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LEGISLATIVE ACTION

Senate

House

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Floor: 2/AD/2R

04/27/2011 03:06 PM

Senator Bogdanoff moved the following:

Senate Amendment (with title amendment)

Delete lines 1573 - 2304

and insert:

Section 30. Subsections (2) and (4) of section 320.02, Florida Statutes, are amended, paragraphs (o), (p), (q), and (r) are added to subsection (15) of that section, and subsection (18) is added to that section, to read:

320.02 Registration required; application for registration; forms.—

(2) (a) The application for registration shall include the street address of the owner's permanent residence or the address of his or her permanent place of business and shall be



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

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

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

29
30 If the vehicle is registered to an active-duty military member
31 who is a Florida resident, the member is exempt from the
32 requirement of a Florida residential address.

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

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



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43 and changes residence or mailing address must obtain a
44 replacement as provided for in s. 322.19(2) before changing the
45 address on the motor vehicle record.

46 (15)

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

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

61 (q) Notwithstanding s. 26 of chapter 2010-223, Laws of
62 Florida, the application form for motor vehicle registration and
63 renewal registration must include a provision permitting a
64 voluntary contribution of \$1 or more per applicant, to be
65 distributed to the Auto Club South Traffic Safety Foundation, a
66 nonprofit organization. Funds received by the foundation shall
67 be used to improve traffic safety culture in communities through
68 effective outreach, education, and activities that will save
69 lives, reduce injuries, and prevent crashes. The foundation must
70 comply with s. 320.023.

71 (r) The application form for motor vehicle registration and



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72 renewal registration must include language permitting a
73 voluntary contribution of \$1 for Support Our Troops. The
74 proceeds shall be transferred by the department each month to
75 Support Our Troops, Inc.

76

77 For the purpose of applying the service charge provided in s.
78 215.20, contributions received under this subsection are not
79 income of a revenue nature.

80 (18) All electronic registration records shall be retained
81 by the department for at least 10 years.

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

84 320.023 Requests to establish voluntary checkoff on motor
85 vehicle registration application.-

86 (9) The department may annually retain from the first
87 proceeds derived from the voluntary contributions collected an
88 amount sufficient to defray for each voluntary contribution the
89 pro rata share of the department's costs directly related to the
90 voluntary contributions program. Such costs include renewal
91 notices, postage, distribution costs, direct costs to the
92 department, and costs associated with reviewing each
93 organization's compliance with the audit and attestation
94 requirements of this section. The revenues retained by the
95 department may not be less than 0.005 percent and may not exceed
96 0.015 percent. The balance of the proceeds from the voluntary
97 contributions collected shall be distributed as provided by law.

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

100 320.03 Registration; duties of tax collectors;



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101 International Registration Plan.-

102 (7) The Department of Highway Safety and Motor Vehicles
103 shall register apportionable ~~apportioned motor~~ vehicles under
104 the provisions of the International Registration Plan. The
105 department may adopt rules to implement and enforce the
106 provisions of the plan.

107 (8) If the applicant's name appears on the list referred to
108 in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a license
109 plate or revalidation sticker may not be issued until that
110 person's name no longer appears on the list or until the person
111 presents a receipt from the governmental entity or the clerk of
112 court that provided the data showing that the fines outstanding
113 have been paid. This subsection does not apply to the owner of a
114 leased vehicle if the vehicle is registered in the name of the
115 lessee of the vehicle. The tax collector and the clerk of the
116 court are each entitled to receive monthly, as costs for
117 implementing and administering this subsection, 10 percent of
118 the civil penalties and fines recovered from such persons. As
119 used in this subsection, the term "civil penalties and fines"
120 does not include a wrecker operator's lien as described in s.
121 713.78(13). If the tax collector has private tag agents, such
122 tag agents are entitled to receive a pro rata share of the
123 amount paid to the tax collector, based upon the percentage of
124 license plates and revalidation stickers issued by the tag agent
125 compared to the total issued within the county. The authority of
126 any private agent to issue license plates shall be revoked,
127 after notice and a hearing as provided in chapter 120, if he or
128 she issues any license plate or revalidation sticker contrary to
129 the provisions of this subsection. This section applies only to



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130 the annual renewal in the owner's birth month of a motor vehicle
131 registration and does not apply to the transfer of a
132 registration of a motor vehicle sold by a motor vehicle dealer
133 licensed under this chapter, except for the transfer of
134 registrations which is inclusive of the annual renewals. This
135 section does not affect the issuance of the title to a motor
136 vehicle, notwithstanding s. 319.23(8)(b) ~~319.23(7)(b)~~.

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

139 320.05 Records of the department; inspection procedure;
140 lists and searches; fees.—

141 (3)

142 (b) Fees therefor shall be charged and collected as
143 follows:

144 1. For providing lists of motor vehicle or vessel records
145 for the entire state, or any part or parts thereof, divided
146 according to counties, a sum computed at a rate of not less than
147 1 cent nor more than 5 cents per item.

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

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

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

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

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

158 7. For providing electronic access to motor vehicle,



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159 vessel, and mobile home registration data requested by tag,
160 vehicle identification number, title number, or decal number, 50
161 cents per item.

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

165 9. For providing lists of licensed mobile home dealers and
166 manufacturers and recreational vehicle dealers and
167 manufacturers, \$15 per list.

168 10. For providing lists of licensed motor vehicle dealers,
169 \$25 per list.

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

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

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

177 Section 34. Paragraph (d) is added to subsection (1) of
178 section 320.06, Florida Statutes, and subsection (5) is added to
179 that section, to read:

180 320.06 Registration certificates, license plates, and
181 validation stickers generally.-

182 (1)

183 (d) The department may conduct a pilot program to evaluate
184 designs, concepts, and technologies for alternative license
185 plate technologies. The pilot program shall investigate the
186 feasibility and use of alternative license plate technologies
187 and shall be limited to license plates that are used on



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188 government-owned motor vehicles, as defined in s. 320.0655.
189 Government license plates in the pilot program are exempt from
190 current license plate requirements in s. 320.06(3)(a).

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

193 Section 35. Section 320.061, Florida Statutes, is amended
194 to read:

195 320.061 Unlawful to alter motor vehicle registration
196 certificates, temporary license plates, license plates, mobile
197 home stickers, or validation stickers or to obscure license
198 plates; penalty.—No person shall alter the original appearance
199 of any registration license plate, temporary license plate,
200 mobile home sticker, validation sticker, or vehicle registration
201 certificate issued for and assigned to any motor vehicle or
202 mobile home, whether by mutilation, alteration, defacement, or
203 change of color or in any other manner. No person shall apply or
204 attach any substance, reflective matter, illuminated device,
205 spray, coating, covering, or other material onto or around any
206 license plate that interferes with the legibility, angular
207 visibility, or detectability of any feature or detail on the
208 license plate or interferes with the ability to record any
209 feature or detail on the license plate. Any person who violates
210 this section commits a noncriminal traffic infraction,
211 punishable as a moving violation as provided in chapter 318.

212 Section 36. Subsection (1) of section 320.071, Florida
213 Statutes, is amended to read:

214 320.071 Advance registration renewal; procedures.—

215 (1)(a) The owner of any motor vehicle or mobile home
216 currently registered in this state may file an application for



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217 renewal of registration with the department, or its authorized
218 agent in the county wherein the owner resides, any time during
219 the 3 months preceding the date of expiration of the
220 registration period. The registration period may not exceed 27
221 months.

222 (b) The owner of any apportionable ~~apportioned motor~~
223 vehicle currently registered in this state under the provisions
224 of the International Registration Plan may file an application
225 for renewal of registration with the department any time during
226 the 3 months preceding the date of expiration of the
227 registration period.

228 Section 37. Subsections (1) and (3) of section 320.0715,
229 Florida Statutes, are amended to read:

230 320.0715 International Registration Plan; motor carrier
231 services; permits; retention of records.—

232 (1) All apportionable ~~commercial motor~~ vehicles domiciled
233 in this state ~~and engaged in interstate commerce~~ shall be
234 registered in accordance with the provisions of the
235 International Registration Plan ~~and shall display apportioned~~
236 ~~license plates.~~

237 (3) (a) If the department is unable to immediately issue the
238 apportioned license plate to an applicant currently registered
239 in this state under the International Registration Plan or to a
240 vehicle currently titled in this state, the department or its
241 designated agent is authorized to issue a 60-day temporary
242 operational permit. The department or agent of the department
243 shall charge a \$3 fee and the service charge authorized by s.
244 320.04 for each temporary operational permit it issues.

245 (b) The department shall in no event issue a temporary



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246 operational permit for any apportionable ~~commercial motor~~
247 vehicle to any applicant until the applicant has shown that:

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

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

252 (c) Issuance of a temporary operational permit provides
253 ~~commercial motor vehicle~~ registration privileges in each
254 International Registration Plan member jurisdiction designated
255 on said permit and therefore requires payment of all applicable
256 registration fees and taxes due for that period of registration.

257 (d) Application for permanent registration must be made to
258 the department within 10 days following ~~from~~ issuance of a
259 temporary operational permit. Failure to file an application
260 within this 10-day period may result in cancellation of the
261 temporary operational permit.

262 Section 38. Paragraph (d) of subsection (5) of section
263 320.08, Florida Statutes, is amended to read:

264 320.08 License taxes.—Except as otherwise provided herein,
265 there are hereby levied and imposed annual license taxes for the
266 operation of motor vehicles, mopeds, motorized bicycles as
267 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
268 and mobile homes, as defined in s. 320.01, which shall be paid
269 to and collected by the department or its agent upon the
270 registration or renewal of registration of the following:

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

273 (d) A wrecker, as defined in s. 320.01~~(40)~~, which is used
274 to tow a vessel as defined in s. 327.02(39), a disabled,



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275 abandoned, stolen-recovered, or impounded motor vehicle as
276 defined in s. 320.01~~(38)~~, or a replacement motor vehicle as
277 defined in s. 320.01~~(39)~~: \$41 flat, of which \$11 shall be
278 deposited into the General Revenue Fund.

279 Section 39. Subsection (1) of section 320.0847, Florida
280 Statutes, is amended to read:

281 320.0847 Mini truck and low-speed vehicle license plates.-

282 (1) The department shall issue a license plate to the owner
283 or lessee of any vehicle registered as a low-speed vehicle as
284 defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
285 320.01~~(45)~~ upon payment of the appropriate license taxes and
286 fees prescribed in s. 320.08.

287 Section 40. Subsection (4) of section 320.0848, Florida
288 Statutes, is amended to read:

289 320.0848 Persons who have disabilities; issuance of
290 disabled parking permits; temporary permits; permits for certain
291 providers of transportation services to persons who have
292 disabilities.-

293 (4) From the proceeds of the temporary disabled parking
294 permit fees:

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

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

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

303 1. To the Florida Endowment Foundation for Vocational



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304 Rehabilitation, known as "The Able Trust," ~~Florida Governor's~~
305 ~~Alliance for the Employment of Disabled Citizens~~ for the purpose
306 of improving employment and training opportunities for persons
307 who have disabilities, with special emphasis on removing
308 transportation barriers, \$4. These fees must be directly
309 deposited into the Florida Endowment Foundation for Vocational
310 Rehabilitation as established in s. 413.615 ~~Transportation~~
311 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
312 ~~Alliance for Employment of Disabled Citizens.~~

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

316 Section 41. Paragraphs (a) and (b) of subsection (2) of
317 section 320.275, Florida Statutes, are amended to read:

318 320.275 Automobile Dealers Industry Advisory Board.—

319 (2) MEMBERSHIP, TERMS, MEETINGS.—

320 (a) The board shall be composed of 12 members. The
321 executive director of the Department of Highway Safety and Motor
322 Vehicles shall appoint the members from names submitted by the
323 entities for the designated categories the member will
324 represent. The executive director shall appoint one
325 representative of the Department of Highway Safety and Motor
326 Vehicles, ~~who must represent the Division of Motor Vehicles;~~ two
327 representatives of the independent motor vehicle industry as
328 recommended by the Florida Independent Automobile Dealers
329 Association; two representatives of the franchise motor vehicle
330 industry as recommended by the Florida Automobile Dealers
331 Association; one representative of the auction motor vehicle
332 industry who is from an auction chain and is recommended by a



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333 group affiliated with the National Auto Auction Association; one
334 representative of the auction motor vehicle industry who is from
335 an independent auction and is recommended by a group affiliated
336 with the National Auto Auction Association; one representative
337 from the Department of Revenue; a Florida tax collector
338 representative recommended by the Florida Tax Collectors
339 Association; one representative from the Better Business Bureau;
340 one representative from the Department of Agriculture and
341 Consumer Services, who must represent the Division of Consumer
342 Services; and one representative of the insurance industry who
343 writes motor vehicle dealer surety bonds.

344 (b)1. The executive director shall appoint the following
345 initial members to 1-year terms: one representative from the
346 motor vehicle auction industry who represents an auction chain,
347 one representative from the independent motor vehicle industry,
348 one representative from the franchise motor vehicle industry,
349 one representative from the Department of Revenue, one Florida
350 tax collector, and one representative from the Better Business
351 Bureau.

352 2. The executive director shall appoint the following
353 initial members to 2-year terms: one representative from the
354 motor vehicle auction industry who represents an independent
355 auction, one representative from the independent motor vehicle
356 industry, one representative from the franchise motor vehicle
357 industry, one representative from the Division of Consumer
358 Services, one representative from the insurance industry, and
359 one representative from the department ~~Division of Motor~~
360 ~~Vehicles~~.

361 3. As the initial terms expire, the executive director



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362 shall appoint successors from the same designated category for
363 terms of 2 years. If renominated, a member may succeed himself
364 or herself.

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

367 Section 42. Subsection (1) of section 320.771, Florida
368 Statutes, is amended to read:

369 320.771 License required of recreational vehicle dealers.-

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

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



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391 buy a motor vehicle for the purpose of resale unless licensed as
392 a motor vehicle dealer pursuant to s. 320.27.

393 (b) "Recreational vehicle broker" means any person who is
394 engaged in the business of offering to procure or procuring used
395 recreational vehicles for the general public; who holds himself
396 or herself out through solicitation, advertisement, or otherwise
397 as one who offers to procure or procures used recreational
398 vehicles for the general public; or who acts as the agent or
399 intermediary on behalf of the owner or seller of a used
400 recreational vehicle which is for sale or who assists or
401 represents the seller in finding a buyer for the recreational
402 vehicle.

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

406 (d) A dealer may apply for a certificate of title to a
407 recreational vehicle required to be registered under s.
408 320.08(9) using a manufacturer's statement of origin as
409 permitted by s. 319.23(1) only if such dealer is authorized by a
410 manufacturer/dealer agreement as defined in s. 320.3202(8) on
411 file with the department to buy, sell, or deal in that
412 particular line-make of recreational vehicle and is authorized
413 by such agreement to perform delivery and preparation
414 obligations and warranty defect adjustments on that line-make.

415 Section 43. Section 320.95, Florida Statutes, is amended to
416 read:

417 320.95 Transactions by electronic or telephonic means.—

418 (1) The department may ~~is authorized to~~ accept any
419 application provided for under this chapter by electronic or



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420 telephonic means.

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

424 Section 44. Section 321.02, Florida Statutes, is amended to
425 read:

426 321.02 Powers and duties of department, highway patrol.—The
427 director of the Division of Highway Patrol of the Department of
428 Highway Safety and Motor Vehicles shall be designated the
429 Colonel ~~also be the commander~~ of the Florida Highway Patrol. The
430 said department shall set up and promulgate rules and
431 regulations by which the personnel of the Florida Highway Patrol
432 officers shall be examined, employed, trained, located,
433 suspended, reduced in rank, discharged, recruited, paid and
434 pensioned, subject to civil service provisions hereafter set
435 out. The department may enter into contracts or agreements, with
436 or without competitive bidding or procurement, to make
437 available, on a fair, reasonable, nonexclusive, and
438 nondiscriminatory basis, property and other structures under
439 division control for the placement of new facilities by any
440 wireless provider of mobile service as defined in 47 U.S.C. s.
441 153(27) or s. 332(d), and any telecommunications company as
442 defined in s. 364.02 when it is determined to be practical and
443 feasible to make such property or other structures available.
444 The department may, without adopting a rule, charge a just,
445 reasonable, and nondiscriminatory fee for placement of the
446 facilities, payable annually, based on the fair market value of
447 space used by comparable communications facilities in the state.
448 The department and a wireless provider or telecommunications



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449 company may negotiate the reduction or elimination of a fee in
450 consideration of services provided to the division by the
451 wireless provider or the telecommunications company. All such
452 fees collected by the department shall be deposited directly
453 into the State Agency Law Enforcement Radio System Trust Fund,
454 and may be used to construct, maintain, or support the system.
455 The department is further specifically authorized to purchase,
456 sell, trade, rent, lease and maintain all necessary equipment,
457 uniforms, motor vehicles, communication systems, housing
458 facilities, office space, and perform any other acts necessary
459 for the proper administration and enforcement of this chapter.
460 However, all supplies and equipment consisting of single items
461 or in lots shall be purchased under the requirements of s.
462 287.057. Purchases shall be made by accepting the bid of the
463 lowest responsive bidder, the right being reserved to reject all
464 bids. The department shall prescribe a distinctive uniform and
465 distinctive emblem to be worn by all officers of the Florida
466 Highway Patrol. It shall be unlawful for any other person or
467 persons to wear a similar uniform or emblem, or any part or
468 parts thereof. The department shall also prescribe distinctive
469 colors for use on motor vehicles and motorcycles operated by the
470 Florida Highway Patrol. The prescribed colors shall be referred
471 to as "Florida Highway Patrol black and tan."

472 Section 45. Subsection (3) of section 322.02, Florida
473 Statutes, is amended to read:

474 322.02 Legislative intent; administration.—

475 (3) The department shall employ a director, who is charged
476 with the duty of serving as the executive officer of the
477 Division of Motorist Services within ~~Driver Licenses of~~ the



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478 department insofar as the administration of this chapter is
479 concerned. He or she shall be subject to the supervision and
480 direction of the department, and his or her official actions and
481 decisions as executive officer shall be conclusive unless the
482 same are superseded or reversed by the department or by a court
483 of competent jurisdiction.

484 Section 46. Subsection (1) of section 322.04, Florida
485 Statutes, is amended to read:

486 322.04 Persons exempt from obtaining driver's license.—

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

489 (a) Any employee of the United States Government, while
490 operating a noncommercial motor vehicle owned by or leased to
491 the United States Government and being operated on official
492 business.

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

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

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

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



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507 that country.

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

513 (d) ~~(e)~~ Any person operating a golf cart, as defined in s.
514 320.01, which is operated in accordance with the provisions of
515 s. 316.212.

516 Section 47. Paragraph (a) of subsection (1) of section
517 322.051, Florida Statutes, is amended, and subsection (9) is
518 added to that section, to read:

519 322.051 Identification cards.—

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

525 (a) Each such application shall include the following
526 information regarding the applicant:

527 1. Full name (first, middle or maiden, and last), gender,
528 proof of social security card number satisfactory to the
529 department, county of residence, mailing address, proof of
530 residential address satisfactory to the department, country of
531 birth, and a brief description.

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

533 3. Proof of identity satisfactory to the department. Such
534 proof must include one of the following documents issued to the
535 applicant:



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- 536 a. A driver's license record or identification card record
537 from another jurisdiction that required the applicant to submit
538 a document for identification which is substantially similar to
539 a document required under sub-subparagraph b., sub-subparagraph
540 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
541 f., sub-subparagraph g., or sub-subparagraph h.;
- 542 b. A certified copy of a United States birth certificate;
- 543 c. A valid, unexpired United States passport;
- 544 d. A naturalization certificate issued by the United States
545 Department of Homeland Security;
- 546 e. A valid, unexpired alien registration receipt card
547 (green card);
- 548 f. A Consular Report of Birth Abroad provided by the United
549 States Department of State;
- 550 g. An unexpired employment authorization card issued by the
551 United States Department of Homeland Security; or
- 552 h. Proof of nonimmigrant classification provided by the
553 United States Department of Homeland Security, for an original
554 identification card. In order to prove such nonimmigrant
555 classification, applicants must provide at least one of ~~may~~
556 ~~produce but are not limited to~~ the following documents, and, in
557 addition, the department may require other documents for the
558 sole purpose of establishing the maintenance of or efforts to
559 maintain continuous lawful presence:
- 560 (I) A notice of hearing from an immigration court
561 scheduling a hearing on any proceeding.
- 562 (II) A notice from the Board of Immigration Appeals
563 acknowledging pendency of an appeal.
- 564 (III) Notice of the approval of an application for



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565 adjustment of status issued by the United States Bureau of
566 Citizenship and Immigration Services.

567 (IV) Any official documentation confirming the filing of a
568 petition for asylum or refugee status or any other relief issued
569 by the United States Bureau of Citizenship and Immigration
570 Services.

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

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

577 (VII) Evidence that an application is pending for
578 adjustment of status to that of an alien lawfully admitted for
579 permanent residence in the United States or conditional
580 permanent resident status in the United States, if a visa number
581 is available having a current priority date for processing by
582 the United States Bureau of Citizenship and Immigration
583 Services.

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

588

589 An identification card issued based on documents required
590 ~~Presentation of any of the documents described in sub-~~
591 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
592 ~~applicant to an identification card~~ for a period not to exceed
593 the expiration date of the document presented or 1 year,



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594 whichever first occurs.

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

599 Section 48. Subsection (4) of section 322.058, Florida
600 Statutes, is amended to read:

601 322.058 Suspension of driving privileges due to support
602 delinquency; reinstatement.—

603 (4) This section applies only to the annual renewal in the
604 owner's birth month of a motor vehicle registration and does not
605 apply to the transfer of a registration of a motor vehicle sold
606 by a motor vehicle dealer licensed under chapter 320, except for
607 the transfer of registrations which is inclusive of the annual
608 renewals. This section does not affect the issuance of the title
609 to a motor vehicle, notwithstanding s. 319.23(8)(b)
610 ~~319.23(7)(b)~~.

611 Section 49. Section 322.065, Florida Statutes, is amended
612 to read:

613 322.065 Driver's license expired for 6 4 months or less;
614 penalties.—Any person whose driver's license has been expired
615 for 6 4 months or less and who drives a motor vehicle upon the
616 highways of this state commits ~~is guilty of~~ an infraction and is
617 subject to the penalty provided in s. 318.18.

618 Section 50. Subsection (3) of section 322.07, Florida
619 Statutes, is amended to read:

620 322.07 Instruction permits and temporary licenses.—

621 (3) Any person who, except for his or her lack of
622 instruction in operating a commercial motor vehicle, would



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623 otherwise be qualified to obtain a commercial driver's license
624 under this chapter, may apply for a temporary commercial
625 instruction permit. The department shall issue such a permit
626 entitling the applicant, while having the permit in his or her
627 immediate possession, to drive a commercial motor vehicle on the
628 highways, provided that:

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

631 (b) The applicant, while operating a commercial motor
632 vehicle, is accompanied by a licensed driver who is 21 years of
633 age or older, who is licensed to operate the class of vehicle
634 being operated, and who is actually occupying the closest seat
635 to the right of the driver.

636 Section 51. Subsection (2) of section 322.08, Florida
637 Statutes, is amended, paragraphs (o), (p), and (q) are added to
638 subsection (7) of that section, and subsection (8) is added to
639 that section, to read:

640 322.08 Application for license; requirements for license
641 and identification card forms.—

642 (2) Each such application shall include the following
643 information regarding the applicant:

644 (a) Full name (first, middle or maiden, and last), gender,
645 proof of social security card number satisfactory to the
646 department, county of residence, mailing address, proof of
647 residential address satisfactory to the department, country of
648 birth, and a brief description.

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

650 (c) Proof of identity satisfactory to the department. Such
651 proof must include one of the following documents issued to the



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652 applicant:

653 1. A driver's license record or identification card record
654 from another jurisdiction that required the applicant to submit
655 a document for identification which is substantially similar to
656 a document required under subparagraph 2., subparagraph 3.,
657 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
658 7., or subparagraph 8.;

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

660 3. A valid, unexpired United States passport;

661 4. A naturalization certificate issued by the United States
662 Department of Homeland Security;

663 5. A valid, unexpired alien registration receipt card
664 (green card);

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

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

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

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

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



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

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

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

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

694 g. Evidence that an application is pending for adjustment
695 of status to that of an alien lawfully admitted for permanent
696 residence in the United States or conditional permanent resident
697 status in the United States, if a visa number is available
698 having a current priority date for processing by the United
699 States Bureau of Citizenship and Immigration Services.

700 h. On or after January 1, 2010, an unexpired foreign
701 passport with an unexpired United States Visa affixed,
702 accompanied by an approved I-94, documenting the most recent
703 admittance into the United States.

704

705 A driver's license or temporary permit issued based on documents
706 required ~~Presentation of any of the documents~~ in subparagraph 7.
707 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
708 ~~license or temporary permit~~ for a period not to exceed the
709 expiration date of the document presented or 1 year, whichever



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710 occurs first.

711 (d) Whether the applicant has previously been licensed to
712 drive, and, if so, when and by what state, and whether any such
713 license or driving privilege has ever been disqualified,
714 revoked, or suspended, or whether an application has ever been
715 refused, and, if so, the date of and reason for such
716 disqualification, suspension, revocation, or refusal.

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

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

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

726 (p) Notwithstanding s. 26 of chapter 2010-223, Laws of
727 Florida, a voluntary contribution of \$1 or more per applicant to
728 the Auto Club South Traffic Safety Foundation, a nonprofit
729 organization. Funds received by the foundation shall be used to
730 improve traffic safety culture in communities through effective
731 outreach, education, and activities that will save lives, reduce
732 injuries, and prevent crashes. The foundation must comply with
733 s. 322.081.

734 (q) The application form for motor vehicle registration and
735 renewal registration must include language permitting a
736 voluntary contribution of \$1 for Support Our Troops. The
737 proceeds shall be transferred by the department each month to
738 Support Our Troops, Inc.



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

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

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

And the title is amended as follows:

Delete lines 106 - 184

and insert:

320.02, F.S.; providing that an active-duty military member is exempt from the requirement to provide an address on an application for vehicle registration; requiring the application forms for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to EndHunger in Florida, Autism Services and Supports, the Auto Club South Traffic Safety Foundation, and Support Our Troops; requiring that the department retain certain records for a specified period; amending s. 320.023, F.S.; authorizing the department to retain certain proceeds derived from the voluntary contributions program to cover certain specified costs to the department; amending s. 320.03, F.S., relating to the International Registration Plan; conforming provisions to changes made by the act;



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768 amending s. 320.05, F.S.; deleting a provision
769 requiring that the department provide a procedures
770 manual for a fee; clarifying that the creation and
771 maintenance of records by the Division of Motorist
772 Services is not a law enforcement function of agency
773 recordkeeping; amending s. 320.06, F.S.; authorizing
774 the department to conduct a pilot program to evaluate
775 alternative license plate technologies for use on
776 government-owned motor vehicles; specifying that all
777 license plates issued by the department are the
778 property of the state; amending s. 320.061, F.S.;
779 providing that it is a noncriminal traffic infraction
780 to alter a temporary license plate; amending s.
781 320.071, F.S.; providing for the renewal of
782 registration for an apportionable vehicle that is
783 registered under the International Registration Plan;
784 amending s. 320.0715, F.S.; clarifying provisions
785 requiring the registration of apportionable vehicles
786 under the International Registration Plan; amending s.
787 320.08, F.S., relating to license taxes; conforming
788 cross-references; amending s. 320.0847, F.S., relating
789 to license plates for mini trucks and low-speed
790 vehicles; conforming cross-references; amending s.
791 320.0848, F.S.; revising the requirements for the
792 deposit of fee proceeds from temporary disabled
793 parking permits; amending s. 320.275, F.S., relating
794 to the Automobile Dealers Industry Advisory Board;
795 conforming provisions to the elimination of the
796 Division of Motor Vehicles within the department;



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797 amending s. 320.771, F.S.; specifying circumstances
798 under which certain dealers may apply for a
799 certificate of title to a recreational vehicle using a
800 manufacturer's statement of origin; amending s.
801 320.95, F.S.; authorizing the department to use
802 electronic mail addresses for the purpose of providing
803 license renewal notices; amending s. 321.02, F.S.;
804 designating the director of the Division of Highway
805 Patrol of the department as the Colonel of the Florida
806 Highway Patrol; amending s. 322.02, F.S.; providing
807 for a director of the Division of Motorist Services;
808 amending s. 322.04, F.S.; revising provisions
809 exempting a nonresident from the requirement to obtain
810 a driver's license under certain circumstances;
811 amending s. 322.051, F.S.; revising the means by which
812 an applicant for an identification card may prove
813 nonimmigrant classification; clarifying the validity
814 of an identification card based on specified
815 documents; providing for the department to waive the
816 fees for issuing or renewing an identification card to
817 persons who present good cause for such waiver;
818 amending s. 322.058, F.S.; conforming a cross-
819 reference; amending s. 322.065, F.S.; revising the
820 period of expiration that constitutes the offense of
821 driving with an expired driver's license; amending s.
822 322.07, F.S.; clarifying the qualifications for
823 obtaining a temporary commercial instruction permit;
824 amending s. 322.08, F.S.; revising requirements by
825 which an applicant for a driver's license may prove



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826 nonimmigrant classification; clarifying the validity
827 of a license based on specified documents; providing
828 for driver's license application forms to allow the
829 applicant to make a voluntary contribution to Autism
830 Services and Supports, the Auto Club South Traffic
831 Safety Foundation, and Support Our Troops; authorizing
832 the department to use