~2. Permanently if the person has been previously~~
2884 ~~disqualified from operating a commercial motor vehicle under~~
2885 ~~this section or his or her driving privilege has been previously~~
2886 ~~suspended for driving or being in actual physical control of a~~
2887 ~~commercial motor vehicle, or any motor vehicle if the driver~~
2888 ~~holds a commercial driver's license, and had an unlawful blood-~~
2889 ~~alcohol level or breath alcohol level of 0.08 or higher.~~

2890
2891 ~~The disqualification period commences on the date of the~~
2892 ~~issuance of the notice of disqualification.~~

2893 (11) The formal review hearing may be conducted upon a
2894 review of the reports of a law enforcement officer or a
2895 correctional officer, including documents relating to the
2896 administration of a breath test or blood test or the refusal to
2897 take a breath, blood, or urine ~~either~~ test. However, as provided
2898 in subsection (6), the driver may subpoena the officer or any
2899 person who administered or analyzed a breath or blood test.

2900 Section 78. Section 328.30, Florida Statutes, is amended
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2901 to read:

2902 328.30 Transactions by electronic or telephonic means.—

2903 (1) The department may is authorized to accept any
2904 application provided for under this chapter by electronic or
2905 telephonic means.

2906 (2) The department may issue an electronic certificate of
2907 title in lieu of printing a paper title.

2908 (3) The department may collect and use electronic mail
2909 addresses for the purpose of providing renewal notices in lieu
2910 of the United States Postal Service.

2911 Section 79. Subsection (2) of section 413.012, Florida
2912 Statutes, is amended to read:

2913 413.012 Confidential records disclosure prohibited;
2914 exemptions.—

2915 (2) It is unlawful for any person to disclose, authorize
2916 the disclosure, solicit, receive, or make use of any list of
2917 names and addresses or any record containing any information set
2918 forth in subsection (1) and maintained in the division. The
2919 prohibition provided for in this subsection shall not apply to
2920 the use of such information for purposes directly connected with
2921 the administration of the vocational rehabilitation program or
2922 with the monthly dispatch to ~~the Division of Driver Licenses of~~
2923 the Department of Highway Safety and Motor Vehicles of the name
2924 in full, place and date of birth, sex, social security number,
2925 and resident address of individuals with central visual acuity
2926 20/200 or less in the better eye with correcting glasses, or a
2927 disqualifying field defect in which the peripheral field has
2928 contracted to such an extent that the widest diameter or visual
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2929 field subtends an angular distance no greater than 20 degrees.
2930 When requested in writing by an applicant or client, or her or
2931 his representative, the Division of Blind Services shall release
2932 confidential information to the applicant or client or her or
2933 his representative.

2934 Section 80. Paragraph (f) of subsection (13) of section
2935 713.78, Florida Statutes, is amended to read:

2936 713.78 Liens for recovering, towing, or storing vehicles
2937 and vessels.—

2938 (13)

2939 (f) This subsection applies only to the annual renewal in
2940 the registered owner's birth month of a motor vehicle
2941 registration and does not apply to the transfer of a
2942 registration of a motor vehicle sold by a motor vehicle dealer
2943 licensed under chapter 320, except for the transfer of
2944 registrations which is inclusive of the annual renewals. This
2945 subsection does not apply to any vehicle registered in the name
2946 of the lessor. This subsection does not affect the issuance of
2947 the title to a motor vehicle, notwithstanding s.

2948 319.23 ~~(8)-(7)~~ (b).

2949 Section 81. Edna S. Hargrett-Thrower Avenue designated;
2950 Department of Transportation to erect suitable markers.—

2951 (1) That portion of Orange Blossom Trail between Gore
2952 Street and Church Street in Orange County is designated as "Edna
2953 S. Hargrett-Thrower Avenue."

2954 (2) The Department of Transportation is directed to erect
2955 suitable markers designating Edna S. Hargrett-Thrower Avenue as
2956 described in subsection (1).

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2957 Section 82. SP4 Thomas Berry Corbin Memorial Highway
2958 designated; Department of Transportation to erect suitable
2959 markers.-

2960 (1) That portion of U.S. Highway 19/27A/98/State Road 55
2961 between the Suwannee River Bridge and N.E. 592nd Street/Chavous
2962 Road/Kate Green Road in Dixie County is designated as "SP4
2963 Thomas Berry Corbin Memorial Highway."

2964 (2) The Department of Transportation is directed to erect
2965 suitable markers designating SP4 Thomas Berry Corbin Memorial
2966 Highway as described in subsection (1).

2967 Section 83. U.S. Navy BMC Samuel Calhoun Chavous, Jr.
2968 Memorial Highway designated; Department of Transportation to
2969 erect suitable markers.-

2970 (1) That portion of U.S. Highway 19/98/State Road 55
2971 between N.E. 592nd Street/Chavous Road/Kate Green Road and N.E.
2972 170th Street in Dixie County is designated as "U.S. Navy BMC
2973 Samuel Calhoun Chavous, Jr. Memorial Highway."

2974 (2) The Department of Transportation is directed to erect
2975 suitable markers designating U.S. Navy BMC Samuel Calhoun
2976 Chavous, Jr. Memorial Highway as described in subsection (1).

2977 Section 84. Marine Lance Corporal Brian R. Buesing
2978 Memorial Highway designated; Department of Transportation to
2979 erect suitable markers.-

2980 (1) That portion of State Road 24 between County Road 347
2981 and Bridge Number 340053 in Levy County is designated as "Marine
2982 Lance Corporal Brian R. Buesing Memorial Highway."

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2983 (2) The Department of Transportation is directed to erect
2984 suitable markers designating Marine Lance Corporal Brian R.
2985 Buesing Memorial Highway as described in subsection (1).

2986 Section 85. United States Army Sergeant Karl A. Campbell
2987 Memorial Highway designated; Department of Transportation to
2988 erect suitable markers.-

2989 (1) That portion of U.S. Highway 19/98/State Road 55/S.
2990 Main Street between N.W. 1st Avenue and S.E. 2nd Avenue in Levy
2991 County is designated as "United States Army Sergeant Karl A.
2992 Campbell Memorial Highway."

2993 (2) The Department of Transportation is directed to erect
2994 suitable markers designating United States Army Sergeant Karl A.
2995 Campbell Memorial Highway as described in subsection (1).

2996 Section 86. U.S. Army SPC James A. Page Memorial Highway
2997 designated; Department of Transportation to erect suitable
2998 markers.-

2999 (1) That portion of U.S. Highway 27A/State Road
3000 500/Hathaway Avenue between State Road 24/Thrasher Drive and
3001 Town Court in Levy County is designated as "U.S. Army SPC James
3002 A. Page Memorial Highway."

3003 (2) The Department of Transportation is directed to erect
3004 suitable markers designating U.S. Army SPC James A. Page
3005 Memorial Highway as described in subsection (1).

3006 Section 87. Veterans Memorial Highway designated;
3007 Department of Transportation to erect suitable markers.-

3008 (1) That portion of State Road 19 between U.S. Highway
3009 17/State Road 15 and Carriage Drive in the City of Palatka in
3010 Putnam County is designated as "Veterans Memorial Highway."

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3011 (2) The Department of Transportation is directed to erect
3012 suitable markers designating Veterans Memorial Highway as
3013 described in subsection (1).

3014 Section 88. Ben G. Watts Highway designated; Department of
3015 Transportation to erect suitable markers.-

3016 (1) That portion of U.S. Highway 90/State Road 10 between
3017 the Holmes County line and the Jackson County line in Washington
3018 County is designated as "Ben G. Watts Highway."

3019 (2) The Department of Transportation is directed to erect
3020 suitable markers designating Ben G. Watts Highway as described
3021 in subsection (1).

3022 Section 89. Mardi Gras Way designated; Department of
3023 Transportation to erect suitable markers.-

3024 (1) That portion of State Road 824 between Interstate 95
3025 and U.S. Highway 1 in Broward County is designated as "Mardi
3026 Gras Way."

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

3030 Section 90. West Park Boulevard designated; Department of
3031 Transportation to erect suitable markers.-

3032 (1) That portion of State Road 7 between Pembroke Road and
3033 County Line Road in Broward County is designated as "West Park
3034 Boulevard."

3035 (2) The Department of Transportation is directed to erect
3036 suitable markers designating West Park Boulevard as described in
3037 subsection (1).

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3038 Section 91. Pembroke Park Boulevard designated; Department
3039 of Transportation to erect suitable markers.-

3040 (1) That portion of State Road 858/Hallandale Beach
3041 Boulevard between Interstate 95 and U.S. Highway 441/State Road
3042 7 in Broward County is designated as "Pembroke Park Boulevard."

3043 (2) The Department of Transportation is directed to erect
3044 suitable markers designating Pembroke Park Boulevard as
3045 described in subsection (1).

3046 Section 92. Stark Memorial Drive designated; Department of
3047 Transportation to erect suitable markers.-

3048 (1) That portion of State Road 101/Mayport Road between
3049 State Road A1A and Wonderwood Connector in Duval County is
3050 designated as "Stark Memorial Drive."

3051 (2) The Department of Transportation is directed to erect
3052 suitable markers designating Stark Memorial Drive as described
3053 in subsection (1).

3054 Section 93. Duval County Law Enforcement Memorial Overpass
3055 designated; Department of Transportation to erect suitable
3056 markers.-

3057 (1) The Interstate 295/State Road 9A overpass (Bridge
3058 Numbers 720256 and 720347) over Interstate 10/State Road 8 in
3059 Duval County is designated as "Duval County Law Enforcement
3060 Memorial Overpass."

3061 (2) The Department of Transportation is directed to erect
3062 suitable markers designating Duval County Law Enforcement
3063 Memorial Overpass as described in subsection (1).

3064 Section 94. Verna Bell Way designated; Department of
3065 Transportation to erect suitable markers.-

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3066 (1) That portion of State Road 200 between Lime Street and
3067 Beech Street in the City of Fernandina Beach in Nassau County is
3068 designated as "Verna Bell Way."

3069 (2) The Department of Transportation is directed to erect
3070 suitable markers designating Verna Bell Way as described in
3071 subsection (1).

3072 Section 95. Deputy Hal P. Croft and Deputy Ronald Jackson
3073 Memorial Highway designated; Department of Transportation to
3074 erect suitable markers.-

3075 (1) That portion of State Road 100 East in Union County
3076 between the Bradford County line and the Columbia County line is
3077 designated as "Deputy Hal P. Croft and Deputy Ronald Jackson
3078 Memorial Highway."

3079 (2) The Department of Transportation is directed to erect
3080 suitable markers designating Deputy Hal P. Croft and Deputy
3081 Ronald Jackson Memorial Highway as described in subsection (1).

3082 Section 96. Dr. Oscar Elias Biscet Boulevard designated;
3083 Department of Transportation to erect suitable markers.-

3084 (1) That portion of Coral Way between S.W. 32nd Avenue and
3085 S.W. 37th Avenue in Miami-Dade County is designated as "Dr.
3086 Oscar Elias Biscet Boulevard."

3087 (2) The Department of Transportation is directed to erect
3088 suitable markers designating Dr. Oscar Elias Biscet Boulevard as
3089 described in subsection (1).

3090 Section 97. Hugh Anderson Boulevard designated; Department
3091 of Transportation to erect suitable markers.-

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3092 (1) That portion of Biscayne Boulevard between N.E. 88th
3093 Street and N.E. 105th Street in Miami Shores Village in Miami-
3094 Dade County is designated as "Hugh Anderson Boulevard."

3095 (2) The Department of Transportation is directed to erect
3096 suitable markers designating Hugh Anderson Boulevard as
3097 described in subsection (1).

3098 Section 98. Palmetto General Hospital Way designated;
3099 Department of Transportation to erect suitable markers.-

3100 (1) That portion of West 20th Avenue between West 68th
3101 Street and West 73rd Street in Miami-Dade County is designated
3102 as "Palmetto General Hospital Way."

3103 (2) The Department of Transportation is directed to erect
3104 suitable markers designating Palmetto General Hospital Way as
3105 described in subsection (1).

3106 Section 99. Senator Javier D. Souto Way designated;
3107 Department of Transportation to erect suitable markers.-

3108 (1) That portion of State Road 976/Bird Road between S.W.
3109 87th Avenue and the Palmetto Expressway Ramp in Miami-Dade
3110 County is designated as "Senator Javier D. Souto Way."

3111 (2) The Department of Transportation is directed to erect
3112 suitable markers designating Senator Javier D. Souto Way as
3113 described subsection (1).

3114 Section 100. Reverend Max Salvadore Avenue designated;
3115 Department of Transportation to erect suitable markers.-

3116 (1) That portion of S.W. 27th Avenue between S.W. 8th
3117 Street and S.W. 13th Street in the City of Miami in Miami-Dade
3118 County is designated as "Reverend Max Salvadore Avenue."

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3119 (2) The Department of Transportation is directed to erect
3120 suitable markers designating Reverend Max Salvadore Avenue as
3121 described in subsection (1).

3122 Section 101. BRIGADA 2506 STREET, Carlos Rodriguez Santana
3123 designated; Department of Transportation to erect suitable
3124 markers.-

3125 (1) That portion of S.W. 8th Street between S.W. 10th
3126 Avenue and S.W. 12th Avenue in the City of Miami in Miami-Dade
3127 County is designated as "BRIGADA 2506 STREET, Carlos Rodriguez
3128 Santana."

3129 (2) The Department of Transportation is directed to erect
3130 suitable markers designating BRIGADA 2506 STREET, Carlos
3131 Rodriguez Santana as described in subsection (1).

3132 Section 102. Rev. Jorge Comesanas Way designated;
3133 Department of Transportation to erect suitable markers.-

3134 (1) That portion of S.W. 87th Avenue between S.W. 8th
3135 Street and S.W. 24th Street in Miami-Dade County is designated
3136 as "Rev. Jorge Comesanas Way."

3137 (2) The Department of Transportation is directed to erect
3138 suitable markers designating Rev. Jorge Comesanas Way as
3139 described in subsection (1).

3140 Section 103. Amadeo Lopez-Castro, Jr. Road designated;
3141 Department of Transportation to erect suitable markers.-

3142 (1) That portion of S.W. 57th Avenue/Red Road between S.W.
3143 8th Street and S.W. 88th Street/Kendall Drive in Miami-Dade
3144 County is designated as "Amadeo Lopez-Castro, Jr. Road."

3145 (2) The Department of Transportation is directed to erect
3146 suitable markers designating Amadeo Lopez-Castro, Jr. Road as

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3147 described in subsection (1).

3148 Section 104. Benjamin Leon, Jr. Way designated; Department
3149 of Transportation to erect suitable markers.-

3150 (1) That portion of 27th Avenue located in Miami-Dade
3151 County is designated as "Benjamin Leon, Jr. Way."

3152 (2) The Department of Transportation is directed to erect
3153 suitable markers designating Benjamin Leon, Jr. Way as described
3154 in subsection (1).

3155 Section 105. Miami Medical Team Way designated; Department
3156 of Transportation to erect suitable markers.-

3157 (1) That portion of Coral Way/S.W. 22nd Street between
3158 24th Avenue and 27th Avenue in Miami-Dade County is designated
3159 as "Miami Medical Team Way."

3160 (2) The Department of Transportation is directed to erect
3161 suitable markers designating Miami Medical Team Way as described
3162 in subsection (1).

3163 Section 106. Alma Lee Loy Bridge designated; Department of
3164 Transportation to erect suitable markers.-

3165 (1) Bridge Number 880077 on State Road 656 between State
3166 Road 1A and Indian River Boulevard in the City of Vero Beach in
3167 Indian River County is designated as "Alma Lee Loy Bridge."

3168 (2) The Department of Transportation is directed to erect
3169 suitable markers designating Alma Lee Loy Bridge as described
3170 subsection (1).

3171 Section 107. Samuel B. Love Memorial Highway designated;
3172 Department of Transportation to erect suitable markers.-

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3173 (1) That portion of Sunset Harbor Road between S.E. 105th
3174 Avenue and S.E. 115th Avenue in Marion County is designated as
3175 "Samuel B. Love Memorial Highway."

3176 (2) The Department of Transportation is directed to erect
3177 suitable markers designating Samuel B. Love Memorial Highway as
3178 described in subsection (1).

3179 Section 108. Elvin Martinez Road designated; Department of
3180 Transportation to erect suitable markers.-

3181 (1) That portion of Tampa Bay Boulevard between Armenia
3182 Avenue and Himes Avenue in Hillsborough County is designated as
3183 "Elvin Martinez Road."

3184 (2) The Department of Transportation is directed to erect
3185 suitable markers designating Elvin Martinez Road as described in
3186 subsection (1).

3187 Section 109. Whale Harbor Joe Roth, Jr. Bridge designated;
3188 Department of Transportation to erect suitable markers.-

3189 (1) Whale Harbor Bridge (Bridge Number 900076) on U.S.
3190 Highway 1/State Road 5 in Monroe County is designated as "Whale
3191 Harbor Joe Roth Jr. Bridge."

3192 (2) The Department of Transportation is directed to erect
3193 suitable markers designating Whale Harbor Joe Roth Jr. Bridge as
3194 described in subsection (1).

3195 Section 110. Florida Highway Patrol Trooper Sgt. Nicholas
3196 G. Sottile Memorial designated; Department of Transportation to
3197 erect suitable markers.-

3198 (1) Milepost 22.182 on U.S. Highway 27 in Highlands County
3199 is designated as "Florida Highway Patrol Trooper Sgt. Nicholas
3200 G. Sottile Memorial."

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3201 (2) The Department of Transportation is directed to erect
3202 suitable markers designating Florida Highway Patrol Trooper Sgt.
3203 Nicholas G. Sottile Memorial as described subsection (1).

3204 Section 111. Coach Jimmy Carnes Boulevard designated;
3205 Department of Transportation to erect suitable markers.-

3206 (1) That portion of S.W. 23rd Street, in front of James G.
3207 Pressly Stadium, and 4211 S.W. 23rd Street, located between S.W.
3208 2nd Avenue and Fraternity Row/Drive in Alachua County, is
3209 designated as "Coach Jimmy Carnes Boulevard."

3210 (2) The Department of Transportation is directed to erect
3211 suitable markers designating Coach Jimmy Carnes Boulevard as
3212 described in subsection (1).

3213 Section 112. Section 24 of chapter 2010-230, Laws of
3214 Florida, is amended to read:

3215 Section 24. Miss Lillie Williams Boulevard designated;
3216 Department of Transportation to erect suitable markers.-

3217 (1) That portion of N.W. 79th Street between N.W. 6th
3218 Avenue and N.W. 7th E. ~~12th~~ Avenue in Miami-Dade County is
3219 designated as "Miss Lillie Williams Boulevard."

3220 (2) The Department of Transportation is directed to erect
3221 suitable markers designating Miss Lillie Williams Boulevard as
3222 described in subsection (1).

3223 Section 113. Section 45 of chapter 2010-230, Laws of
3224 Florida, is amended to read:

3225 Section 45. Father Gerard Jean-Juste Street designated;
3226 Department of Transportation to erect suitable markers.-

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3227 (1) That portion of N.W. 54th Street in Miami-Dade County
3228 between N.W. 2nd Avenue and N.E. N.W. 3rd Avenue in Little Haiti
3229 is designated "Father Gerard Jean-Juste Street."

3230 (2) The Department of Transportation is directed to erect
3231 suitable markers designating Father Gerard Jean-Juste Street as
3232 described in subsection (1).

3233 Section 114. Tanya Martin Oubre Pekel Street designated;
3234 Department of Transportation to erect suitable markers.-

3235 (1) That portion of State Road 932/N.E. 103rd Street
3236 between N.W. 3rd Avenue and N.E. 6th Avenue in Miami-Dade County
3237 is designated as "Tanya Martin Oubre Pekel Street."

3238 (2) The Department of Transportation is directed to erect
3239 suitable markers designating Tanya Martin Oubre Pekel Street as
3240 described in subsection (1).

3241 Section 115. Deputy Jack A. Romeis Road designated;
3242 Department of Transportation to erect suitable markers.-

3243 (1) That portion of State Road 26A in Gainesville, Alachua
3244 County, between West University Avenue and S.W. 25th Street, is
3245 designated "Deputy Jack A. Romeis Road."

3246 (2) The Department of Transportation is directed to erect
3247 suitable markers designating Deputy Jack A. Romeis Road as
3248 described in subsection (1).

3249 Section 116. Nona and Papa Road designated; Department of
3250 Transportation to erect suitable markers.-

3251 (1) That portion of the San Juan Road Extension in
3252 Anastasia State Park in St. Johns County is designated as "Nona
3253 and Papa Road."

3254 (2) The Department of Transportation is directed to erect
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3255 suitable markers designating Nona and Papa Road as described
3256 subsection (1).

3257 Section 117. Walter Francis Spence Parkway designated;
3258 Department of Transportation to erect suitable markers.-

3259 (1) That portion of State Road 293 from U.S. Highway
3260 98/State Road 30 to State Road 20 in Okaloosa County is
3261 designated as "Walter Francis Spence Parkway."

3262 (2) The Department of Transportation is directed to erect
3263 suitable markers designating Walter Francis Spence Parkway as
3264 described subsection (1).

3265 Section 118. Florida's Beaches and Rivers Parkway
3266 designated; Department of Transportation to erect suitable
3267 markers.-

3268 (1) That portion of State Route 87 from its intersection
3269 with U.S. Highway 98 northward to its intersection with U.S.
3270 Highway 90 in Santa Rosa County is designated "Florida's Beaches
3271 and Rivers Parkway."

3272 (2) The Department of Transportation is directed to erect
3273 suitable markers designating Florida's Beaches and Rivers
3274 Parkway as described subsection (1).

3275 Section 119. Corporal Michael J. Roberts Parkway
3276 designated; Department of Transportation to erect suitable
3277 markers.-

3278 (1) That portion of U.S. 41/State Road 45/Nebraska Avenue
3279 from County Road 584/Waters Avenue to State Road 580/Busch
3280 Boulevard is designated as "Corporal Michael J. Roberts
3281 Parkway."

3282 (2) The Department of Transportation is directed to erect

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3283 suitable markers designating Corporal Michael J. Roberts as
3284 described subsection (1).

3285 Section 120. Harry T. and Harriette V. Moore Memorial
3286 Highway designated; Department of Transportation to erect
3287 suitable markers.-

3288 (1) That portion of State Road 46 in Brevard County from
3289 U.S. Highway 1 to the Volusia County line is designated as
3290 "Harry T. and Harriette V. Moore Memorial Highway."

3291 (2) The Department of Transportation is directed to erect
3292 suitable markers designating Harry T. and Harriette V. Moore
3293 Memorial Highway as described in subsection (1).

3294 Section 121. Elizabeth G. Means Memorial Boulevard
3295 designated; Department of Transportation to erect suitable
3296 markers.-

3297 (1) That portion of Beaver Street in Duval County between
3298 Laura Street and Rushing Street is designated as "Elizabeth G.
3299 Means Memorial Boulevard."

3300 (2) The Department of Transportation is directed to erect
3301 suitable markers designating Elizabeth G. Means Memorial
3302 Boulevard as described in subsection (1).

3303 Section 122. Louise Steward Memorial Boulevard designated;
3304 Department of Transportation to erect suitable markers.-

3305 (1) That portion of U.S. Highway 1 Alternate/SR 115/SR
3306 115A/Haines Street Expressway in Duval County between 8th Street
3307 and Duval Street is designated as "Louise Steward Memorial
3308 Boulevard."

3309 (2) The Department of Transportation is directed to erect
3310 suitable markers designating Louise Steward Memorial Boulevard

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3311 as described in subsection (1).

3312 Section 123. Isiah J. Williams, III, Memorial Boulevard
3313 designated; Department of Transportation to erect suitable
3314 markers.-

3315 (1) That portion of Edgewood Avenue in Duval County
3316 between Commonwealth Avenue and Beaver Street is designated as
3317 "Isiah J. Williams, III, Memorial Boulevard."

3318 (2) The Department of Transportation is directed to erect
3319 suitable markers designating Isiah J. Williams, III, Memorial
3320 Boulevard as described in subsection (1).

3321 Section 124. (1) This section may be cited as the "To
3322 Inform Families First Act."

3323 (2) The Department of Highway Safety and Motor Vehicles is
3324 encouraged to educate the law enforcement community and the
3325 general public about the importance of making certain that
3326 drivers are aware of and use the Emergency Contact Information
3327 program, established by the department. The department shall
3328 provide signs for the driver license offices to advertise the
3329 program. This voluntary program allows each driver the
3330 opportunity to register the names of up to two individuals as
3331 the person he or she would want to be contacted if he or she is
3332 involved in a crash.

3333 Section 125. The Department of Highway Safety and Motor
3334 Vehicles shall study the feasibility of creating an electronic
3335 verification system for use by the private sector to determine
3336 if a driver's license or identification card is authentic. The
3337 study must consider the use of symmetric key algorithms,
3338 security tokens, mediametrics, biometrics, or any other

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3339 technology that is cost effective. The department shall report
3340 the results of the study to the President of the Senate and the
3341 Speaker of the House of Representatives by November 1, 2011.

3342 Section 126. Except as otherwise expressly provided in
3343 this act, this act shall take effect July 1, 2011.

3344
3345

3346 -----

3347 **T I T L E A M E N D M E N T**

3348 Remove the entire title and insert:

3349 A bill to be entitled

3350 An act relating to highway safety and motor vehicles; amending
3351 s. 20.24, F.S.; specifying that the executive director of the
3352 Department of Highway Safety and Motor Vehicles serves at the
3353 pleasure of the Governor and Cabinet; creating a Division of
3354 Motorist Services within the department; eliminating the
3355 Division of Driver Licenses and the Division of Motor Vehicles;
3356 amending ss. 261.03 and 288.816, F.S., relating to off-highway
3357 vehicle safety and recreation and Consul Corps license plates,
3358 respectively; conforming references; amending s. 311.121, F.S.,
3359 relating to membership of the Seaport Security Officer
3360 Qualification, Training, and Standards Coordinating Council;
3361 conforming provisions to changes made by the act; amending s.
3362 316.003, F.S.; revising definitions and defining the term "swamp
3363 buggy" for purposes of the Florida Uniform Traffic Control Law;
3364 reenacting s. 316.065(4), F.S., relating to crash reports, to
3365 incorporate changes made to s. 316.066, F.S., by chapter 2010-
3366 163, Laws of Florida; amending s. 316.1303, F.S.; authorizing a
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3367 person with impaired mobility using a motorized wheelchair or
3368 scooter to temporarily leave the sidewalk and use the roadway
3369 under certain circumstances; amending s. 316.1957, F.S.,
3370 relating to parking violations; conforming a reference; amending
3371 s. 316.2065, F.S.; revising safety standard requirements for
3372 bicycle helmets that must be worn by certain riders and
3373 passengers; revising requirements for a bicycle operator to ride
3374 in a bicycle lane or along the curb or edge of the roadway;
3375 providing for enforcement of requirements for bicycle lighting
3376 equipment; providing penalties for violations; providing for
3377 dismissal of the charge following a first offense under certain
3378 circumstances; amending s. 316.2085, F.S.; requiring the license
3379 tag of a motorcycle or moped to remain clearly visible from the
3380 rear; prohibiting deliberate acts to conceal or obscure the tag;
3381 providing for certain tags to be affixed perpendicularly;
3382 amending ss. 316.2122, 316.2124, 316.21265, 316.3026, and
3383 316.550, F.S., relating to low-speed vehicles, disability access
3384 vehicles, all-terrain and utility vehicles, motor carriers, and
3385 special permits, respectively; conforming cross-references;
3386 amending s. 316.545, F.S.; providing for the regulation of
3387 apportionable vehicles; amending s. 316.613, F.S.; providing an
3388 exception for certain for-hire passenger vehicles from
3389 provisions requiring the use of child restraint devices in motor
3390 vehicles; providing child-restraint requirements for children
3391 ages 4 through 7 years of age who are less than a specified
3392 height; providing certain exceptions; redefining the term "motor
3393 vehicle" to exclude certain vehicles from such requirements;
3394 providing that parents and others are responsible for complying
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3395 with child-restraint requirements in certain chauffeur-driven
3396 vehicles; providing a grace period; amending s. 317.0003, F.S.,
3397 relating to off-highway vehicles; conforming a cross-reference;
3398 amending s. 317.0016, F.S.; eliminating a requirement that the
3399 department provide expedited service for certificates of
3400 repossession; amending s. 318.14, F.S.; clarifying provisions
3401 authorizing a person cited for a noncriminal traffic infraction
3402 to elect to attend a driver improvement course or enter a plea
3403 of nolo contendere; amending s. 318.1451, F.S.; requiring the
3404 curricula of driver improvement schools to include instruction
3405 on the dangers of driving while distracted; amending s. 318.15,
3406 F.S., relating to the suspension of driving privileges;
3407 conforming a reference; providing that a person charged with a
3408 traffic infraction may request a hearing that the clerk must
3409 set; providing criteria; amending s. 319.14, F.S.; prohibiting a
3410 person from knowingly offering for sale, selling, or exchanging
3411 certain vehicles unless the department has stamped in a
3412 conspicuous place on the certificate of title words stating that
3413 the vehicle is a custom vehicle or street rod vehicle; defining
3414 the terms "custom vehicle" and "street rod"; providing
3415 requirements for inspection and issuance of a rebuilt title;
3416 amending s. 319.225, F.S.; revising provisions for vehicle
3417 certificates of title; revising requirements for the transfer
3418 and reassignment forms for vehicles; revising dealer submission
3419 requirements; requiring a dealer selling a vehicle out of state
3420 to mail a copy of the power of attorney form to the department;
3421 providing for the electronic transfer of a vehicle title;
3422 amending s. 319.23, F.S.; providing for the application for a
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3423 certificate of title, corrected certificate, or assignment or
3424 reassignment to be filed from the consummation of the sale of a
3425 mobile home; authorizing the department to accept a bond if the
3426 applicant for a certificate of title is unable to provide a
3427 title that assigns the prior owner's interest in the motor
3428 vehicle; providing requirements for the bond and the affidavit;
3429 providing for future expiration of the bond; amending s. 319.28,
3430 F.S.; eliminating certain requirements that a lienholder obtain
3431 a certificate of repossession following repossession of a
3432 vehicle or mobile home; providing that a dealer of certain farm
3433 or industrial equipment is not subject to licensure as a
3434 recovery agent or agency under certain conditions; amending s.
3435 319.323, F.S., relating to title offices for expedited service;
3436 conforming provisions to changes made by the act; amending s.
3437 319.40, F.S.; authorizing the department to issue electronic
3438 certificates of title and use electronic mail addresses for
3439 purposes of certain notifications; amending s. 320.01, F.S.;
3440 revising definitions; excluding special mobile equipment and
3441 swamp buggies from the meaning of the term "motor vehicle";
3442 deleting an obsolete definition; revising the gross vehicle
3443 weight for purposes of defining the terms "apportionable
3444 vehicle" and "commercial motor vehicle"; defining the term
3445 "swamp buggy"; amending s. 320.02, F.S.; providing that an
3446 active-duty military member is exempt from the requirement to
3447 provide an address on an application for vehicle registration;
3448 requiring the application forms for motor vehicle registration
3449 and renewal of registration to include language permitting the
3450 applicant to make a voluntary contribution to End Hunger in
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3451 Florida, Take Stock In Children, Autism Services and Supports,
3452 and Support Our Troops; requiring the department to retain
3453 certain records for a specified period; amending s. 320.023,
3454 F.S.; relating to voluntary contributions; authorizing the
3455 department to retain certain proceeds derived from voluntary
3456 contributions to cover certain specified costs to the
3457 department; amending s. 320.03, F.S., relating to the
3458 International Registration Plan; conforming provisions to
3459 changes made by the act; amending s. 320.05, F.S.; deleting a
3460 provision requiring that the department provide a procedures
3461 manual for a fee; clarifying that the creation and maintenance
3462 of records by the Division of Motorist Services is not a law
3463 enforcement function of agency recordkeeping; amending s.
3464 320.06, F.S.; authorizing the department to conduct a pilot
3465 program to evaluate alternative license plate technologies for
3466 use on government-owned motor vehicles; exempting plates in the
3467 pilot program from specified license plate design and
3468 construction requirements; amending s. 320.061, F.S.; providing
3469 that it is a noncriminal traffic infraction to alter a temporary
3470 license plate; amending s. 320.071, F.S.; providing for the
3471 renewal of registration for an apportionable vehicle that is
3472 registered under the International Registration Plan; amending
3473 s. 320.0715, F.S.; clarifying provisions requiring the
3474 registration of apportionable vehicles under the International
3475 Registration Plan; amending s. 320.08, F.S., relating to license
3476 taxes; conforming cross-references; amending s. 320.08056, F.S.,
3477 relating to specialty license plates; providing a fee for Go
3478 Green license plates; revising procedures to change the name of
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3479 a recipient of the fees collected; amending s. 320.08058, F.S.;

3480 providing for a Go Green License plate; providing for

3481 distribution of fees collected; changing the recipient of the

3482 proceeds for the Live the Dream license plates to the Florida

3483 Dream Foundation, Inc.; providing that proceeds from the sale of

3484 Support Soccer license plates shall be distributed to the

3485 Florida Soccer Foundation, Inc.; amending s. 320.08068, F.S.;

3486 revising use of funds received from the sale of motorcycle

3487 specialty license plates; amending s. 320.0847, F.S., relating

3488 to license plates for mini trucks and low-speed vehicles;

3489 conforming cross-references; amending s. 320.0848, F.S.;

3490 revising the requirements for disabled parking permit renewals;

3491 requiring a permitholder to personally appear to obtain a

3492 renewal or replacement permit; revising the requirements for the

3493 deposit of fee proceeds from temporary disabled parking permits;

3494 amending s. 320.089, F.S.; providing for the issuance of a

3495 Combat Infantry Badge license plate; providing qualifications

3496 and requirements for the plate; providing for the use of

3497 proceeds from the sale of the plate; amending s. 320.27, F.S.;

3498 exempting salvage motor vehicle dealers from certain security

3499 requirements; amending s. 320.275, F.S., relating to the

3500 Automobile Dealers Industry Advisory Board; conforming

3501 provisions to the elimination of the Division of Motor Vehicles

3502 within the department; amending s. 320.771, F.S.; providing

3503 criteria for a dealer to apply for a certificate of title to a

3504 recreational vehicle under certain circumstances; amending s.

3505 320.95, F.S.; authorizing the department to use electronic mail

3506 addresses for the purpose of providing license renewal notices;

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3507 amending s. 321.02, F.S.; designating the director of the
3508 Division of Highway Patrol of the department as the Colonel of
3509 the Florida Highway Patrol; amending s. 322.02, F.S.; providing
3510 for a director of the Division of Motorist Services; amending s.
3511 322.04, F.S.; revising provisions exempting a nonresident from
3512 the requirement to obtain a driver's license under certain
3513 circumstances; amending s. 322.051, F.S.; revising requirements
3514 by which an applicant for an identification card may prove
3515 nonimmigrant classification; clarifying the validity of an
3516 identification card based on specified documents; amending s.
3517 322.058, F.S., relating to renewal of motor vehicle
3518 registration; conforming a cross-reference; amending s. 322.065,
3519 F.S.; revising the period of expiration that constitutes the
3520 offense of driving with an expired driver's license; amending s.
3521 322.07, F.S.; revising qualifications for obtaining a temporary
3522 commercial instruction permit; amending s. 322.08, F.S.;
3523 revising requirements by which an applicant for a driver's
3524 license may prove nonimmigrant classification; clarifying the
3525 validity of a license based on specified documents; providing
3526 for driver's license application forms to allow the applicant to
3527 make a voluntary contribution to Autism Services and Supports
3528 and Support Our Troops, Inc.; authorizing the department to use
3529 electronic mail addresses for the purposes of providing license
3530 renewal notices; amending s. 322.081, F.S., relating to requests
3531 to establish voluntary contributions; authorizing the department
3532 to retain certain proceeds derived from the voluntary
3533 contributions made on driver's license applications to cover
3534 certain specified costs to the department; amending s. 322.095,
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3535 F.S.; requiring the curricula of traffic law and substance abuse
3536 education courses to include instruction on the dangers of
3537 driving while distracted; amending s. 322.12, F.S.; deleting
3538 provisions requiring a separate examination for applicants for a
3539 license to operate a motorcycle; requiring that the motorcycle
3540 safety course for a first-time applicant include a final
3541 examination; requiring that completion of the course be
3542 indicated on the license; amending s. 322.121, F.S.; clarifying
3543 provisions authorizing the automatic extension of a license for
3544 members of the Armed Forces or their dependents while serving on
3545 active duty outside the state; amending s. 322.14, F.S.;

3546 deleting a requirement that applicants for specified licenses
3547 appear in person for issuance of a color photographic or digital
3548 imaged driver's license; creating s. 322.1415, F.S.; authorizing
3549 the Department of Highway Safety and Motor Vehicles to issue a
3550 specialty driver's license or identification card to qualified
3551 applicants; specifying that, at a minimum, the specialty
3552 driver's licenses and identification cards must be available for
3553 certain state and independent universities and professional
3554 sports teams and all of the branches of the United States
3555 military; requiring that the design of each specialty driver's
3556 license and identification card be approved by the department;
3557 providing for future repeal; amending s. 322.19, F.S.; providing
3558 that certain persons with a valid student identification card
3559 are presumed not to have changed their legal residence or
3560 mailing address; amending s. 322.20, F.S., relating to
3561 department records; conforming provisions to changes made by the
3562 act; amending s. 322.202, F.S.; clarifying that the Division of
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3563 Motorist Services is not a law enforcement agency; amending s.
3564 322.21, F.S., relating to handling and collecting license fees;
3565 providing for the distribution of funds collected from the
3566 specialty driver's license and identification card fees;
3567 conforming provisions to changes made by the act; authorizing a
3568 driver to renew his or her driver's license during a specified
3569 period before the license expiration date; amending s. 322.22,
3570 F.S.; clarifying provisions authorizing the department to cancel
3571 a driver's license; authorizing the department to cancel a
3572 license upon determining that the licensee is not entitled to
3573 the license; amending s. 322.2615, F.S., relating to a person's
3574 right to review of a license suspension; revising provisions for
3575 a formal review hearing and enforcement of a subpoena; amending
3576 s. 322.34, F.S.; providing that a person who commits a certain
3577 infraction shall not have a vehicle impounded or immobilized;
3578 amending s. 322.53, F.S.; revising provisions exempting certain
3579 farmers and drivers who operate straight trucks from the
3580 requirement to obtain a commercial driver's license; amending s.
3581 322.54, F.S.; requiring that the driver's license classification
3582 be determined by the actual weight of the vehicle under certain
3583 circumstances; repealing s. 322.58, F.S., relating to holders of
3584 chauffeur's licenses; amending s. 322.59, F.S.; requiring that
3585 the department disqualify a driver holding a commercial driver's
3586 license who fails to comply with specified federal certification
3587 requirements; amending s. 322.61, F.S.; providing that the
3588 holder of a commercial driver's license is permanently
3589 disqualified from operating a commercial motor vehicle following
3590 two violations of specified offenses committed while operating
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3591 any vehicle; amending s. 322.64, F.S.; providing that a notice
3592 of disqualification from operating a commercial motor vehicle
3593 acts as a conviction for purposes of certain federal
3594 restrictions imposed for the offense of operating a commercial
3595 motor vehicle while under the influence of alcohol; deleting
3596 provisions authorizing the department to impose certain
3597 alternative restrictions for such offense; amending s. 328.30,
3598 F.S.; authorizing the department to issue electronic
3599 certificates of title for vessels and use electronic mail
3600 addresses for purposes of providing renewal notices; amending s.
3601 413.012, F.S., relating to a prohibition on disclosing
3602 confidential records held by the department; conforming
3603 provisions to changes made by the act; amending s. 713.78, F.S.,
3604 relating to renewal of motor vehicle registration; conforming a
3605 cross-reference; designating Edna S. Hargrett-Thrower Avenue in
3606 Orange County; designating SP4 Thomas Berry Corbin Memorial
3607 Highway and U.S. Navy BMC Samuel Calhoun Chavous, Jr. Memorial
3608 Highway in Dixie County; designating Marine Lance Corporal Brian
3609 R. Buesing Memorial Highway, United States Army Sergeant Karl A.
3610 Campbell Memorial Highway, and U.S. Army SPC James A. Page
3611 Memorial Highway in Levy County; designating Veterans Memorial
3612 Highway in Putnam County; designating Ben G. Watts Highway in
3613 Washington County; designating Mardi Gras Way, West Park
3614 Boulevard, and Pembroke Park Boulevard in Broward County;
3615 designating Stark Memorial Drive and Duval County Law
3616 Enforcement Memorial Overpass in Duval County; designating Verna
3617 Bell Way in Nassau County; designating Deputy Hal P. Croft and
3618 Deputy Ronald Jackson Memorial Highway in Union County;

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3619 designating Dr. Oscar Elias Biscet Boulevard, Hugh Anderson
3620 Boulevard, Palmetto General Hospital Way, Senator Javier D.
3621 Souto Way, Reverend Max Salvadore Avenue, BRIGADA 2506 STREET,
3622 Carlos Rodriguez Santana, Rev. Jorge Comesanas Way, Amadeo
3623 Lopez-Castro, Jr. Road, Benjamin Leon, Jr. Way, and Miami
3624 Medical Team Way in Miami-Dade County; designating Alma Lee Loy
3625 Bridge in Indian River County; designating Samuel B. Love
3626 Memorial Highway in Marion County; designating Elvin Martinez
3627 Road in Hillsborough County; designating Whale Harbor Joe Roth,
3628 Jr. Bridge in Monroe County; designating Florida Highway Patrol
3629 Trooper Sgt. Nicholas G. Sottile Memorial in Highlands County;
3630 designating Coach Jimmy Carnes Boulevard in Alachua County;
3631 amending ss. 24 and 45, ch. 2010-230, Laws of Florida; revising
3632 the designation for Miss Lillie Williams Boulevard and Father
3633 Gerard Jean-Juste Street in Miami-Dade County; designating Tanya
3634 Martin Oubre Pekel Street in Miami-Dade County; designating
3635 Deputy Jack A. Romeis Road in Alachua County; designating Nona
3636 and Papa Road in St. Johns County; designating Walter Francis
3637 Spence Parkway in Okaloosa County; designating Florida's Beaches
3638 and Rivers Parkway in Santa Rosa County; designating Corporal
3639 Michael J. Roberts Parkway in Hillsborough County; designating
3640 Harry T. and Harriette V. Moore Memorial Highway in Brevard
3641 County; designating Elizabeth G. Means Memorial Boulevard,
3642 Louise Steward Memorial Boulevard, and Isiah J. Williams, III,
3643 Memorial Boulevard in Duval County; directing the Department of
3644 Transportation to erect suitable markers; providing a short
3645 title; providing for a voluntary emergency contact information
3646 program established by the department; directing the department
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3647 | to study the feasibility of creating an electronic verification
3648 | system and to make a report to the Legislature; providing
3649 | effective dates.