

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Economic Affairs Committee
2 Representative Albritton offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (3) of section 20.24, Florida
7 Statutes, is amended to read:

8 20.24 Department of Highway Safety and Motor Vehicles.—
9 There is created a Department of Highway Safety and Motor
10 Vehicles.

11 (3) The Office of Commercial Vehicle Enforcement ~~Motor~~
12 ~~Carrier Compliance~~ is established within the Division of the
13 Florida Highway Patrol.

14 Section 2. Subsection (21) of section 316.003, Florida
15 Statutes, is amended, and subsection (89) is added to that
16 section, to read:

17 316.003 Definitions.—The following words and phrases, when
18 used in this chapter, shall have the meanings respectively

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19 ascribed to them in this section, except where the context
20 otherwise requires:

21 (21) MOTOR VEHICLE.—~~A Any~~ self-propelled vehicle not
22 operated upon rails or guideway, but not including any bicycle,
23 motorized scooter, electric personal assistive mobility device,
24 swamp buggy, or moped.

25 (89) SWAMP BUGGY.—A motorized off-road vehicle that is
26 designed or modified to travel over swampy or varied terrain and
27 that may use large tires or tracks operated from an elevated
28 platform. The term does not include any vehicle defined in
29 chapter 261 or otherwise defined or classified in this chapter.

30 Section 3. Section 316.1303, Florida Statutes, is amended
31 to read:

32 316.1303 Traffic regulations to assist mobility-impaired
33 persons.—

34 (1) Whenever a pedestrian who is mobility impaired is in
35 the process of crossing a public street or highway with the
36 assistance of ~~and the pedestrian is mobility impaired (using a~~
37 ~~guide dog or service animal designated as such with a visible~~
38 ~~means of identification, a walker, a crutch, an orthopedic cane,~~
39 ~~or a wheelchair),~~ the driver of a every vehicle approaching the
40 intersection, as defined in s. 316.003(17), shall bring his or
41 her vehicle to a full stop before arriving at the such
42 intersection and, before proceeding, shall take ~~such~~ precautions
43 ~~as may be necessary to avoid injuring the such~~ pedestrian.

44 (2) A person who is mobility impaired and who is using a
45 motorized wheelchair on a sidewalk may temporarily leave the
46 sidewalk and use the roadway to avoid a potential conflict, if

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47 no alternative route exists. A law enforcement officer may issue
48 only a verbal warning to such person.

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

51 Section 4. Subsection (3) of section 316.183, Florida
52 Statutes, is amended to read:

53 316.183 Unlawful speed.—

54 (3) A ~~No~~ school bus may not ~~shall~~ exceed the posted speed
55 ~~limits, not to exceed 55 miles per hour~~ at any time.

56 Section 5. Effective October 1, 2012, paragraph (d) of
57 subsection (3) and subsections (5) and (8) of section 316.2065,
58 Florida Statutes, are amended to read:

59 316.2065 Bicycle regulations.—

60 (3)

61 (d) A bicycle rider or passenger who is under 16 years of
62 age must wear a bicycle helmet that is properly fitted and is
63 fastened securely upon the passenger's head by a strap, and that
64 meets the federal safety standard for bicycle helmets, final
65 rule, 16 C.F.R. part 1203. A helmet purchased before October 1,
66 2012, which meets the standards of the American National
67 Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the
68 standards of the Snell Memorial Foundation (1984 Standard for
69 Protective Headgear for Use in Bicycling), or any other
70 nationally recognized standards for bicycle helmets adopted by
71 the department may continue to be worn by a bicycle rider or
72 passenger until January 1, 2016. As used in this subsection, the
73 term "passenger" includes a child who is riding in a trailer or
74 semitrailer attached to a bicycle.

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

81 1. When overtaking and passing another bicycle or vehicle
82 proceeding in the same direction.

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

85 3. When reasonably necessary to avoid any condition or
86 potential conflict, including, but not limited to, a fixed or
87 moving object, parked or moving vehicle, bicycle, pedestrian,
88 animal, surface hazard, turn lane, or substandard-width lane,
89 which ~~that~~ makes it unsafe to continue along the right-hand curb
90 or edge or within a bicycle lane. For the purposes of this
91 subsection, a "substandard-width lane" is a lane that is too
92 narrow for a bicycle and another vehicle to travel safely side
93 by side within the lane.

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

97 (8) Every bicycle in use between sunset and sunrise shall
98 be equipped with a lamp on the front exhibiting a white light
99 visible from a distance of at least 500 feet to the front and a
100 lamp and reflector on the rear each exhibiting a red light
101 visible from a distance of 600 feet to the rear. A bicycle or
102 its rider may be equipped with lights or reflectors in addition

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103 to those required by this section. A law enforcement officer may
104 issue a bicycle safety brochure and a verbal warning to a
105 bicycle rider who violates this subsection or may issue a
106 citation and assess a fine for a pedestrian violation, as
107 provided in s. 318.18. The court shall dismiss the charge
108 against a bicycle rider for a first violation of this subsection
109 upon proof of purchase and installation of the proper lighting
110 equipment.

111 Section 6. Subsection (3) of section 316.2085, Florida
112 Statutes, is amended to read:

113 316.2085 Riding on motorcycles or mopeds.—

114 (3) The license tag of a motorcycle or moped must be
115 permanently affixed to the vehicle and remain clearly visible
116 from the rear at all times ~~may not be adjusted or capable of~~
117 ~~being flipped up. Any deliberate act to conceal or obscure No~~
118 ~~device for or method of concealing or obscuring~~ the legibility
119 of the license tag of a motorcycle is prohibited ~~shall be~~
120 ~~installed or used~~. The license tag of a motorcycle or moped may
121 be affixed horizontally to the ground so that the numbers and
122 letters read from left to right. Alternatively, a license tag
123 for a motorcycle or moped for which the numbers and letters read
124 from top to bottom may be affixed perpendicularly to the ground,
125 provided that the registered owner of the motorcycle or moped
126 maintains a prepaid toll account in good standing and a
127 transponder associated with the prepaid toll account is affixed
128 to the motorcycle or moped.

129 Section 7. Subsection (1) of section 316.2126, Florida
130 Statutes, is amended to read:

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131 316.2126 Authorized use of golf carts, low-speed vehicles,
132 and utility vehicles.-

133 (1) In addition to the powers granted by ss. 316.212 and
134 316.2125, municipalities are authorized to utilize golf carts
135 and utility vehicles, as defined in s. 320.01, upon any state,
136 county, or municipal roads located within the corporate limits
137 of such municipalities, subject to the following conditions:

138 (a) Golf carts and utility vehicles must comply with the
139 operational and safety requirements in ss. 316.212 and 316.2125,
140 and with any more restrictive ordinances enacted by the local
141 governmental entity pursuant to s. 316.212(8), and shall be
142 operated only by municipal employees for municipal purposes,
143 including, but not limited to, police patrol, traffic
144 enforcement, and inspection of public facilities.

145 (b) In addition to the safety equipment required in s.
146 316.212(6) and any more restrictive safety equipment required by
147 the local governmental entity pursuant to s. 316.212(8), such
148 golf carts and utility vehicles must be equipped with sufficient
149 lighting and turn signal equipment.

150 (c) Golf carts and utility vehicles may be operated only
151 on state roads that have a posted speed limit of 30 miles per
152 hour or less.

153 (d) Golf carts and utility vehicles may cross a portion of
154 the State Highway System which has a posted speed limit of 45
155 miles per hour or less only at an intersection with an official
156 traffic control device.

157 (e) Golf carts and utility vehicles may operate on
158 sidewalks adjacent to state highways only if such golf carts and

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159 | utility vehicles yield to pedestrians and if the sidewalks are
160 | at least 5 feet wide.

161 | Section 8. Subsection (7) of section 316.2397, Florida
162 | Statutes, is amended to read:

163 | 316.2397 Certain lights prohibited; exceptions.—

164 | (7) Flashing lights are prohibited on vehicles except:

165 | (a) As a means of indicating a right or left turn, to
166 | change lanes, or to indicate that the vehicle is lawfully
167 | stopped or disabled upon the highway;

168 | (b) When a motorist intermittently flashes his or her
169 | vehicle's headlamps at an oncoming vehicle notwithstanding the
170 | motorist's intent for doing so; and ~~or except that~~

171 | (c) For the lamps authorized under ~~in~~ subsections (1),
172 | (2), (3), (4), and (9), s. 316.2065, or ~~and~~ s. 316.235(5) which
173 | may ~~are permitted to~~ flash.

174 | Section 9. Section 316.2129, Florida Statutes, is created
175 | to read:

176 | 316.2129 Operation of swamp buggies on public roads,
177 | streets, or highways authorized.

178 | (1) The operation of a swamp buggy on a public road,
179 | street,
180 | or highway is authorized if the local governmental entity, as
181 | defined in s. 334.03, having jurisdiction over the public road,
182 | street, or highway, has designated it for use by swamp buggies.
183 | Upon determining that swamp buggies may safely operate on or
184 | cross such public road, street, or highway, the local
185 | governmental entity shall post appropriate signs or otherwise
186 | inform the public that the operation of swamp buggies is

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187 allowed. This authorization shall not apply to the State Highway
188 System, as defined in s. 334.03, except that a swamp buggy may
189 be operated on a part of the State Highway System only to cross
190 that portion of the State Highway System which intersects a
191 county road or municipal street that has been designated for use
192 by swamp buggies if the Department of Transportation has
193 reviewed and approved the location and design of the crossing
194 and any traffic control devices needed for safety purposes.

195 (2) The operation of a swamp buggy on land managed, owned,
196 or leased by a state or federal agency is authorized if the
197 state or federal agency allows the operation of swamp buggies on
198 such land, including any public road, street, or highway running
199 through or located within the state or federal land. Upon
200 determining that swamp buggies may safely operate on or cross a
201 public road, street, or highway running through or located
202 within such land, the state or federal agency shall post
203 appropriate signs or otherwise inform the public that the
204 operation of swamp buggies is allowed.

205 Section 10. Effective July 1, 2012, paragraph (b) of
206 subsection (1), and paragraph (c) of subsection (2) of section
207 316.302, Florida Statutes, is amended to read:

208 316.302 Commercial motor vehicles; safety regulations;
209 transporters and shippers of hazardous materials; enforcement.-

210 (1) (a) All owners and drivers of commercial motor vehicles
211 that are operated on the public highways of this state while
212 engaged in interstate commerce are subject to the rules and
213 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

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214 (b) Except as otherwise provided in this section, all
215 owners or drivers of commercial motor vehicles that are engaged
216 in intrastate commerce are subject to the rules and regulations
217 contained in 49 C.F.R. parts 382, 385, and 390-397, with the
218 exception of 49 C.F.R. s. 390.5 as it relates to the definition
219 of bus, as such rules and regulations existed on October 1, 2011
220 ~~2009~~.

221 (c) Except as provided in s. 316.215(5), and except as
222 provided in s. 316.228 for rear overhang lighting and flagging
223 requirements for intrastate operations, the requirements of this
224 section supersede all other safety requirements of this chapter
225 for commercial motor vehicles.

226 (2)

227 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
228 operates a commercial motor vehicle solely in intrastate
229 commerce not transporting any hazardous material in amounts that
230 require placarding pursuant to 49 C.F.R. part 172 may not drive
231 after having been on duty more than 70 hours in any period of 7
232 consecutive days or more than 80 hours in any period of 8
233 consecutive days if the motor carrier operates every day of the
234 week. Thirty-four consecutive hours off duty shall constitute
235 the end of any such period of 7 or 8 consecutive days. This
236 weekly limit does not apply to a person who operates a
237 commercial motor vehicle solely within this state while
238 transporting, during harvest periods, any unprocessed
239 agricultural products or unprocessed food or fiber that is
240 subject to seasonal harvesting from place of harvest to the
241 first place of processing or storage or from place of harvest

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242 directly to market or while transporting livestock, livestock
243 feed, or farm supplies directly related to growing or harvesting
244 agricultural products. Upon request of the Department of
245 Transportation, motor carriers shall furnish time records or
246 other written verification to that department so that the
247 Department of Transportation can determine compliance with this
248 subsection. These time records must be furnished to the
249 Department of Transportation within 2 days after receipt of that
250 department's request. Falsification of such information is
251 subject to a civil penalty not to exceed \$100. The provisions of
252 this paragraph do not apply to operators of farm labor vehicles
253 operated during a state of emergency declared by the Governor or
254 operated pursuant to s. 570.07(21), and do not apply to drivers
255 of utility service vehicles as defined in 49 C.F.R. s. 395.2.

256 Section 11. Subsection (1) of section 316.3026, Florida
257 Statutes, is amended to read:

258 316.3026 Unlawful operation of motor carriers.-

259 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~
260 ~~Carrier Compliance~~ may issue out-of-service orders to motor
261 carriers, as defined in s. 320.01(33), who, after proper notice,
262 have failed to pay any penalty or fine assessed by the
263 department, or its agent, against any owner or motor carrier for
264 violations of state law, refused to submit to a compliance
265 review and provide records pursuant to s. 316.302(5) or s.
266 316.70, or violated safety regulations pursuant to s. 316.302 or
267 insurance requirements in s. 627.7415. Such out-of-service
268 orders have the effect of prohibiting the operations of any
269 motor vehicles owned, leased, or otherwise operated by the motor

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270 carrier upon the roadways of this state, until the violations
271 have been corrected or penalties have been paid. Out-of-service
272 orders must be approved by the director of the Division of the
273 Florida Highway Patrol or his or her designee. An administrative
274 hearing pursuant to s. 120.569 shall be afforded to motor
275 carriers subject to such orders.

276 Section 12. Section 316.6135, Florida Statutes, is amended
277 to read:

278 316.6135 Leaving children unattended or unsupervised in
279 motor vehicles; penalty; authority of law enforcement officer.-

280 (1) A parent, legal guardian, or other person responsible
281 for a child younger than 6 years of age may not leave the ~~such~~
282 child unattended or unsupervised in a motor vehicle:

283 (a) For a period in excess of 15 minutes;

284 (b) For any period of time if the motor of the vehicle is
285 running, ~~or~~ the health of the child is in danger, or the child
286 appears to be in distress.

287 (2) Any person who violates the provisions of paragraph
288 (1)(a) commits a misdemeanor of the second degree punishable as
289 provided in s. 775.082 or s. 775.083.

290 (3) Any person who violates the provisions of paragraph
291 (1)(b) is guilty of a noncriminal traffic infraction, punishable
292 by a fine not less than \$50 and not more than \$500.

293 (4) Any person who violates subsection (1) and in so doing
294 causes great bodily harm, permanent disability, or permanent
295 disfigurement to a child commits a felony of the third degree,
296 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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297 (5) Any law enforcement officer who observes a child left
298 unattended or unsupervised in a motor vehicle in violation of
299 subsection (1) may use whatever means are reasonably necessary
300 to protect the minor child and to remove the child from the
301 vehicle.

302 (6) If the child is removed from the immediate area,
303 notification should be placed on the vehicle.

304 (7) The child shall be remanded to the custody of the
305 Department of Children and Family Services pursuant to chapter
306 39, unless the law enforcement officer is able to locate the
307 parents or legal guardian or other person responsible for the
308 child.

309 Section 13. Subsection (9) of section 316.614, Florida
310 Statutes, is amended to read:

311 316.614 Safety belt usage.-

312 (9) ~~By January 1, 2006, Each law enforcement agency in~~
313 ~~this state shall adopt departmental policies to prohibit the~~
314 ~~practice of racial profiling. When a law enforcement officer~~
315 ~~issues a citation for a violation of this section, the law~~
316 ~~enforcement officer must record the race and ethnicity of the~~
317 ~~violation. All law enforcement agencies must maintain such~~
318 ~~information and forward the information to the department in a~~
319 ~~form and manner determined by the department. The department~~
320 ~~shall collect this information by jurisdiction and annually~~
321 ~~report the data to the Governor, the President of the Senate,~~
322 ~~and the Speaker of the House of Representatives. The report must~~
323 ~~show separate statewide totals for the state's county sheriffs~~

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324 ~~and municipal law enforcement agencies, state law enforcement~~
325 ~~agencies, and state university law enforcement agencies.~~

326 Section 14. Subsection (2) of section 316.655, Florida
327 Statutes, is amended to read:

328 316.655 Penalties.—

329 (2) Drivers convicted of a violation of any offense
330 prohibited by this chapter or any other law of this state
331 regulating motor vehicles, which resulted in an accident, may
332 have their driving privileges revoked or suspended by the court
333 if the court finds such revocation or suspension warranted by
334 the totality of the circumstances resulting in the conviction
335 and the need to provide for the maximum safety for all persons
336 who travel on or who are otherwise affected by the use of the
337 highways of the state. In determining whether suspension or
338 revocation is appropriate, the court shall consider all
339 pertinent factors, including, but not limited to, such factors
340 as the extent and nature of the driver's violation of this
341 chapter, the number of persons killed or injured as the result
342 of the driver's violation of this chapter, and the extent of any
343 property damage resulting from the driver's violation of this
344 chapter.

345 Section 15. Subsections (9) and (10) of section 318.14,
346 Florida Statutes, are amended to read:

347 318.14 Noncriminal traffic infractions; exception;
348 procedures.—

349 (9) Any person who does not hold a commercial driver
350 ~~driver's~~ license and who is cited while driving a noncommercial
351 motor vehicle for an infraction under this section other than a

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352 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the
353 driver exceeds the posted limit by 30 miles per hour or more, s.
354 320.0605, s. 320.07(3) (a) or (b), s. 322.065, s. 322.15(1), s.
355 322.61, or s. 322.62 may, in lieu of a court appearance, elect
356 to attend in the location of his or her choice within this state
357 a basic driver improvement course approved by the Department of
358 Highway Safety and Motor Vehicles. In such a case, adjudication
359 must be withheld and points, as provided by s. 322.27, may not
360 be assessed. However, a person may not make an election under
361 this subsection if the person has made an election under this
362 subsection in the preceding 12 months. A person may not make ~~no~~
363 more than five elections within his or her lifetime under this
364 subsection. The requirement for community service under s.
365 318.18(8) is not waived by a plea of nolo contendere or by the
366 withholding of adjudication of guilt by a court. If a person
367 makes an election to attend a basic driver improvement course
368 under this subsection, 18 percent of the civil penalty imposed
369 under s. 318.18(3) shall be deposited in the State Courts
370 Revenue Trust Fund; however, that portion is not revenue for
371 purposes of s. 28.36 and may not be used in establishing the
372 budget of the clerk of the court under that section or s. 28.35.

373 (10) (a) Any person who does not hold a commercial driver
374 ~~driver's~~ license and who is cited while driving a noncommercial
375 motor vehicle for an offense listed under this subsection may,
376 in lieu of payment of fine or court appearance, elect to enter a
377 plea of nolo contendere and provide proof of compliance to the
378 clerk of the court, designated official, or authorized operator
379 of a traffic violations bureau. In such case, adjudication shall

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380 be withheld; however, a person may not make an ~~no~~ election ~~shall~~
381 ~~be made~~ under this subsection if the ~~such~~ person has made an
382 election under this subsection in the preceding 12 months
383 ~~preceding election hereunder~~. A ~~No~~ person may not make more than
384 three elections under this subsection. This subsection applies
385 to the following offenses:

386 1. Operating a motor vehicle without a valid driver
387 ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s.
388 322.065, or s. 322.15(1), or operating a motor vehicle with a
389 license that has been suspended for failure to appear, failure
390 to pay civil penalty, or failure to attend a driver improvement
391 course pursuant to s. 322.291.

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

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

395 4. Operating a motor vehicle with a license that has been
396 suspended under s. 61.13016 or s. 322.245 for failure to pay
397 child support or for failure to pay any other financial
398 obligation as provided in s. 322.245; however, this subparagraph
399 does not apply if the license has been suspended pursuant to s.
400 322.245(1).

401 5. Operating a motor vehicle with a license that has been
402 suspended under s. 322.091 for failure to meet school attendance
403 requirements.

404 (b) Any person cited for an offense listed in this
405 subsection shall present proof of compliance before ~~prior to~~ the
406 scheduled court appearance date. For the purposes of this
407 subsection, proof of compliance shall consist of a valid,

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408 renewed, or reinstated driver ~~driver's~~ license or registration
409 certificate and proper proof of maintenance of security as
410 required by s. 316.646. Notwithstanding waiver of fine, any
411 person establishing proof of compliance shall be assessed court
412 costs of \$25, except that a person charged with violation of s.
413 316.646(1)-(3) may be assessed court costs of \$8. One dollar of
414 such costs shall be remitted to the Department of Revenue for
415 deposit into the Child Welfare Training Trust Fund of the
416 Department of Children and Family Services. One dollar of such
417 costs shall be distributed to the Department of Juvenile Justice
418 for deposit into the Juvenile Justice Training Trust Fund.
419 Fourteen dollars of such costs shall be distributed to the
420 municipality and \$9 shall be deposited by the clerk of the court
421 into the fine and forfeiture fund established pursuant to s.
422 142.01, if the offense was committed within the municipality. If
423 the offense was committed in an unincorporated area of a county
424 or if the citation was for a violation of s. 316.646(1)-(3), the
425 entire amount shall be deposited by the clerk of the court into
426 the fine and forfeiture fund established pursuant to s. 142.01,
427 except for the moneys to be deposited into the Child Welfare
428 Training Trust Fund and the Juvenile Justice Training Trust
429 Fund. This subsection does ~~shall~~ not be construed to authorize
430 the operation of a vehicle without a valid driver ~~driver's~~
431 license, without a valid vehicle tag and registration, or
432 without the maintenance of required security.

433 Section 16. Paragraph (c) is added to subsection (1) of
434 section 318.15, Florida Statutes, to read:

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435 318.15 Failure to comply with civil penalty or to appear;
436 penalty.-

437 (1)

438 (c) A person who is charged with a traffic infraction may
439 request a hearing within 180 days after the date upon which the
440 violation occurred, regardless of any action taken by the court
441 or the department to suspend the person's driving privilege, and
442 upon request, the clerk must set the case for hearing. The
443 person shall be given a form for requesting that his or her
444 driving privilege be reinstated. If the 180th day after the date
445 upon which the violation occurred is a Saturday, Sunday, or a
446 legal holiday, the person who is charged must request a hearing
447 within 177 days after the date upon which the violation
448 occurred; however, the court may grant a request for a hearing
449 made more than 180 days after the date upon which the violation
450 occurred. This paragraph does not affect the assessment of late
451 fees as otherwise provided in this chapter.

452 Section 17. Paragraph (f) of subsection (3) of section
453 318.18, Florida Statutes, is amended to read:

454 318.18 Amount of penalties.—The penalties required for a
455 noncriminal disposition pursuant to s. 318.14 or a criminal
456 offense listed in s. 318.17 are as follows:

457 (3)

458 (f) If a violation of s. 316.1301 or s. 316.1303(1) ~~s.~~
459 ~~316.1303~~ results in an injury to the pedestrian or damage to the
460 property of the pedestrian, an additional fine of up to \$250
461 shall be paid. This amount must be distributed pursuant to s.
462 318.21.

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463 Section 18. Subsection (5) of section 318.21, Florida
464 Statutes, is amended to read:

465 318.21 Disposition of civil penalties by county courts.—
466 All civil penalties received by a county court pursuant to the
467 provisions of this chapter shall be distributed and paid monthly
468 as follows:

469 (5) Of the additional fine assessed under s. 318.18(3)(f)
470 for a violation of s. 316.1303(1) ~~s. 316.1303~~, 60 percent must
471 be remitted to the Department of Revenue and transmitted monthly
472 to the Florida Endowment Foundation for Vocational
473 Rehabilitation, and 40 percent must be distributed pursuant to
474 subsections (1) and (2).

475 Section 19. Section 319.14, Florida Statutes, is amended
476 to read:

477 319.14 Sale of motor vehicles registered or used as
478 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,
479 ~~and~~ nonconforming vehicles, custom vehicles, or street rod
480 vehicles.—

481 (1)(a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
482 sell, or exchange any vehicle that has been licensed,
483 registered, or used as a taxicab, police vehicle, or short-term-
484 lease vehicle, or a vehicle that has been repurchased by a
485 manufacturer pursuant to a settlement, determination, or
486 decision under chapter 681, until the department has stamped in
487 a conspicuous place on the certificate of title of the vehicle,
488 or its duplicate, words stating the nature of the previous use
489 of the vehicle or the title has been stamped "Manufacturer's Buy
490 Back" to reflect that the vehicle is a nonconforming vehicle. If

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491 the certificate of title or duplicate was not so stamped upon
492 initial issuance thereof or if, subsequent to initial issuance
493 of the title, the use of the vehicle is changed to a use
494 requiring the notation provided for in this section, the owner
495 or lienholder of the vehicle shall surrender the certificate of
496 title or duplicate to the department prior to offering the
497 vehicle for sale, and the department shall stamp the certificate
498 or duplicate as required herein. When a vehicle has been
499 repurchased by a manufacturer pursuant to a settlement,
500 determination, or decision under chapter 681, the title shall be
501 stamped "Manufacturer's Buy Back" to reflect that the vehicle is
502 a nonconforming vehicle.

503 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
504 sell, or exchange a rebuilt vehicle until the department has
505 stamped in a conspicuous place on the certificate of title for
506 the vehicle words stating that the vehicle has been rebuilt or
507 assembled from parts, or is a kit car, glider kit, replica, ~~or~~
508 flood vehicle, custom vehicle, or street rod vehicle unless
509 proper application for a certificate of title for a vehicle that
510 is rebuilt or assembled from parts, or is a kit car, glider kit,
511 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle
512 has been made to the department in accordance with this chapter
513 and the department has conducted the physical examination of the
514 vehicle to assure the identity of the vehicle and all major
515 component parts, as defined in s. 319.30(1), which have been
516 repaired or replaced. Thereafter, the department shall affix a
517 decal to the vehicle, in the manner prescribed by the
518 department, showing the vehicle to be rebuilt.

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

520 1. "Police vehicle" means a motor vehicle owned or leased
521 by the state or a county or municipality and used in law
522 enforcement.

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

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

530 c. "Lease vehicle" includes both short-term-lease vehicles
531 and long-term-lease vehicles.

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

534 4. "Assembled from parts" means a motor vehicle or mobile
535 home assembled from parts or combined from parts of motor
536 vehicles or mobile homes, new or used. "Assembled from parts"
537 does not mean a motor vehicle defined as a "rebuilt vehicle" in
538 subparagraph 3., which has been declared a total loss pursuant
539 to s. 319.30.

540 5. "Kit car" means a motor vehicle assembled with a kit
541 supplied by a manufacturer to rebuild a wrecked or outdated
542 motor vehicle with a new body kit.

543 6. "Glider kit" means a vehicle assembled with a kit
544 supplied by a manufacturer to rebuild a wrecked or outdated
545 truck or truck tractor.

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

548 8. "Flood vehicle" means a motor vehicle or mobile home
549 that has been declared to be a total loss pursuant to s.
550 319.30(3)(a) resulting from damage caused by water.

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

554 10. "Settlement" means an agreement entered into between a
555 manufacturer and a consumer that occurs after a dispute is
556 submitted to a program, or an informal dispute settlement
557 procedure established by a manufacturer or is approved for
558 arbitration before the New Motor Vehicle Arbitration Board as
559 defined in s. 681.102.

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

561 a. Is 25 years of age or older and of a model year after
562 1948 or was manufactured to resemble a vehicle that is 25 years
563 of age or older and of a model year after 1948; and

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

566
567 The model year and year of manufacture that the body of a custom
568 vehicle resembles is the model year and year of manufacture
569 listed on the certificate of title, regardless of when the
570 vehicle was actually manufactured.

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

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572 a. Is of a model year of 1948 or older or was manufactured
573 after 1948 to resemble a vehicle of a model year of 1948 or
574 older; and

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

577
578 The model year and year of manufacture that the body of a street
579 rod resembles is the model year and year of manufacture listed
580 on the certificate of title, regardless of when the vehicle was
581 actually manufactured.

582 (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or
583 transfer a vehicle referred to in subsection (1) without, before
584 ~~prior to~~ consummating the sale, exchange, or transfer,
585 disclosing in writing to the purchaser, customer, or transferee
586 the fact that the vehicle has previously been titled,
587 registered, or used as a taxicab, police vehicle, or short-term-
588 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from
589 parts, ~~or~~ is a kit car, glider kit, replica, or flood vehicle,
590 or is a nonconforming vehicle, custom vehicle, or street rod
591 vehicle, as the case may be.

592 (3) Any person who, with intent to offer for sale or
593 exchange any vehicle referred to in subsection (1), knowingly or
594 intentionally advertises, publishes, disseminates, circulates,
595 or places before the public in any communications medium,
596 whether directly or indirectly, any offer to sell or exchange
597 the vehicle shall clearly and precisely state in each such offer
598 that the vehicle has previously been titled, registered, or used
599 as a taxicab, police vehicle, or short-term-lease vehicle or

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600 that the vehicle or mobile home is a vehicle that is rebuilt or
601 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or
602 flood vehicle, or is a nonconforming vehicle, custom vehicle, or
603 street rod vehicle, as the case may be. A ~~Any~~ person who
604 violates this subsection commits a misdemeanor of the second
605 degree, punishable as provided in s. 775.082 or s. 775.083.

606 (4) If ~~When~~ a certificate of title, including a foreign
607 certificate, is branded to reflect a condition or prior use of
608 the titled vehicle, the brand must be noted on the registration
609 certificate of the vehicle and such brand shall be carried
610 forward on all subsequent certificates of title and registration
611 certificates issued for the life of the vehicle.

612 (5) A ~~Any~~ person who knowingly sells, exchanges, or offers
613 to sell or exchange a motor vehicle or mobile home contrary to
614 ~~the provisions of~~ this section or any officer, agent, or
615 employee of a person who knowingly authorizes, directs, aids in,
616 or consents to the sale, exchange, or offer to sell or exchange
617 a motor vehicle or mobile home contrary to ~~the provisions of~~
618 this section commits a misdemeanor of the second degree,
619 punishable as provided in s. 775.082 or s. 775.083.

620 (6) A ~~Any~~ person who removes a rebuilt decal from a
621 rebuilt vehicle with the intent to conceal the rebuilt status of
622 the vehicle commits a felony of the third degree, punishable as
623 provided in s. 775.082, s. 775.083, or s. 775.084.

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

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628 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in
629 any civil action arising out of a violation of this section if
630 the designation of the previous use or condition of the motor
631 vehicle is not noted on the certificate of title and
632 registration certificate of the vehicle which was received by,
633 or delivered to, such person, unless the ~~such~~ person has
634 actively concealed the prior use or condition of the vehicle
635 from the purchaser.

636 (9) Subsections (1), (2), and (3) do not apply to the
637 transfer of ownership of a motor vehicle after the motor vehicle
638 has ceased to be used as a lease vehicle and the ownership has
639 been transferred to an owner for private use or to the transfer
640 of ownership of a nonconforming vehicle with 36,000 or more
641 miles on its odometer, or 34 months whichever is later and the
642 ownership has been transferred to an owner for private use. Such
643 owner, as shown on the title certificate, may request the
644 department to issue a corrected certificate of title that does
645 not contain the statement of the previous use of the vehicle as
646 a lease vehicle or condition as a nonconforming vehicle.

647 Section 20. Subsection (6) of section 319.23, Florida
648 Statutes, is amended, present subsections (7) through (11) of
649 that section are redesignated as subsections (8) through (12),
650 respectively, and a new subsection (7) is added to that section,
651 to read:

652 319.23 Application for, and issuance of, certificate of
653 title.—

654 (6) (a) In the case of the sale of a motor vehicle or
655 mobile home by a licensed dealer to a general purchaser, the

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656 certificate of title must be obtained in the name of the
657 purchaser by the dealer upon application signed by the
658 purchaser, and in each other case the ~~such~~ certificate must be
659 obtained by the purchaser. In each case of transfer of a motor
660 vehicle or mobile home, the application for a certificate of
661 title, a corrected certificate, or an assignment or reassignment
662 must be filed within 30 days after the delivery of the motor
663 vehicle or after consummation of the sale of the mobile home to
664 the purchaser. An applicant must pay a fee of \$20, in addition
665 to all other fees and penalties required by law, for failing to
666 file such application within the specified time. In the case of
667 the sale of a motor vehicle by a licensed motor vehicle dealer
668 to a general purchaser who resides in another state or country,
669 the dealer is not required to apply for a certificate of title
670 for the motor vehicle; however, the dealer must transfer
671 ownership and reassign the certificate of title or
672 manufacturer's certificate of origin to the purchaser, and the
673 purchaser must sign an affidavit, as approved by the department,
674 that the purchaser will title and register the motor vehicle in
675 another state or country.

676 (b) If a licensed dealer acquires a motor vehicle or
677 mobile home as a trade-in, the dealer must file with the
678 department, within 30 days, a notice of sale signed by the
679 seller. The department shall update its database for that title
680 record to indicate "sold." A licensed dealer need not apply for
681 a certificate of title for any motor vehicle or mobile home in
682 stock acquired for stock purposes except as provided in s.
683 319.225.

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684 (7) If an applicant for a certificate of title is unable
685 to provide the department with a certificate of title that
686 assigns the prior owner's interest in the motor vehicle, the
687 department may accept a bond in the form prescribed by the
688 department, along with an affidavit in a form prescribed by the
689 department, which includes verification of the vehicle
690 identification number and an application for title.

691 (a) The bond must be:

692 1. In a form prescribed by the department;

693 2. Executed by the applicant;

694 3. Issued by a person authorized to conduct a surety
695 business in this state;

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

698 5. Conditioned to indemnify all prior owners and
699 lienholders and all subsequent purchasers of the vehicle or
700 persons who acquire a security interest in the vehicle, and
701 their successors in interest, against any expense, loss, or
702 damage, including reasonable attorney fees, occurring because of
703 the issuance of the certificate of title for the vehicle or for
704 a defect in or undisclosed security interest on the right,
705 title, or interest of the applicant to the vehicle.

706 (b) An interested person has a right to recover on the
707 bond for a breach of the bond's condition. The aggregate
708 liability of the surety to all persons may not exceed the amount
709 of the bond.

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

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712 (d) The affidavit must:

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

714 2. Include the facts and circumstances under which the
715 applicant acquired ownership and possession of the motor
716 vehicle;

717 3. Disclose that no security interests, liens, or
718 encumbrances against the motor vehicle are known to the
719 applicant against the motor vehicle; and

720 4. State that the applicant has the right to have a
721 certificate of title issued.

722 Section 21. Subsection (8) of section 319.24, Florida
723 Statutes, is amended to read:

724 319.24 Issuance in duplicate; delivery; liens and
725 encumbrances.—

726 (8) Notwithstanding any requirements in this section or in
727 s. 319.27 indicating that a lien on a motor vehicle or mobile
728 home shall be noted on the face of the Florida certificate of
729 title, if there are one or more liens or encumbrances on the
730 motor vehicle or mobile home, the department shall ~~may~~
731 electronically transmit the lien to the first lienholder and
732 notify the first lienholder of any additional liens. Subsequent
733 lien satisfactions shall ~~may~~ be electronically transmitted to
734 the department and must ~~shall~~ include the name and address of
735 the person or entity satisfying the lien. When electronic
736 transmission of liens and lien satisfactions is ~~are~~ used, the
737 issuance of a certificate of title may be waived until the last
738 lien is satisfied and a clear certificate of title is issued to
739 the owner of the vehicle. In subsequent transfer of ownership of

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740 the motor vehicle, it shall be presumed that the motor vehicle
741 title is subject to a lien as set forth in s. 319.225(6) (a)
742 until the title to be issued pursuant to this subsection is
743 received by the person or entity satisfying the lien.

744 Section 22. Subsection (7) is added to section 319.27,
745 Florida Statutes, to read:

746 319.27 Notice of lien on motor vehicles or mobile homes;
747 notation on certificate; recording of lien.—

748 (7) The department shall establish and administer an
749 electronic titling program that requires the electronic
750 recording of vehicle title information for new, transferred, and
751 corrected certificates of title. Lienholders shall
752 electronically transmit liens and lien satisfactions to the
753 department in a format determined by the department. Individuals
754 and lienholders who the department determines are not normally
755 engaged in the business or practice of financing vehicles are
756 exempt from the electronic titling requirement.

757 Section 23. Subsection (3) is added to section 319.28,
758 Florida Statutes, to read:

759 319.28 Transfer of ownership by operation of law.—

760 (3) A dealer of industrial equipment who conducts a
761 repossession, as defined in s. 493.6101(22), of such equipment
762 is not subject to licensure as a recovery agent or recovery
763 agency if the dealer is regularly engaged in the sale of the
764 equipment for a particular manufacturer and the lender is
765 affiliated with that manufacturer.

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766 Section 24. Present subsection (10) of section 319.30,
767 Florida Statutes, is renumbered as subsection (11), and new
768 subsection (10) is added to that section, to read:

769 319.30 Definitions; dismantling, destruction, change of
770 identity of motor vehicle or mobile home; salvage.—

771 (10) The department is authorized to adopt rules pursuant
772 to s. 120.536(1) and s. 120.54 to implement an electronic system
773 for issuing salvage certificates of title and certificates of
774 destruction.

775 ~~(10)~~ (11) Except as otherwise provided in this section, any
776 person who violates this section commits a felony of the third
777 degree, punishable as provided in s. 775.082, s. 775.083, or s.
778 775.084.

779 Section 25. Section 319.40, Florida Statutes, is amended
780 to read:

781 319.40 Transactions by electronic or telephonic means.—

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

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

787 (3) The department may collect electronic mail addresses
788 and use electronic mail in lieu of the United States Postal
789 Service as a method of notification. However, any notice
790 regarding the potential forfeiture or foreclosure of an interest
791 in property must be sent via the United States Postal Service.

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792 Section 26. Paragraph (a) of subsection (1) of section
793 320.01, Florida Statutes, is amended, and subsection (46) is
794 added to that section, to read:

795 320.01 Definitions, general.—As used in the Florida
796 Statutes, except as otherwise provided, the term:

797 (1) "Motor vehicle" means:

798 (a) An automobile, motorcycle, truck, trailer,
799 semitrailer, truck tractor and semitrailer combination, or any
800 other vehicle operated on the roads of this state, used to
801 transport persons or property, and propelled by power other than
802 muscular power, but the term does not include traction engines,
803 road rollers, special mobile equipment as defined in s.
804 316.003(48), such vehicles that as run only upon a track,
805 bicycles, swamp buggies, or mopeds.

806 (46) "Swamp buggy" means a motorized off-road vehicle that
807 is designed or modified to travel over swampy or varied terrain
808 and that may use large tires or tracks operated from an elevated
809 platform. The term does not include any vehicle defined in
810 chapter 261 or otherwise defined or classified in this chapter.

811 Section 27. Subsection (2) and paragraph (e) of subsection
812 (5) of section 320.02, Florida Statutes, are amended, paragraphs
813 (o), (p), (q), and (r) are added to subsection (15), and
814 subsection (18) is added to that section, to read:

815 320.02 Registration required; application for
816 registration; forms.—

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

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820 accompanied by personal or business identification information
821 which may include, but need not be limited to, a driver ~~driver's~~
822 license number, Florida identification card number, or federal
823 employer identification number. If the owner does not have a
824 permanent residence or permanent place of business or if the
825 owner's permanent residence or permanent place of business
826 cannot be identified by a street address, the application shall
827 include:

828 1. If the vehicle is registered to a business, the name
829 and street address of the permanent residence of an owner of the
830 business, an officer of the corporation, or an employee who is
831 in a supervisory position.

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

835
836 If the vehicle is registered to an active duty member of the
837 Armed Forces of the United States who is a Florida resident, the
838 active duty member is exempt from the requirement to provide the
839 street address of a permanent residence.

840 (b) The department shall prescribe a form upon which motor
841 vehicle owners may record odometer readings when registering
842 their motor vehicles.

843 (5)

844 (e) Upon the expiration date noted in the cancellation
845 notice that the department receives from the insurer, the
846 department shall suspend the registration, issued under this
847 chapter or s. 207.004(1), of a motor carrier who operates a

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848 commercial motor vehicle or who permits it to be operated in
849 this state during the registration period without having in full
850 force ~~and effect~~ liability insurance, a surety bond, or a valid
851 self-insurance certificate that complies with ~~the provisions of~~
852 this section. The insurer shall provide notice to the department
853 at the same time the cancellation notice is provided to the
854 insured pursuant to s. 627.7281. The department may adopt rules
855 regarding the electronic submission of the cancellation notice
856 ~~liability insurance policy or surety bond may not be canceled on~~
857 ~~less than 30 days' written notice by the insurer to the~~
858 ~~department, such 30 days' notice to commence from the date~~
859 ~~notice is received by the department.~~

860 (15)

861 (o) The application form for motor vehicle registration
862 and renewal registration must include language permitting a
863 voluntary contribution of \$1 to the Florida Association of Food
864 Banks, Inc. The proceeds shall be distributed by the department
865 each month to Florida Association of Food Banks, Inc., to be
866 used by that organization for the purpose of ending hunger in
867 this state.

868 (p) The application form for motor vehicle registration
869 and renewal of registration must include language permitting a
870 voluntary contribution of \$1 per applicant for Autism Services
871 and Supports. Such contributions must be transferred by the
872 department to the Achievement and Rehabilitation Centers, Inc.,
873 Autism Services Fund.

874 (q) The application form for motor vehicle registration
875 and renewal of registration must include language permitting a

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876 voluntary contribution of \$1 per applicant to Support Our
877 Troops, which shall be distributed to Support Our Troops, Inc.,
878 a Florida not-for-profit organization.

879 (r) The application form for motor vehicle registration
880 and renewal of registration must include language permitting a
881 voluntary contribution of \$1 to Take Stock In Children. Such
882 contributions shall be transferred by the department to Take
883 Stock In Children, Inc.

884

885 For the purpose of applying the service charge provided in s.
886 215.20, contributions received under this subsection are not
887 income of a revenue nature.

888 (18) The department shall retain all electronic
889 registration records for at least 10 years.

890 Section 28. Subsection (8) of section 320.03, Florida
891 Statutes, is amended to read:

892 320.03 Registration; duties of tax collectors;
893 International Registration Plan.—

894 (8) If the applicant's name appears on the list referred
895 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a
896 license plate or revalidation sticker may not be issued until
897 that person's name no longer appears on the list or until the
898 person presents a receipt from the governmental entity or the
899 clerk of court that provided the data showing that the fines
900 outstanding have been paid. This subsection does not apply to
901 the owner of a leased vehicle if the vehicle is registered in
902 the name of the lessee of the vehicle. The tax collector and the
903 clerk of the court are each entitled to receive monthly, as

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904 costs for implementing and administering this subsection, 10
905 percent of the civil penalties and fines recovered from such
906 persons. As used in this subsection, the term "civil penalties
907 and fines" does not include a wrecker operator's lien as
908 described in s. 713.78(13). If the tax collector has private tag
909 agents, such tag agents are entitled to receive a pro rata share
910 of the amount paid to the tax collector, based upon the
911 percentage of license plates and revalidation stickers issued by
912 the tag agent compared to the total issued within the county.
913 The authority of any private agent to issue license plates shall
914 be revoked, after notice and a hearing as provided in chapter
915 120, if he or she issues any license plate or revalidation
916 sticker contrary to the provisions of this subsection. This
917 section applies only to the annual renewal in the owner's birth
918 month of a motor vehicle registration and does not apply to the
919 transfer of a registration of a motor vehicle sold by a motor
920 vehicle dealer licensed under this chapter, except for the
921 transfer of registrations which includes ~~is inclusive of~~ the
922 annual renewals. This section does not affect the issuance of
923 the title to a motor vehicle, notwithstanding s. 319.23(8)(b)
924 ~~319.23(7)(b)~~.

925 Section 29. Subsections (5) and (6) are added to section
926 320.06, Florida Statutes, to read:

927 320.06 Registration certificates, license plates, and
928 validation stickers generally.—

929 (5) The department may conduct a pilot program to evaluate
930 the designs, concepts, and technologies for alternative license
931 plates. For purposes of the pilot program, the department shall

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932 investigate the feasibility and use of alternative license plate
933 technologies and the long-term cost impact to the consumer. The
934 pilot program shall be limited to license plates that are used
935 on government-owned motor vehicles as described in s. 320.0655.
936 Such license plates are exempt from the requirements in
937 paragraph (3) (a).

938 (6) All license plates issued pursuant to this chapter are
939 the property of the state.

940 Section 30. Section 320.0605, Florida Statutes, is amended
941 to read:

942 320.0605 Certificate of registration; possession required;
943 exception.—

944 (1) The registration certificate or an official copy
945 thereof, a true copy of a rental or lease documentation
946 ~~agreement~~ issued for a motor vehicle or issued for a replacement
947 vehicle in the same registration period, a temporary receipt
948 printed upon self-initiated electronic renewal of a registration
949 via the Internet, or a cab card issued for a vehicle registered
950 under the International Registration Plan shall, at all times
951 while the vehicle is being used or operated on the roads of this
952 state, be in the possession of the operator thereof or be
953 carried in the vehicle for which issued and shall be exhibited
954 upon demand of any authorized law enforcement officer or any
955 agent of the department, except for a vehicle registered under
956 s. 320.0657. The provisions of this section do not apply during
957 the first 30 days after purchase of a replacement vehicle. A
958 violation of this section is a noncriminal traffic infraction,
959 punishable as a nonmoving violation as provided in chapter 318.

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960 (2) Rental or lease documentation that is sufficient to
961 satisfy the requirement in subsection (1) includes the
962 following:

963 (a) Date of rental and time of exit from rental facility;

964 (b) Rental station identification;

965 (c) Rental agreement number;

966 (d) Rental vehicle identification number;

967 (e) Rental vehicle license plate number and state of
968 registration;

969 (f) Vehicle's make, model, and color;

970 (g) Vehicle's mileage; and

971 (h) Authorized renter's name.

972 Section 31. Section 320.061, Florida Statutes, is amended
973 to read:

974 320.061 Unlawful to alter motor vehicle registration
975 certificates, license plates, temporary license plates, mobile
976 home stickers, or validation stickers or to obscure license
977 plates; penalty.—A No person may not shall alter the original
978 appearance of a vehicle registration certificate, any
979 registration license plate, temporary license plate, mobile home
980 sticker, or validation sticker, ~~or vehicle registration~~
981 ~~certificate~~ issued for and assigned to a any motor vehicle or
982 mobile home, whether by mutilation, alteration, defacement, or
983 change of color or in any other manner. A No person may not
984 ~~shall~~ apply or attach a any substance, reflective matter,
985 illuminated device, spray, coating, covering, or other material
986 onto or around any license plate which that interferes with the
987 legibility, angular visibility, or detectability of any feature

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988 or detail on the license plate or interferes with the ability to
989 record any feature or detail on the license plate. A ~~Any~~ person
990 who violates this section commits a noncriminal traffic
991 infraction, punishable as a moving violation as provided in
992 chapter 318.

993 Section 32. Subsection (1) of section 320.07, Florida
994 Statutes, is amended to read:

995 320.07 Expiration of registration; renewal required;
996 penalties.—

997 (1) The registration of a motor vehicle or mobile home
998 expires at midnight on the last day of the registration or
999 extended registration period, or for a motor vehicle or mobile
1000 home owner who is a natural person, at midnight on the owner's
1001 birthday. A vehicle may ~~shall~~ not be operated on the roads of
1002 this state after expiration of the renewal period unless the
1003 registration has been renewed according to law.

1004 Section 33. Subsection (11) of section 320.08056, Florida
1005 Statutes, is amended to read:

1006 320.08056 Specialty license plates.—

1007 (11) The annual use fee from the sale of specialty license
1008 plates, the interest earned from those fees, or any fees
1009 received by an agency as a result of the sale of specialty
1010 license plates may not be used for the purpose of marketing to,
1011 or lobbying, entertaining, or rewarding, an employee of a
1012 governmental agency that is responsible for the sale and
1013 distribution of specialty license plates, or an elected member
1014 or employee of the Legislature.

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1015 Section 34. Paragraph (b) of subsection (35) of section
1016 320.08058, Florida Statutes, is amended to read:

1017 320.08058 Specialty license plates.-

1018 (35) Florida Golf License Plates.-

1019 (b) The department shall distribute the Florida Golf
1020 license plate annual use fee to the Dade Amateur Golf
1021 Association, a nonprofit organization under s. 501(c)(3) of the
1022 Internal Revenue Code. The license plate annual use fees are to
1023 be annually allocated as follows:

1024 1. Up to ~~10~~ 15 percent of the proceeds from the annual use
1025 fees may be used by the Dade Amateur Golf Association for the
1026 administration of the Florida Junior Golf Program.

1027 2. The Dade Amateur Golf Association shall receive the
1028 first \$80,000 in proceeds from the annual use fees for the
1029 operation of youth golf programs in Miami-Dade County.
1030 Thereafter, 15 percent of the proceeds from the annual use fees
1031 shall be provided to the Dade Amateur Golf Association for the
1032 operation of youth golf programs in Miami-Dade County.

1033 3. The remaining proceeds from the annual use fees shall
1034 be available for grants to nonprofit organizations to operate
1035 youth golf programs and for marketing the Florida Golf license
1036 plates. All grant recipients shall be required to provide to the
1037 Dade Amateur Golf Association an annual program and financial
1038 report regarding the use of grant funds. Such reports shall be
1039 made available to the public.

1040 Section 35. Paragraph (e) of subsection (4) of section
1041 320.08068, Florida Statutes, is amended to read:

1042 320.08068 Motorcycle specialty license plates.-

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1043 (4) A license plate annual use fee of \$20 shall be
1044 collected for each motorcycle specialty license plate. Annual
1045 use fees shall be distributed to The Able Trust as custodial
1046 agent. The Able Trust may retain a maximum of 10 percent of the
1047 proceeds from the sale of the license plate for administrative
1048 costs. The Able Trust shall distribute the remaining funds as
1049 follows:

1050 (e) Twenty percent to the Florida Association of Centers
1051 for Independent Living ~~to be used to leverage additional funding~~
1052 ~~and new sources of revenue for the centers for independent~~
1053 ~~living in this state.~~

1054 Section 36. Subsection (4) of section 320.0848, Florida
1055 Statutes, is amended to read:

1056 320.0848 Persons who have disabilities; issuance of
1057 disabled parking permits; temporary permits; permits for certain
1058 providers of transportation services to persons who have
1059 disabilities.-

1060 (4) From the proceeds of the temporary disabled parking
1061 permit fees:

1062 (a) The Department of Highway Safety and Motor Vehicles
1063 must receive \$3.50 for each temporary permit, to be deposited
1064 into the Highway Safety Operating Trust Fund and used for
1065 implementing the real-time disabled parking permit database and
1066 for administering the disabled parking permit program.

1067 (b) The tax collector, for processing, must receive \$2.50
1068 for each temporary permit.

1069 (c) The remainder must be distributed monthly as follows:

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1070 1. To the Florida Endowment Foundation for Vocational
1071 Rehabilitation, known as "The Able Trust," ~~Governor's Alliance~~
1072 ~~for the Employment of Disabled Citizens~~ for the purpose of
1073 improving employment and training opportunities for persons who
1074 have disabilities, with special emphasis on removing
1075 transportation barriers, \$4. These fees must be directly
1076 deposited into the Florida Endowment Foundation for Vocational
1077 Rehabilitation as established in s. 413.615 ~~Transportation~~
1078 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
1079 ~~Alliance for Employment of Disabled Citizens.~~

1080 2. To the Transportation Disadvantaged Trust Fund to be
1081 used for funding matching grants to counties for the purpose of
1082 improving transportation of persons who have disabilities, \$5.

1083 Section 37. Paragraph (a) of subsection (1) of section
1084 320.089, Florida Statutes, is amended, and subsection (5) is
1085 added to that section, to read:

1086 320.089 Members of National Guard and active United States
1087 Armed Forces reservists; former prisoners of war; survivors of
1088 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
1089 Freedom and Operation Enduring Freedom Veterans; Vietnam War
1090 Veterans; Combat Infantry Badge recipients; special license
1091 plates; fee.-

1092 (1) (a) Each owner or lessee of an automobile or truck for
1093 private use or recreational vehicle as specified in s.
1094 320.08(9)(c) or (d), which is not used for hire or commercial
1095 use, who is a resident of the state and an active or retired
1096 member of the Florida National Guard, a survivor of the attack
1097 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an

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1098 active or retired member of any branch of the United States
1099 Armed Forces Reserve, or a recipient of the Combat Infantry
1100 Badge shall, upon application to the department, accompanied by
1101 proof of active membership or retired status in the Florida
1102 National Guard, proof of membership in the Pearl Harbor
1103 Survivors Association or proof of active military duty in Pearl
1104 Harbor on December 7, 1941, proof of being a Purple Heart medal
1105 recipient, ~~or~~ proof of active or retired membership in any
1106 branch of the Armed Forces Reserve, or proof of membership in
1107 the Combat Infantrymen's Association, Inc., or other proof of
1108 being a recipient of the Combat Infantry Badge, and upon payment
1109 of the license tax for the vehicle as provided in s. 320.08, be
1110 issued a license plate as provided by s. 320.06, upon which, in
1111 lieu of the serial numbers prescribed by s. 320.06, shall be
1112 stamped the words "National Guard," "Pearl Harbor Survivor,"
1113 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
1114 Badge," as appropriate, followed by the serial number of the
1115 license plate. Additionally, the Purple Heart plate may have the
1116 words "Purple Heart" stamped on the plate and the likeness of
1117 the Purple Heart medal appearing on the plate.

1118 (5) The owner or lessee of an automobile or truck for
1119 private use, a truck weighing not more than 7,999 pounds, or a
1120 recreational vehicle as specified in s. 320.08(9)(c) or (d)
1121 which automobile, truck, or recreational vehicle is not used for
1122 hire or commercial use who is a resident of the state and a
1123 current or former member of the United States military who was
1124 deployed and served in Vietnam during United States military
1125 deployment in Indochina shall, upon application to the

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1126 department, accompanied by proof of active membership or former
1127 active duty status during these operations, and, upon payment of
1128 the license tax for the vehicle as provided in s. 320.08, be
1129 issued a license plate as provided by s. 320.06 upon which, in
1130 lieu of the registration license number prescribed by s. 320.06,
1131 shall be stamped the words "Vietnam War Veteran," followed by
1132 the registration license number of the plate.

1133 Section 38. Paragraph (c) is added to subsection (1) of
1134 section 320.13, Florida Statutes, to read:

1135 320.13 Dealer and manufacturer license plates and
1136 alternative method of registration.—

1137 (1)

1138 (c) A dealer of heavy trucks as defined in s. 320.01(10),
1139 upon payment of the license tax imposed by s. 320.08(12), may
1140 secure one or more dealer license plates that are valid for use
1141 on vehicles owned by the dealer to whom such plates are issued
1142 while the heavy trucks are in inventory and for sale and are
1143 being used only in the state for demonstration purposes. The
1144 license plates may be used for demonstration purposes for a
1145 period not to exceed 24 hours. The license plates must be
1146 validated on a form prescribed by the department and must be
1147 retained in the vehicle being operated.

1148 Section 39. Section 320.15, Florida Statutes, is amended
1149 to read:

1150 320.15 Refund of license tax.—Any resident owner of a
1151 motor vehicle or mobile home that has been destroyed or
1152 permanently removed from the state shall, upon application to
1153 the department and surrender of the license plate or mobile home

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1154 sticker issued for such vehicle, be entitled to a credit to
1155 apply to registration of any other vehicle in the name of the
1156 owner, if the amount is \$3 or more, for the unexpired period of
1157 the license. However, if the license plate surrendered is a
1158 "for-hire" license plate, the amount of credit may not be more
1159 than one-half of the annual license tax amount. A credit ~~is will~~
1160 not ~~be~~ valid after the expiration date of the license plate
1161 which is current on the date of the credit, as provided in s.
1162 320.07. A motor vehicle or mobile home owner who renews a
1163 registration during the advanced renewal period as provided in
1164 s. 320.071 and who surrenders the motor vehicle or mobile home
1165 license plate before the end of the renewal period may apply for
1166 a refund of the license taxes assessed pursuant to s. 320.08.

1167 Section 40. Subsection (3) of section 320.27, Florida
1168 Statutes, is amended to read:

1169 320.27 Motor vehicle dealers.—

1170 (3) APPLICATION AND FEE.—The application for the license
1171 shall be in such form as may be prescribed by the department and
1172 shall be subject to such rules with respect thereto as may be so
1173 prescribed by it. Such application shall be verified by oath or
1174 affirmation and shall contain a full statement of the name and
1175 birth date of the person or persons applying therefor; the name
1176 of the firm or copartnership, with the names and places of
1177 residence of all members thereof, if such applicant is a firm or
1178 copartnership; the names and places of residence of the
1179 principal officers, if the applicant is a body corporate or
1180 other artificial body; the name of the state under whose laws
1181 the corporation is organized; the present and former place or

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1182 places of residence of the applicant; and prior business in
1183 which the applicant has been engaged and the location thereof.
1184 Such application shall describe the exact location of the place
1185 of business and shall state whether the place of business is
1186 owned by the applicant and when acquired, or, if leased, a true
1187 copy of the lease shall be attached to the application. The
1188 applicant shall certify that the location provides an adequately
1189 equipped office and is not a residence; that the location
1190 affords sufficient unoccupied space upon and within which
1191 adequately to store all motor vehicles offered and displayed for
1192 sale; and that the location is a suitable place where the
1193 applicant can in good faith carry on such business and keep and
1194 maintain books, records, and files necessary to conduct such
1195 business, which shall ~~will~~ be available at all reasonable hours
1196 to inspection by the department or any of its inspectors or
1197 other employees. The applicant shall certify that the business
1198 of a motor vehicle dealer is the principal business which shall
1199 be conducted at that location. The ~~Such~~ application shall
1200 contain a statement that the applicant is either franchised by a
1201 manufacturer of motor vehicles, in which case the name of each
1202 motor vehicle that the applicant is franchised to sell shall be
1203 included, or an independent (nonfranchised) motor vehicle
1204 dealer. The ~~Such~~ application shall contain ~~such~~ other relevant
1205 information as may be required by the department, including
1206 evidence that the applicant is insured under a garage liability
1207 insurance policy or a general liability insurance policy coupled
1208 with a business automobile policy, which shall include, at a
1209 minimum, \$25,000 combined single-limit liability coverage

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1210 including bodily injury and property damage protection and
1211 \$10,000 personal injury protection. However, a salvage motor
1212 vehicle dealer as defined in subparagraph (1)(c)5. is exempt
1213 from the requirements for garage liability insurance and
1214 personal injury protection insurance on those vehicles that
1215 cannot be legally operated on roads, highways, or streets in
1216 this state. Franchise dealers must submit a garage liability
1217 insurance policy, and all other dealers must submit a garage
1218 liability insurance policy or a general liability insurance
1219 policy coupled with a business automobile policy. Such policy
1220 shall be for the license period, and evidence of a new or
1221 continued policy shall be delivered to the department at the
1222 beginning of each license period. Upon making initial
1223 application, the applicant shall pay to the department a fee of
1224 \$300 in addition to any other fees now required by law.† Upon
1225 making a subsequent renewal application, the applicant shall pay
1226 to the department a fee of \$75 in addition to any other fees now
1227 required by law. Upon making an application for a change of
1228 location, the person shall pay a fee of \$50 in addition to any
1229 other fees now required by law. The department shall, in the
1230 case of every application for initial licensure, verify whether
1231 certain facts set forth in the application are true. Each
1232 applicant, general partner in the case of a partnership, or
1233 corporate officer and director in the case of a corporate
1234 applicant, must file a set of fingerprints with the department
1235 for the purpose of determining any prior criminal record or any
1236 outstanding warrants. The department shall submit the
1237 fingerprints to the Department of Law Enforcement for state

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1238 processing and forwarding to the Federal Bureau of Investigation
1239 for federal processing. The actual cost of state and federal
1240 processing shall be borne by the applicant and is in addition to
1241 the fee for licensure. The department may issue a license to an
1242 applicant pending the results of the fingerprint investigation,
1243 which license is fully revocable if the department subsequently
1244 determines that any facts set forth in the application are not
1245 true or correctly represented.

1246 Section 41. Subsection (1) of section 320.771, Florida
1247 Statutes, is amended to read:

1248 320.771 License required of recreational vehicle dealers.—

1249 (1) DEFINITIONS.—As used in this section, the term:

1250 (a) 1. "Dealer" means any person engaged in the business of
1251 buying, selling, or dealing in recreational vehicles or offering
1252 or displaying recreational vehicles for sale. The term "dealer"
1253 includes a recreational vehicle broker. Any person who buys,
1254 sells, deals in, or offers or displays for sale, or who acts as
1255 the agent for the sale of, one or more recreational vehicles in
1256 any 12-month period shall be prima facie presumed to be a
1257 dealer. The terms "selling" and "sale" include lease-purchase
1258 transactions. The term "dealer" does not include banks, credit
1259 unions, and finance companies that acquire recreational vehicles
1260 as an incident to their regular business and does not include
1261 mobile home rental and leasing companies that sell recreational
1262 vehicles to dealers licensed under this section.

1263 2. A licensed dealer may transact business in recreational
1264 vehicles with a motor vehicle auction as defined in s.

1265 320.27(1)(c)4. Further, a licensed dealer may, at retail or

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1266 wholesale, sell a motor vehicle, as described in s.
1267 320.01(1)(a), acquired in exchange for the sale of a
1268 recreational vehicle, if the ~~such~~ acquisition is incidental to
1269 the principal business of being a recreational vehicle dealer.
1270 However, a recreational vehicle dealer may not buy a motor
1271 vehicle for the purpose of resale unless licensed as a motor
1272 vehicle dealer pursuant to s. 320.27. A dealer may apply for a
1273 certificate of title to a recreational vehicle required to be
1274 registered under s. 320.08(9), using a manufacturer's statement
1275 of origin as permitted by s. 319.23(1), only if the dealer is
1276 authorized by a manufacturer/dealer agreement, as defined in s.
1277 320.3202, on file with the department, to buy, sell, or deal in
1278 that particular line-make of recreational vehicle, and the
1279 dealer is authorized by the manufacturer/dealer agreement to
1280 perform delivery and preparation obligations and warranty defect
1281 adjustments on that line-make.

1282 (b) "Recreational vehicle broker" means any person who is
1283 engaged in the business of offering to procure or procuring used
1284 recreational vehicles for the general public; who holds himself
1285 or herself out through solicitation, advertisement, or otherwise
1286 as one who offers to procure or procures used recreational
1287 vehicles for the general public; or who acts as the agent or
1288 intermediary on behalf of the owner or seller of a used
1289 recreational vehicle which is for sale or who assists or
1290 represents the seller in finding a buyer for the recreational
1291 vehicle.

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1292 (c) ~~For the purposes of this section, the term~~
1293 "Recreational vehicle" does not include any camping trailer, as
1294 defined in s. 320.01(1)(b)2.

1295 Section 42. Section 320.95, Florida Statutes, is amended
1296 to read:

1297 320.95 Transactions by electronic or telephonic means.—

1298 (1) The department may ~~is authorized to~~ accept an any
1299 application provided for under this chapter by electronic or
1300 telephonic means.

1301 (2) The department may collect electronic mail addresses
1302 and use electronic mail in lieu of the United States Postal
1303 Service for the purpose of providing renewal notices.

1304 Section 43. Section 322.04, Florida Statutes, is amended
1305 to read:

1306 322.04 Persons exempt from obtaining driver ~~driver's~~
1307 license.—

1308 (1) The following persons are exempt from obtaining a
1309 driver ~~driver's~~ license:

1310 (a) Any employee of the United States Government, while
1311 operating a noncommercial motor vehicle owned by or leased to
1312 the United States Government and being operated on official
1313 business.

1314 (b) Any person while driving or operating any road
1315 machine, farm tractor, or implement of husbandry temporarily
1316 operated or moved on a highway.

1317 (c) A nonresident who is at least 16 years of age
1318 operating ~~and who has in his or her immediate possession a valid~~
1319 ~~noncommercial driver's license issued to the nonresident in his~~

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1320 ~~or her home state or country, may operate~~ a motor vehicle of the
1321 type for which a Class E driver ~~driver's~~ license is required in
1322 this state if the nonresident has in his or her immediate
1323 possession:

1324 1. A valid noncommercial driver license issued in his or
1325 her name from another state or territory of the United States;
1326 or

1327 2. An International Driving Permit issued in his or her
1328 name in his or her country of residence and a valid license
1329 issued in that country.

1330 ~~(d) A nonresident who is at least 18 years of age and who~~
1331 ~~has in his or her immediate possession a valid noncommercial~~
1332 ~~driver's license issued to the nonresident in his or her home~~
1333 ~~state or country may operate a motor vehicle, other than a~~
1334 ~~commercial motor vehicle, in this state.~~

1335 (d)(e) Any person operating a golf cart, as defined in s.
1336 320.01, which is operated in accordance with the provisions of
1337 s. 316.212.

1338 (2) ~~The provisions of~~ This section does ~~de~~ not apply to
1339 any person to whom s. 322.031 applies.

1340 (3) Any person working for a firm under contract to the
1341 United States Government, whose residence is outside ~~without~~
1342 this state and whose main point of employment is outside ~~without~~
1343 this state may drive a noncommercial vehicle on the public roads
1344 of this state for periods up to 60 days while in this state on
1345 temporary duty, if the ~~provided such~~ person has a valid driver
1346 ~~driver's~~ license from the state of the ~~such~~ person's residence.

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1347 Section 44. Paragraph (a) of subsection (1) of section
1348 322.051, Florida Statutes, is amended, and subsection (9) is
1349 added to that section, to read::

1350 322.051 Identification cards.—

1351 (1) Any person who is 5 years of age or older, or any
1352 person who has a disability, regardless of age, who applies for
1353 a disabled parking permit under s. 320.0848, may be issued an
1354 identification card by the department upon completion of an
1355 application and payment of an application fee.

1356 (a) The ~~Each such~~ application must ~~shall~~ include the
1357 following information regarding the applicant:

1358 1. Full name (first, middle or maiden, and last), gender,
1359 proof of social security card number satisfactory to the
1360 department, county of residence, mailing address, proof of
1361 residential address satisfactory to the department, country of
1362 birth, and a brief description.

1363 2. Proof of birth date satisfactory to the department.

1364 3. Proof of identity satisfactory to the department. Such
1365 proof must include one of the following documents issued to the
1366 applicant:

1367 a. A driver ~~driver's~~ license record or identification card
1368 record from another jurisdiction that required the applicant to
1369 submit a document for identification which is substantially
1370 similar to a document required under sub-subparagraph b., sub-
1371 subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-
1372 subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

1373 b. A certified copy of a United States birth certificate;

1374 c. A valid, unexpired United States passport;

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1375 d. A naturalization certificate issued by the United
1376 States Department of Homeland Security;

1377 e. A valid, unexpired alien registration receipt card
1378 (green card);

1379 f. A Consular Report of Birth Abroad provided by the
1380 United States Department of State;

1381 g. An unexpired employment authorization card issued by
1382 the United States Department of Homeland Security; or

1383 h. Proof of nonimmigrant classification provided by the
1384 United States Department of Homeland Security, for an original
1385 identification card. In order to prove ~~such~~ nonimmigrant
1386 classification, an applicant must provide at least one of
1387 applicants may produce but are not limited to the following
1388 documents. In addition, the department may require applicants to
1389 produce United States Department of Homeland Security documents
1390 for the sole purpose of establishing the maintenance of, or
1391 efforts to maintain, continuous lawful presence:

1392 (I) A notice of hearing from an immigration court
1393 scheduling a hearing on any proceeding.

1394 (II) A notice from the Board of Immigration Appeals
1395 acknowledging pendency of an appeal.

1396 (III) A notice of the approval of an application for
1397 adjustment of status issued by the United States Bureau of
1398 Citizenship and Immigration Services.

1399 (IV) An ~~Any~~ official documentation confirming the filing
1400 of a petition for asylum or refugee status or any other relief
1401 issued by the United States Bureau of Citizenship and
1402 Immigration Services.

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1403 (V) A notice of action transferring any pending matter
1404 from another jurisdiction to Florida, issued by the United
1405 States Bureau of Citizenship and Immigration Services.

1406 (VI) An order of an immigration judge or immigration
1407 officer granting ~~any~~ relief that authorizes the alien to live
1408 and work in the United States, including, but not limited to,
1409 asylum.

1410 (VII) Evidence that an application is pending for
1411 adjustment of status to that of an alien lawfully admitted for
1412 permanent residence in the United States or conditional
1413 permanent resident status in the United States, if a visa number
1414 is available having a current priority date for processing by
1415 the United States Bureau of Citizenship and Immigration
1416 Services.

1417 (VIII) On or after January 1, 2010, an unexpired foreign
1418 passport with an unexpired United States Visa affixed,
1419 accompanied by an approved I-94, documenting the most recent
1420 admittance into the United States.

1421
1422 An identification card issued based on documents required
1423 ~~Presentation of any of the documents described in sub-~~
1424 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
1425 ~~applicant to an identification card~~ for a period not to exceed
1426 the expiration date of the document presented or 1 year,
1427 whichever ~~first~~ occurs first.

1428 (9) Notwithstanding any other provision of this section or
1429 s. 322.21 to the contrary, the department shall issue or renew a
1430 card at no charge to a person who presents evidence satisfactory

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1431 to the department that he or she is homeless as defined in s.
1432 414.0252(7).

1433 Section 45. Subsection (4) of section 322.058, Florida
1434 Statutes, is amended to read:

1435 322.058 Suspension of driving privileges due to support
1436 delinquency; reinstatement.—

1437 (4) This section applies only to the annual renewal in the
1438 owner's birth month of a motor vehicle registration and does not
1439 apply to the transfer of a registration of a motor vehicle sold
1440 by a motor vehicle dealer licensed under chapter 320, except for
1441 the transfer of registrations which includes ~~is inclusive of~~ the
1442 annual renewals. This section does not affect the issuance of
1443 the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~s.~~
1444 ~~319.23(7)(b).~~

1445 Section 46. Section 322.065, Florida Statutes, is amended
1446 to read:

1447 322.065 Driver ~~Driver's~~ license expired for 6 ~~4~~ months or
1448 less; penalties.—A ~~Any~~ person whose driver ~~driver's~~ license has
1449 been expired for 6 ~~4~~ months or less and who drives a motor
1450 vehicle upon the highways of this state commits ~~is guilty of~~ an
1451 infraction and is subject to the penalty provided in s. 318.18.

1452 Section 47. Subsection (3) of section 322.07, Florida
1453 Statutes, is amended to read:

1454 322.07 Instruction permits and temporary licenses.—

1455 (3) Any person who, except for his or her lack of
1456 instruction in operating a commercial motor vehicle, would
1457 otherwise be qualified to obtain a commercial driver ~~driver's~~
1458 license under this chapter, may apply for a temporary commercial

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1459 instruction permit. The department shall issue such a permit
1460 entitling the applicant, while having the permit in his or her
1461 immediate possession, to drive a commercial motor vehicle on the
1462 highways, if ~~provided that~~:

1463 (a) The applicant possesses a valid Florida driver
1464 ~~driver's~~ license ~~issued in any state~~; and

1465 (b) The applicant, while operating a commercial motor
1466 vehicle, is accompanied by a licensed driver who is 21 years of
1467 age or older, who is licensed to operate the class of vehicle
1468 being operated, and who is ~~actually~~ occupying the closest seat
1469 to the right of the driver.

1470 Section 48. Paragraph (c) of subsection (2) and subsection
1471 (7) of section 322.08, Florida Statutes, are amended, and
1472 subsection (8) is added to that section, to read:

1473 322.08 Application for license; requirements for license
1474 and identification card forms.—

1475 (2) Each such application shall include the following
1476 information regarding the applicant:

1477 (c) Proof of identity satisfactory to the department. Such
1478 proof must include one of the following documents issued to the
1479 applicant:

1480 1. A driver ~~driver's~~ license record or identification card
1481 record from another jurisdiction that required the applicant to
1482 submit a document for identification which is substantially
1483 similar to a document required under subparagraph 2.,
1484 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
1485 6., subparagraph 7., or subparagraph 8.;

1486 2. A certified copy of a United States birth certificate;

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- 1487 3. A valid, unexpired United States passport;
- 1488 4. A naturalization certificate issued by the United
1489 States Department of Homeland Security;
- 1490 5. A valid, unexpired alien registration receipt card
1491 (green card);
- 1492 6. A Consular Report of Birth Abroad provided by the
1493 United States Department of State;
- 1494 7. An unexpired employment authorization card issued by
1495 the United States Department of Homeland Security; or
- 1496 8. Proof of nonimmigrant classification provided by the
1497 United States Department of Homeland Security, for an original
1498 driver ~~driver's~~ license. In order to prove nonimmigrant
1499 classification, an applicant must provide at least one of the
1500 following documents. In addition, the department may require
1501 applicants to produce United States Department of Homeland
1502 Security documents for the sole purpose of establishing the
1503 maintenance of, or efforts to maintain, continuous lawful
1504 presence ~~may produce the following documents, including, but not~~
1505 ~~limited to:~~
- 1506 a. A notice of hearing from an immigration court
1507 scheduling a hearing on any proceeding.
- 1508 b. A notice from the Board of Immigration Appeals
1509 acknowledging pendency of an appeal.
- 1510 c. A notice of the approval of an application for
1511 adjustment of status issued by the United States Bureau of
1512 Citizenship and Immigration Services.
- 1513 d. An ~~Any~~ official documentation confirming the filing of
1514 a petition for asylum or refugee status or any other relief

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1515 issued by the United States Bureau of Citizenship and
1516 Immigration Services.

1517 e. A notice of action transferring any pending matter from
1518 another jurisdiction to this state issued by the United States
1519 Bureau of Citizenship and Immigration Services.

1520 f. An order of an immigration judge or immigration officer
1521 granting ~~any~~ relief that authorizes the alien to live and work
1522 in the United States, including, but not limited to, asylum.

1523 g. Evidence that an application is pending for adjustment
1524 of status to that of an alien lawfully admitted for permanent
1525 residence in the United States or conditional permanent resident
1526 status in the United States, if a visa number is available
1527 having a current priority date for processing by the United
1528 States Bureau of Citizenship and Immigration Services.

1529 h. On or after January 1, 2010, an unexpired foreign
1530 passport with an unexpired United States Visa affixed,
1531 accompanied by an approved I-94, documenting the most recent
1532 admittance into the United States.

1533
1534 A driver license or temporary permit issued based on documents
1535 required ~~Presentation of any of the documents~~ in subparagraph 7.
1536 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
1537 ~~license or temporary permit~~ for a period not to exceed the
1538 expiration date of the document presented or 1 year, ~~whichever~~
1539 ~~occurs first~~.

1540 (7) The application form for an original, renewal, or
1541 replacement driver ~~driver's~~ license or identification card shall
1542 include language permitting the following:

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1543 (a) A voluntary contribution of \$1 per applicant, which
1544 contribution shall be deposited into the Health Care Trust Fund
1545 for organ and tissue donor education and for maintaining the
1546 organ and tissue donor registry.

1547 (b) A voluntary contribution of \$1 per applicant, which
1548 contribution shall be distributed to the Florida Council of the
1549 Blind.

1550 (c) A voluntary contribution of \$2 per applicant, which
1551 shall be distributed to the Hearing Research Institute,
1552 Incorporated.

1553 (d) A voluntary contribution of \$1 per applicant, which
1554 shall be distributed to the Juvenile Diabetes Foundation
1555 International.

1556 (e) A voluntary contribution of \$1 per applicant, which
1557 shall be distributed to the Children's Hearing Help Fund.

1558 (f) A voluntary contribution of \$1 per applicant, which
1559 shall be distributed to Family First, a nonprofit organization.

1560 (g) A voluntary contribution of \$1 per applicant to Stop
1561 Heart Disease, which shall be distributed to the Florida Heart
1562 Research Institute, a nonprofit organization.

1563 (h) A voluntary contribution of \$1 per applicant to Senior
1564 Vision Services, which shall be distributed to the Florida
1565 Association of Agencies Serving the Blind, Inc., a not-for-
1566 profit organization.

1567 (i) A voluntary contribution of \$1 per applicant for
1568 services for persons with developmental disabilities, which
1569 shall be distributed to The Arc of Florida.

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1570 (j) A voluntary contribution of \$1 to the Ronald McDonald
1571 House, which shall be distributed each month to Ronald McDonald
1572 House Charities of Tampa Bay, Inc.

1573 (k) Notwithstanding s. 322.081, a voluntary contribution
1574 of \$1 per applicant, which shall be distributed to the League
1575 Against Cancer/La Liga Contra el Cancer, a not-for-profit
1576 organization.

1577 (l) A voluntary contribution of \$1 per applicant to
1578 Prevent Child Sexual Abuse, which shall be distributed to
1579 Lauren's Kids, Inc., a nonprofit organization.

1580 (m) A voluntary contribution of \$1 per applicant, which
1581 shall be distributed to Prevent Blindness Florida, a not-for-
1582 profit organization, to prevent blindness and preserve the sight
1583 of the residents of this state.

1584 (n) Notwithstanding s. 322.081, a voluntary contribution
1585 of \$1 per applicant to the state homes for veterans, to be
1586 distributed on a quarterly basis by the department to the State
1587 Homes for Veterans Trust Fund, which is administered by the
1588 Department of Veterans' Affairs.

1589 (o) A voluntary contribution of \$1 per applicant to the
1590 Disabled American Veterans, Department of Florida, which shall
1591 be distributed quarterly to Disabled American Veterans,
1592 Department of Florida, a nonprofit organization.

1593 (p) A voluntary contribution of \$1 per applicant for
1594 Autism Services and Supports. Such contributions must be
1595 transferred by the department to the Achievement and
1596 Rehabilitation Centers, Inc., Autism Services Fund.

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1597 (q) A voluntary contribution of \$1 per applicant to
1598 Support Our Troops, which shall be distributed to Support Our
1599 Troops, Inc., a Florida not-for-profit organization.

1600
1601 A statement providing an explanation of the purpose of the trust
1602 funds shall also be included. For the purpose of applying the
1603 service charge provided in s. 215.20, contributions received
1604 under paragraphs (b)-(q) ~~(b)-(e)~~ are not income of a revenue
1605 nature.

1606 (8) The department may collect electronic mail addresses
1607 and use electronic mail in lieu of the United States Postal
1608 Service for the purpose of providing renewal notices.

1609 Section 49. Paragraph (c) of subsection (2) and subsection
1610 (5) of section 322.121, Florida Statutes, are amended to read:

1611 322.121 Periodic reexamination of all drivers.—

1612 (2) For each licensee whose driving record does not show
1613 any revocations, disqualifications, or suspensions for the
1614 preceding 7 years or any convictions for the preceding 3 years
1615 except for convictions of the following nonmoving violations:

1616 (c) Operating a motor vehicle with an expired license that
1617 has been expired for 6 4 months or less pursuant to s. 322.065;

1618
1619 the department shall cause such licensee's license to be
1620 prominently marked with the notation "Safe Driver."

1621 (5) Members of the Armed Forces, or their dependents
1622 residing with them, shall be granted an automatic extension for
1623 the expiration of their Class E licenses without reexamination
1624 while serving on active duty outside this state. This extension

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1625 is valid for 90 days after the member of the Armed Forces is
1626 either discharged or returns to this state to live.

1627 Section 50. Paragraph (a) of subsection (1) of section
1628 322.14, Florida Statutes, is amended to read:

1629 322.14 Licenses issued to drivers.—

1630 (1) (a) The department shall, upon successful completion of
1631 all required examinations and payment of the required fee, issue
1632 to every qualified applicant ~~qualifying therefor,~~ a driver
1633 ~~driver's~~ license that must ~~as applied for,~~ which license shall
1634 bear ~~thereon~~ a color photograph or digital image of the
1635 licensee; the name of the state; a distinguishing number
1636 assigned to the licensee; and the licensee's full name, date of
1637 birth, and residence address; a brief description of the
1638 licensee, including, but not limited to, the licensee's gender
1639 and height; and the dates of issuance and expiration of the
1640 license. A space shall be provided upon which the licensee shall
1641 affix his or her usual signature. A ~~No~~ license is invalid ~~shall~~
1642 ~~be valid~~ until it has been ~~so~~ signed by the licensee except that
1643 the signature of the ~~said~~ licensee is not ~~shall not be~~ required
1644 if it appears thereon in facsimile or if the licensee is not
1645 present within the state at the time of issuance. ~~Applicants~~
1646 ~~qualifying to receive a Class A, Class B, or Class C driver's~~
1647 ~~license must appear in person within the state for issuance of a~~
1648 ~~color photographic or digital imaged driver's license pursuant~~
1649 ~~to s. 322.142.~~

1650 Section 51. Section 322.1415, Florida Statutes, is created
1651 to read:

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1652 322.1415 Specialty driver license and identification card
1653 program.-

1654 (1) The department may issue to any applicant qualified
1655 pursuant to s. 322.14 a specialty driver license or
1656 identification card upon payment of the appropriate fee pursuant
1657 to s. 322.21.

1658 (2) Any specialty driver license or identification card
1659 approved by the department shall, at a minimum, be available for
1660 state and independent universities domiciled in this state, all
1661 Florida professional sports teams designated pursuant to s.
1662 320.08058(9)(a), and all branches of the United States Armed
1663 Forces.

1664 (3) The design and use of each specialty driver license
1665 and identification card must be approved by the department and
1666 the organization that is recognized by the driver license or
1667 card.

1668 (4) Organizations receiving funds from this program shall
1669 attest, under penalties of perjury, pursuant to s. 320.08062
1670 that the funds have been expended in the same manner as provided
1671 in s. 320.08058. On December 1 of each year, the department
1672 shall deliver an annual report to the President of the Senate
1673 and the Speaker of the House of Representatives which addresses
1674 the viability of the program and details the amounts distributed
1675 to each entity.

1676 (5) This section is repealed August 31, 2016.

1677 Section 52. Subsection (4) of Section 322.142, Florida
1678 Statutes, is amended to read:

1679 322.142 Color photographic or digital imaged licenses.-

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1680 (4) The department may maintain a film negative or print
1681 file. The department shall maintain a record of the digital
1682 image and signature of the licensees, together with other data
1683 required by the department for identification and retrieval.
1684 Reproductions from the file or digital record are exempt from
1685 the provisions of s. 119.07(1) and shall be made and issued only
1686 for departmental administrative purposes; for the issuance of
1687 duplicate licenses; in response to law enforcement agency
1688 requests; to the Department of Business and Professional
1689 Regulation pursuant to an interagency agreement for the purpose
1690 of accessing digital images for reproduction of licenses issued
1691 by the Department of Business and Professional Regulation; to
1692 the Department of State pursuant to an interagency agreement to
1693 facilitate determinations of eligibility of voter registration
1694 applicants and registered voters in accordance with ss. 98.045
1695 and 98.075; to the Department of Revenue pursuant to an
1696 interagency agreement for use in establishing paternity and
1697 establishing, modifying, or enforcing support obligations in
1698 Title IV-D cases; to the Department of Children and Family
1699 Services pursuant to an interagency agreement to conduct
1700 protective investigations under part III of chapter 39 and
1701 chapter 415; to the Department of Children and Family Services
1702 pursuant to an interagency agreement specifying the number of
1703 employees in each of that department's regions to be granted
1704 access to the records for use as verification of identity to
1705 expedite the determination of eligibility for public assistance
1706 and for use in public assistance fraud investigations; ~~or~~ to the
1707 Department of Financial Services pursuant to an interagency

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1708 agreement to facilitate the location of owners of unclaimed
1709 property, the validation of unclaimed property claims, and the
1710 identification of fraudulent or false claims; or to district
1711 medical examiners pursuant to an interagency agreement for the
1712 purpose of identifying a deceased individual, determining cause
1713 of death and notifying next of kin of any investigations,
1714 including autopsies and other laboratory examinations,
1715 authorized in s. 406.011.

1716 Section 53. Subsection (2) of section 322.19, Florida
1717 Statutes, is amended to read:

1718 322.19 Change of address or name.—

1719 (2) Whenever any person, after applying for or receiving a
1720 driver ~~driver's~~ license, changes the legal residence or mailing
1721 address in the application or license, the person must, within
1722 10 calendar days after making the change, obtain a replacement
1723 license that reflects the change. A written request to the
1724 department must include the old and new addresses and the driver
1725 ~~driver's~~ license number. Any person who has a valid, current
1726 student identification card issued by an educational institution
1727 in this state is presumed not to have changed his or her legal
1728 residence or mailing address. This subsection does not affect
1729 any person required to register a permanent or temporary address
1730 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.
1731 943.0435.

1732 Section 54. Paragraph (i) is added to subsection (1) of
1733 section 322.21, Florida Statutes, to read:

1734 322.21 License fees; procedure for handling and collecting
1735 fees.—

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1736 (i) The specialty driver license or identification card
1737 issued pursuant to s. 322.1415 is \$25, which is in addition to
1738 other fees required in this section. The fee shall be
1739 distributed as follows:

1740 1. Fifty percent shall be distributed as provided in s.
1741 320.08058 to the appropriate state or independent university,
1742 professional sports team, or branch of the United States Armed
1743 Forces.

1744 2. Fifty percent shall be distributed to the department
1745 for costs directly related to the specialty driver license and
1746 identification card program and to defray the costs associated
1747 with production enhancements and distribution.

1748 Section 55. Subsection (2) of section 322.251, Florida
1749 Statutes, is amended to read:

1750 322.251 Notice of cancellation, suspension, revocation, or
1751 disqualification of license.—

1752 (2) The giving of notice and an order of cancellation,
1753 suspension, revocation, or disqualification by mail is complete
1754 upon expiration of 20 days after deposit in the United States
1755 mail for all notices except those issued under chapter 324 or
1756 ss. 627.732–627.734, which are complete 15 days after deposit in
1757 the United States mail. Proof of the giving of notice and an
1758 order of cancellation, suspension, revocation, or
1759 disqualification in either ~~such~~ manner shall be made by entry in
1760 the records of the department that such notice was given. The
1761 ~~Such~~ entry is ~~shall be~~ admissible in the courts of this state
1762 and constitutes ~~shall constitute~~ sufficient proof that such
1763 notice was given.

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1764 Section 56. Section 322.27, Florida Statutes, is amended
1765 to read:

1766 322.27 Authority of department to suspend or revoke driver
1767 license or identification card.—

1768 (1) Notwithstanding any provisions to the contrary in
1769 chapter 120, the department ~~may is hereby authorized to~~ suspend
1770 the license of any person without preliminary hearing upon a
1771 showing of its records or other sufficient evidence that the
1772 licensee:

1773 (a) Has committed an offense for which mandatory
1774 revocation of license is required upon conviction. A law
1775 enforcement agency must provide information to the department
1776 within 24 hours after any traffic fatality or when the law
1777 enforcement agency initiates action pursuant to s. 316.1933;

1778 (b) Has been convicted of a violation of any traffic law
1779 which resulted in a crash that caused the death or personal
1780 injury of another or property damage in excess of \$500;

1781 (c) Is incompetent to drive a motor vehicle;

1782 (d) Has permitted an unlawful or fraudulent use of the
1783 ~~such~~ license or identification card or has knowingly been a
1784 party to the obtaining of a license or identification card by
1785 fraud or misrepresentation or to the display, or representation
1786 ~~represent~~ as one's own, of a driver any driver's license or
1787 identification card not issued to him or her. ~~Provided, however,~~
1788 ~~no provision of~~ This section does not shall be construed to
1789 include the provisions of s. 322.32(1);

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1790 (e) Has committed an offense in another state which, if
1791 committed in this state, would be grounds for suspension or
1792 revocation; or

1793 (f) Has committed a second or subsequent violation of s.
1794 316.172(1) within a 5-year period of any previous violation.

1795 (2) The department shall suspend the license of any person
1796 without preliminary hearing upon a showing of its records that
1797 the licensee has been convicted in any court having jurisdiction
1798 over offenses committed under this chapter or any other law of
1799 this state regulating the operation of a motor vehicle on the
1800 highways, upon direction of the court, when the court feels that
1801 the seriousness of the offense and the circumstances surrounding
1802 the conviction warrant the suspension of the licensee's driving
1803 privilege.

1804 (3) There is established a point system for evaluation of
1805 convictions of violations of motor vehicle laws or ordinances,
1806 and violations of applicable provisions of s. 403.413(6)(b) when
1807 such violations involve the use of motor vehicles, for the
1808 determination of the continuing qualification of any person to
1809 operate a motor vehicle. The department is authorized to suspend
1810 the license of any person upon showing of its records or other
1811 good and sufficient evidence that the licensee has been
1812 convicted of violation of motor vehicle laws or ordinances, or
1813 applicable provisions of s. 403.413(6)(b), amounting to 12 or
1814 more points as determined by the point system. The suspension
1815 shall be for a period of not more than 1 year.

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1816 (a) When a licensee accumulates 12 points within a 12-
1817 month period, the period of suspension shall be for not more
1818 than 30 days.

1819 (b) When a licensee accumulates 18 points, including
1820 points upon which suspension action is taken under paragraph
1821 (a), within an 18-month period, the suspension shall be for a
1822 period of not more than 3 months.

1823 (c) When a licensee accumulates 24 points, including
1824 points upon which suspension action is taken under paragraphs
1825 (a) and (b), within a 36-month period, the suspension shall be
1826 for a period of not more than 1 year.

1827 (d) The point system shall have as its basic element a
1828 graduated scale of points assigning relative values to
1829 convictions of the following violations:

1830 1. Reckless driving, willful and wanton—4 points.

1831 2. Leaving the scene of a crash resulting in property
1832 damage of more than \$50—6 points.

1833 3. Unlawful speed resulting in a crash—6 points.

1834 4. Passing a stopped school bus—4 points.

1835 5. Unlawful speed:

1836 a. Not in excess of 15 miles per hour of lawful or posted
1837 speed—3 points.

1838 b. In excess of 15 miles per hour of lawful or posted
1839 speed—4 points.

1840 6. A violation of a traffic control signal device as
1841 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.

1842 However, no points shall be imposed for a violation of s.

1843 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
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1844 stop at a traffic signal and when enforced by a traffic
1845 infraction enforcement officer. In addition, a violation of s.
1846 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
1847 stop at a traffic signal and when enforced by a traffic
1848 infraction enforcement officer may not be used for purposes of
1849 setting motor vehicle insurance rates.

1850 7. All other moving violations (including parking on a
1851 highway outside the limits of a municipality)—3 points. However,
1852 no points shall be imposed for a violation of s. 316.0741 or s.
1853 316.2065(12); and points shall be imposed for a violation of s.
1854 316.1001 only when imposed by the court after a hearing pursuant
1855 to s. 318.14(5).

1856 8. Any moving violation covered above, excluding unlawful
1857 speed, resulting in a crash—4 points.

1858 9. Any conviction under s. 403.413(6)(b)—3 points.

1859 10. Any conviction under s. 316.0775(2)—4 points.

1860 (e) A conviction in another state of a violation therein
1861 which, if committed in this state, would be a violation of the
1862 traffic laws of this state, or a conviction of an offense under
1863 any federal law substantially conforming to the traffic laws of
1864 this state, except a violation of s. 322.26, may be recorded
1865 against a driver on the basis of the same number of points
1866 received had the conviction been made in a court of this state.

1867 (f) In computing the total number of points, when the
1868 licensee reaches the danger zone, the department is authorized
1869 to send the licensee a warning letter advising that any further
1870 convictions may result in suspension of his or her driving
1871 privilege.

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1872 (g) The department shall administer and enforce the
1873 provisions of this law and may make rules and regulations
1874 necessary for its administration.

1875 (h) Three points shall be deducted from the driver history
1876 record of any person whose driving privilege has been suspended
1877 only once pursuant to this subsection and has been reinstated,
1878 if such person has complied with all other requirements of this
1879 chapter.

1880 (i) This subsection does ~~shall~~ not apply to persons
1881 operating a nonmotorized vehicle for which a driver ~~driver's~~
1882 license is not required.

1883 (4) The department, in computing the points and period of
1884 time for suspensions under this section, shall use the offense
1885 date of all convictions.

1886 (5) The department shall revoke the license of any person
1887 designated a habitual offender, as set forth in s. 322.264, and
1888 such person is ~~shall~~ not ~~be~~ eligible to be relicensed for a
1889 minimum of 5 years from the date of revocation, except as
1890 provided for in s. 322.271. Any person whose license is revoked
1891 may, by petition to the department, show cause why his or her
1892 license should not be revoked.

1893 (6) The department shall revoke the driving privilege of
1894 any person who is convicted of a felony for the possession of a
1895 controlled substance if, at the time of such possession, the
1896 person was driving or in actual physical control of a motor
1897 vehicle. A person whose driving privilege has been revoked
1898 pursuant to this subsection is ~~shall~~ not ~~be~~ eligible to receive

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1899 a limited business or employment purpose license during the term
1900 of such revocation.

1901 (7) Review of an order of suspension or revocation shall
1902 be by writ of certiorari as provided in s. 322.31.

1903 Section 57. Subsection (5) of section 322.292, Florida
1904 Statutes is repealed.

1905 Section 58. Subsection (2) of section 322.53, Florida
1906 Statutes, is amended to read:

1907 322.53 License required; exemptions.-

1908 (2) The following persons are exempt from the requirement
1909 to obtain a commercial driver ~~driver's~~ license:

1910 (a) Drivers of authorized emergency vehicles.

1911 (b) Military personnel driving vehicles operated for
1912 military purposes.

1913 (c) Farmers transporting agricultural products, farm
1914 supplies, or farm machinery to or from their farms and within
1915 150 miles of their farms farm, if the vehicle operated under
1916 this exemption is not used in the operations of a common or
1917 contract motor carrier or transporting agricultural products to
1918 or from the first place of storage or processing or directly to
1919 or from market, within 150 miles of their farm.

1920 (d) Drivers of recreational vehicles, as defined in s.
1921 320.01.

1922 (e) Drivers who operate straight trucks, as defined in s.
1923 316.003, and who that are ~~exclusively~~ transporting exclusively
1924 their own tangible personal property, which is not for sale.

1925 (f) Employees ~~An employee~~ of a publicly owned transit
1926 system who are ~~is~~ limited to moving vehicles for maintenance or

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1927 parking purposes exclusively within the restricted-access
1928 confines of a transit system's property.

1929 Section 59. Subsection (2) of section 322.54, Florida
1930 Statutes, is amended to read:

1931 322.54 Classification.—

1932 (2) The department shall issue, pursuant to the
1933 requirements of this chapter, driver ~~drivers'~~ licenses in
1934 accordance with the following classifications:

1935 (a) Any person who drives a motor vehicle combination
1936 having a gross vehicle weight rating or gross vehicle weight of
1937 26,001 pounds or more must possess a valid Class A driver
1938 ~~driver's~~ license, if provided the gross vehicle weight rating or
1939 gross vehicle weight of the vehicle being towed is more than
1940 10,000 pounds. Any person who possesses a valid Class A driver
1941 ~~driver's~~ license may, subject to the appropriate restrictions
1942 and endorsements, drive any class of motor vehicle within this
1943 state.

1944 (b) Any person, except a person who possesses a valid
1945 Class A driver ~~driver's~~ license, who drives a motor vehicle
1946 having a gross vehicle weight rating or gross vehicle weight of
1947 26,001 pounds or more must possess a valid Class B driver
1948 ~~driver's~~ license. Any person, except a person who possesses a
1949 valid Class A driver ~~driver's~~ license, who drives such vehicle
1950 towing a vehicle having a gross vehicle weight rating of 10,000
1951 pounds or less must possess a valid Class B driver ~~driver's~~
1952 license. Any person who possesses a valid Class B driver
1953 ~~driver's~~ license may, subject to the appropriate restrictions
1954 and endorsements, drive any class of motor vehicle, other than

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1955 the type of motor vehicle for which a Class A driver ~~driver's~~
1956 license is required, within this state.

1957 (c) Any person, except a person who possesses a valid
1958 Class A or a valid Class B driver ~~driver's~~ license, who drives a
1959 motor vehicle having a gross vehicle weight rating of less than
1960 26,001 pounds and who is required to obtain an endorsement
1961 pursuant to paragraph (1) (b), paragraph (1) (c), or paragraph
1962 (1) (e) of s. 322.57, must possess a valid Class C driver
1963 ~~driver's~~ license. Any person who possesses a valid Class C
1964 driver ~~driver's~~ license may, subject to the appropriate
1965 restrictions and endorsements, drive any class of motor vehicle,
1966 other than the type of motor vehicle for which a Class A or a
1967 Class B driver ~~driver's~~ license is required, within this state.

1968 (d) Any person, except a person who possesses a valid
1969 Class A, valid Class B, or valid Class C driver ~~driver's~~
1970 license, who drives a motor vehicle must possess a valid Class E
1971 driver ~~driver's~~ license. Any person who possesses a valid Class
1972 E driver ~~driver's~~ license may, subject to the appropriate
1973 restrictions and endorsements, drive any type of motor vehicle,
1974 other than the type of motor vehicle for which a Class A, Class
1975 B, or Class C driver ~~driver's~~ license is required, within this
1976 state.

1977 Section 60. Section 322.58, Florida Statutes, is repealed.

1978 Section 61. Section 322.59, Florida Statutes, is amended
1979 to read:

1980 322.59 Possession of medical examiner's certificate.-

1981 (1) The department may ~~shall~~ not issue a commercial driver
1982 ~~driver's~~ license to a ~~any~~ person who is required by the laws of

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1983 this state or by federal law to possess a medical examiner's
1984 certificate, unless the ~~such~~ person presents a valid
1985 certificate, as described in 49 C.F.R. s. 383.71, before ~~prior~~
1986 ~~to~~ licensure.

1987 (2) The department shall disqualify a driver from
1988 operating a commercial motor vehicle if the driver holds a
1989 commercial driver license and fails to comply with the medical
1990 certification requirements in 49 C.F.R. s. 383.71 ~~This section~~
1991 ~~does not expand the requirements as to who must possess a~~
1992 ~~medical examiner's certificate.~~

1993 (3) A person who is disqualified from operating a
1994 commercial motor vehicle under this section may, if otherwise
1995 qualified, be issued a Class E driver license pursuant to s.
1996 322.251.

1997 Section 62. Subsections (3) and (5) of section 322.61,
1998 Florida Statutes, are amended to read:

1999 322.61 Disqualification from operating a commercial motor
2000 vehicle.—

2001 (3) (a) Except as provided in subsection (4), any person
2002 who is convicted of one of the offenses listed in paragraph (b)
2003 while operating a commercial motor vehicle shall, in addition to
2004 any other applicable penalties, be disqualified from operating a
2005 commercial motor vehicle for a period of 1 year. ~~+~~

2006 (b) Except as provided in subsection (4), any holder of a
2007 commercial driver ~~driver's~~ license who is convicted of one of
2008 the offenses listed in this paragraph while operating a
2009 noncommercial motor vehicle shall, in addition to any other

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2010 applicable penalties, be disqualified from operating a
2011 commercial motor vehicle for a period of 1 year:

2012 1. Driving a motor vehicle while he or she is under the
2013 influence of alcohol or a controlled substance;

2014 2. Driving a commercial motor vehicle while the alcohol
2015 concentration of his or her blood, breath, or urine is .04
2016 percent or higher;

2017 3. Leaving the scene of a crash involving a motor vehicle
2018 driven by such person;

2019 4. Using a motor vehicle in the commission of a felony;

2020 5. Driving a commercial motor vehicle while in possession
2021 of a controlled substance;

2022 6. Refusing to submit to a test to determine his or her
2023 alcohol concentration while driving a motor vehicle;

2024 7. Driving a commercial vehicle while the licenseholder's
2025 commercial driver ~~driver's~~ license is suspended, revoked, or
2026 canceled or while the licenseholder is disqualified from driving
2027 a commercial vehicle; or

2028 8. Causing a fatality through the negligent operation of a
2029 commercial motor vehicle.

2030 (5) A ~~Any~~ person who is convicted of two violations
2031 specified in subsection (3) which were committed while operating
2032 a commercial motor vehicle, or any combination thereof, arising
2033 in separate incidents shall be permanently disqualified from
2034 operating a commercial motor vehicle. A ~~Any~~ holder of a
2035 commercial driver ~~driver's~~ license who is convicted of two
2036 violations specified in subsection (3) which were committed
2037 while operating any ~~a noncommercial~~ motor vehicle, ~~or any~~

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2038 ~~combination thereof,~~ arising in separate incidents shall be
2039 permanently disqualified from operating a commercial motor
2040 vehicle. The penalty provided in this subsection is in addition
2041 to any other applicable penalty.

2042 Section 63. Subsection (1) of section 324.072, Florida
2043 Statutes, is amended to read:

2044 324.072 Proof required upon certain convictions.—

2045 (1) Upon the suspension or revocation of a license
2046 pursuant to ~~the provisions of~~ s. 322.26 or s. 322.27, the
2047 department shall suspend the registration for all motor vehicles
2048 registered in the name of the licensee ~~such person~~, either
2049 individually or jointly with another. However, the department
2050 may, except that it shall not suspend the ~~such~~ registration,
2051 unless otherwise required by law, if the ~~such~~ person had
2052 insurance coverage limits required under s. 324.031 on the date
2053 of the latest offense that caused the suspension or revocation,
2054 or has previously given or shall immediately give, and
2055 thereafter maintain, proof of financial responsibility with
2056 respect to all motor vehicles registered by the ~~such~~ person, in
2057 accordance with this chapter.

2058 Section 64. Subsection (1) of section 324.091, Florida
2059 Statutes, is amended to read:

2060 324.091 Notice to department; notice to insurer.—

2061 (1) Each owner and operator involved in a crash or
2062 conviction case within the purview of this chapter shall furnish
2063 evidence of automobile liability insurance, motor vehicle
2064 liability insurance, or a surety bond within 14 ~~30~~ days after
2065 ~~from~~ the date of the mailing of notice of crash by the

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2066 department in the ~~such~~ form and manner as it may designate. Upon
2067 receipt of evidence that an automobile liability policy, motor
2068 vehicle liability policy, or surety bond was in effect at the
2069 time of the crash or conviction case, the department shall
2070 forward by United States mail, postage prepaid, to the insurer
2071 or surety insurer a copy of such information and shall assume
2072 that the ~~such~~ policy or bond was in effect, unless the insurer
2073 or surety insurer notifies ~~shall notify~~ the department otherwise
2074 within 20 days after ~~from~~ the mailing of the notice to the
2075 insurer or surety insurer. However, ~~provided that~~ if the
2076 department ~~shall~~ later determines ~~ascertain~~ that an automobile
2077 liability policy, motor vehicle liability policy, or surety bond
2078 was not in effect and did not provide coverage for both the
2079 owner and the operator, it shall ~~at such time~~ take ~~such~~ action
2080 as it is otherwise authorized to do under this chapter. Proof of
2081 mailing to the insurer or surety insurer may be made by the
2082 department by naming the insurer or surety insurer to whom the
2083 ~~such~~ mailing was made and by specifying the time, place, and
2084 manner of mailing.

2085 Section 65. Subsection (5) of section 328.15, Florida
2086 Statutes, is amended to read:

2087 328.15 Notice of lien on vessel; recording.—

2088 (5) (a) The Department of Highway Safety and Motor Vehicles
2089 shall adopt ~~make such rules to administer and regulations as it~~
2090 ~~deems necessary or proper for the effective administration of~~
2091 this section ~~law~~. The department may by rule require that a
2092 notice of satisfaction of a lien be notarized. The department
2093 shall prepare the forms of the notice of lien and the

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2094 satisfaction of lien to be supplied, at a charge not to exceed
2095 50 percent more than cost, to applicants for recording the liens
2096 or satisfactions and shall keep a record of such notices of lien
2097 and satisfactions available for inspection by the public at all
2098 reasonable times. The division may ~~is authorized to~~ furnish
2099 certified copies of such satisfactions for a fee of \$1, which
2100 are certified copies shall be admissible in evidence in all
2101 courts of this state under the same conditions and to the same
2102 effect as certified copies of other public records.

2103 (b) The department shall establish and administer an
2104 electronic titling program that requires the recording of vessel
2105 title information for new, transferred, and corrected
2106 certificates of title. Lienholders shall electronically transmit
2107 liens and lien satisfactions to the department in a format
2108 determined by the department. Individuals and lienholders who
2109 the department determines are not normally engaged in the
2110 business or practice of financing vessels are not required to
2111 participate in the electronic titling program.

2112 Section 66. Subsection (4) of section 328.16, Florida
2113 Statutes, is amended to read:

2114 328.16 Issuance in duplicate; delivery; liens and
2115 encumbrances.-

2116 (4) Notwithstanding any requirements in this section or in
2117 s. 328.15 indicating that a lien on a vessel shall be noted on
2118 the face of the Florida certificate of title, if there are one
2119 or more liens or encumbrances on a vessel, the department shall
2120 ~~may~~ electronically transmit the lien to the first lienholder and
2121 notify the first lienholder of any additional liens. Subsequent

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2122 lien satisfactions shall ~~may~~ be electronically transmitted to
2123 the department and must ~~shall~~ include the name and address of
2124 the person or entity satisfying the lien. When electronic
2125 transmission of liens and lien satisfactions are used, the
2126 issuance of a certificate of title may be waived until the last
2127 lien is satisfied and a clear certificate of title is issued to
2128 the owner of the vessel.

2129 Section 67. Section 328.30, Florida Statutes, is amended
2130 to read:

2131 328.30 Transactions by electronic or telephonic means.—

2132 (1) The department may ~~is authorized to~~ accept any
2133 application provided for under this chapter by electronic or
2134 telephonic means.

2135 (2) The department may issue an electronic certificate of
2136 title in lieu of printing a paper title.

2137 (3) The department may collect electronic mail addresses
2138 and use electronic mail in lieu of the United States Postal
2139 Service for the purpose of providing renewal notices.

2140 Section 68. Section 520.32 is amended to read:

2141 520.32 Licenses.—

2142 (1) A person may not engage in or transact the business of
2143 a retail seller engaging in retail installment transactions as
2144 defined in this part or operate a branch of such business
2145 without a license, except that a license is not required for:

2146 (a) A retail seller whose retail installment transactions
2147 are limited to the honoring of credit cards issued by dealers in
2148 oil and petroleum products licensed to do business in this
2149 state.

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2150 (b) A person licensed by the office under part I of this
2151 chapter. This provision only exempts a part I licensee from the
2152 licensure requirements of this section. It does not exempt the
2153 licensee from the other sections of this part and any violations
2154 of those sections may subject the licensee to disciplinary
2155 action.

2156 Section 69. Paragraph (f) of subsection (13) of section
2157 713.78, Florida Statutes, is amended to read:

2158 713.78 Liens for recovering, towing, or storing vehicles
2159 and vessels.-

2160 (13)

2161 (f) This subsection applies only to the annual renewal in
2162 the registered owner's birth month of a motor vehicle
2163 registration and does not apply to the transfer of a
2164 registration of a motor vehicle sold by a motor vehicle dealer
2165 licensed under chapter 320, except for the transfer of
2166 registrations which includes ~~is inclusive of~~ the annual
2167 renewals. This subsection does not apply to any vehicle
2168 registered in the name of the lessor. This subsection does not
2169 affect the issuance of the title to a motor vehicle,
2170 notwithstanding s. 319.23(8)(b) ~~s. 319.23(7)(b)~~.

2171 Section 70. Except as otherwise expressly provided in this
2172 act and except for this section, which shall take effect upon
2173 this act becoming a law, this act shall take effect January 1,
2174 2013.

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2179 **T I T L E A M E N D M E N T**

2180 Remove the entire title and insert:

2181 A bill to be entitled

2182 An act relating to highway safety and motor vehicles;
2183 amending s. 20.24, F.S.; renaming the Office of Motor
2184 Carrier Compliance within the Division of the Florida
2185 Highway Patrol as the "Office of Commercial Vehicle
2186 Enforcement"; amending s. 316.003, F.S.; revising the
2187 definition of the term "motor vehicle" to exclude swamp
2188 buggies; defining the term "swamp buggy"; amending s.
2189 316.1303, F.S.; authorizing a person who is mobility
2190 impaired to use a motorized wheelchair to temporarily leave
2191 the sidewalk and use the roadway under certain
2192 circumstances; authorizing a law enforcement officer to
2193 issue only a verbal warning to such person; amending s.
2194 316.183, F.S.; revising a provision that prohibits a school
2195 bus from exceeding the posted speed limits; amending s.
2196 316.2065, F.S.; revising safety standard requirements for
2197 bicycle helmets that must be worn by certain riders and
2198 passengers; revising requirements for a bicycle operator to
2199 ride in a bicycle lane or along the curb or edge of the
2200 roadway; providing for enforcement of requirements for
2201 bicycle lighting equipment; providing penalties for
2202 violations; providing for dismissal of the charge following
2203 a first offense under certain circumstances; amending s.
2204 316.2085, F.S.; requiring that the license tag of a
2205 motorcycle or moped remain clearly visible from the rear at

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2206 all times; prohibiting deliberate acts to conceal or
2207 obscure the license tag; amending s. 316.2126, F.S.;

2208 authorizing municipalities to use golf carts and utility
2209 vehicles to cross the State Highway System and operate on
2210 sidewalks adjacent to state highways under certain
2211 circumstances; creating s. 316.2129, F.S.; authorizing the
2212 operation of swamp buggies on a public road, highway, or
2213 street if a local governmental entity has designated the
2214 public road, highway, or street for such use; providing
2215 that the authorization does not apply to the State Highway
2216 System; authorizing the operation of swamp buggies on land
2217 managed, owned, or leased by a state or federal agency;
2218 amending s. 316.2397, F.S.; providing an exception to the
2219 prohibition against flashing vehicle lights for motorists
2220 who intermittently flash the vehicle's headlamps at an
2221 oncoming vehicle, regardless of the intent in doing so, and
2222 for persons operating bicycles equipped with lamps;

2223 amending s. 316.302, F.S.; requiring all owners or drivers
2224 of commercial motor vehicles that are engaged in intrastate
2225 commerce to be subject to the rules and regulations
2226 contained in 49 C.F.R. parts 382, 385, and 390-397 as it
2227 relates to the definition of "bus" as such rules and
2228 regulations existed on October 1, 2011; providing an
2229 exception; providing that certain restrictions on the
2230 number of consecutive hours that a commercial motor vehicle
2231 may operate do not apply to a farm labor vehicle operated
2232 during a state of emergency or during an emergency
2233 pertaining to agriculture; amending s. 316.3026, F.S.;

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2234 revising provisions to rename the Office of Motor Carrier
2235 Compliance within the Division of the Florida Highway
2236 Patrol as the Office of Commercial Vehicle Enforcement to
2237 conform to changes made by the act; amending s. 316.6135,
2238 F.S.; revising the criteria under which a child may not be
2239 left unattended in a vehicle; amending s. 316.614, F.S.;
2240 deleting provisions that require that a law enforcement
2241 officer record the race and ethnicity of a person who is
2242 given a citation for not wearing his or her safety belt;
2243 deleting provisions that require that the Department of
2244 Highway Safety and Motor Vehicles collect such information
2245 and provide reports; amending s. 316.655, F.S.; providing
2246 that drivers convicted of a violation of certain offenses
2247 relating to motor vehicles which resulted in an accident
2248 may have their driving privileges revoked or suspended;
2249 amending s. 318.14, F.S.; authorizing a person who does not
2250 hold a commercial driver license and who is cited for a
2251 noncriminal traffic infraction while driving a
2252 noncommercial motor vehicle to elect to attend a basic
2253 driver improvement course in lieu of a court appearance;
2254 authorizing a person who does not hold a commercial driver
2255 license and who is cited for certain offenses while driving
2256 a noncommercial motor vehicle to elect to enter a plea of
2257 nolo contendere and to provide proof of compliance in lieu
2258 of payment of fine or court appearance; amending s. 318.15,
2259 F.S.; providing that a person charged with a traffic
2260 infraction may request a hearing within a specified period
2261 after the date upon which the violation occurred; requiring

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2262 that the clerk set the case for hearing; providing
2263 exceptions to the time period for requesting a hearing;
2264 authorizing the court to grant a request for a hearing made
2265 more than 180 days after the date upon which the violation
2266 occurred; amending s. 318.18, F.S.; conforming a cross-
2267 reference; amending s. 318.21, F.S.; conforming a cross-
2268 reference; amending s. 319.14, F.S.; prohibiting the sale
2269 or exchange of custom vehicles or street rod vehicles under
2270 certain conditions; providing definitions; amending s.
2271 319.23, F.S.; requiring that the application for a
2272 certificate of title, corrected certificate, or assignment
2273 or reassignment be filed after the consummation of the sale
2274 of a mobile home; authorizing the department to accept a
2275 bond if the applicant for a certificate of title is unable
2276 to provide a title that assigns the prior owner's interest
2277 in the motor vehicle; providing requirements for the bond
2278 and the affidavit; providing for future expiration of the
2279 bond; amending s. 319.24, F.S.; requiring that the
2280 department electronically transmit a lien to the first
2281 lienholder and notify the first lienholder of any
2282 additional liens if there are one or more lien encumbrances
2283 on a motor vehicle or mobile home; requiring that
2284 subsequent lien satisfactions be transmitted electronically
2285 to the department; amending s. 319.27, F.S.; requiring that
2286 the department establish and administer an electronic
2287 titling program; requiring the electronic recording of
2288 vehicle title information for new, transferred, and
2289 corrected certificates of title; requiring that lienholders

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2290 | electronically transmit liens and lien satisfactions to the
2291 | department; providing exceptions; amending s. 319.28, F.S.;
2292 | providing that a dealer of certain industrial equipment is
2293 | not subject to licensure as a recovery agent or agency
2294 | under certain conditions; amending to s. 319.30, F.S.;
2295 | authorizing the department to adopt rules to implement an
2296 | electronic system for issuing salvage certificates of title
2297 | and certificates of destruction; amending s. 319.40, F.S.;
2298 | authorizing the department to issue an electronic
2299 | certificate of title in lieu of printing a paper title and
2300 | to collect electronic mail addresses and use electronic
2301 | mail as a notification method in lieu of the United States
2302 | Postal Service; providing an exception; amending s. 320.01,
2303 | F.S.; revising the definition of the term "motor vehicle"
2304 | to exclude special mobile equipment and swamp buggies;
2305 | defining the term "swamp buggy"; amending s. 320.02, F.S.;
2306 | providing that an active duty member of the Armed Forces of
2307 | the United States is exempt from the requirement to provide
2308 | an address on an application for vehicle registration;
2309 | revising provisions relating to the registration of a motor
2310 | carrier who operates a commercial motor vehicle and the
2311 | notice of the suspension of such registration; requiring
2312 | that the insurer's notice contain information required by
2313 | the department and provided in a format compatible with the
2314 | data processing capabilities of the department; authorizing
2315 | the department to adopt rules; providing that an insurer
2316 | who fails to file the proper documentation with the
2317 | department violates the Florida Insurance Code; providing

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2318 that the department use the documentation only for
2319 enforcement and regulatory purposes; requiring the
2320 application forms for motor vehicle registration and
2321 renewal of registration to include language permitting the
2322 applicant to make a voluntary contribution to the Florida
2323 Association of Food Banks, Inc., Autism Services and
2324 Supports, to Support Our Troops, and to Take Stock In
2325 Children; providing that such contributions are not income
2326 for specified purposes; requiring that the department
2327 retain all electronic registration records for a specified
2328 period; amending s. 320.03, F.S.; conforming a cross-
2329 reference; amending s. 320.06, F.S.; authorizing the
2330 department to conduct a pilot program to evaluate the
2331 designs, concepts, and technologies for alternative license
2332 plates; requiring that the department investigate the
2333 feasibility and use of alternative license plate
2334 technologies and the long-term cost impact to the consumer
2335 for purposes of the pilot program; requiring limiting the
2336 scope of the pilot program to license plates that are used
2337 on government-owned motor vehicles; providing an exemption
2338 for such license plates from certain requirements;
2339 providing that license plates issued under ch. 320, F.S.,
2340 are the property of the state; amending s. 320.0605, F.S.;
2341 revising provisions relating to a requirement that rental
2342 or lease documentation be in the possession of an operator
2343 of a motor vehicle; providing specified information
2344 sufficient to satisfy this requirement; amending s.
2345 320.061, F.S.; prohibiting a person from altering the

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2346 original appearance of a temporary license plate; amending
2347 s. 320.07, F.S.; revising provisions relating to the
2348 expiration of a registration of a motor vehicle or mobile
2349 home; providing that the registration for a motor vehicle
2350 or mobile home whose owner is a natural person expires at
2351 midnight on the owner's birthday; amending s. 320.08056,
2352 F.S.; prohibiting the use of funds derived from the
2353 specialty license plate program from being used to lobby
2354 elected members or employees of the Legislature; amending
2355 s. 320.08058, F.S.; providing that up to 15 percent of the
2356 proceeds from the annual use fees for the Florida Golf
2357 license plate may be used by the Dade Amateur Golf
2358 Association for the administration of the Florida Junior
2359 Golf Program; amending s. 320.08068, F.S.; revising
2360 provisions relating to the use of funds received from the
2361 sale of motorcycle specialty license plates; deleting a
2362 provision that requires that 20 percent of the annual fee
2363 collected for such plates be used to leverage additional
2364 funding and new sources of revenue for the centers for
2365 independent living; amending s. 320.0848, F.S.; revising
2366 the requirements for the deposit of fee proceeds from
2367 temporary disabled parking permits; requiring that certain
2368 proceeds be deposited into the Florida Endowment Foundation
2369 for Vocational Rehabilitation, instead of the Florida
2370 Governor's Alliance for the Employment of Disabled
2371 Citizens; amending s. 320.089, F.S.; providing for the
2372 issuance of a Combat Infantry Badge license plate and a
2373 Vietnam War Veterans license plate; providing

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2374 qualifications and requirements for the plate; amending s.
2375 320.13, F.S.; authorizing a dealer of heavy trucks, upon
2376 payment of a license tax, to secure one or more dealer
2377 license plates under certain circumstances; providing that
2378 the license plates may be used for demonstration purposes
2379 for a specified period; requiring that the license plates
2380 be validated on a form prescribed by the department and be
2381 retained in the vehicle being operated; amending s. 320.15,
2382 F.S.; providing that an owner of a motor vehicle or mobile
2383 home may apply for a refund of certain license taxes if the
2384 owner renews a registration during the advanced renewal
2385 period and surrenders the motor vehicle or mobile home
2386 license plate before the end of the renewal period;
2387 amending s. 320.27, F.S.; providing an exemption for
2388 salvage motor vehicle dealers from certain application and
2389 security requirements; amending s. 320.771, F.S.; revising
2390 the definition of the term "dealer"; amending s. 320.95,
2391 F.S.; authorizing the department to collect electronic mail
2392 addresses and use electronic mail for the purpose of
2393 providing renewal notices in lieu of the United States
2394 Postal Service; amending s. 322.04, F.S.; revising
2395 provisions exempting a nonresident from the requirement to
2396 obtain a driver license under certain circumstances;
2397 amending s. 322.051, F.S.; revising requirements by which
2398 an applicant for an identification card may prove
2399 nonimmigrant classification; clarifying the validity of an
2400 identification card based on specified documents;
2401 authorizing the department to require additional

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2402 documentation to establish the maintenance of, or efforts
2403 to maintain, continuous lawful presence; providing for the
2404 department to waive the fees for issuing or renewing an
2405 identification card to a person who is homeless; amending
2406 s. 322.058, F.S.; conforming a cross-reference; amending s.
2407 322.065, F.S.; revising provisions relating to a person
2408 whose driver license has expired for 6 months or less and
2409 who drives a motor vehicle; amending s. 322.07, F.S.;
2410 revising provisions relating to temporary commercial
2411 instruction permits; amending s. 322.08, F.S.; revising
2412 provisions relating to an application for a driver license
2413 or temporary permit; requiring that applicants prove
2414 nonimmigrant classification by providing certain
2415 documentation; authorizing the department to require
2416 additional documentation to establish the maintenance of,
2417 or efforts to maintain, continuous lawful presence;
2418 revising the length of time a license is valid when
2419 issuance is based on documentation required under specified
2420 provisions; requiring the application forms for an
2421 original, renewal, or replacement driver license to include
2422 language permitting the applicant to make a voluntary
2423 contribution for Autism Services and Supports and to
2424 Support Our Troops; authorizing the department to collect
2425 electronic mail addresses and use electronic mail for the
2426 purpose of providing renewal notices in lieu of the United
2427 States Postal Service; amending s. 322.121, F.S.;
2428 conforming a provision relating to Safe Driver designation;
2429 revising provisions authorizing the automatic extension of

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2430 a license for members of the Armed Forces of the United
2431 States or their dependents while serving on active duty
2432 outside the state; amending s. 322.14, F.S.; deleting a
2433 requirement that a qualified driver license applicant
2434 appear in person for issuance of a color photographic or
2435 digital imaged driver license; creating s. 322.1415, F.S.;
2436 authorizing the department to issue a specialty driver
2437 license or identification card to qualified applicants;
2438 specifying that, at a minimum, the specialty driver
2439 licenses and identification cards must be available for
2440 certain state and independent universities and professional
2441 sports teams and all of the branches of the Armed Forces of
2442 the United States; requiring that the department approve
2443 the design of each specialty driver license and
2444 identification card; providing for future expiration;
2445 amending s. 322.142, F.S.; providing district medical
2446 examiners access to driver information maintained in the
2447 Driver and Vehicle Information Database for a specified
2448 purpose; amending s. 322.19, F.S.; providing that certain
2449 persons who have a valid student identification card are
2450 presumed not to have changed their legal residence or
2451 mailing address; amending s. 322.21, F.S.; providing for
2452 the distribution of funds collected from the specialty
2453 driver license and identification card fees; amending s.
2454 322.251, F.S.; providing that certain notices of
2455 cancellation, suspension, revocation, or disqualification
2456 of a driver license are complete within a specified period
2457 after deposit in the mail; amending s. 322.27, F.S.;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1223 (2012)

Amendment No. 1

2458 revising the department's authority to suspend or revoke
2459 licenses or identification cards under certain
2460 circumstances; repealing s. 322.292(5), F.S.; relating to
2461 private probation services providers referring probationers
2462 to any DUI program owned in whole or in part by that
2463 probation services provider or its affiliates; amending s.
2464 322.53, F.S.; revising an exemption from the requirement to
2465 obtain a commercial driver license for farmers transporting
2466 agricultural products, farm supplies, or farm machinery
2467 under certain circumstances; providing that such exemption
2468 applies if the vehicle is not used in the operations of a
2469 common or contract motor carrier; amending s. 322.54, F.S.;
2470 requiring that persons who drive a motor vehicle having a
2471 gross vehicle weight rating or gross vehicle weight of a
2472 specified amount or more possess certain classifications of
2473 driver licenses; repealing s. 322.58, F.S., relating to
2474 holders of chauffeur licenses and the classified licensure
2475 of commercial motor vehicle drivers; amending s. 322.59,
2476 F.S.; revising provisions relating to the possession of a
2477 medical examiner's certificate; requiring that the
2478 department disqualify a driver from operating a commercial
2479 motor vehicle if the driver holds a commercial driver
2480 license and fails to comply with the medical certification
2481 requirements; authorizing the department to issue, under
2482 certain circumstances, a Class E driver license to a person
2483 who is disqualified from operating a commercial motor
2484 vehicle; amending s. 322.61, F.S.; revising provisions
2485 relating to the disqualification from operating a

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Published On: 2/21/2012 7:42:22 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1223 (2012)

Amendment No. 1

2486 commercial motor vehicle; providing that any holder of a
2487 commercial driver license who is convicted of two
2488 violations committed while operating any motor vehicle is
2489 permanently disqualified from operating a commercial motor
2490 vehicle; amending s. 324.072, F.S.; prohibiting the
2491 department from suspending a registration of a motor
2492 vehicle if the person to whom the motor vehicle is
2493 registered had certain limits on the date of the offense
2494 that caused the suspension or revocation; amending s.
2495 324.091, F.S.; revising the period within which an owner or
2496 operator involved in a crash must furnish evidence of
2497 automobile liability insurance, motor vehicle liability
2498 insurance, or surety bond; amending s. 328.15, F.S.;
2499 requiring that the department establish and administer an
2500 electronic titling program that requires the recording of
2501 vessel title information for new, transferred, and
2502 corrected certificates of title; requiring that lienholders
2503 electronically transmit liens and lien satisfactions to the
2504 department; providing exceptions; amending s. 328.16, F.S.;
2505 requiring that the department electronically transmit a
2506 lien to the first lienholder and notify such lienholder of
2507 any additional liens; requiring that subsequent lien
2508 satisfactions be electronically transmitted to the
2509 department; amending s. 328.30, F.S.; authorizing the
2510 department to issue an electronic certificate of title in
2511 lieu of printing a paper title; authorizing the department
2512 to collect electronic mail addresses and use electronic
2513 mail for the purpose of providing renewal notices in lieu

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1223 (2012)

Amendment No. 1

2514 of the United States Postal Service; amending s. 520.32,
2515 F.S.; providing an exemption to the licensing requirements
2516 of s. 520.32, F.S., for motor vehicle dealers licensed
2517 under part I of chapter 520, Florida Statutes; providing
2518 that the exemption only exempts a part I licensee from the
2519 licensing requirements and not any other sections; amending
2520 s. 713.78, F.S.; conforming a cross-reference; providing
2521 effective dates.

2522