

1 A bill to be entitled
2 An act relating to the Department of Highway Safety and
3 Motor Vehicles; amending s. 20.24, F.S.; specifying that
4 the executive director of the department serves at the
5 pleasure of the Governor and Cabinet; creating a Division
6 of Motorist Services within the department; eliminating
7 the Division of Driver Licenses and the Division of Motor
8 Vehicles; amending s. 261.03, F.S.; conforming cross-
9 references; amending s. 288.816, F.S., relating to Consul
10 Corps license plates; conforming a reference; amending s.
11 311.121, F.S., relating to membership of the Seaport
12 Security Officer Qualification, Training, and Standards
13 Coordinating Council; conforming provisions to changes
14 made by the act; amending s. 316.003, F.S.; revising
15 definitions and defining the term "swamp buggy" for
16 purposes of the Florida Uniform Traffic Control Law;
17 reenacting s. 316.065(4), F.S., relating to crash reports,
18 to incorporate changes made to s. 316.066, F.S., by
19 chapter 2010-163, Laws of Florida; amending s. 316.1933,
20 F.S.; authorizing a health care provider to notify a law
21 enforcement agency after detecting the presence of a
22 controlled substance in the blood of a person injured in a
23 motor vehicle crash; amending s. 316.1957, F.S., relating
24 to parking violations; conforming a reference; amending s.
25 316.2065, F.S.; revising safety standard requirements for
26 bicycle helmets that must be worn by certain riders and
27 passengers; clarifying provisions relating to when a
28 bicycle operator must ride in a bicycle lane or along the

29 | curb or edge of the roadway; providing for enforcement of
30 | requirements for bicycle lighting equipment; providing
31 | penalties for violations; providing for dismissal of the
32 | charge following a first offense under certain
33 | circumstances; amending s. 316.2085, F.S.; requiring the
34 | license tag of a motorcycle or moped to remain clearly
35 | visible from the rear; prohibiting deliberate acts to
36 | conceal or obscure the tag; amending ss. 316.2122,
37 | 316.2124, 316.21265, 316.3026, and 316.550, F.S., relating
38 | to the operation of low-speed vehicles, motorized
39 | disability access vehicles, and all-terrain or utility
40 | vehicles, the unlawful operation of motor carriers, and
41 | special permits, respectively; conforming cross-
42 | references; amending s. 316.545, F.S.; providing for the
43 | regulation of apportionable vehicles; amending s.
44 | 317.0003, F.S., relating to off-highway vehicles;
45 | conforming a cross-reference; amending s. 317.0016, F.S.;
46 | eliminating a requirement that the department provide
47 | expedited service for certificates of repossession;
48 | amending s. 318.14, F.S.; clarifying provisions
49 | authorizing a person cited for a noncriminal traffic
50 | infraction to elect to attend a driver improvement course
51 | or enter a plea of nolo contendere; amending s. 318.1451,
52 | F.S.; requiring the curricula of driver improvement
53 | schools to include instruction on the dangers of driving
54 | while distracted; amending s. 318.15, F.S., relating to
55 | the suspension of driving privileges; conforming a
56 | reference; amending s. 319.14, F.S.; prohibiting a person

57 | from knowingly offering for sale, selling, or exchanging
58 | certain vehicles unless the department has stamped in a
59 | conspicuous place on the certificate of title words
60 | stating that the vehicle is a custom vehicle or street rod
61 | vehicle; defining the terms "custom vehicle" and "street
62 | rod"; providing requirements for inspection and issuance
63 | of a rebuilt title; amending s. 319.225, F.S.; revising
64 | provisions for vehicle certificates of title; revising
65 | requirements for the transfer and reassignment forms for
66 | vehicles; revising dealer submission requirements;
67 | requiring a dealer selling a vehicle out of state to mail
68 | a copy of the power of attorney form to the department;
69 | providing for the electronic transfer of a vehicle title;
70 | amending s. 319.23, F.S.; providing for the application
71 | for a certificate of title, corrected certificate, or
72 | assignment or reassignment to be filed from the
73 | consummation of the sale of a mobile home; authorizing the
74 | department to accept a bond if the applicant for a
75 | certificate of title is unable to provide a title that
76 | assigns the prior owner's interest in the motor vehicle;
77 | providing requirements for the bond and the affidavit;
78 | providing for future expiration of the bond; amending s.
79 | 319.28, F.S.; eliminating certain requirements that a
80 | lienholder obtain a certificate of repossession following
81 | repossession of a vehicle or mobile home; amending s.
82 | 319.323, F.S., relating to title offices for expedited
83 | service; conforming provisions to changes made by the act;
84 | amending s. 319.40, F.S.; authorizing the department to

85 | issue electronic certificates of title and use electronic
86 | mail addresses for purposes of notification; amending s.
87 | 320.01, F.S.; revising definitions; excluding special
88 | mobile equipment and swamp buggies from the meaning of the
89 | term "motor vehicle"; deleting an obsolete definition;
90 | revising the gross vehicle weight for purposes of defining
91 | the terms "apportionable vehicle" and "commercial motor
92 | vehicle"; defining the term "swamp buggy"; amending s.
93 | 320.02, F.S.; providing that an active-duty military
94 | member is exempt from the requirement to provide an
95 | address on an application for vehicle registration;
96 | requiring that a Florida driver's license or
97 | identification card be changed following a change of
98 | residence or mailing address before the vehicle
99 | registration is changed; requiring the application forms
100 | for motor vehicle registration and renewal of registration
101 | to include language permitting the applicant to make a
102 | voluntary contribution to End Hunger in Florida, Take
103 | Stock In Children, Autism Services and Supports, and
104 | Support Our Troops; requiring that the department retain
105 | certain records for a specified period; amending s.
106 | 320.023, F.S.; authorizing the department to retain
107 | certain proceeds derived from the voluntary contributions
108 | program to cover certain specified costs to the
109 | department; amending s. 320.03, F.S., relating to the
110 | International Registration Plan; conforming provisions to
111 | changes made by the act; amending s. 320.05, F.S.;
112 | deleting a provision requiring that the department provide

113 a procedures manual for a fee; clarifying that the
114 creation and maintenance of records by the Division of
115 Motorist Services is not a law enforcement function of
116 agency recordkeeping; amending s. 320.06, F.S.;

117 authorizing the department to conduct a pilot program to
118 evaluate alternative license plate technologies for use on
119 government-owned motor vehicles; exempting plates in the
120 pilot program from specified license plate design and
121 construction requirements; specifying that all license
122 plates issued by the department are the property of the
123 state; amending s. 320.061, F.S.; providing that it is a
124 noncriminal traffic infraction to alter a temporary
125 license plate; amending s. 320.071, F.S.; providing for
126 the renewal of registration for an apportionable vehicle
127 that is registered under the International Registration
128 Plan; amending s. 320.0715, F.S.; clarifying provisions
129 requiring the registration of apportionable vehicles under
130 the International Registration Plan; amending s. 320.08,
131 F.S., relating to license taxes; conforming cross-
132 references; amending s. 320.08068, F.S.; revising use of
133 funds received from the sale of motorcycle specialty
134 license plates; amending s. 320.0847, F.S., relating to
135 license plates for mini trucks and low-speed vehicles;
136 conforming cross-references; amending s. 320.0848, F.S.;

137 revising the requirements for the deposit of fee proceeds
138 from temporary disabled parking permits; amending s.
139 320.089, F.S.; providing for the issuance of a Combat
140 Infantry Badge license plate; providing qualifications and

141 requirements for the plate; providing for the use of
142 proceeds from the sale of the plate; amending s. 320.27,
143 F.S.; exempting salvage motor vehicle dealers from certain
144 security requirements; amending s. 320.275, F.S., relating
145 to the Automobile Dealers Industry Advisory Board;
146 conforming provisions to the elimination of the Division
147 of Motor Vehicles within the department; amending s.
148 320.771, F.S.; providing criteria for a dealer to apply
149 for a certificate of title to a recreational vehicle under
150 certain circumstances; amending s. 320.95, F.S.;

151 authorizing the department to use electronic mail
152 addresses for the purpose of providing license renewal
153 notices; amending s. 321.02, F.S.; designating the
154 director of the Division of Highway Patrol of the
155 department as the Colonel of the Florida Highway Patrol;
156 amending s. 322.02, F.S.; providing for a director of the
157 Division of Motorist Services; amending s. 322.0261, F.S.;

158 requiring a person who violates provisions relating to
159 careless driving or aggressive careless driving to attend
160 a driver improvement course to maintain his or her driving
161 privileges; amending s. 322.04, F.S.; revising provisions
162 exempting a nonresident from the requirement to obtain a
163 driver's license under certain circumstances; amending s.
164 322.051, F.S.; revising requirements by which an applicant
165 for an identification card may prove nonimmigrant
166 classification; clarifying the validity of an
167 identification card based on specified documents; amending
168 s. 322.058, F.S., relating to renewal of motor vehicle

169 registration; conforming a cross-reference; amending s.
170 322.065, F.S.; revising the period of expiration that
171 constitutes the offense of driving with an expired
172 driver's license; amending s. 322.07, F.S.; revising
173 qualifications for obtaining a temporary commercial
174 instruction permit; amending s. 322.08, F.S.; revising
175 requirements by which an applicant for a driver's license
176 may prove nonimmigrant classification; clarifying the
177 validity of a license based on specified documents;
178 providing for driver's license application forms to allow
179 the applicant to make a voluntary contribution to Autism
180 Services and Supports and Support Our Troops, Inc.;
181 authorizing the department to use electronic mail
182 addresses for the purposes of providing license renewal
183 notices; amending s. 322.081, F.S.; authorizing the
184 department to retain certain proceeds derived from the
185 voluntary contributions made on driver's license
186 applications to cover certain specified costs to the
187 department; amending s. 322.095, F.S.; requiring the
188 curricula of traffic law and substance abuse education
189 courses to include instruction on the dangers of driving
190 while distracted; amending s. 322.12, F.S.; deleting
191 provisions requiring a separate examination for applicants
192 for a license to operate a motorcycle; requiring that the
193 motorcycle safety course for a first-time applicant
194 include a final examination; requiring that completion of
195 the course be indicated on the license; amending s.
196 322.121, F.S.; clarifying provisions authorizing the

197 automatic extension of a license for members of the Armed
198 Forces or their dependents while serving on active duty
199 outside the state; amending s. 322.14, F.S.; deleting a
200 requirement that applicants for specified licenses appear
201 in person for issuance of a color photographic or digital
202 imaged driver's license; providing for the department to
203 suspend a person's driver's license for violating certain
204 restrictions on his or her authorization to drive;
205 creating s. 322.1415, F.S.; requiring the Department of
206 Highway Safety and Motor Vehicles to issue a specialty
207 driver's license or identification card to qualified
208 applicants; specifying that, at a minimum, the specialty
209 driver's licenses and identification cards must be
210 available for certain state and independent universities
211 and professional sports teams and all of the branches of
212 the United States military; requiring that the design of
213 each specialty driver's license and identification card be
214 approved by the department; amending s. 322.20, F.S.,
215 relating to department records; conforming provisions to
216 changes made by the act; amending s. 322.202, F.S.;
217 clarifying that the Division of Motorist Services is not a
218 law enforcement agency; amending s. 322.21, F.S.;
219 providing for the distribution of funds collected from the
220 specialty driver's license and identification card fees;
221 conforming provisions to changes made by the act;
222 authorizing a driver to renew his or her driver's license
223 during a specified period before the license expiration
224 date; amending s. 322.22, F.S.; clarifying provisions

225 | authorizing the department to cancel a driver's license;
226 | authorizing the department to cancel a license upon
227 | determining that the licensee is not entitled to the
228 | license; amending s. 322.2615, F.S., relating to a
229 | person's right to review of a license suspension; revising
230 | provisions for a formal review hearing and enforcement of
231 | a subpoena; amending s. 322.53, F.S.; revising provisions
232 | exempting certain farmers and drivers who operate straight
233 | trucks from the requirement to obtain a commercial
234 | driver's license; amending s. 322.54, F.S.; requiring that
235 | the weight of a commercial motor vehicle be based on the
236 | vehicle's actual weight under certain circumstances;
237 | repealing s. 322.58, F.S., relating to holders of
238 | chauffeur's licenses; amending s. 322.59, F.S.; requiring
239 | that the department disqualify a driver holding a
240 | commercial driver's license who fails to comply with
241 | specified federal certification requirements; amending s.
242 | 322.61, F.S.; providing that the holder of a commercial
243 | driver's license is permanently disqualified from
244 | operating a commercial motor vehicle following two
245 | violations of specified offenses committed while operating
246 | any vehicle; amending s. 322.64, F.S.; providing that a
247 | notice of disqualification from operating a commercial
248 | motor vehicle acts as a conviction for purposes of certain
249 | federal restrictions imposed for the offense of operating
250 | a commercial motor vehicle while under the influence of
251 | alcohol; deleting provisions authorizing the department to
252 | impose certain alternative restrictions for such offense;

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253 | amending s. 328.30, F.S.; authorizing the department to
 254 | issue electronic certificates of title for vessels and use
 255 | electronic mail addresses for purposes of providing
 256 | renewal notices; amending s. 413.012, F.S., relating to a
 257 | prohibition on disclosing confidential records held by the
 258 | department; conforming provisions to changes made by the
 259 | act; amending s. 713.78, F.S., relating to renewal of
 260 | motor vehicle registration; conforming a cross-reference;
 261 | providing a short title; providing for a voluntary
 262 | emergency contact information program established by the
 263 | department; providing effective dates.

264 |
 265 | Be It Enacted by the Legislature of the State of Florida:
 266 |

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

269 | 20.24 Department of Highway Safety and Motor Vehicles.—
 270 | There is created a Department of Highway Safety and Motor
 271 | Vehicles.

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

278 | (2) The following divisions, ~~and bureaus within the~~
 279 | ~~divisions,~~ of the Department of Highway Safety and Motor
 280 | Vehicles are established:

281 (a) Division of the Florida Highway Patrol.

282 (b) Division of Motorist Services.

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

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

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

287 261.03 Definitions.—As used in this chapter, the term:

288 (9) "ROV" means any motorized recreational off-highway
289 vehicle 64 inches or less in width, having a dry weight of 2,000
290 pounds or less, designed to travel on four or more nonhighway
291 tires, having nonstraddle seating and a steering wheel, and
292 manufactured for recreational use by one or more persons. The
293 term "ROV" does not include a golf cart as defined in ss.
294 320.01~~(22)~~ and 316.003(68) or a low-speed vehicle as defined in
295 s. 320.01~~(42)~~.

296 Section 3. Paragraph (e) of subsection (2) of section
297 288.816, Florida Statutes, is amended to read:

298 288.816 Intergovernmental relations.—

299 (2) The Office of Tourism, Trade, and Economic Development
300 shall be responsible for all consular relations between the
301 state and all foreign governments doing business in Florida. The
302 office shall monitor United States laws and directives to ensure
303 that all federal treaties regarding foreign privileges and
304 immunities are properly observed. The office shall promulgate
305 rules which shall:

306 (e) Verify entitlement to issuance of special motor
307 vehicle license plates by ~~the Division of Motor Vehicles~~ of the
308 Department of Highway Safety and Motor Vehicles to honorary

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309 consuls or such other officials representing foreign governments
 310 who are not entitled to issuance of special Consul Corps license
 311 plates by the United States Government.

312 Section 4. Paragraph (a) of subsection (3) of section
 313 311.121, Florida Statutes, is amended to read:

314 311.121 Qualifications, training, and certification of
 315 licensed security officers at Florida seaports.—

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

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

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

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

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

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

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

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

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

332 8. Two representatives of contract security services.

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

335 Section 5. Subsections (2) and (21) of section 316.003,
 336 Florida Statutes, are amended, and subsection (89) is added to

337 that section, to read:

338 316.003 Definitions.—The following words and phrases, when
 339 used in this chapter, shall have the meanings respectively
 340 ascribed to them in this section, except where the context
 341 otherwise requires:

342 (2) BICYCLE.—Every vehicle propelled solely by human
 343 power, and every motorized bicycle propelled by a combination of
 344 human power and a ~~an electric~~ helper motor capable of propelling
 345 the vehicle at a speed of not more than 20 miles per hour on
 346 level ground upon which any person may ride, having two tandem
 347 wheels, and including any device generally recognized as a
 348 bicycle though equipped with two front or two rear wheels. The
 349 term does not include such a vehicle with a seat height of no
 350 more than 25 inches from the ground when the seat is adjusted to
 351 its highest position or a scooter or similar device. No person
 352 under the age of 16 may operate or ride upon a motorized
 353 bicycle.

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

358 (89) SWAMP BUGGY.—A motorized off-road vehicle designed to
 359 travel over swampy terrain, which may use large tires or tracks
 360 operated from an elevated platform, and may be used upon varied
 361 terrain. A swamp buggy does not include any vehicle defined in
 362 chapter 261 or otherwise defined or classified in this chapter.
 363 A swamp buggy may not be operated upon the public roads,
 364 streets, or highways of this state, except to the extent

365 specifically authorized by a state or federal agency to be used
 366 exclusively upon lands, managed, owned, or leased by that
 367 agency.

368 Section 6. For the purpose of incorporating the amendment
 369 made by chapter 2010-163, Laws of Florida, to section 316.066,
 370 Florida Statutes, in a reference thereto, subsection (4) of
 371 section 316.065, Florida Statutes, is reenacted retroactive to
 372 July 1, 2010, to read:

373 316.065 Crashes; reports; penalties.—

374 (4) Any person who knowingly repairs a motor vehicle
 375 without having made a report as required by subsection (3) is
 376 guilty of a misdemeanor of the first degree, punishable as
 377 provided in s. 775.082 or s. 775.083. The owner and driver of a
 378 vehicle involved in a crash who makes a report thereof in
 379 accordance with subsection (1) or s. 316.066(1) is not liable
 380 under this section.

381 Section 7. Subsection (1) of section 316.066, Florida
 382 Statutes, as amended by chapter 2010-163, Laws of Florida,
 383 reads:

384 316.066 Written reports of crashes.—

385 (1) (a) A Florida Traffic Crash Report, Long Form is
 386 required to be completed and submitted to the department within
 387 10 days after completing an investigation by every law
 388 enforcement officer who in the regular course of duty
 389 investigates a motor vehicle crash:

390 1. That resulted in death or personal injury.

391 2. That involved a violation of s. 316.061(1) or s.
 392 316.193.

393 3. In which a vehicle was rendered inoperative to a degree
 394 that required a wrecker to remove it from traffic, if such
 395 action is appropriate, in the officer's discretion.

396 (b) In every crash for which a Florida Traffic Crash
 397 Report, Long Form is not required by this section, the law
 398 enforcement officer may complete a short-form crash report or
 399 provide a short-form crash report to be completed by each party
 400 involved in the crash. The short-form report must include:

- 401 1. The date, time, and location of the crash.
- 402 2. A description of the vehicles involved.
- 403 3. The names and addresses of the parties involved.
- 404 4. The names and addresses of witnesses.
- 405 5. The name, badge number, and law enforcement agency of
 406 the officer investigating the crash.
- 407 6. The names of the insurance companies for the respective
 408 parties involved in the crash.

409 (c) Each party to the crash shall provide the law
 410 enforcement officer with proof of insurance to be included in
 411 the crash report. If a law enforcement officer submits a report
 412 on the accident, proof of insurance must be provided to the
 413 officer by each party involved in the crash. Any party who fails
 414 to provide the required information commits a noncriminal
 415 traffic infraction, punishable as a nonmoving violation as
 416 provided in chapter 318, unless the officer determines that due
 417 to injuries or other special circumstances such insurance
 418 information cannot be provided immediately. If the person
 419 provides the law enforcement agency, within 24 hours after the
 420 crash, proof of insurance that was valid at the time of the

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421 crash, the law enforcement agency may void the citation.

422 (d) The driver of a vehicle that was in any manner
423 involved in a crash resulting in damage to any vehicle or other
424 property in an amount of \$500 or more, which crash was not
425 investigated by a law enforcement agency, shall, within 10 days
426 after the crash, submit a written report of the crash to the
427 department or traffic records center. The entity receiving the
428 report may require witnesses of crashes to render reports and
429 may require any driver of a vehicle involved in a crash of which
430 a written report must be made as provided in this section to
431 file supplemental written reports whenever the original report
432 is deemed insufficient by the receiving entity.

433 (e) Short-form crash reports prepared by law enforcement
434 shall be maintained by the law enforcement officer's agency.

435 Section 8. Paragraph (a) of subsection (2) of section
436 316.1933, Florida Statutes, is amended to read:

437 316.1933 Blood test for impairment or intoxication in
438 cases of death or serious bodily injury; right to use reasonable
439 force.—

440 (2) (a) Only a physician, certified paramedic, registered
441 nurse, licensed practical nurse, other personnel authorized by a
442 hospital to draw blood, or duly licensed clinical laboratory
443 director, supervisor, technologist, or technician, acting at the
444 request of a law enforcement officer, may withdraw blood for the
445 purpose of determining the alcoholic content thereof or the
446 presence of chemical substances or controlled substances
447 therein. However, the failure of a law enforcement officer to
448 request the withdrawal of blood shall not affect the

449 | admissibility of a test of blood withdrawn for medical purposes.

450 | 1. Notwithstanding any provision of law pertaining to the
451 | confidentiality of hospital records or other medical records, if
452 | a health care provider, who is providing medical care in a
453 | health care facility to a person injured in a motor vehicle
454 | crash, becomes aware, as a result of any blood test performed in
455 | the course of that medical treatment, that the person's blood-
456 | alcohol level meets or exceeds the blood-alcohol level specified
457 | in s. 316.193(1)(b), or detects the presence of a controlled
458 | substance listed in chapter 893, the health care provider may
459 | notify any law enforcement officer or law enforcement agency.
460 | Any such notice must be given within a reasonable time after the
461 | health care provider receives the test result. Any such notice
462 | shall be used only for the purpose of providing the law
463 | enforcement officer with reasonable cause to request the
464 | withdrawal of a blood sample pursuant to this section.

465 | 2. The notice shall consist only of the name of the person
466 | being treated, the name of the person who drew the blood, the
467 | blood-alcohol level indicated by the test, and the date and time
468 | of the administration of the test.

469 | 3. Nothing contained in s. 395.3025(4), s. 456.057, or any
470 | applicable practice act affects the authority to provide notice
471 | under this section, and the health care provider is not
472 | considered to have breached any duty owed to the person under s.
473 | 395.3025(4), s. 456.057, or any applicable practice act by
474 | providing notice or failing to provide notice. It shall not be a
475 | breach of any ethical, moral, or legal duty for a health care
476 | provider to provide notice or fail to provide notice.

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477 4. A civil, criminal, or administrative action may not be
 478 brought against any person or health care provider participating
 479 in good faith in the provision of notice or failure to provide
 480 notice as provided in this section. Any person or health care
 481 provider participating in the provision of notice or failure to
 482 provide notice as provided in this section shall be immune from
 483 any civil or criminal liability and from any professional
 484 disciplinary action with respect to the provision of notice or
 485 failure to provide notice under this section. Any such
 486 participant has the same immunity with respect to participating
 487 in any judicial proceedings resulting from the notice or failure
 488 to provide notice.

489 Section 9. Section 316.1957, Florida Statutes, is amended
 490 to read:

491 316.1957 Parking violations; designated parking spaces for
 492 persons who have disabilities.—When evidence is presented in any
 493 court of the fact that any motor vehicle was parked in a
 494 properly designated parking space for persons who have
 495 disabilities in violation of s. 316.1955, it is prima facie
 496 evidence that the vehicle was parked and left in the space by
 497 the person, firm, or corporation in whose name the vehicle is
 498 registered and licensed according to the records of the
 499 department ~~Division of Motor Vehieles~~.

500 Section 10. Paragraph (d) of subsection (3) and
 501 subsections (5) and (8) of section 316.2065, Florida Statutes,
 502 are amended to read:

503 316.2065 Bicycle regulations.—
 504 (3)

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505 (d) A bicycle rider or passenger who is under 16 years of
506 age must wear a bicycle helmet that is properly fitted and is
507 fastened securely upon the passenger's head by a strap, and that
508 meets the federal safety standard for bicycle helmets, final
509 rule, 16 C.F.R. part 1203. Helmets purchased before October 1,
510 2011, and meeting standards of the American National Standards
511 Institute (ANSI Z 90.4 Bicycle Helmet Standards), the standards
512 of the Snell Memorial Foundation (1984 Standard for Protective
513 Headgear for Use in Bicycling), or any other nationally
514 recognized standards for bicycle helmets adopted by the
515 department may continue to be worn by riders or passengers until
516 January 1, 2015. As used in this subsection, the term
517 "passenger" includes a child who is riding in a trailer or
518 semitrailer attached to a bicycle.

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

525 1. When overtaking and passing another bicycle or vehicle
526 proceeding in the same direction.

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

529 3. When reasonably necessary to avoid any condition or
530 potential conflict, including, but not limited to, a fixed or
531 moving object, parked or moving vehicle, bicycle, pedestrian,
532 animal, surface hazard, turn lane, or substandard-width lane,

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533 which ~~that~~ makes it unsafe to continue along the right-hand curb
534 or edge or within a bicycle lane. For the purposes of this
535 subsection, a "substandard-width lane" is a lane that is too
536 narrow for a bicycle and another vehicle to travel safely side
537 by side within the lane.

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

541 (8) Every bicycle in use between sunset and sunrise shall
542 be equipped with a lamp on the front exhibiting a white light
543 visible from a distance of at least 500 feet to the front and a
544 lamp and reflector on the rear each exhibiting a red light
545 visible from a distance of 600 feet to the rear. A bicycle or
546 its rider may be equipped with lights or reflectors in addition
547 to those required by this section. A law enforcement officer may
548 issue a bicycle safety brochure and a verbal warning to a
549 bicycle rider who violates this subsection. A bicycle rider who
550 violates this subsection may be issued a citation by a law
551 enforcement officer and assessed a fine for a pedestrian
552 violation, as provided in s. 318.18. The court shall dismiss the
553 charge against a bicycle rider for a first violation of this
554 subsection upon proof of purchase and installation of the proper
555 lighting equipment.

556 Section 11. Subsection (3) of section 316.2085, Florida
557 Statutes, is amended to read:

558 316.2085 Riding on motorcycles or mopeds.—

559 (3) The license tag of a motorcycle or moped must be
560 permanently affixed to the vehicle and remain clearly visible

561 from the rear at all times ~~may not be adjusted or capable of~~
 562 ~~being flipped up.~~ Any deliberate act to conceal or obscure ~~No~~
 563 ~~device for or method of concealing or obscuring~~ the legibility
 564 of the license tag of a motorcycle is prohibited ~~shall be~~
 565 ~~installed or used.~~ The license tag of a motorcycle or moped may
 566 be affixed horizontally to the ground so that the numbers and
 567 letters read from left to right. Alternatively, a license tag
 568 for a motorcycle or moped for which the numbers and letters read
 569 from top to bottom may be affixed perpendicularly to the ground,
 570 provided that the registered owner of the motorcycle or moped
 571 maintains a prepaid toll account in good standing and a
 572 transponder associated with the prepaid toll account is affixed
 573 to the motorcycle or moped.

574 Section 12. Section 316.2122, Florida Statutes, is amended
 575 to read:

576 316.2122 Operation of a low-speed vehicle or mini truck on
 577 certain roadways.—The operation of a low-speed vehicle as
 578 defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
 579 320.01~~(45)~~ on any road as defined in s. 334.03(15) or (33) is
 580 authorized with the following restrictions:

581 (1) A low-speed vehicle or mini truck may be operated only
 582 on streets where the posted speed limit is 35 miles per hour or
 583 less. This does not prohibit a low-speed vehicle or mini truck
 584 from crossing a road or street at an intersection where the road
 585 or street has a posted speed limit of more than 35 miles per
 586 hour.

587 (2) A low-speed vehicle must be equipped with headlamps,
 588 stop lamps, turn signal lamps, taillamps, reflex reflectors,

589 parking brakes, rearview mirrors, windshields, seat belts, and
 590 vehicle identification numbers.

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

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

596 (5) A county or municipality may prohibit the operation of
 597 low-speed vehicles or mini trucks on any road under its
 598 jurisdiction if the governing body of the county or municipality
 599 determines that such prohibition is necessary in the interest of
 600 safety.

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

605 Section 13. Section 316.2124, Florida Statutes, is amended
 606 to read:

607 316.2124 Motorized disability access vehicles.—The
 608 Department of Highway Safety and Motor Vehicles is directed to
 609 provide, by rule, for the regulation of motorized disability
 610 access vehicles as described in s. 320.01~~(34)~~. The department
 611 shall provide that motorized disability access vehicles shall be
 612 registered in the same manner as motorcycles and shall pay the
 613 same registration fee as for a motorcycle. There shall also be
 614 assessed, in addition to the registration fee, a \$2.50 surcharge
 615 for motorized disability access vehicles. This surcharge shall
 616 be paid into the Highway Safety Operating Trust Fund. Motorized

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617 | disability access vehicles shall not be required to be titled by
 618 | the department. The department shall require motorized
 619 | disability access vehicles to be subject to the same safety
 620 | requirements as set forth in this chapter for motorcycles.

621 | Section 14. Subsection (1) of section 316.21265, Florida
 622 | Statutes, is amended to read:

623 | 316.21265 Use of all-terrain vehicles, golf carts, low-
 624 | speed vehicles, or utility vehicles by law enforcement
 625 | agencies.—

626 | (1) Notwithstanding any provision of law to the contrary,
 627 | any law enforcement agency in this state may operate all-terrain
 628 | vehicles as defined in s. 316.2074, golf carts as defined in s.
 629 | 320.01~~(22)~~, low-speed vehicles as defined in s. 320.01~~(42)~~, or
 630 | utility vehicles as defined in s. 320.01~~(43)~~ on any street,
 631 | road, or highway in this state while carrying out its official
 632 | duties.

633 | Section 15. Subsection (1) of section 316.3026, Florida
 634 | Statutes, is amended to read:

635 | 316.3026 Unlawful operation of motor carriers.—

636 | (1) The Office of Motor Carrier Compliance of the
 637 | Department of Transportation may issue out-of-service orders to
 638 | motor carriers, as defined in s. 320.01~~(33)~~, who have after
 639 | proper notice failed to pay any penalty or fine assessed by the
 640 | department, or its agent, against any owner or motor carrier for
 641 | violations of state law, refused to submit to a compliance
 642 | review and provide records pursuant to s. 316.302(5) or s.
 643 | 316.70, or violated safety regulations pursuant to s. 316.302 or
 644 | insurance requirements found in s. 627.7415. Such out-of-service

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645 orders shall have the effect of prohibiting the operations of
646 any motor vehicles owned, leased, or otherwise operated by the
647 motor carrier upon the roadways of this state, until such time
648 as the violations have been corrected or penalties have been
649 paid. Out-of-service orders issued under this section must be
650 approved by the Secretary of Transportation or his or her
651 designee. An administrative hearing pursuant to s. 120.569 shall
652 be afforded to motor carriers subject to such orders.

653 Section 16. Subsection (3) of section 316.545, Florida
654 Statutes, is amended to read:

655 316.545 Weight and load unlawful; special fuel and motor
656 fuel tax enforcement; inspection; penalty; review.—

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

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

663 (b) Five cents per pound for each pound of weight in
664 excess of the maximum herein provided when the excess weight
665 exceeds 200 pounds. However, whenever the gross weight of the
666 vehicle or combination of vehicles does not exceed the maximum
667 allowable gross weight, the maximum fine for the first 600
668 pounds of unlawful axle weight shall be \$10;

669 (c) For a vehicle equipped with fully functional idle-
670 reduction technology, any penalty shall be calculated by
671 reducing the actual gross vehicle weight or the internal bridge
672 weight by the certified weight of the idle-reduction technology

673 or by 400 pounds, whichever is less. The vehicle operator must
 674 present written certification of the weight of the idle-
 675 reduction technology and must demonstrate or certify that the
 676 idle-reduction technology is fully functional at all times. This
 677 calculation is not allowed for vehicles described in s.
 678 316.535(6);

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

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

687 Section 17. Paragraph (a) of subsection (5) and subsection
 688 (10) of section 316.550, Florida Statutes, are amended to read:

689 316.550 Operations not in conformity with law; special
 690 permits.—

691 (5) (a) The Department of Transportation may issue a
 692 wrecker special blanket permit to authorize a wrecker as defined
 693 in s. 320.01~~(40)~~ to tow a disabled vehicle as defined in s.
 694 320.01~~(38)~~ where the combination of the wrecker and the disabled
 695 vehicle being towed exceeds the maximum weight limits as
 696 established by s. 316.535.

697 (10) Whenever any motor vehicle, or the combination of a
 698 wrecker as defined in s. 320.01~~(40)~~ and a towed motor vehicle,
 699 exceeds any weight or dimensional criteria or special
 700 operational or safety stipulation contained in a special permit

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701 issued under the provisions of this section, the penalty
702 assessed to the owner or operator shall be as follows:

703 (a) For violation of weight criteria contained in a
704 special permit, the penalty per pound or portion thereof
705 exceeding the permitted weight shall be as provided in s.
706 316.545.

707 (b) For each violation of dimensional criteria in a
708 special permit, the penalty shall be as provided in s. 316.516
709 and penalties for multiple violations of dimensional criteria
710 shall be cumulative except that the total penalty for the
711 vehicle shall not exceed \$1,000.

712 (c) For each violation of an operational or safety
713 stipulation in a special permit, the penalty shall be an amount
714 not to exceed \$1,000 per violation and penalties for multiple
715 violations of operational or safety stipulations shall be
716 cumulative except that the total penalty for the vehicle shall
717 not exceed \$1,000.

718 (d) For violation of any special condition that has been
719 prescribed in the rules of the Department of Transportation and
720 declared on the permit, the vehicle shall be determined to be
721 out of conformance with the permit and the permit shall be
722 declared null and void for the vehicle, and weight and
723 dimensional limits for the vehicle shall be as established in s.
724 316.515 or s. 316.535, whichever is applicable, and:

725 1. For weight violations, a penalty as provided in s.
726 316.545 shall be assessed for those weights which exceed the
727 limits thus established for the vehicle; and

728 2. For dimensional, operational, or safety violations, a

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729 penalty as established in paragraph (c) or s. 316.516, whichever
 730 is applicable, shall be assessed for each nonconforming
 731 dimensional, operational, or safety violation and the penalties
 732 for multiple violations shall be cumulative for the vehicle.

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

735 317.0003 Definitions.—As used in this chapter, the term:

736 (9) "ROV" means any motorized recreational off-highway
 737 vehicle 64 inches or less in width, having a dry weight of 2,000
 738 pounds or less, designed to travel on four or more nonhighway
 739 tires, having nonstraddle seating and a steering wheel, and
 740 manufactured for recreational use by one or more persons. The
 741 term "ROV" does not include a golf cart as defined in ss.
 742 320.01~~(22)~~ and 316.003(68) or a low-speed vehicle as defined in
 743 s. 320.01~~(42)~~.

744 Section 19. Section 317.0016, Florida Statutes, is amended
 745 to read:

746 317.0016 Expedited service; applications; fees.—The
 747 department shall provide, through its agents and for use by the
 748 public, expedited service on title transfers, title issuances,
 749 duplicate titles, and recordation of liens, ~~and certificates of~~
 750 ~~repossession~~. A fee of \$7 shall be charged for this service,
 751 which is in addition to the fees imposed by ss. 317.0007 and
 752 317.0008, and \$3.50 of this fee shall be retained by the
 753 processing agency. All remaining fees shall be deposited in the
 754 Incidental Trust Fund of the Division of Forestry of the
 755 Department of Agriculture and Consumer Services. Application for
 756 expedited service may be made by mail or in person. The

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757 department shall issue each title applied for pursuant to this
758 section within 5 working days after receipt of the application
759 except for an application for a duplicate title certificate
760 covered by s. 317.0008(3), in which case the title must be
761 issued within 5 working days after compliance with the
762 department's verification requirements.

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

765 318.14 Noncriminal traffic infractions; exception;
766 procedures.—

767 (9) Any person who does not hold a commercial driver's
768 license and who is cited while driving a noncommercial motor
769 vehicle for an infraction under this section other than a
770 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the
771 driver exceeds the posted limit by 30 miles per hour or more, s.
772 320.0605, s. 320.07(3) (a) or (b), s. 322.065, s. 322.15(1), s.
773 322.61, or s. 322.62 may, in lieu of a court appearance, elect
774 to attend in the location of his or her choice within this state
775 a basic driver improvement course approved by the Department of
776 Highway Safety and Motor Vehicles. In such a case, adjudication
777 must be withheld and points, as provided by s. 322.27, may not
778 be assessed. However, a person may not make an election under
779 this subsection if the person has made an election under this
780 subsection in the preceding 12 months. A person may make no more
781 than five elections within his or her lifetime under this
782 subsection. The requirement for community service under s.
783 318.18(8) is not waived by a plea of nolo contendere or by the
784 withholding of adjudication of guilt by a court. If a person

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

791 (10) (a) Any person who does not hold a commercial driver's
792 license and who is cited while driving a noncommercial motor
793 vehicle for an offense listed under this subsection may, in lieu
794 of payment of fine or court appearance, elect to enter a plea of
795 nolo contendere and provide proof of compliance to the clerk of
796 the court, designated official, or authorized operator of a
797 traffic violations bureau. In such case, adjudication shall be
798 withheld; however, no election shall be made under this
799 subsection if such person has made an election under this
800 subsection in the 12 months preceding election hereunder. No
801 person may make more than three elections under this subsection.
802 This subsection applies to the following offenses:

803 1. Operating a motor vehicle without a valid driver's
804 license in violation of the provisions of s. 322.03, s. 322.065,
805 or s. 322.15(1), or operating a motor vehicle with a license
806 that has been suspended for failure to appear, failure to pay
807 civil penalty, or failure to attend a driver improvement course
808 pursuant to s. 322.291.

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

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

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

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813 suspended under s. 61.13016 or s. 322.245 for failure to pay
814 child support or for failure to pay any other financial
815 obligation as provided in s. 322.245; however, this subparagraph
816 does not apply if the license has been suspended pursuant to s.
817 322.245(1).

818 5. Operating a motor vehicle with a license that has been
819 suspended under s. 322.091 for failure to meet school attendance
820 requirements.

821 Section 21. Paragraph (a) of subsection (2) of section
822 318.1451, Florida Statutes, is amended to read:

823 318.1451 Driver improvement schools.—

824 (2)(a) In determining whether to approve the courses
825 referenced in this section, the department shall consider course
826 content designed to promote safety, driver awareness, crash
827 avoidance techniques, the dangers of driving while distracted,
828 which must specifically include the use of technology while
829 driving, and other factors or criteria to improve driver
830 performance from a safety viewpoint.

831 Section 22. Paragraph (a) of subsection (1) of section
832 318.15, Florida Statutes, is amended to read:

833 318.15 Failure to comply with civil penalty or to appear;
834 penalty.—

835 (1)(a) If a person fails to comply with the civil
836 penalties provided in s. 318.18 within the time period specified
837 in s. 318.14(4), fails to enter into or comply with the terms of
838 a penalty payment plan with the clerk of the court in accordance
839 with ss. 318.14 and 28.246, fails to attend driver improvement
840 school, or fails to appear at a scheduled hearing, the clerk of

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841 the court shall notify the ~~Division of Driver Licenses of the~~
842 Department of Highway Safety and Motor Vehicles of such failure
843 within 10 days after such failure. Upon receipt of such notice,
844 the department shall immediately issue an order suspending the
845 driver's license and privilege to drive of such person effective
846 20 days after the date the order of suspension is mailed in
847 accordance with s. 322.251(1), (2), and (6). Any such suspension
848 of the driving privilege which has not been reinstated,
849 including a similar suspension imposed outside Florida, shall
850 remain on the records of the department for a period of 7 years
851 from the date imposed and shall be removed from the records
852 after the expiration of 7 years from the date it is imposed.

853 Section 23. Section 319.14, Florida Statutes, is amended
854 to read:

855 319.14 Sale of motor vehicles registered or used as
856 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,
857 ~~and~~ nonconforming vehicles, custom vehicles, or street rod
858 vehicles.—

859 (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
860 sell, or exchange any vehicle that has been licensed,
861 registered, or used as a taxicab, police vehicle, or short-term-
862 lease vehicle, or a vehicle that has been repurchased by a
863 manufacturer pursuant to a settlement, determination, or
864 decision under chapter 681, until the department has stamped in
865 a conspicuous place on the certificate of title of the vehicle,
866 or its duplicate, words stating the nature of the previous use
867 of the vehicle or the title has been stamped "Manufacturer's Buy
868 Back" to reflect that the vehicle is a nonconforming vehicle. If

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869 the certificate of title or duplicate was not so stamped upon
870 initial issuance thereof or if, subsequent to initial issuance
871 of the title, the use of the vehicle is changed to a use
872 requiring the notation provided for in this section, the owner
873 or lienholder of the vehicle shall surrender the certificate of
874 title or duplicate to the department before ~~prior to~~ offering
875 the vehicle for sale, and the department shall stamp the
876 certificate or duplicate as required herein. If ~~When~~ a vehicle
877 has been repurchased by a manufacturer pursuant to a settlement,
878 determination, or decision under chapter 681, the title shall be
879 stamped "Manufacturer's Buy Back" to reflect that the vehicle is
880 a nonconforming vehicle.

881 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
882 sell, or exchange a rebuilt vehicle until the department has
883 stamped in a conspicuous place on the certificate of title for
884 the vehicle words stating that the vehicle has been rebuilt or
885 assembled from parts, or is a kit car, glider kit, replica, ~~or~~
886 flood vehicle, custom vehicle, or street rod vehicle unless
887 proper application for a certificate of title for a vehicle that
888 is rebuilt or assembled from parts, or is a kit car, glider kit,
889 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle
890 has been made to the department in accordance with this chapter
891 and the department has conducted the physical examination of the
892 vehicle to assure the identity of the vehicle and all major
893 component parts, as defined in s. 319.30(1), which have been
894 repaired or replaced. Thereafter, the department shall affix a
895 decal to the vehicle, in the manner prescribed by the
896 department, showing the vehicle to be rebuilt. A vehicle may not

897 be inspected or issued a rebuilt title until all major component
898 parts, as defined in s. 319.30, which were damaged have been
899 repaired or replaced.

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

901 1. "Police vehicle" means a motor vehicle owned or leased
902 by the state or a county or municipality and used in law
903 enforcement.

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

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

911 c. "Lease vehicle" includes both short-term-lease vehicles
912 and long-term-lease vehicles.

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

915 4. "Assembled from parts" means a motor vehicle or mobile
916 home assembled from parts or combined from parts of motor
917 vehicles or mobile homes, new or used. "Assembled from parts"
918 does not mean a motor vehicle defined as a "rebuilt vehicle" in
919 subparagraph 3., which has been declared a total loss pursuant
920 to s. 319.30.

921 5. "Kit car" means a motor vehicle assembled with a kit
922 supplied by a manufacturer to rebuild a wrecked or outdated
923 motor vehicle with a new body kit.

924 6. "Glider kit" means a vehicle assembled with a kit

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925 supplied by a manufacturer to rebuild a wrecked or outdated
 926 truck or truck tractor.

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

929 8. "Flood vehicle" means a motor vehicle or mobile home
 930 that has been declared to be a total loss pursuant to s.
 931 319.30(3)(a) resulting from damage caused by water.

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

935 10. "Settlement" means an agreement entered into between a
 936 manufacturer and a consumer that occurs after a dispute is
 937 submitted to a program, or an informal dispute settlement
 938 procedure established by a manufacturer or is approved for
 939 arbitration before the New Motor Vehicle Arbitration Board as
 940 defined in s. 681.102.

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

942 a. Is 25 years of age or older and of a model year after
 943 1948, or was manufactured to resemble a vehicle that is 25 years
 944 of age or older and of a model year after 1948; and

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

947
 948 The model year and year of manufacture which the body of a
 949 custom vehicle resembles is the model year and year of
 950 manufacture listed on the certificate of title, regardless of
 951 when the vehicle was actually manufactured.

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

953 a. Is a model year of 1948 or older or was manufactured
 954 after 1948 to resemble a vehicle of a model year of 1948 or
 955 older; and

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

958
 959 The model year and year of manufacture which the body of a
 960 street rod resembles is the model year and year of manufacture
 961 listed on the certificate of title, regardless of when the
 962 vehicle was actually manufactured.

963 (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or
 964 transfer a vehicle referred to in subsection (1) without, before
 965 ~~prior to~~ consummating the sale, exchange, or transfer,
 966 disclosing in writing to the purchaser, customer, or transferee
 967 the fact that the vehicle has previously been titled,
 968 registered, or used as a taxicab, police vehicle, or short-term-
 969 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from
 970 parts, or is a kit car, glider kit, replica, or flood vehicle,
 971 or is a nonconforming vehicle, custom vehicle, or street rod
 972 vehicle, as the case may be.

973 (3) Any person who, with intent to offer for sale or
 974 exchange any vehicle referred to in subsection (1), knowingly or
 975 intentionally advertises, publishes, disseminates, circulates,
 976 or places before the public in any communications medium,
 977 whether directly or indirectly, any offer to sell or exchange
 978 the vehicle shall clearly and precisely state in each ~~such~~ offer
 979 that the vehicle has previously been titled, registered, or used
 980 as a taxicab, police vehicle, or short-term-lease vehicle or

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981 that the vehicle or mobile home is a vehicle that is rebuilt or
 982 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or
 983 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
 984 street rod vehicle, as the case may be. Any person who violates
 985 this subsection commits a misdemeanor of the second degree,
 986 punishable as provided in s. 775.082 or s. 775.083.

987 (4) If ~~When~~ a certificate of title, including a foreign
 988 certificate, is branded to reflect a condition or prior use of
 989 the titled vehicle, the brand must be noted on the registration
 990 certificate of the vehicle and such brand shall be carried
 991 forward on all subsequent certificates of title and registration
 992 certificates issued for the life of the vehicle.

993 (5) Any person who knowingly sells, exchanges, or offers
 994 to sell or exchange a motor vehicle or mobile home contrary to
 995 ~~the provisions of~~ this section or any officer, agent, or
 996 employee of a person who knowingly authorizes, directs, aids in,
 997 or consents to the sale, exchange, or offer to sell or exchange
 998 a motor vehicle or mobile home contrary to ~~the provisions of~~
 999 this section commits a misdemeanor of the second degree,
 1000 punishable as provided in s. 775.082 or s. 775.083.

1001 (6) Any person who removes a rebuilt decal from a rebuilt
 1002 vehicle with the intent to conceal the rebuilt status of the
 1003 vehicle commits a felony of the third degree, punishable as
 1004 provided in s. 775.082, s. 775.083, or s. 775.084.

1005 (7) This section applies to a mobile home, travel trailer,
 1006 camping trailer, truck camper, or fifth-wheel recreation trailer
 1007 only when the ~~such~~ mobile home or vehicle is a rebuilt vehicle
 1008 or is assembled from parts.

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1009 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in
 1010 any civil action arising out of a violation of this section if
 1011 the designation of the previous use or condition of the motor
 1012 vehicle is not noted on the certificate of title and
 1013 registration certificate of the vehicle which was received by,
 1014 or delivered to, such person, unless the ~~such~~ person has
 1015 actively concealed the prior use or condition of the vehicle
 1016 from the purchaser.

1017 (9) Subsections (1), (2), and (3) do not apply to the
 1018 transfer of ownership of a motor vehicle after the motor vehicle
 1019 has ceased to be used as a lease vehicle and the ownership has
 1020 been transferred to an owner for private use or to the transfer
 1021 of ownership of a nonconforming vehicle with 36,000 or more
 1022 miles on its odometer, or 34 months whichever is later and the
 1023 ownership has been transferred to an owner for private use. Such
 1024 owner, as shown on the title certificate, may request the
 1025 department to issue a corrected certificate of title that does
 1026 not contain the statement of the previous use of the vehicle as
 1027 a lease vehicle or condition as a nonconforming vehicle.

1028 Section 24. Section 319.225, Florida Statutes, is amended
 1029 to read:

1030 319.225 Transfer and reassignment forms; odometer
 1031 disclosure statements.—

1032 (1) Every certificate of title issued by the department
 1033 must contain the following statement ~~on its reverse side~~:
 1034 "Federal and state law require the completion of the odometer
 1035 statement set out below. Failure to complete or providing false
 1036 information may result in fines, imprisonment, or both."

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1037 (2) Each certificate of title issued by the department
 1038 must contain ~~on its reverse side~~ a form for transfer of title by
 1039 the titleholder of record, which form must contain an odometer
 1040 disclosure statement in the form required by 49 C.F.R. s. 580.5.

1041 (3) Each certificate of title issued by the department
 1042 must contain ~~on its reverse side~~ as many forms as space allows
 1043 for reassignment of title by a licensed dealer as permitted by
 1044 s. 319.21(3), which form or forms shall contain an odometer
 1045 disclosure statement in the form required by 49 C.F.R. s. 580.5.
 1046 When all dealer reassignment forms ~~provided on the back of the~~
 1047 ~~title certificate~~ have been filled in, a dealer may reassign the
 1048 title certificate by using a separate dealer reassignment form
 1049 issued by the department in compliance with 49 C.F.R. ss. 580.4
 1050 and 580.5, which form shall contain an original, ~~two carbon~~
 1051 ~~copies one of~~ which shall be submitted ~~directly~~ to the
 1052 department by the dealer ~~within 5 business days after the~~
 1053 ~~transfer~~ and a copy, ~~one of~~ which shall be retained by the
 1054 dealer in his or her records for 5 years. The provisions of this
 1055 subsection ~~shall~~ also apply to vehicles not previously titled in
 1056 this state and vehicles whose title certificates do not contain
 1057 the forms required by this section.

1058 (4) Upon transfer or reassignment of a certificate of
 1059 title to a used motor vehicle, the transferor shall complete the
 1060 odometer disclosure statement provided for by this section and
 1061 the transferee shall acknowledge the disclosure by signing and
 1062 printing his or her name in the spaces provided. This subsection
 1063 does not apply to a vehicle that has a gross vehicle rating of
 1064 more than 16,000 pounds, a vehicle that is not self-propelled,

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1065 or a vehicle that is 10 years old or older. A lessor who
1066 transfers title to his or her vehicle without obtaining
1067 possession of the vehicle shall make odometer disclosure as
1068 provided by 49 C.F.R. s. 580.7. Any person who fails to complete
1069 or acknowledge a disclosure statement as required by this
1070 subsection commits ~~is guilty of~~ a misdemeanor of the second
1071 degree, punishable as provided in s. 775.082 or s. 775.083. The
1072 department may not issue a certificate of title unless this
1073 subsection has been complied with.

1074 (5) The same person may not sign a disclosure statement as
1075 both the transferor and the transferee in the same transaction
1076 except as provided in subsection (6).

1077 (6) (a) If the certificate of title is physically held by a
1078 lienholder, the transferor may give a power of attorney to his
1079 or her transferee for the purpose of odometer disclosure. The
1080 power of attorney must be on a form issued or authorized by the
1081 department, which form must be in compliance with 49 C.F.R. ss.
1082 580.4 and 580.13. The department shall not require the signature
1083 of the transferor to be notarized on the form; however, in lieu
1084 of notarization, the form shall include an affidavit with the
1085 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I
1086 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
1087 ARE TRUE. The transferee shall sign the power of attorney form,
1088 print his or her name, and return a copy of the power of
1089 attorney form to the transferor. Upon receipt of a title
1090 certificate, the transferee shall complete the space for mileage
1091 disclosure on the title certificate exactly as the mileage was
1092 disclosed by the transferor on the power of attorney form. If

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1093 the transferee is a licensed motor vehicle dealer who is
1094 transferring the vehicle to a retail purchaser, the dealer shall
1095 make application on behalf of the retail purchaser as provided
1096 in s. 319.23(6) and shall submit the original power of attorney
1097 form to the department with the application for title and the
1098 transferor's title certificate; otherwise, a dealer may reassign
1099 the title certificate by using the dealer reassignment form in
1100 the manner prescribed in subsection (3), and, at the time of
1101 physical transfer of the vehicle, the original power of attorney
1102 shall be delivered to the person designated as the transferee of
1103 the dealer on the dealer reassignment form. ~~A copy of the~~
1104 ~~executed power of attorney shall be submitted to the department~~
1105 ~~with a copy of the executed dealer reassignment form within 5~~
1106 ~~business days after the certificate of title and dealer~~
1107 ~~reassignment form are delivered by the dealer to its transferee.~~

1108 (b) If the certificate of title is lost or otherwise
1109 unavailable, the transferor may give a power of attorney to his
1110 or her transferee for the purpose of odometer disclosure. The
1111 power of attorney must be on a form issued or authorized by the
1112 department, which form must be in compliance with 49 C.F.R. ss.
1113 580.4 and 580.13. The department shall not require the signature
1114 of the transferor to be notarized on the form; however, in lieu
1115 of notarization, the form shall include an affidavit with the
1116 following wording: UNDER PENALTY OF PERJURY, I DECLARE THAT I
1117 HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT
1118 ARE TRUE. The transferee shall sign the power of attorney form,
1119 print his or her name, and return a copy of the power of
1120 attorney form to the transferor. Upon receipt of the title

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1121 certificate or a duplicate title certificate, the transferee
1122 shall complete the space for mileage disclosure on the title
1123 certificate exactly as the mileage was disclosed by the
1124 transferor on the power of attorney form. If the transferee is a
1125 licensed motor vehicle dealer who is transferring the vehicle to
1126 a retail purchaser, the dealer shall make application on behalf
1127 of the retail purchaser as provided in s. 319.23(6) and shall
1128 submit the original power of attorney form to the department
1129 with the application for title and the transferor's title
1130 certificate or duplicate title certificate; otherwise, a dealer
1131 may reassign the title certificate by using the dealer
1132 reassignment form in the manner prescribed in subsection (3),
1133 and, at the time of physical transfer of the vehicle, the
1134 original power of attorney shall be delivered to the person
1135 designated as the transferee of the dealer on the dealer
1136 reassignment form. If the dealer sells the vehicle to an out-of-
1137 state resident or an out-of-state dealer and the power of
1138 attorney form is applicable to the transaction, the dealer must
1139 photocopy the completed original of the form and mail it
1140 directly to the department within 5 business days after the
1141 certificate of title and dealer reassignment form are delivered
1142 by the dealer to the purchaser. A copy of the executed power of
1143 attorney shall be submitted to the department with a copy of the
1144 executed dealer reassignment form within 5 business days after
1145 the duplicate certificate of title and dealer reassignment form
1146 are delivered by the dealer to its transferee.

1147 (c) If the mechanics of the transfer of title to a motor
1148 vehicle in accordance with the provisions of paragraph (a) or

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1149 paragraph (b) are determined to be incompatible with and
1150 unlawful under the provisions of 49 C.F.R. part 580, the
1151 transfer of title to a motor vehicle by operation of this
1152 subsection can be effected in any manner not inconsistent with
1153 49 C.F.R. part 580 and Florida law; provided, any power of
1154 attorney form issued or authorized by the department under this
1155 subsection shall contain an original, ~~two carbon copies,~~ ~~one of~~
1156 which shall be submitted ~~directly~~ to the department by the
1157 dealer ~~within 5 business days of use by the dealer~~ to effect
1158 transfer of a title certificate as provided in paragraphs (a)
1159 and (b) and a copy, ~~one of~~ which shall be retained by the dealer
1160 in its records for 5 years.

1161 (d) Any person who fails to complete the information
1162 required by this subsection or to file with the department the
1163 forms required by this subsection commits ~~is guilty of~~ a
1164 misdemeanor of the second degree, punishable as provided in s.
1165 775.082 or s. 775.083. The department shall not issue a
1166 certificate of title unless this subsection has been complied
1167 with.

1168 (7) Subject to approval by the National Highway Traffic
1169 Safety Administration or any other applicable authority, if a
1170 title is held electronically and the transferee agrees to
1171 maintain the title electronically, the transferor and transferee
1172 shall complete a secure reassignment document that discloses the
1173 odometer reading and is signed by both the transferor and
1174 transferee at the tax collector's office or license plate
1175 agency. A dealer acquiring a motor vehicle that has an
1176 electronic title shall use a secure reassignment document signed

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1177 by the person from whom the dealer acquired the motor vehicle.
 1178 Upon transferring the motor vehicle to a purchaser, a separate
 1179 reassignment document shall be executed.

1180 (8)~~(7)~~ Each certificate of title issued by the department
 1181 must contain ~~on its reverse side~~ a minimum of three ~~four~~ spaces
 1182 for notation of the name and license number of any auction
 1183 through which the vehicle is sold and the date the vehicle was
 1184 auctioned. Each separate dealer reassignment form issued by the
 1185 department must also have the space referred to in this section.
 1186 When a transfer of title is made at a motor vehicle auction, the
 1187 reassignment must note the name and address of the auction, but
 1188 the auction shall not thereby be deemed to be the owner, seller,
 1189 transferor, or assignor of title. A motor vehicle auction is
 1190 required to execute a dealer reassignment only when it is the
 1191 owner of a vehicle being sold.

1192 (9)~~(8)~~ Upon transfer or reassignment of a used motor
 1193 vehicle through the services of an auction, the auction shall
 1194 complete the information in the space provided for by subsection
 1195 (8) ~~(7)~~. Any person who fails to complete the information as
 1196 required by this subsection commits ~~is guilty of~~ a misdemeanor
 1197 of the second degree, punishable as provided in s. 775.082 or s.
 1198 775.083. The department shall not issue a certificate of title
 1199 unless this subsection has been complied with.

1200 (10)~~(9)~~ This section shall be construed to conform to 49
 1201 C.F.R. part 580.

1202 Section 25. Subsection (6) of section 319.23, Florida
 1203 Statutes, is amended, present subsections (7) through (11) of
 1204 that section are renumbered as subsections (8) through (12),

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1205 respectively, and a new subsection (7) is added to that
 1206 section, to read:
 1207 319.23 Application for, and issuance of, certificate of
 1208 title.—
 1209 (6) (a) In the case of the sale of a motor vehicle or
 1210 mobile home by a licensed dealer to a general purchaser, the
 1211 certificate of title must be obtained in the name of the
 1212 purchaser by the dealer upon application signed by the
 1213 purchaser, and in each other case such certificate must be
 1214 obtained by the purchaser. In each case of transfer of a motor
 1215 vehicle or mobile home, the application for a certificate of
 1216 title, a corrected certificate, or an assignment or reassignment
 1217 must be filed within 30 days after the delivery of the motor
 1218 vehicle or from consummation of the sale of a mobile home to the
 1219 purchaser. An applicant must pay a fee of \$20, in addition to
 1220 all other fees and penalties required by law, for failing to
 1221 file such application within the specified time. In the case of
 1222 the sale of a motor vehicle by a licensed motor vehicle dealer
 1223 to a general purchaser who resides in another state or country,
 1224 the dealer is not required to apply for a certificate of title
 1225 for the motor vehicle; however, the dealer must transfer
 1226 ownership and reassign the certificate of title or
 1227 manufacturer's certificate of origin to the purchaser, and the
 1228 purchaser must sign an affidavit, as approved by the department,
 1229 that the purchaser will title and register the motor vehicle in
 1230 another state or country.
 1231 (b) If a licensed dealer acquires a motor vehicle or
 1232 mobile home as a trade-in, the dealer must file with the

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1233 department, within 30 days, a notice of sale signed by the
 1234 seller. The department shall update its database for that title
 1235 record to indicate "sold." A licensed dealer need not apply for
 1236 a certificate of title for any motor vehicle or mobile home in
 1237 stock acquired for stock purposes except as provided in s.
 1238 319.225.

1239 (7) If an applicant for a certificate of title is unable
 1240 to provide the department with a certificate of title that
 1241 assigns the prior owner's interest in the motor vehicle, the
 1242 department may accept a bond in the form prescribed by the
 1243 department, along with an affidavit in a form prescribed by the
 1244 department, which includes verification of the vehicle
 1245 identification number and an application for title.

1246 (a) The bond must be:

1247 1. In a form prescribed by the department;

1248 2. Executed by the applicant;

1249 3. Issued by a person authorized to conduct a surety
 1250 business in this state;

1251 4. In an amount equal to two times the value of the
 1252 vehicle as determined by the department; and

1253 5. Conditioned to indemnify all prior owners and
 1254 lienholders and all subsequent purchasers of the vehicle or
 1255 persons who acquire a security interest in the vehicle, and
 1256 their successors in interest, against any expense, loss, or
 1257 damage, including reasonable attorney's fees, occurring because
 1258 of the issuance of the certificate of title for the vehicle or
 1259 for a defect in or undisclosed security interest on the right,
 1260 title, or interest of the applicant to the vehicle.

1261 (b) An interested person has a right to recover on the
 1262 bond for a breach of the bond's condition. The aggregate
 1263 liability of the surety to all persons may not exceed the amount
 1264 of the bond.

1265 (c) A bond under this subsection expires on the third
 1266 anniversary of the date the bond became effective.

1267 (d) The affidavit must:

1268 1. Be in a form prescribed by the department;
 1269 2. Include the facts and circumstances through which the
 1270 applicant acquired ownership and possession of the motor
 1271 vehicle;

1272 3. Disclose that no security interests, liens, or
 1273 encumbrances against the motor vehicle are known to the
 1274 applicant against the motor vehicle; and

1275 4. State that the applicant has the right to have a
 1276 certificate of title issued.

1277 Section 26. Paragraph (b) of subsection (2) of section
 1278 319.28, Florida Statutes, is amended to read:

1279 319.28 Transfer of ownership by operation of law.—

1280 (2)

1281 (b) In case of repossession of a motor vehicle or mobile
 1282 home pursuant to the terms of a security agreement or similar
 1283 instrument, an affidavit by the party to whom possession has
 1284 passed stating that the vehicle or mobile home was repossessed
 1285 upon default in the terms of the security agreement or other
 1286 instrument shall be considered satisfactory proof of ownership
 1287 and right of possession. At least 5 days before ~~prior to~~ selling
 1288 the repossessed vehicle, any subsequent lienholder named in the

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1289 last issued certificate of title shall be sent notice of the
 1290 repossession by certified mail, on a form prescribed by the
 1291 department. If such notice is given and no written protest to
 1292 the department is presented by a subsequent lienholder within 15
 1293 days after ~~from~~ the date on which the notice was mailed, the
 1294 certificate of title ~~or the certificate of repossession~~ shall be
 1295 issued showing no liens. If the former owner or any subsequent
 1296 lienholder files a written protest under oath within such 15-day
 1297 period, the department shall not issue the certificate of title
 1298 ~~or certificate of repossession~~ for 10 days thereafter. If within
 1299 the 10-day period no injunction or other order of a court of
 1300 competent jurisdiction has been served on the department
 1301 commanding it not to deliver the certificate of title ~~or~~
 1302 ~~certificate of repossession~~, the department shall deliver the
 1303 certificate of title ~~or repossession~~ to the applicant or as may
 1304 otherwise be directed in the application showing no other liens
 1305 than those shown in the application. Any lienholder who has
 1306 repossessed a vehicle in this state in compliance with the
 1307 provisions of this section must apply to a tax collector's
 1308 office in this state or to the department for a ~~certificate of~~
 1309 ~~repossession or to the department for a~~ certificate of title
 1310 pursuant to s. 319.323. Proof of the required notice to
 1311 subsequent lienholders shall be submitted together with regular
 1312 title fees. ~~A lienholder to whom a certificate of repossession~~
 1313 ~~has been issued may assign the certificate of title to the~~
 1314 ~~subsequent owner.~~ Any person who violates ~~found guilty of~~
 1315 ~~violating~~ any requirements of this paragraph commits ~~shall be~~
 1316 ~~guilty of~~ a felony of the third degree, punishable as provided

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1317 in s. 775.082, s. 775.083, or s. 775.084.

1318 Section 27. Section 319.323, Florida Statutes, is amended
1319 to read:

1320 319.323 Expedited service; applications; fees.—The
1321 department shall establish a separate title office which may be
1322 used by private citizens and licensed motor vehicle dealers to
1323 receive expedited service on title transfers, title issuances,
1324 duplicate titles, and recordation of liens, ~~and certificates of~~
1325 ~~repossession~~. A fee of \$10 shall be charged for this service,
1326 which fee is in addition to the fees imposed by s. 319.32. The
1327 fee, after deducting the amount referenced by s. 319.324 and
1328 \$3.50 to be retained by the processing agency, shall be
1329 deposited into the General Revenue Fund. Application for
1330 expedited service may be made by mail or in person. The
1331 department shall issue each title applied for under this section
1332 within 5 working days after receipt of the application except
1333 for an application for a duplicate title certificate covered by
1334 s. 319.23(4), in which case the title must be issued within 5
1335 working days after compliance with the department's verification
1336 requirements.

1337 Section 28. Section 319.40, Florida Statutes, is amended
1338 to read:

1339 319.40 Transactions by electronic or telephonic means.—

1340 (1) The department may ~~is authorized to~~ accept any
1341 application provided for under this chapter by electronic or
1342 telephonic means.

1343 (2) The department may issue an electronic certificate of
1344 title in lieu of printing a paper title.

1345 (3) The department may collect and use electronic mail
 1346 addresses as a notification method in lieu of the United States
 1347 Postal Service.

1348 Section 29. Paragraph (a) of subsection (1) of section
 1349 320.01, Florida Statutes, is amended, present subsections (24)
 1350 through (45) are renumbered as subsections (23) through (44),
 1351 respectively, present subsections (23), (25), and (26) are
 1352 amended, and a new subsection (45) is added to that section, to
 1353 read:

1354 320.01 Definitions, general.—As used in the Florida
 1355 Statutes, except as otherwise provided, the term:

1356 (1) "Motor vehicle" means:

1357 (a) An automobile, motorcycle, truck, trailer,
 1358 semitrailer, truck tractor and semitrailer combination, or any
 1359 other vehicle operated on the roads of this state, used to
 1360 transport persons or property, and propelled by power other than
 1361 muscular power, but the term does not include traction engines,
 1362 road rollers, special mobile equipment as defined in chapter
 1363 316, such vehicles as run only upon a track, bicycles, swamp
 1364 buggies, or mopeds.

1365 ~~(23) "Apportioned motor vehicle" means any motor vehicle~~
 1366 ~~which is required to be registered, or with respect to which an~~
 1367 ~~election has been made to register it, under the International~~
 1368 ~~Registration Plan.~~

1369 (24)~~(25)~~ "Apportionable vehicle" means any vehicle, except
 1370 recreational vehicles, vehicles displaying restricted plates,
 1371 city pickup and delivery vehicles, buses used in transportation
 1372 of chartered parties, and government-owned vehicles, which is

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1373 used or intended for use in two or more member jurisdictions
 1374 that allocate or proportionally register vehicles and which is
 1375 used for the transportation of persons for hire or is designed,
 1376 used, or maintained primarily for the transportation of property
 1377 and:

1378 (a) Is a power unit having a gross vehicle weight in
 1379 excess of 26,000 ~~26,001~~ pounds;

1380 (b) Is a power unit having three or more axles, regardless
 1381 of weight; or

1382 (c) Is used in combination, when the weight of such
 1383 combination exceeds 26,000 ~~26,001~~ pounds gross vehicle weight.

1384
 1385 Vehicles, or combinations thereof, having a gross vehicle weight
 1386 of 26,000 ~~26,001~~ pounds or less and two-axle vehicles may be
 1387 proportionally registered.

1388 ~~(25)-(26)~~ "Commercial motor vehicle" means any vehicle that
 1389 ~~which~~ is not owned or operated by a governmental entity, that
 1390 ~~which~~ uses special fuel or motor fuel on the public highways,
 1391 and that ~~which~~ has a gross vehicle weight of 26,001 pounds or
 1392 more, or has three or more axles regardless of weight, or is
 1393 used in combination when the weight of such combination exceeds
 1394 26,000 ~~26,001~~ pounds gross vehicle weight. A vehicle that
 1395 occasionally transports personal property to and from a closed-
 1396 course motorsport facility, as defined in s. 549.09(1)(a), is
 1397 not a commercial motor vehicle if the use is not for profit and
 1398 corporate sponsorship is not involved. As used in this
 1399 subsection, the term "corporate sponsorship" means a payment,
 1400 donation, gratuity, in-kind service, or other benefit provided

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1401 to or derived by a person in relation to the underlying
 1402 activity, other than the display of product or corporate names,
 1403 logos, or other graphic information on the property being
 1404 transported.

1405 (45) SWAMP BUGGY.—A motorized off-road vehicle designed to
 1406 travel over swampy terrain, which may utilize large tires or
 1407 tracks operated from an elevated platform, and may be used upon
 1408 varied terrain. A swamp buggy does not include any vehicle
 1409 defined in chapter 261 or otherwise defined or classified in
 1410 this chapter. A swamp buggy may not be operated upon the public
 1411 roads, streets, or highways of this state, except to the extent
 1412 specifically authorized by a state or federal agency to be used
 1413 exclusively upon lands, managed, owned, or leased by that
 1414 agency.

1415 Section 30. Subsections (2) and (4) of section 320.02,
 1416 Florida Statutes, are amended, paragraphs (o), (p), (q), and (r)
 1417 are added to subsection (15), and subsection (18) is added to
 1418 that section, to read:

1419 320.02 Registration required; application for
 1420 registration; forms.—

1421 (2) (a) The application for registration shall include the
 1422 street address of the owner's permanent residence or the address
 1423 of his or her permanent place of business and shall be
 1424 accompanied by personal or business identification information
 1425 which may include, but need not be limited to, a driver's
 1426 license number, Florida identification card number, or federal
 1427 employer identification number. If the owner does not have a
 1428 permanent residence or permanent place of business or if the

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1429 owner's permanent residence or permanent place of business
 1430 cannot be identified by a street address, the application shall
 1431 include:

1432 1. If the vehicle is registered to a business, the name
 1433 and street address of the permanent residence of an owner of the
 1434 business, an officer of the corporation, or an employee who is
 1435 in a supervisory position.

1436 2. If the vehicle is registered to an individual, the name
 1437 and street address of the permanent residence of a close
 1438 relative or friend who is a resident of this state.

1439
 1440 If the vehicle is registered to an active-duty military member
 1441 who is a Florida resident, the member is exempt from the
 1442 requirement to provide a Florida residential address.

1443 (b) The department shall prescribe a form upon which motor
 1444 vehicle owners may record odometer readings when registering
 1445 their motor vehicles.

1446 (4) The owner of any motor vehicle registered in the state
 1447 shall notify the department in writing of any change of address
 1448 within 20 days of such change. The notification shall include
 1449 the registration license plate number, the vehicle
 1450 identification number (VIN) or title certificate number, year of
 1451 vehicle make, and the owner's full name. Any owner or registrant
 1452 who possesses a Florida driver's license or identification card
 1453 and changes residence or mailing address must obtain a
 1454 replacement as provided for in s. 322.19(2) before changing the
 1455 address on the motor vehicle record.

1456 (15)

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1457 (o) The application form for motor vehicle registration
1458 and renewal registration must include language permitting the
1459 voluntary contribution of \$1 to End Hunger in Florida. The
1460 proceeds shall be distributed monthly by the department to the
1461 Florida Association of Food Banks, Inc., a corporation not for
1462 profit under s. 501(c)(3) of the Internal Revenue Code. The
1463 funds shall be used by the organization for the purpose of
1464 ending hunger in Florida.

1465 (p) The application form for motor vehicle registration
1466 and renewal of registration must include language permitting a
1467 voluntary contribution of \$1 to Take Stock In Children. Such
1468 contributions shall be transferred by the department each month
1469 to Take Stock In Children, Inc.

1470 (q) The application form for motor vehicle registration
1471 and renewal of registration must include language permitting a
1472 voluntary contribution of \$1 per applicant for Autism Services
1473 and Supports. Such contributions must be transferred by the
1474 department each month to the Achievement and Rehabilitation
1475 Centers, Inc., Autism Services Fund.

1476 (r) The application form for motor vehicle registration
1477 and renewal of registration must include language permitting a
1478 voluntary contribution of \$1 to Support Our Troops, which shall
1479 be distributed monthly to Support Our Troops, Inc., a Florida
1480 not-for-profit organization.

1481
1482 For the purpose of applying the service charge provided in s.
1483 215.20, contributions received under this subsection are not
1484 income of a revenue nature.

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1485 (18) All electronic registration records shall be retained
 1486 by the department for not less than 10 years.

1487 Section 31. Subsection (9) is added to section 320.023,
 1488 Florida Statutes, to read:

1489 320.023 Requests to establish voluntary checkoff on motor
 1490 vehicle registration application.—

1491 (9) The department may annually retain from the first
 1492 proceeds derived from the voluntary contributions collected an
 1493 amount sufficient to defray for each voluntary contribution the
 1494 pro rata share of the department's costs directly related to the
 1495 voluntary contributions program. Such costs include renewal
 1496 notices, postage, distribution costs, direct costs to the
 1497 department, and costs associated with reviewing each
 1498 organization's compliance with the audit and attestation
 1499 requirements of this section. The balance of the proceeds from
 1500 the voluntary contributions collected shall be distributed as
 1501 provided by law.

1502 Section 32. Subsections (7) and (8) of section 320.03,
 1503 Florida Statutes, are amended to read:

1504 320.03 Registration; duties of tax collectors;
 1505 International Registration Plan.—

1506 (7) The Department of Highway Safety and Motor Vehicles
 1507 shall register apportionable ~~apportioned motor~~ vehicles under
 1508 the provisions of the International Registration Plan. The
 1509 department may adopt rules to implement and enforce the
 1510 provisions of the plan.

1511 (8) If the applicant's name appears on the list referred
 1512 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a

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1513 license plate or revalidation sticker may not be issued until
1514 that person's name no longer appears on the list or until the
1515 person presents a receipt from the governmental entity or the
1516 clerk of court that provided the data showing that the fines
1517 outstanding have been paid. This subsection does not apply to
1518 the owner of a leased vehicle if the vehicle is registered in
1519 the name of the lessee of the vehicle. The tax collector and the
1520 clerk of the court are each entitled to receive monthly, as
1521 costs for implementing and administering this subsection, 10
1522 percent of the civil penalties and fines recovered from such
1523 persons. As used in this subsection, the term "civil penalties
1524 and fines" does not include a wrecker operator's lien as
1525 described in s. 713.78(13). If the tax collector has private tag
1526 agents, such tag agents are entitled to receive a pro rata share
1527 of the amount paid to the tax collector, based upon the
1528 percentage of license plates and revalidation stickers issued by
1529 the tag agent compared to the total issued within the county.
1530 The authority of any private agent to issue license plates shall
1531 be revoked, after notice and a hearing as provided in chapter
1532 120, if he or she issues any license plate or revalidation
1533 sticker contrary to the provisions of this subsection. This
1534 section applies only to the annual renewal in the owner's birth
1535 month of a motor vehicle registration and does not apply to the
1536 transfer of a registration of a motor vehicle sold by a motor
1537 vehicle dealer licensed under this chapter, except for the
1538 transfer of registrations which is inclusive of the annual
1539 renewals. This section does not affect the issuance of the title
1540 to a motor vehicle, notwithstanding s. 319.23 (8) ~~(7)~~ (b).

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1541 Section 33. Paragraph (b) of subsection (3) and subsection
 1542 (5) of section 320.05, Florida Statutes, are amended to read:

1543 320.05 Records of the department; inspection procedure;
 1544 lists and searches; fees.—

1545 (3)

1546 (b) Fees therefor shall be charged and collected as
 1547 follows:

1548 1. For providing lists of motor vehicle or vessel records
 1549 for the entire state, or any part or parts thereof, divided
 1550 according to counties, a sum computed at a rate of not less than
 1551 1 cent nor more than 5 cents per item.

1552 2. For providing noncertified photographic copies of motor
 1553 vehicle or vessel documents, \$1 per page.

1554 3. For providing noncertified photographic copies of
 1555 micrographic records, \$1 per page.

1556 4. For providing certified copies of motor vehicle or
 1557 vessel records, \$3 per record.

1558 5. For providing noncertified computer-generated printouts
 1559 of motor vehicle or vessel records, 50 cents per record.

1560 6. For providing certified computer-generated printouts of
 1561 motor vehicle or vessel records, \$3 per record.

1562 7. For providing electronic access to motor vehicle,
 1563 vessel, and mobile home registration data requested by tag,
 1564 vehicle identification number, title number, or decal number, 50
 1565 cents per item.

1566 8. For providing electronic access to driver's license
 1567 status report by name, sex, and date of birth or by driver
 1568 license number, 50 cents per item.

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1569 9. For providing lists of licensed mobile home dealers and
 1570 manufacturers and recreational vehicle dealers and
 1571 manufacturers, \$15 per list.

1572 10. For providing lists of licensed motor vehicle dealers,
 1573 \$25 per list.

1574 11. For each copy of a videotape record, \$15 per tape.

1575 ~~12. For each copy of the Division of Motor Vehicles~~
 1576 ~~Procedures Manual, \$25.~~

1577 (5) The creation and maintenance of records by the
 1578 Division of Motorist Services within the department ~~and the~~
 1579 ~~Division of Motor Vehicles~~ pursuant to this chapter shall not be
 1580 regarded as law enforcement functions of agency recordkeeping.

1581 Section 34. Paragraph (d) is added to subsection (1) of
 1582 section 320.06, Florida Statutes, and subsection (5) is added to
 1583 that section, to read:

1584 320.06 Registration certificates, license plates, and
 1585 validation stickers generally.—

1586 (1)

1587 (d) The department may conduct a pilot program to evaluate
 1588 designs, concepts, and technologies for alternative license
 1589 plate technologies. The pilot program shall investigate the
 1590 feasibility and use of alternative license plate technologies
 1591 and shall be limited to license plates that are used on
 1592 government-owned motor vehicles, as defined in s. 320.0655.
 1593 Government license plates in the pilot program are exempt from
 1594 current license plate requirements in paragraph (3) (a).

1595 (5) All license plates issued pursuant to this chapter are
 1596 the property of the State of Florida.

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1597 Section 35. Section 320.061, Florida Statutes, is amended
 1598 to read:

1599 320.061 Unlawful to alter motor vehicle registration
 1600 certificates, temporary license plates, license plates, mobile
 1601 home stickers, or validation stickers or to obscure license
 1602 plates; penalty.—No person shall alter the original appearance
 1603 of any registration license plate, temporary license plate,
 1604 mobile home sticker, validation sticker, or vehicle registration
 1605 certificate issued for and assigned to any motor vehicle or
 1606 mobile home, whether by mutilation, alteration, defacement, or
 1607 change of color or in any other manner. No person shall apply or
 1608 attach any substance, reflective matter, illuminated device,
 1609 spray, coating, covering, or other material onto or around any
 1610 license plate that interferes with the legibility, angular
 1611 visibility, or detectability of any feature or detail on the
 1612 license plate or interferes with the ability to record any
 1613 feature or detail on the license plate. Any person who violates
 1614 this section commits a noncriminal traffic infraction,
 1615 punishable as a moving violation as provided in chapter 318.

1616 Section 36. Subsection (1) of section 320.071, Florida
 1617 Statutes, is amended to read:

1618 320.071 Advance registration renewal; procedures.—
 1619 (1) (a) The owner of any motor vehicle or mobile home
 1620 currently registered in this state may file an application for
 1621 renewal of registration with the department, or its authorized
 1622 agent in the county wherein the owner resides, any time during
 1623 the 3 months preceding the date of expiration of the
 1624 registration period. The registration period may not exceed 27

1625 months.

1626 (b) The owner of any apportionable ~~apportioned motor~~
 1627 vehicle currently registered in this state under the provisions
 1628 of the International Registration Plan may file an application
 1629 for renewal of registration with the department any time during
 1630 the 3 months preceding the date of expiration of the
 1631 registration period.

1632 Section 37. Subsections (1) and (3) of section 320.0715,
 1633 Florida Statutes, are amended to read:

1634 320.0715 International Registration Plan; motor carrier
 1635 services; permits; retention of records.—

1636 (1) All apportionable ~~commercial motor~~ vehicles domiciled
 1637 in this state ~~and engaged in interstate commerce~~ shall be
 1638 registered in accordance with the provisions of the
 1639 International Registration Plan ~~and shall display apportioned~~
 1640 ~~license plates~~.

1641 (3) (a) If the department is unable to immediately issue
 1642 the apportioned license plate to an applicant currently
 1643 registered in this state under the International Registration
 1644 Plan or to a vehicle currently titled in this state, the
 1645 department or its designated agent is authorized to issue a 60-
 1646 day temporary operational permit. The department or agent of the
 1647 department shall charge a \$3 fee and the service charge
 1648 authorized by s. 320.04 for each temporary operational permit it
 1649 issues.

1650 (b) The department shall in no event issue a temporary
 1651 operational permit for any apportionable ~~commercial motor~~
 1652 vehicle to any applicant until the applicant has shown that:

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1653 1. All sales or use taxes due on the registration of the
 1654 vehicle are paid; and

1655 2. Insurance requirements have been met in accordance with
 1656 ss. 320.02(5) and 627.7415.

1657 (c) Issuance of a temporary operational permit provides
 1658 ~~commercial motor vehicle~~ registration privileges in each
 1659 International Registration Plan member jurisdiction designated
 1660 on said permit and therefore requires payment of all applicable
 1661 registration fees and taxes due for that period of registration.

1662 (d) Application for permanent registration must be made to
 1663 the department within 10 days following ~~from~~ issuance of a
 1664 temporary operational permit. Failure to file an application
 1665 within this 10-day period may result in cancellation of the
 1666 temporary operational permit.

1667 Section 38. Paragraph (d) of subsection (5) of section
 1668 320.08, Florida Statutes, is amended to read:

1669 320.08 License taxes.—Except as otherwise provided herein,
 1670 there are hereby levied and imposed annual license taxes for the
 1671 operation of motor vehicles, mopeds, motorized bicycles as
 1672 defined in s. 316.003(2), tri-vehicles as defined in s. 316.003,
 1673 and mobile homes, as defined in s. 320.01, which shall be paid
 1674 to and collected by the department or its agent upon the
 1675 registration or renewal of registration of the following:

1676 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
 1677 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

1678 (d) A wrecker, as defined in s. 320.01~~(40)~~, which is used
 1679 to tow a vessel as defined in s. 327.02(39), a disabled,
 1680 abandoned, stolen-recovered, or impounded motor vehicle as

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1681 defined in s. 320.01~~(38)~~, or a replacement motor vehicle as
 1682 defined in s. 320.01~~(39)~~: \$41 flat, of which \$11 shall be
 1683 deposited into the General Revenue Fund.

1684 Section 39. Paragraph (e) of subsection (4) of section
 1685 320.08068, Florida Statutes, is amended to read:

1686 320.08068 Motorcycle specialty license plates.—

1687 (4) A license plate annual use fee of \$20 shall be
 1688 collected for each motorcycle specialty license plate. Annual
 1689 use fees shall be distributed to The Able Trust as custodial
 1690 agent. The Able Trust may retain a maximum of 10 percent of the
 1691 proceeds from the sale of the license plate for administrative
 1692 costs. The Able Trust shall distribute the remaining funds as
 1693 follows:

1694 (e) Twenty percent to the Florida Association of Centers
 1695 for Independent Living ~~to be used to leverage additional funding~~
 1696 ~~and new sources of revenue for the centers for independent~~
 1697 ~~living in this state.~~

1698 Section 40. Subsection (1) of section 320.0847, Florida
 1699 Statutes, is amended to read:

1700 320.0847 Mini truck and low-speed vehicle license plates.—

1701 (1) The department shall issue a license plate to the
 1702 owner or lessee of any vehicle registered as a low-speed vehicle
 1703 as defined in s. 320.01~~(42)~~ or a mini truck as defined in s.
 1704 320.01~~(45)~~ upon payment of the appropriate license taxes and
 1705 fees prescribed in s. 320.08.

1706 Section 41. Subsection (4) of section 320.0848, Florida
 1707 Statutes, is amended to read:

1708 320.0848 Persons who have disabilities; issuance of

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1709 disabled parking permits; temporary permits; permits for certain
 1710 providers of transportation services to persons who have
 1711 disabilities.-

1712 (4) From the proceeds of the temporary disabled parking
 1713 permit fees:

1714 (a) The Department of Highway Safety and Motor Vehicles
 1715 must receive \$3.50 for each temporary permit, to be deposited
 1716 into the Highway Safety Operating Trust Fund and used for
 1717 implementing the real-time disabled parking permit database and
 1718 for administering the disabled parking permit program.

1719 (b) The tax collector, for processing, must receive \$2.50
 1720 for each temporary permit.

1721 (c) The remainder must be distributed monthly as follows:

1722 1. To the Florida Endowment Foundation for Vocational
 1723 Rehabilitation, known as "The Able Trust," ~~Florida Governor's~~
 1724 ~~Alliance for the Employment of Disabled Citizens~~ for the purpose
 1725 of improving employment and training opportunities for persons
 1726 who have disabilities, with special emphasis on removing
 1727 transportation barriers, \$4. These fees must be directly
 1728 deposited into the Florida Endowment Foundation for Vocational
 1729 Rehabilitation as established in s. 413.615 ~~Transportation~~
 1730 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
 1731 ~~Alliance for Employment of Disabled Citizens.~~

1732 2. To the Transportation Disadvantaged Trust Fund to be
 1733 used for funding matching grants to counties for the purpose of
 1734 improving transportation of persons who have disabilities, \$5.

1735 Section 42. Effective October 1, 2011, subsection (1) of
 1736 section 320.089, Florida Statutes, is amended to read:

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1737 320.089 Members of National Guard and active United States
 1738 Armed Forces reservists; former prisoners of war; survivors of
 1739 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
 1740 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
 1741 Badge recipients; special license plates; fee.—

1742 (1) (a) Each owner or lessee of an automobile or truck for
 1743 private use or recreational vehicle as specified in s.
 1744 320.08(9)(c) or (d), which is not used for hire or commercial
 1745 use, who is a resident of the state and an active or retired
 1746 member of the Florida National Guard, a survivor of the attack
 1747 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
 1748 active or retired member of any branch of the United States
 1749 Armed Forces Reserve, or a recipient of the Combat Infantry
 1750 Badge shall, upon application to the department, accompanied by
 1751 proof of active membership or retired status in the Florida
 1752 National Guard, proof of membership in the Pearl Harbor
 1753 Survivors Association or proof of active military duty in Pearl
 1754 Harbor on December 7, 1941, proof of being a Purple Heart medal
 1755 recipient, ~~or~~ proof of active or retired membership in any
 1756 branch of the Armed Forces Reserve, or proof of membership in
 1757 the Combat Infantrymen's Association, Inc., or other proof of
 1758 being a recipient of the Combat Infantry Badge, and upon payment
 1759 of the license tax for the vehicle as provided in s. 320.08, be
 1760 issued a license plate as provided by s. 320.06, upon which, in
 1761 lieu of the serial numbers prescribed by s. 320.06, shall be
 1762 stamped the words "National Guard," "Pearl Harbor Survivor,"
 1763 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
 1764 Badge," as appropriate, followed by the serial number of the

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1765 license plate. Additionally, the Purple Heart plate may have the
 1766 words "Purple Heart" stamped on the plate and the likeness of
 1767 the Purple Heart medal appearing on the plate.

1768 (b) Notwithstanding any other provision of law to the
 1769 contrary, beginning with fiscal year 2002-2003 and annually
 1770 thereafter, the first \$100,000 in general revenue generated from
 1771 the sale of license plates issued under this section shall be
 1772 deposited into the Grants and Donations Trust Fund, as described
 1773 in s. 296.38(2), to be used for the purposes established by law
 1774 for that trust fund. Any additional general revenue generated
 1775 from the sale of such plates shall be deposited into the State
 1776 Homes for Veterans Trust Fund and used solely to construct,
 1777 operate, and maintain domiciliary and nursing homes for
 1778 veterans, subject to the requirements of chapter 216.

1779 (c) Notwithstanding any provisions of law to the contrary,
 1780 an applicant for a Pearl Harbor Survivor license plate or a
 1781 Purple Heart license plate who also qualifies for a disabled
 1782 veteran's license plate under s. 320.084 shall be issued the
 1783 appropriate special license plate without payment of the license
 1784 tax imposed by s. 320.08.

1785 Section 43. Subsection (3) of section 320.27, Florida
 1786 Statutes, is amended to read:

1787 320.27 Motor vehicle dealers.—

1788 (3) APPLICATION AND FEE.—The application for the license
 1789 shall be in such form as may be prescribed by the department and
 1790 shall be subject to such rules with respect thereto as may be so
 1791 prescribed by it. Such application shall be verified by oath or
 1792 affirmation and shall contain a full statement of the name and

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1793 birth date of the person or persons applying therefor; the name
1794 of the firm or copartnership, with the names and places of
1795 residence of all members thereof, if such applicant is a firm or
1796 copartnership; the names and places of residence of the
1797 principal officers, if the applicant is a body corporate or
1798 other artificial body; the name of the state under whose laws
1799 the corporation is organized; the present and former place or
1800 places of residence of the applicant; and prior business in
1801 which the applicant has been engaged and the location thereof.
1802 Such application shall describe the exact location of the place
1803 of business and shall state whether the place of business is
1804 owned by the applicant and when acquired, or, if leased, a true
1805 copy of the lease shall be attached to the application. The
1806 applicant shall certify that the location provides an adequately
1807 equipped office and is not a residence; that the location
1808 affords sufficient unoccupied space upon and within which
1809 adequately to store all motor vehicles offered and displayed for
1810 sale; and that the location is a suitable place where the
1811 applicant can in good faith carry on such business and keep and
1812 maintain books, records, and files necessary to conduct such
1813 business, which will be available at all reasonable hours to
1814 inspection by the department or any of its inspectors or other
1815 employees. The applicant shall certify that the business of a
1816 motor vehicle dealer is the principal business which shall be
1817 conducted at that location. Such application shall contain a
1818 statement that the applicant is either franchised by a
1819 manufacturer of motor vehicles, in which case the name of each
1820 motor vehicle that the applicant is franchised to sell shall be

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1821 included, or an independent (nonfranchised) motor vehicle
 1822 dealer. Such application shall contain such other relevant
 1823 information as may be required by the department, including
 1824 evidence that the applicant is insured under a garage liability
 1825 insurance policy or a general liability insurance policy coupled
 1826 with a business automobile policy, which shall include, at a
 1827 minimum, \$25,000 combined single-limit liability coverage
 1828 including bodily injury and property damage protection and
 1829 \$10,000 personal injury protection. A salvage motor vehicle
 1830 dealer as defined in subparagraph (1)(c)5. is exempt from the
 1831 requirements for garage liability insurance and personal injury
 1832 protection. Franchise dealers must submit a garage liability
 1833 insurance policy, and all other dealers must submit a garage
 1834 liability insurance policy or a general liability insurance
 1835 policy coupled with a business automobile policy. Such policy
 1836 shall be for the license period, and evidence of a new or
 1837 continued policy shall be delivered to the department at the
 1838 beginning of each license period. Upon making initial
 1839 application, the applicant shall pay to the department a fee of
 1840 \$300 in addition to any other fees now required by law; upon
 1841 making a subsequent renewal application, the applicant shall pay
 1842 to the department a fee of \$75 in addition to any other fees now
 1843 required by law. Upon making an application for a change of
 1844 location, the person shall pay a fee of \$50 in addition to any
 1845 other fees now required by law. The department shall, in the
 1846 case of every application for initial licensure, verify whether
 1847 certain facts set forth in the application are true. Each
 1848 applicant, general partner in the case of a partnership, or

1849 corporate officer and director in the case of a corporate
 1850 applicant, must file a set of fingerprints with the department
 1851 for the purpose of determining any prior criminal record or any
 1852 outstanding warrants. The department shall submit the
 1853 fingerprints to the Department of Law Enforcement for state
 1854 processing and forwarding to the Federal Bureau of Investigation
 1855 for federal processing. The actual cost of state and federal
 1856 processing shall be borne by the applicant and is in addition to
 1857 the fee for licensure. The department may issue a license to an
 1858 applicant pending the results of the fingerprint investigation,
 1859 which license is fully revocable if the department subsequently
 1860 determines that any facts set forth in the application are not
 1861 true or correctly represented.

1862 Section 44. Paragraphs (a) and (b) of subsection (2) of
 1863 section 320.275, Florida Statutes, are amended to read:

1864 320.275 Automobile Dealers Industry Advisory Board.—

1865 (2) MEMBERSHIP, TERMS, MEETINGS.—

1866 (a) The board shall be composed of 12 members. The
 1867 executive director of the Department of Highway Safety and Motor
 1868 Vehicles shall appoint the members from names submitted by the
 1869 entities for the designated categories the member will
 1870 represent. The executive director shall appoint one
 1871 representative of the Department of Highway Safety and Motor
 1872 Vehicles, ~~who must represent the Division of Motor Vehicles;~~ two
 1873 representatives of the independent motor vehicle industry as
 1874 recommended by the Florida Independent Automobile Dealers
 1875 Association; two representatives of the franchise motor vehicle
 1876 industry as recommended by the Florida Automobile Dealers

1877 Association; one representative of the auction motor vehicle
 1878 industry who is from an auction chain and is recommended by a
 1879 group affiliated with the National Auto Auction Association; one
 1880 representative of the auction motor vehicle industry who is from
 1881 an independent auction and is recommended by a group affiliated
 1882 with the National Auto Auction Association; one representative
 1883 from the Department of Revenue; a Florida tax collector
 1884 representative recommended by the Florida Tax Collectors
 1885 Association; one representative from the Better Business Bureau;
 1886 one representative from the Department of Agriculture and
 1887 Consumer Services, who must represent the Division of Consumer
 1888 Services; and one representative of the insurance industry who
 1889 writes motor vehicle dealer surety bonds.

1890 (b)1. The executive director shall appoint the following
 1891 initial members to 1-year terms: one representative from the
 1892 motor vehicle auction industry who represents an auction chain,
 1893 one representative from the independent motor vehicle industry,
 1894 one representative from the franchise motor vehicle industry,
 1895 one representative from the Department of Revenue, one Florida
 1896 tax collector, and one representative from the Better Business
 1897 Bureau.

1898 2. The executive director shall appoint the following
 1899 initial members to 2-year terms: one representative from the
 1900 motor vehicle auction industry who represents an independent
 1901 auction, one representative from the independent motor vehicle
 1902 industry, one representative from the franchise motor vehicle
 1903 industry, one representative from the Division of Consumer
 1904 Services, one representative from the insurance industry, and

1905 one representative from the department ~~Division of Motor~~
 1906 ~~Vehicles.~~

1907 3. As the initial terms expire, the executive director
 1908 shall appoint successors from the same designated category for
 1909 terms of 2 years. If renominated, a member may succeed himself
 1910 or herself.

1911 4. The board shall appoint a chair and vice chair at its
 1912 initial meeting and every 2 years thereafter.

1913 Section 45. Subsection (1) of section 320.771, Florida
 1914 Statutes, is amended to read:

1915 320.771 License required of recreational vehicle dealers.-

1916 (1) DEFINITIONS.-As used in this section:

1917 (a) "Dealer" means any person engaged in the business of
 1918 buying, selling, or dealing in recreational vehicles or offering
 1919 or displaying recreational vehicles for sale. The term "dealer"
 1920 includes a recreational vehicle broker. Any person who buys,
 1921 sells, deals in, or offers or displays for sale, or who acts as
 1922 the agent for the sale of, one or more recreational vehicles in
 1923 any 12-month period shall be prima facie presumed to be a
 1924 dealer. The terms "selling" and "sale" include lease-purchase
 1925 transactions. The term "dealer" does not include banks, credit
 1926 unions, and finance companies that acquire recreational vehicles
 1927 as an incident to their regular business and does not include
 1928 mobile home rental and leasing companies that sell recreational
 1929 vehicles to dealers licensed under this section. A licensed
 1930 dealer may transact business in recreational vehicles with a
 1931 motor vehicle auction as defined in s. 320.27(1)(c)4. Further, a
 1932 licensed dealer may, at retail or wholesale, sell a motor

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1933 vehicle, as described in s. 320.01(1)(a), acquired in exchange
 1934 for the sale of a recreational vehicle, if such acquisition is
 1935 incidental to the principal business of being a recreational
 1936 vehicle dealer. However, a recreational vehicle dealer may not
 1937 buy a motor vehicle for the purpose of resale unless licensed as
 1938 a motor vehicle dealer pursuant to s. 320.27.

1939 (b) "Recreational vehicle broker" means any person who is
 1940 engaged in the business of offering to procure or procuring used
 1941 recreational vehicles for the general public; who holds himself
 1942 or herself out through solicitation, advertisement, or otherwise
 1943 as one who offers to procure or procures used recreational
 1944 vehicles for the general public; or who acts as the agent or
 1945 intermediary on behalf of the owner or seller of a used
 1946 recreational vehicle which is for sale or who assists or
 1947 represents the seller in finding a buyer for the recreational
 1948 vehicle.

1949 (c) For the purposes of this section, the term
 1950 "recreational vehicle" does not include any camping trailer, as
 1951 defined in s. 320.01(1)(b)2.

1952 (d) A dealer may apply for a certificate of title to a
 1953 recreational vehicle required to be registered under s.
 1954 320.08(9) using a manufacturer's statement of origin as
 1955 permitted by s. 319.23(1) only if such dealer is authorized by a
 1956 manufacturer/dealer agreement as defined in s. 320.3202(8) on
 1957 file with the department to buy, sell, or deal in that
 1958 particular line-make of recreational vehicle and is authorized
 1959 by such agreement to perform delivery and preparation
 1960 obligations and warranty defect adjustments on that line-make.

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1961 Section 46. Section 320.95, Florida Statutes, is amended
 1962 to read:

1963 320.95 Transactions by electronic or telephonic means.—

1964 (1) The department may ~~is authorized to~~ accept any
 1965 application provided for under this chapter by electronic or
 1966 telephonic means.

1967 (2) The department may collect and use electronic mail
 1968 addresses for the purpose of providing renewal notices in lieu
 1969 of the United States Postal Service.

1970 Section 47. Section 321.02, Florida Statutes, is amended
 1971 to read:

1972 321.02 Powers and duties of department, highway patrol.—

1973 The director of the Division of Highway Patrol of the Department
 1974 of Highway Safety and Motor Vehicles shall be designated the
 1975 Colonel ~~also be the commander~~ of the Florida Highway Patrol. The
 1976 said department shall set up and promulgate rules and
 1977 regulations by which the personnel of the Florida Highway Patrol
 1978 officers shall be examined, employed, trained, located,
 1979 suspended, reduced in rank, discharged, recruited, paid and
 1980 pensioned, subject to civil service provisions hereafter set
 1981 out. The department may enter into contracts or agreements, with
 1982 or without competitive bidding or procurement, to make
 1983 available, on a fair, reasonable, nonexclusive, and
 1984 nondiscriminatory basis, property and other structures under
 1985 division control for the placement of new facilities by any
 1986 wireless provider of mobile service as defined in 47 U.S.C. s.
 1987 153(27) or s. 332(d), and any telecommunications company as
 1988 defined in s. 364.02 when it is determined to be practical and

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1989 | feasible to make such property or other structures available.
 1990 | The department may, without adopting a rule, charge a just,
 1991 | reasonable, and nondiscriminatory fee for placement of the
 1992 | facilities, payable annually, based on the fair market value of
 1993 | space used by comparable communications facilities in the state.
 1994 | The department and a wireless provider or telecommunications
 1995 | company may negotiate the reduction or elimination of a fee in
 1996 | consideration of services provided to the division by the
 1997 | wireless provider or the telecommunications company. All such
 1998 | fees collected by the department shall be deposited directly
 1999 | into the State Agency Law Enforcement Radio System Trust Fund,
 2000 | and may be used to construct, maintain, or support the system.
 2001 | The department is further specifically authorized to purchase,
 2002 | sell, trade, rent, lease and maintain all necessary equipment,
 2003 | uniforms, motor vehicles, communication systems, housing
 2004 | facilities, office space, and perform any other acts necessary
 2005 | for the proper administration and enforcement of this chapter.
 2006 | However, all supplies and equipment consisting of single items
 2007 | or in lots shall be purchased under the requirements of s.
 2008 | 287.057. Purchases shall be made by accepting the bid of the
 2009 | lowest responsive bidder, the right being reserved to reject all
 2010 | bids. The department shall prescribe a distinctive uniform and
 2011 | distinctive emblem to be worn by all officers of the Florida
 2012 | Highway Patrol. It shall be unlawful for any other person or
 2013 | persons to wear a similar uniform or emblem, or any part or
 2014 | parts thereof. The department shall also prescribe distinctive
 2015 | colors for use on motor vehicles and motorcycles operated by the
 2016 | Florida Highway Patrol. The prescribed colors shall be referred

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2017 to as "Florida Highway Patrol black and tan."

2018 Section 48. Subsection (3) of section 322.02, Florida
 2019 Statutes, is amended to read:

2020 322.02 Legislative intent; administration.—

2021 (3) The department shall employ a director, who is charged
 2022 with the duty of serving as the executive officer of the
 2023 Division of Motorist Services within ~~Driver Licenses~~ of the
 2024 department insofar as the administration of this chapter is
 2025 concerned. He or she shall be subject to the supervision and
 2026 direction of the department, and his or her official actions and
 2027 decisions as executive officer shall be conclusive unless the
 2028 same are superseded or reversed by the department or by a court
 2029 of competent jurisdiction.

2030 Section 49. Paragraph (a) of subsection (4) of section
 2031 322.0261, Florida Statutes, is amended to read:

2032 322.0261 Driver improvement course; requirement to
 2033 maintain driving privileges; failure to complete; department
 2034 approval of course.—

2035 (4) (a) The department shall identify any operator
 2036 convicted of, or who pleaded nolo contendere to, a violation of
 2037 s. 316.074(1), s. 316.075(1)(c)1., s. 316.172, s. 316.191, ~~or~~ s.
 2038 316.192, s. 316.1923, or s. 316.1925 and shall require that
 2039 operator, in addition to other applicable penalties, to attend a
 2040 department-approved driver improvement course in order to
 2041 maintain driving privileges. The department shall, within 10
 2042 days after receiving a notice of judicial disposition, send
 2043 notice to the operator of the requirement to attend a driver
 2044 improvement course. If the operator fails to complete the course

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2045 within 90 days after receiving notice from the department, the
 2046 operator's driver license shall be canceled by the department
 2047 until the course is successfully completed.

2048 Section 50. Subsection (1) of section 322.04, Florida
 2049 Statutes, is amended to read:

2050 322.04 Persons exempt from obtaining driver's license.—

2051 (1) The following persons are exempt from obtaining a
 2052 driver's license:

2053 (a) Any employee of the United States Government, while
 2054 operating a noncommercial motor vehicle owned by or leased to
 2055 the United States Government and being operated on official
 2056 business.

2057 (b) Any person while driving or operating any road
 2058 machine, farm tractor, or implement of husbandry temporarily
 2059 operated or moved on a highway.

2060 (c) A nonresident who is at least 16 years of age ~~and who~~
 2061 ~~has in his or her immediate possession a valid noncommercial~~
 2062 ~~driver's license issued to the nonresident in his or her home~~
 2063 ~~state or country,~~ may operate a motor vehicle of the type for
 2064 which a Class E driver's license is required in this state if he
 2065 or she has in their immediate possession:

2066 1. A valid noncommercial driver's license issued in his or
 2067 her name from another state or territory of the United States;
 2068 or

2069 2. An International Driving Permit issued in his or her
 2070 name in their country of residence and a valid license issued in
 2071 that country.

2072 ~~(d) A nonresident who is at least 18 years of age and who~~

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2073 ~~has in his or her immediate possession a valid noncommercial~~
 2074 ~~driver's license issued to the nonresident in his or her home~~
 2075 ~~state or country may operate a motor vehicle, other than a~~
 2076 ~~commercial motor vehicle, in this state.~~

2077 (d)~~(e)~~ Any person operating a golf cart, as defined in s.
 2078 320.01, which is operated in accordance with the provisions of
 2079 s. 316.212.

2080 Section 51. Paragraph (a) of subsection (1) of section
 2081 322.051, Florida Statutes, is amended to read:

2082 322.051 Identification cards.—

2083 (1) Any person who is 5 years of age or older, or any
 2084 person who has a disability, regardless of age, who applies for
 2085 a disabled parking permit under s. 320.0848, may be issued an
 2086 identification card by the department upon completion of an
 2087 application and payment of an application fee.

2088 (a) Each such application shall include the following
 2089 information regarding the applicant:

2090 1. Full name (first, middle or maiden, and last), gender,
 2091 proof of social security card number satisfactory to the
 2092 department, county of residence, mailing address, proof of
 2093 residential address satisfactory to the department, country of
 2094 birth, and a brief description.

2095 2. Proof of birth date satisfactory to the department.

2096 3. Proof of identity satisfactory to the department. Such
 2097 proof must include one of the following documents issued to the
 2098 applicant:

2099 a. A driver's license record or identification card record
 2100 from another jurisdiction that required the applicant to submit

2101 a document for identification which is substantially similar to
 2102 a document required under sub-subparagraph b., sub-subparagraph
 2103 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
 2104 f., sub-subparagraph g., or sub-subparagraph h.;

2105 b. A certified copy of a United States birth certificate;

2106 c. A valid, unexpired United States passport;

2107 d. A naturalization certificate issued by the United
 2108 States Department of Homeland Security;

2109 e. A valid, unexpired alien registration receipt card
 2110 (green card);

2111 f. A Consular Report of Birth Abroad provided by the
 2112 United States Department of State;

2113 g. An unexpired employment authorization card issued by
 2114 the United States Department of Homeland Security; or

2115 h. Proof of nonimmigrant classification provided by the
 2116 United States Department of Homeland Security, for an original
 2117 identification card. In order to prove such nonimmigrant
 2118 classification, applicants must provide at least one of ~~may~~
 2119 ~~produce but are not limited to~~ the following documents, and, in
 2120 addition, the department may require other 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

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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
 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,

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2157 | whichever first occurs.

2158 | Section 52. 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 53. 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
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 54. 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

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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 55. Subsection (2) of section 322.08, Florida
 2195 Statutes, is amended, paragraphs (o) and (p) are added to
 2196 subsection (7), and subsection (8) is added to that section, to
 2197 read:

2198 322.08 Application for license; requirements for license
 2199 and identification card forms.—

2200 (2) Each such application shall include the following
 2201 information regarding the applicant:

2202 (a) Full name (first, middle or maiden, and last), gender,
 2203 proof of social security card number satisfactory to the
 2204 department, county of residence, mailing address, proof of
 2205 residential address satisfactory to the department, country of
 2206 birth, and a brief description.

2207 (b) Proof of birth date satisfactory to the department.

2208 (c) Proof of identity satisfactory to the department. Such
 2209 proof must include one of the following documents issued to the
 2210 applicant:

2211 1. A driver's license record or identification card record
 2212 from another jurisdiction that required the applicant to submit

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2213 a document for identification which is substantially similar to
 2214 a document required under subparagraph 2., subparagraph 3.,
 2215 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
 2216 7., or subparagraph 8.;

2217 2. A certified copy of a United States birth certificate;

2218 3. A valid, unexpired United States passport;

2219 4. A naturalization certificate issued by the United
 2220 States Department of Homeland Security;

2221 5. A valid, unexpired alien registration receipt card
 2222 (green card);

2223 6. A Consular Report of Birth Abroad provided by the
 2224 United States Department of State;

2225 7. An unexpired employment authorization card issued by
 2226 the United States Department of Homeland Security; or

2227 8. Proof of nonimmigrant classification provided by the
 2228 United States Department of Homeland Security, for an original
 2229 driver's license. In order to prove nonimmigrant classification,
 2230 an applicant must provide at least one of the following
 2231 documents, and, in addition, the department may require other
 2232 documents for the sole purpose of establishing the maintenance
 2233 of or efforts to maintain continuous lawful presence ~~may produce~~

2234 ~~the following documents, including, but not limited to:~~

2235 a. A notice of hearing from an immigration court
 2236 scheduling a hearing on any proceeding.

2237 b. A notice from the Board of Immigration Appeals
 2238 acknowledging pendency of an appeal.

2239 c. A notice of the approval of an application for
 2240 adjustment of status issued by the United States Bureau of

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2241 Citizenship and Immigration Services.

2242 d. Any official documentation confirming the filing of a
 2243 petition for asylum or refugee status or any other relief issued
 2244 by the United States Bureau of Citizenship and Immigration
 2245 Services.

2246 e. A notice of action transferring any pending matter from
 2247 another jurisdiction to this state issued by the United States
 2248 Bureau of Citizenship and Immigration Services.

2249 f. An order of an immigration judge or immigration officer
 2250 granting any relief that authorizes the alien to live and work
 2251 in the United States, including, but not limited to, asylum.

2252 g. Evidence that an application is pending for adjustment
 2253 of status to that of an alien lawfully admitted for permanent
 2254 residence in the United States or conditional permanent resident
 2255 status in the United States, if a visa number is available
 2256 having a current priority date for processing by the United
 2257 States Bureau of Citizenship and Immigration Services.

2258 h. On or after January 1, 2010, an unexpired foreign
 2259 passport with an unexpired United States Visa affixed,
 2260 accompanied by an approved I-94, documenting the most recent
 2261 admittance into the United States.

2262
 2263 A driver's license or temporary permit issued based on documents
 2264 required ~~Presentation of any of the documents~~ in subparagraph 7.
 2265 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
 2266 ~~license or temporary permit~~ for a period not to exceed the
 2267 expiration date of the document presented or 1 year, whichever
 2268 occurs first.

2269 (d) Whether the applicant has previously been licensed to
 2270 drive, and, if so, when and by what state, and whether any such
 2271 license or driving privilege has ever been disqualified,
 2272 revoked, or suspended, or whether an application has ever been
 2273 refused, and, if so, the date of and reason for such
 2274 disqualification, suspension, revocation, or refusal.

2275 (e) Each such application may include fingerprints and
 2276 other unique biometric means of identity.

2277 (7) The application form for an original, renewal, or
 2278 replacement driver's license or identification card shall
 2279 include language permitting the following:

2280 (o) A voluntary contribution of \$1 per applicant for
 2281 Autism Services and Supports. Such contributions must be
 2282 transferred by the department each month to the Achievement and
 2283 Rehabilitation Centers, Inc., Autism Services Fund.

2284 (p) A voluntary contribution of \$1 per applicant to
 2285 Support Our Troops, which shall be distributed monthly to
 2286 Support Our Troops, Inc., a Florida not-for-profit organization.

2287
 2288 A statement providing an explanation of the purpose of the trust
 2289 funds shall also be included. For the purpose of applying the
 2290 service charge provided in s. 215.20, contributions received
 2291 under paragraphs (b)-(n) are not income of a revenue nature.

2292 (8) The department may collect and use electronic mail
 2293 addresses for the purpose of providing renewal notices in lieu
 2294 of the United State Postal Service.

2295 Section 56. Subsection (9) is added to section 322.081,
 2296 Florida Statutes, to read:

2297 322.081 Requests to establish voluntary checkoff on
 2298 driver's license application.—

2299 (9) The department may annually retain from the first
 2300 proceeds derived from the voluntary contributions collected an
 2301 amount sufficient to defray for each voluntary contribution the
 2302 pro rata share of the department's costs directly related to the
 2303 voluntary contributions program. Such costs include renewal
 2304 notices, postage, distribution costs, direct costs to the
 2305 department, and costs associated with reviewing each
 2306 organization's compliance with the audit and attestation
 2307 requirements of this section. The balance of the proceeds from
 2308 the voluntary contributions collected shall be distributed as
 2309 provided by law.

2310 Section 57. Subsection (1) of section 322.095, Florida
 2311 Statutes, is amended to read:

2312 322.095 Traffic law and substance abuse education program
 2313 for driver's license applicants.—

2314 (1) The Department of Highway Safety and Motor Vehicles
 2315 must approve traffic law and substance abuse education courses
 2316 that must be completed by applicants for a Florida driver's
 2317 license. The curricula for the courses must provide instruction
 2318 on the physiological and psychological consequences of the abuse
 2319 of alcohol and other drugs, the societal and economic costs of
 2320 alcohol and drug abuse, the effects of alcohol and drug abuse on
 2321 the driver of a motor vehicle, the dangers of driving while
 2322 distracted, which must specifically include the use of
 2323 technology while driving, and the laws of this state relating to

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2324 the operation of a motor vehicle. All instructors teaching the
 2325 courses shall be certified by the department.

2326 Section 58. Subsection (5) of section 322.12, Florida
 2327 Statutes, is amended to read:

2328 322.12 Examination of applicants.—

2329 ~~(5)(a) The department shall formulate a separate~~
 2330 ~~examination for applicants for licenses to operate motorcycles.~~
 2331 ~~Any applicant for a driver's license who wishes to operate a~~
 2332 ~~motorcycle, and who is otherwise qualified, must successfully~~
 2333 ~~complete such an examination, which is in addition to the~~
 2334 ~~examination administered under subsection (3). The examination~~
 2335 ~~must test the applicant's knowledge of the operation of a~~
 2336 ~~motorcycle and of any traffic laws specifically relating thereto~~
 2337 ~~and must include an actual demonstration of his or her ability~~
 2338 ~~to exercise ordinary and reasonable control in the operation of~~
 2339 ~~a motorcycle. Any applicant who fails to pass the initial~~
 2340 ~~knowledge examination will incur a \$5 fee for each subsequent~~
 2341 ~~examination, to be deposited into the Highway Safety Operating~~
 2342 ~~Trust Fund. Any applicant who fails to pass the initial skills~~
 2343 ~~examination will incur a \$10 fee for each subsequent~~
 2344 ~~examination, to be deposited into the Highway Safety Operating~~
 2345 ~~Trust Fund. In the formulation of the examination, the~~
 2346 ~~department shall consider the use of the Motorcycle Operator~~
 2347 ~~Skills Test and the Motorcycle in Traffic Test offered by the~~
 2348 ~~Motorcycle Safety Foundation. The department shall indicate on~~
 2349 ~~the license of any person who successfully completes the~~
 2350 ~~examination that the licensee is authorized to operate a~~
 2351 ~~motorcycle. If the applicant wishes to be licensed to operate a~~

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2352 ~~motorcycle only, he or she need not take the skill or road test~~
 2353 ~~required under subsection (3) for the operation of a motor~~
 2354 ~~vehicle, and the department shall indicate such a limitation on~~
 2355 ~~his or her license as a restriction.~~ Every first-time applicant
 2356 for licensure to operate a motorcycle must provide proof of
 2357 completion of a motorcycle safety course, as provided for in s.
 2358 322.0255, which shall include a final examination before the
 2359 applicant may be licensed to operate a motorcycle. The
 2360 department shall indicate on the license of any person who
 2361 successfully completes the course that the licensee is
 2362 authorized to operate a motorcycle. If the applicant wishes to
 2363 be licensed to operate a motorcycle only, he or she need not
 2364 take the skills or road test required under subsection (3) for
 2365 the operation of a motor vehicle, and the department shall
 2366 indicate such a limitation on his or her license as a
 2367 restriction.

2368 ~~(b) The department may exempt any applicant from the~~
 2369 ~~examination provided in this subsection if the applicant~~
 2370 ~~presents a certificate showing successful completion of a course~~
 2371 ~~approved by the department, which course includes a similar~~
 2372 ~~examination of the knowledge and skill of the applicant in the~~
 2373 ~~operation of a motorcycle.~~

2374 Section 59. Subsection (5) of section 322.121, Florida
 2375 Statutes, is amended to read:

2376 322.121 Periodic reexamination of all drivers.—

2377 (5) Members of the Armed Forces, or their dependents
 2378 residing with them, shall be granted an automatic extension for
 2379 the expiration of their Class E licenses without reexamination

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2380 while serving on active duty outside this state. This extension
 2381 is valid for 90 days after the member of the Armed Forces is
 2382 either discharged or returns to this state to live.

2383 Section 60. Paragraph (a) of subsection (1) of section
 2384 322.14, Florida Statutes, is amended to read:

2385 322.14 Licenses issued to drivers.—

2386 (1) (a) The department shall, upon successful completion of
 2387 all required examinations and payment of the required fee, issue
 2388 to every applicant qualifying therefor, a driver's license as
 2389 applied for, which license shall bear thereon a color photograph
 2390 or digital image of the licensee; the name of the state; a
 2391 distinguishing number assigned to the licensee; and the
 2392 licensee's full name, date of birth, and residence address; a
 2393 brief description of the licensee, including, but not limited
 2394 to, the licensee's gender and height; and the dates of issuance
 2395 and expiration of the license. A space shall be provided upon
 2396 which the licensee shall affix his or her usual signature. No
 2397 license shall be valid until it has been so signed by the
 2398 licensee except that the signature of said licensee shall not be
 2399 required if it appears thereon in facsimile or if the licensee
 2400 is not present within the state at the time of issuance.

2401 ~~Applicants qualifying to receive a Class A, Class B, or Class C~~
 2402 ~~driver's license must appear in person within the state for~~
 2403 ~~issuance of a color photographic or digital imaged driver's~~
 2404 ~~license pursuant to s. 322.142.~~

2405 Section 61. Section 322.1415, Florida Statutes, is created
 2406 to read:

2407 322.1415 Specialty driver's license and identification

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2408 card program.—

2409 (1) The department shall issue to any applicant qualified
 2410 pursuant to s. 322.14 a specialty driver's license or
 2411 identification card upon payment of the appropriate fee pursuant
 2412 to s. 322.21.

2413 (2) Department-approved specialty driver's licenses and
 2414 identification cards shall, at a minimum, be available for state
 2415 and independent universities domiciled in this state, all
 2416 Florida professional sports teams designated in s.
 2417 320.08058(9)(a), and all branches of the United States military.

2418 (3) The design and use of each specialty driver's license
 2419 and identification card must be approved by the department and
 2420 the organization that is recognized by the driver's license or
 2421 card. Such design shall be approximately .375 x .375 inches.

2422 Section 62. Subsections (9), (10), (13), (14), and (16) of
 2423 section 322.20, Florida Statutes, are amended to read:

2424 322.20 Records of the department; fees; destruction of
 2425 records.—

2426 (9) The department may, upon application, furnish to any
 2427 person, from its ~~the records of the Division of Driver Licenses,~~
 2428 a list of the names, addresses, and birth dates of the licensed
 2429 drivers of the entire state or any portion thereof by age group.
 2430 In addition, the department may furnish to the courts, for the
 2431 purpose of establishing jury selection lists, the names,
 2432 addresses, and birth dates of the persons of the entire state or
 2433 any portion thereof by age group having identification cards
 2434 issued by the department. Each person who requests such
 2435 information shall pay a fee, set by the department, of 1 cent

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2436 per name listed, except that the department shall furnish such
 2437 information without charge to the courts for the purpose of jury
 2438 selection or to any state agency or to any state attorney,
 2439 sheriff, or chief of police. Such court, state agency, state
 2440 attorney, or law enforcement agency may not sell, give away, or
 2441 allow the copying of such information. Noncompliance with this
 2442 prohibition shall authorize the department to charge the
 2443 noncomplying court, state agency, state attorney, or law
 2444 enforcement agency the appropriate fee for any subsequent lists
 2445 requested. The department may adopt rules necessary to implement
 2446 this subsection.

2447 (10) The department ~~Division of Driver Licenses~~ is
 2448 authorized, upon application of any person and payment of the
 2449 proper fees, to search and to assist such person in the search
 2450 of the records of the department and make reports thereof and to
 2451 make photographic copies of the departmental records and
 2452 attestations thereof.

2453 (13) The department ~~Division of Driver Licenses~~ shall
 2454 implement a system that allows either parent of a minor, or a
 2455 guardian, or other responsible adult who signed a minor's
 2456 application for a driver's license to have Internet access
 2457 through a secure website to inspect the minor's driver history
 2458 record. Internet access to driver history records granted to a
 2459 minor's parents, guardian, or other responsible adult shall be
 2460 furnished by the department at no fee and shall terminate when
 2461 the minor attains 18 years of age.

2462 (14) The department is authorized in accordance with
 2463 chapter 257 to destroy reports, records, documents, papers, and

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2464 correspondence in the department ~~Division of Driver Licenses~~
 2465 which are considered obsolete.

2466 (16) The creation and maintenance of records by the
 2467 Division of Motorist Services within the department ~~and the~~
 2468 ~~Division of Driver Licenses~~ pursuant to this chapter shall not
 2469 be regarded as law enforcement functions of agency
 2470 recordkeeping.

2471 Section 63. Section 322.202, Florida Statutes, is amended
 2472 to read:

2473 322.202 Admission of evidence obtained from the Division
 2474 of Motorist Services ~~Driver Licenses and the Division of Motor~~
 2475 ~~Vehicles.~~—

2476 (1) The Legislature finds that the Division of Motorist
 2477 Services ~~Driver Licenses and the Division of Motor Vehicles~~ of
 2478 the Department of Highway Safety and Motor Vehicles is ~~are~~ not a
 2479 law enforcement agency ~~agencies~~. The Legislature also finds that
 2480 the division is ~~divisions~~ are not an adjunct ~~adjuncts~~ of any law
 2481 enforcement agency in that employees have no stake in particular
 2482 prosecutions. The Legislature further finds that errors in
 2483 records maintained by the Division of Motorist Services
 2484 ~~divisions~~ are not within the collective knowledge of any law
 2485 enforcement agency. The Legislature also finds that the mission
 2486 ~~missions~~ of the Division of Motorist Services ~~Driver Licenses,~~
 2487 ~~the Division of Motor Vehicles,~~ and the Department of Highway
 2488 Safety and Motor Vehicles provides ~~provide~~ a sufficient
 2489 incentive to maintain records in a current and correct fashion.

2490 (2) The Legislature finds that the purpose of the
 2491 exclusionary rule is to deter misconduct on the part of law

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2492 enforcement officers and law enforcement agencies.

2493 (3) The Legislature finds that the application of the
 2494 exclusionary rule to cases where a law enforcement officer
 2495 effects an arrest based on objectively reasonable reliance on
 2496 information obtained from the division ~~divisions~~ is repugnant to
 2497 the purposes of the exclusionary rule and contrary to the
 2498 decisions of the United States Supreme Court in *Arizona v.*
 2499 *Evans*, 514 U.S. 1 (1995) and *United States v. Leon*, 468 U.S. 897
 2500 (1984).

2501 (4) In any case where a law enforcement officer effects an
 2502 arrest based on objectively reasonable reliance on information
 2503 obtained from the division ~~divisions~~, evidence found pursuant to
 2504 such an arrest shall not be suppressed by application of the
 2505 exclusionary rule on the grounds that the arrest is subsequently
 2506 determined to be unlawful due to erroneous information obtained
 2507 from the divisions.

2508 Section 64. Paragraph (i) is added to subsection (1) of
 2509 section 322.21, Florida Statutes, and subsections (2) and (4) of
 2510 that section are amended, to read:

2511 322.21 License fees; procedure for handling and collecting
 2512 fees.—

2513 (1) Except as otherwise provided herein, the fee for:

2514 (i) The specialty license or identification card issued
 2515 pursuant to s. 322.1415 is \$25, which is in addition to other
 2516 fees required in this section. The specialty fee shall be
 2517 distributed as follows:

2518 1. Twenty percent shall be distributed to the appropriate
 2519 state or independent university foundation, the Florida Sports

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2520 Foundation, or the State Homes for Veterans Trust Fund, as
 2521 designated by the purchaser, for deposit into an unrestricted
 2522 account.

2523 2. Eighty percent shall be distributed to the department
 2524 for department costs directly related to the specialty driver's
 2525 license and identification card program and to defray costs of
 2526 production enhancements and distribution.

2527 (2) It is the duty of the director of the Division of
 2528 Motorist Services to provide ~~Driver Licenses to set up a~~
 2529 ~~division in the department with the necessary personnel to~~
 2530 perform the ~~necessary~~ clerical and routine work for the
 2531 department in issuing and recording applications, licenses, and
 2532 certificates of eligibility, including the receiving and
 2533 accounting of all license funds and their payment into the State
 2534 Treasury, and other incidental clerical work connected with the
 2535 administration of this chapter. The department may use such
 2536 electronic, mechanical, or other devices as necessary to
 2537 accomplish the purposes of this chapter.

2538 (4) If the department determines from its records or is
 2539 otherwise satisfied that the holder of a license about to expire
 2540 is entitled to have it renewed, the department shall mail a
 2541 renewal notice to the licensee at his or her last known address,
 2542 at least ~~within~~ 30 days before the licensee's birthday. The
 2543 licensee may ~~shall~~ be issued a renewal license, after
 2544 reexamination, if required, ~~during the 30 days immediately~~
 2545 ~~preceding his or her birthday upon presenting a renewal notice,~~
 2546 ~~his or her current license, and the fee for renewal to the~~
 2547 ~~department at any driver's license examining office.~~ A driver

2548 may renew his or her driver's license up to 18 months prior to
 2549 the license expiration date.

2550 Section 65. Subsection (1) of section 322.22, Florida
 2551 Statutes, is amended to read:

2552 322.22 Authority of department to cancel license.—

2553 (1) The department is authorized to cancel any driver's
 2554 license, upon determining that the licensee is ~~was~~ not entitled
 2555 to the license issuance thereof, or that the licensee failed to
 2556 give the required or correct information in his or her
 2557 application or committed any fraud in making such application,
 2558 or that the licensee has two or more licenses on file with the
 2559 department, each in a different name but bearing the photograph
 2560 of the licensee, unless the licensee has complied with the
 2561 requirements of this chapter in obtaining the licenses. The
 2562 department may cancel any driver's license, identification card,
 2563 vehicle or vessel registration, or fuel-use decal if the
 2564 licensee fails to pay the correct fee or pays for the driver's
 2565 license, identification card, vehicle or vessel registration, or
 2566 fuel-use decal; pays any tax liability, penalty, or interest
 2567 specified in chapter 207; or pays any administrative,
 2568 delinquency, or reinstatement fee by a dishonored check.

2569 Section 66. Subsection (6) of section 322.2615, Florida
 2570 Statutes, is amended to read:

2571 322.2615 Suspension of license; right to review.—

2572 (6) (a) If the person whose license was suspended requests
 2573 a formal review, the department must schedule a hearing to be
 2574 held within 30 days after such request is received by the
 2575 department and must notify the person of the date, time, and

2576 | place of the hearing.

2577 | (b) Such formal review hearing shall be held before a
 2578 | hearing officer designated ~~employed~~ by the department, and the
 2579 | hearing officer shall be authorized to administer oaths, examine
 2580 | witnesses and take testimony, receive relevant evidence, issue
 2581 | subpoenas for the officers and witnesses identified in documents
 2582 | in subsection (2), regulate the course and conduct of the
 2583 | hearing, question witnesses, and make a ruling on the
 2584 | suspension. The party requesting the presence of a witness shall
 2585 | be responsible for the payment of any witness fees and for
 2586 | notifying in writing the state attorney's office in the
 2587 | appropriate circuit of the issuance of the subpoena. If the
 2588 | person who requests a formal review hearing fails to appear and
 2589 | the hearing officer finds such failure to be without just cause,
 2590 | the right to a formal hearing is waived and the suspension shall
 2591 | be sustained.

2592 | (c) A party may seek enforcement of a subpoena under
 2593 | paragraph (b) by:

2594 | 1. Filing a motion for enforcement of a subpoena in the
 2595 | related criminal case, if any; or

2596 | 2. Filing a petition for enforcement in the circuit court
 2597 | of the judicial circuit in which the person failing to comply
 2598 | with the subpoena resides. A failure to comply with an order of
 2599 | the court shall result in a finding of contempt of court.
 2600 | However, a person is not in contempt while a subpoena is being
 2601 | challenged.

2602 | (d) The department must, within 7 working days after a
 2603 | formal review hearing, send notice to the person of the hearing

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2604 officer's decision as to whether sufficient cause exists to
 2605 sustain, amend, or invalidate the suspension.

2606 Section 67. Subsection (2) of section 322.53, Florida
 2607 Statutes, is amended to read:

2608 322.53 License required; exemptions.—

2609 (2) The following persons are exempt from the requirement
 2610 to obtain a commercial driver's license:

2611 (a) Drivers of authorized emergency vehicles.

2612 (b) Military personnel driving vehicles operated for
 2613 military purposes.

2614 (c) Farmers transporting agricultural products, farm
 2615 supplies, or farm machinery to or from their farms within 150
 2616 miles of their farm if the vehicle operated under this exemption
 2617 is not used in the operations of a common or contract motor
 2618 carrier, ~~or transporting agricultural products to or from the~~
 2619 ~~first place of storage or processing or directly to or from~~
 2620 ~~market, within 150 miles of their farm.~~

2621 (d) Drivers of recreational vehicles, as defined in s.
 2622 320.01.

2623 (e) Drivers who operate straight trucks, as defined in s.
 2624 316.003, which ~~that~~ are exclusively transporting their own
 2625 tangible personal property that ~~which~~ is not for sale or hire,
 2626 and the vehicles are not used in commerce.

2627 (f) An employee of a publicly owned transit system who is
 2628 limited to moving vehicles for maintenance or parking purposes
 2629 exclusively within the restricted-access confines of a transit
 2630 system's property.

2631 Section 68. Subsection (5) is added to section 322.54,

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2632 Florida Statutes, to read:

2633 322.54 Classification.—

2634 (5) The required driver's license classification of any
 2635 person operating a commercial motor vehicle that has no gross
 2636 vehicle weight rating plate or no vehicle identification number
 2637 shall be determined by the actual weight of the vehicle.

2638 Section 69. Section 322.58, Florida Statutes, is repealed.

2639 Section 70. Section 322.59, Florida Statutes, is amended
 2640 to read:

2641 322.59 Possession of medical examiner's certificate.—

2642 (1) The department shall not issue a commercial driver's
 2643 license to any person who is required by the laws of this state
 2644 or by federal law to possess a medical examiner's certificate,
 2645 unless such person provides ~~presents~~ a valid certificate, as
 2646 described in 49 C.F.R. s. 383.71 prior to licensure.

2647 (2) The department shall disqualify a driver from
 2648 operating a commercial motor vehicle if that driver holds a
 2649 commercial driver's license and fails to comply with the medical
 2650 certification requirements described in 49 C.F.R. s. 383.71.

2651 ~~(2) This section does not expand the requirements as to~~
 2652 ~~who must possess a medical examiner's certificate.~~

2653 Section 71. Subsection (5) of section 322.61, Florida
 2654 Statutes, is amended to read:

2655 322.61 Disqualification from operating a commercial motor
 2656 vehicle.—

2657 (5) Any person who is convicted of two violations
 2658 specified in subsection (3) which were committed while operating
 2659 a commercial motor vehicle, or any combination thereof, arising

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2660 in separate incidents shall be permanently disqualified from
 2661 operating a commercial motor vehicle. Any holder of a commercial
 2662 driver's license who is convicted of two violations specified in
 2663 subsection (3), which were committed while operating any a
 2664 ~~noncommercial motor vehicle, or any combination thereof,~~ arising
 2665 in separate incidents shall be permanently disqualified from
 2666 operating a commercial motor vehicle. The penalty provided in
 2667 this subsection is in addition to any other applicable penalty.

2668 Section 72. Subsections (1), (4), (7), (8), and (11) of
 2669 section 322.64, Florida Statutes, are amended to read:

2670 322.64 Holder of commercial driver's license; persons
 2671 operating a commercial motor vehicle; driving with unlawful
 2672 blood-alcohol level; refusal to submit to breath, urine, or
 2673 blood test.—

2674 (1) (a) A law enforcement officer or correctional officer
 2675 shall, on behalf of the department, disqualify from operating
 2676 any commercial motor vehicle a person who while operating or in
 2677 actual physical control of a commercial motor vehicle is
 2678 arrested for a violation of s. 316.193, relating to unlawful
 2679 blood-alcohol level or breath-alcohol level, or a person who has
 2680 refused to submit to a breath, urine, or blood test authorized
 2681 by s. 322.63 or s. 316.1932 arising out of the operation or
 2682 actual physical control of a commercial motor vehicle. A law
 2683 enforcement officer or correctional officer shall, on behalf of
 2684 the department, disqualify the holder of a commercial driver's
 2685 license from operating any commercial motor vehicle if the
 2686 licenseholder, while operating or in actual physical control of
 2687 a motor vehicle, is arrested for a violation of s. 316.193,

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2688 relating to unlawful blood-alcohol level or breath-alcohol
 2689 level, or refused to submit to a breath, urine, or blood test
 2690 authorized by s. 322.63 or s. 316.1932. Upon disqualification of
 2691 the person, the officer shall take the person's driver's license
 2692 and issue the person a 10-day temporary permit for the operation
 2693 of noncommercial vehicles only if the person is otherwise
 2694 eligible for the driving privilege and shall issue the person a
 2695 notice of disqualification. If the person has been given a
 2696 blood, breath, or urine test, the results of which are not
 2697 available to the officer at the time of the arrest, the agency
 2698 employing the officer shall transmit such results to the
 2699 department within 5 days after receipt of the results. If the
 2700 department then determines that the person had a blood-alcohol
 2701 level or breath-alcohol level of 0.08 or higher, the department
 2702 shall disqualify the person from operating a commercial motor
 2703 vehicle pursuant to subsection (3).

2704 (b) For purposes of determining the period of
 2705 disqualification described in 49 C.F.R. s. 383.51,
 2706 disqualifications listed in paragraph (a) shall be treated as
 2707 convictions.

2708 ~~(c) (b)~~ The disqualification under paragraph (a) shall be
 2709 pursuant to, and the notice of disqualification shall inform the
 2710 driver of, the following:

2711 1.a. The driver refused to submit to a lawful breath,
 2712 blood, or urine test and he or she is disqualified from
 2713 operating a commercial motor vehicle for the time period
 2714 specified in 49 C.F.R. s. 383.51 ~~a period of 1 year, for a first~~
 2715 ~~refusal, or permanently, if he or she has previously been~~

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2716 ~~disqualified under this section; or~~

2717 b. The driver had an unlawful blood-alcohol or breath-
2718 alcohol level of 0.08 or higher while driving or in actual
2719 physical control of a commercial motor vehicle, or any motor
2720 vehicle if the driver holds a commercial driver license, and is
2721 disqualified for the time period specified in 49 C.F.R. s.
2722 383.51. ~~The driver was driving or in actual physical control of~~
2723 ~~a commercial motor vehicle, or any motor vehicle if the driver~~
2724 ~~holds a commercial driver's license, had an unlawful blood-~~
2725 ~~alcohol level or breath-alcohol level of 0.08 or higher, and his~~
2726 ~~or her driving privilege shall be disqualified for a period of 1~~
2727 ~~year for a first offense or permanently disqualified if his or~~
2728 ~~her driving privilege has been previously disqualified under~~
2729 ~~this section.~~

2730 2. The disqualification period for operating commercial
2731 vehicles shall commence on the date of issuance of the notice of
2732 disqualification.

2733 3. The driver may request a formal or informal review of
2734 the disqualification by the department within 10 days after the
2735 date of issuance of the notice of disqualification.

2736 4. The temporary permit issued at the time of
2737 disqualification expires at midnight of the 10th day following
2738 the date of disqualification.

2739 5. The driver may submit to the department any materials
2740 relevant to the disqualification.

2741 (4) If the person disqualified requests an informal review
2742 pursuant to subparagraph (1) (c) ~~(b)~~ 3., the department shall
2743 conduct the informal review by a hearing officer employed by the

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2744 department. Such informal review hearing shall consist solely of
 2745 an examination by the department of the materials submitted by a
 2746 law enforcement officer or correctional officer and by the
 2747 person disqualified, and the presence of an officer or witness
 2748 is not required.

2749 (7) In a formal review hearing under subsection (6) or an
 2750 informal review hearing under subsection (4), the hearing
 2751 officer shall determine by a preponderance of the evidence
 2752 whether sufficient cause exists to sustain, amend, or invalidate
 2753 the disqualification. The scope of the review shall be limited
 2754 to the following issues:

2755 (a) If the person was disqualified from operating a
 2756 commercial motor vehicle for driving with an unlawful blood-
 2757 alcohol level:

2758 1. Whether the ~~arresting~~ law enforcement officer had
 2759 probable cause to believe that the person was driving or in
 2760 actual physical control of a commercial motor vehicle, or any
 2761 motor vehicle if the driver holds a commercial driver's license,
 2762 in this state while he or she had any alcohol, chemical
 2763 substances, or controlled substances in his or her body.

2764 2. Whether the person had an unlawful blood-alcohol level
 2765 or breath-alcohol level of 0.08 or higher.

2766 (b) If the person was disqualified from operating a
 2767 commercial motor vehicle for refusal to submit to a breath,
 2768 blood, or urine test:

2769 1. Whether the law enforcement officer had probable cause
 2770 to believe that the person was driving or in actual physical
 2771 control of a commercial motor vehicle, or any motor vehicle if

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2772 the driver holds a commercial driver's license, in this state
 2773 while he or she had any alcohol, chemical substances, or
 2774 controlled substances in his or her body.

2775 2. Whether the person refused to submit to the test after
 2776 being requested to do so by a law enforcement officer or
 2777 correctional officer.

2778 3. Whether the person was told that if he or she refused
 2779 to submit to such test he or she would be disqualified from
 2780 operating a commercial motor vehicle for a period of 1 year or,
 2781 if previously disqualified under this section, permanently.

2782 (8) Based on the determination of the hearing officer
 2783 pursuant to subsection (7) for both informal hearings under
 2784 subsection (4) and formal hearings under subsection (6), the
 2785 department shall:

2786 (a) sustain the disqualification for the time period
 2787 described in 49 C.F.R. s. 383.51 ~~a period of 1 year for a first~~
 2788 ~~refusal, or permanently if such person has been previously~~
 2789 ~~disqualified from operating a commercial motor vehicle under~~
 2790 ~~this section.~~ The disqualification period commences on the date
 2791 of the issuance of the notice of disqualification.

2792 (b) ~~Sustain the disqualification:~~

2793 1. ~~For a period of 1 year if the person was driving or in~~
 2794 ~~actual physical control of a commercial motor vehicle, or any~~
 2795 ~~motor vehicle if the driver holds a commercial driver's license,~~
 2796 ~~and had an unlawful blood alcohol level or breath alcohol level~~
 2797 ~~of 0.08 or higher; or~~

2798 2. ~~Permanently if the person has been previously~~
 2799 ~~disqualified from operating a commercial motor vehicle under~~

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2800 ~~this section or his or her driving privilege has been previously~~
 2801 ~~suspended for driving or being in actual physical control of a~~
 2802 ~~commercial motor vehicle, or any motor vehicle if the driver~~
 2803 ~~holds a commercial driver's license, and had an unlawful blood-~~
 2804 ~~alcohol level or breath-alcohol level of 0.08 or higher.~~

2805
 2806 ~~The disqualification period commences on the date of the~~
 2807 ~~issuance of the notice of disqualification.~~

2808 (11) The formal review hearing may be conducted upon a
 2809 review of the reports of a law enforcement officer or a
 2810 correctional officer, including documents relating to the
 2811 administration of a breath test or blood test or the refusal to
 2812 take a breath, blood, or urine ~~either~~ test. However, as provided
 2813 in subsection (6), the driver may subpoena the officer or any
 2814 person who administered or analyzed a breath or blood test.

2815 Section 73. Section 328.30, Florida Statutes, is amended
 2816 to read:

2817 328.30 Transactions by electronic or telephonic means.—

2818 (1) The department may ~~is authorized to~~ accept any
 2819 application provided for under this chapter by electronic or
 2820 telephonic means.

2821 (2) The department may issue an electronic certificate of
 2822 title in lieu of printing a paper title.

2823 (3) The department may collect and use electronic mail
 2824 addresses for the purpose of providing renewal notices in lieu
 2825 of the United States Postal Service.

2826 Section 74. Subsection (2) of section 413.012, Florida
 2827 Statutes, is amended to read:

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2828 413.012 Confidential records disclosure prohibited;
 2829 exemptions.—

2830 (2) It is unlawful for any person to disclose, authorize
 2831 the disclosure, solicit, receive, or make use of any list of
 2832 names and addresses or any record containing any information set
 2833 forth in subsection (1) and maintained in the division. The
 2834 prohibition provided for in this subsection shall not apply to
 2835 the use of such information for purposes directly connected with
 2836 the administration of the vocational rehabilitation program or
 2837 with the monthly dispatch to ~~the Division of Driver Licenses of~~
 2838 the Department of Highway Safety and Motor Vehicles of the name
 2839 in full, place and date of birth, sex, social security number,
 2840 and resident address of individuals with central visual acuity
 2841 20/200 or less in the better eye with correcting glasses, or a
 2842 disqualifying field defect in which the peripheral field has
 2843 contracted to such an extent that the widest diameter or visual
 2844 field subtends an angular distance no greater than 20 degrees.
 2845 When requested in writing by an applicant or client, or her or
 2846 his representative, the Division of Blind Services shall release
 2847 confidential information to the applicant or client or her or
 2848 his representative.

2849 Section 75. Paragraph (f) of subsection (13) of section
 2850 713.78, Florida Statutes, is amended to read:

2851 713.78 Liens for recovering, towing, or storing vehicles
 2852 and vessels.—

2853 (13)

2854 (f) This subsection applies only to the annual renewal in
 2855 the registered owner's birth month of a motor vehicle

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2856 registration and does not apply to the transfer of a
 2857 registration of a motor vehicle sold by a motor vehicle dealer
 2858 licensed under chapter 320, except for the transfer of
 2859 registrations which is inclusive of the annual renewals. This
 2860 subsection does not apply to any vehicle registered in the name
 2861 of the lessor. This subsection does not affect the issuance of
 2862 the title to a motor vehicle, notwithstanding s.
 2863 319.23 (8) ~~(7)~~ (b).

2864 Section 76. (1) This section may be cited as the "To
 2865 Inform Families First Act."

2866 (2) The Department of Highway Safety and Motor Vehicles is
 2867 encouraged to educate the law enforcement community and the
 2868 general public about the importance of making certain that
 2869 drivers are aware of and use the Emergency Contact Information
 2870 program, established by the department. The department shall
 2871 provide signs for the driver license offices to advertise the
 2872 program. This voluntary program allows all drivers the
 2873 opportunity to register the names of up to two individuals as
 2874 the person they would want to be contacted in the event that
 2875 they are involved in a crash.

2876 Section 77. Except as otherwise expressly provided in this
 2877 act, this act shall take effect July 1, 2011.