

1 A bill to be entitled
2 An act relating to highway safety and motor vehicles;
3 amending s. 20.24, F.S.; renaming the Office of Motor
4 Carrier Compliance within the Division of the Florida
5 Highway Patrol as the Office of Commercial Vehicle
6 Enforcement; amending s. 316.003, F.S.; revising
7 definitions for purposes of the Florida Uniform
8 Traffic Control Law; revising the definition of the
9 term "motor vehicle" to exclude swamp buggies;
10 defining the term "swamp buggy"; amending s. 316.1303,
11 F.S.; authorizing a person who is mobility impaired to
12 use a motorized wheelchair to temporarily leave the
13 sidewalk and use the roadway under certain
14 circumstances; authorizing a law enforcement officer
15 to issue only a verbal warning to such person;
16 amending s. 316.2065, F.S.; revising safety standard
17 requirements for bicycle helmets that must be worn by
18 certain riders and passengers; revising requirements
19 for a bicycle operator to ride in a bicycle lane or
20 along the curb or edge of the roadway; providing for
21 enforcement of requirements for bicycle lighting
22 equipment; providing penalties for violations;
23 providing for dismissal of the charge following a
24 first offense under certain circumstances; amending s.
25 316.2085, F.S.; requiring that the license tag of a
26 motorcycle or moped remain clearly visible from the
27 rear at all times; prohibiting deliberate acts to
28 conceal or obscure the license tag; providing that

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29 | certain license tags may be affixed perpendicularly to
30 | the ground; amending s. 316.2126, F.S.; revising
31 | conditions for use of golf carts and utility vehicles;
32 | creating s. 316.2129, F.S.; prohibiting the operation
33 | of swamp buggies on a public road, street, or highway;
34 | providing exceptions; prohibiting the operation of
35 | swamp buggies on land managed, owned, or leased by a
36 | state or federal agency; providing exceptions;
37 | amending s. 316.302, F.S.; providing that specified
38 | provisions that restrict the number of consecutive
39 | hours a commercial motor vehicle may operate do not
40 | apply to a farm labor vehicle operated during a state
41 | of emergency or during an emergency pertaining to
42 | agriculture; amending s. 316.3026, F.S., relating to
43 | unlawful operation of motor carriers; conforming
44 | provisions to changes made by the act; amending s.
45 | 316.614, F.S.; deleting provisions that require that a
46 | law enforcement officer record the race and ethnicity
47 | of a person who is given a citation for not wearing
48 | his or her safety belt; deleting provisions that
49 | require that the Department of Highway Safety and
50 | Motor Vehicles collect such information and provide
51 | reports; amending s. 318.14, F.S.; authorizing a
52 | person who does not hold a commercial driver license
53 | and who is cited for a noncriminal traffic infraction
54 | while driving a noncommercial motor vehicle to elect
55 | to attend a basic driver improvement course in lieu of
56 | a court appearance; authorizing a person who does not

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57 | hold a commercial driver license and who is cited for
58 | certain offenses while driving a noncommercial motor
59 | vehicle to elect to enter a plea of nolo contendere
60 | and to provide proof of compliance in lieu of payment
61 | of fine or court appearance; amending s. 318.15, F.S.;
62 | providing that a person charged with a traffic
63 | infraction may request a hearing within a specified
64 | period after the date upon which the violation
65 | occurred; requiring that the clerk set the case for
66 | hearing; providing exceptions to the time period for
67 | requesting a hearing; authorizing the court to grant a
68 | request for a hearing made more than 180 days after
69 | the date upon which the violation occurred; amending
70 | ss. 318.18 and 318.21, F.S.; conforming cross-
71 | references; amending s. 319.14, F.S.; revising
72 | provisions that prohibit the sale or exchange of a
73 | rebuilt vehicle until certain conditions are met;
74 | requiring an application for a certificate of title
75 | with indication on the title that a vehicle is a
76 | custom vehicle or a street rod, an inspection by the
77 | department, and a decal affixed to such vehicle by the
78 | department; defining the terms "custom vehicle" and
79 | "street rod"; prohibiting the sale, exchange, or
80 | transfer of a custom vehicle or street rod or
81 | advertising or offering to sell or exchange a vehicle
82 | previously titled, registered, or used as a custom
83 | vehicle or street rod unless certain conditions are
84 | met; providing penalties; amending s. 319.225, F.S.;

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85 | revising provisions relating to title transfer and
86 | reassignment forms and odometer disclosure statements;
87 | requiring that the transferor and transferee complete
88 | a secure reassignment document disclosing the odometer
89 | reading if the title is held electronically and the
90 | transferee agrees to maintain the title
91 | electronically; requiring that a dealer who acquires a
92 | motor vehicle that has an electronic title use a
93 | secure reassignment document signed by the person from
94 | whom the dealer acquired the motor vehicle; requiring
95 | that the dealer execute a separate reassignment
96 | document upon transferring the motor vehicle to a
97 | purchaser; amending s. 319.23, F.S.; requiring that
98 | the application for a certificate of title, corrected
99 | certificate, or assignment or reassignment be filed
100 | after the consummation of the sale of a mobile home;
101 | authorizing the department to accept a bond if the
102 | applicant for a certificate of title is unable to
103 | provide a title that assigns the prior owner's
104 | interest in the motor vehicle; providing requirements
105 | for the bond and the affidavit; providing for future
106 | expiration of the bond; amending s. 319.24, F.S.;
107 | requiring that the department electronically transmit
108 | a lien to the first lienholder and notify the first
109 | lienholder of any additional liens if there are one or
110 | more lien encumbrances on a motor vehicle or mobile
111 | home; requiring that subsequent lien satisfactions be
112 | transmitted electronically to the department; amending

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113 s. 319.27, F.S.; requiring that the department
114 administer an electronic titling program; requiring
115 the electronic recording of vehicle title information
116 for new, transferred, and corrected certificates of
117 title; requiring that lienholders electronically
118 transmit liens and lien satisfactions to the
119 department; providing exceptions; amending s. 319.28,
120 F.S.; providing that a dealer of certain farm or
121 industrial equipment is not subject to licensure as a
122 recovery agent or agency under certain conditions;
123 amending s. 319.40, F.S.; authorizing the department
124 to issue an electronic certificate of title in lieu of
125 printing a paper title and to collect electronic mail
126 addresses and use electronic mail as a notification
127 method in lieu of the United States Postal Service;
128 providing an exception; amending s. 320.01, F.S.;
129 revising the definition of the term "motor vehicle" to
130 exclude special mobile equipment and swamp buggies;
131 defining the term "swamp buggy"; amending s. 320.02,
132 F.S.; providing that an active duty member of the
133 Armed Forces of the United States is exempt from the
134 requirement to provide an address on an application
135 for vehicle registration; revising provisions relating
136 to the registration of a motor carrier who operates a
137 commercial motor vehicle and the notice of the
138 suspension of such registration; requiring that the
139 insurer's notice contain information required by the
140 department and provided in a format compatible with

141 the data processing capabilities of the department;
142 authorizing the department to adopt rules; providing
143 that an insurer who fails to file the proper
144 documentation with the department violates the Florida
145 Insurance Code; providing that the department may use
146 the documentation only for enforcement and regulatory
147 purposes; requiring the application forms for motor
148 vehicle registration and renewal of registration to
149 include language permitting the applicant to make a
150 voluntary contribution to the Florida Association of
151 Food Banks, inc.; providing that such contributions
152 are not income for specified purposes; requiring the
153 department and its agents to provide customers
154 applying for or renewing a registration with certain
155 information on voluntary contribution options;
156 requiring that the department retain all electronic
157 registration records for a specified period; amending
158 s. 320.03, F.S.; conforming a cross-reference;
159 amending s. 320.06, F.S.; deleting a requirement that
160 registration license plates be made—of metal and
161 conforming terminology; amending s. 320.0605, F.S.;
162 revising requirements to possess certain documentation
163 while a vehicle is being operated; requiring rental or
164 lease vehicle documentation to contain certain
165 information; amending s. 320.061, F.S.; prohibiting a
166 person from altering the original appearance of a
167 temporary license plate; providing penalties; amending
168 s. 320.08056, F.S.; revising the annual use fee for

169 | the Tampa Bay Estuary license plate; amending s.
 170 | 320.08068, F.S.; revising provisions relating to the
 171 | use of funds received from the sale of motorcycle
 172 | specialty license plates; deleting a provision that
 173 | requires that 20 percent of the annual fee collected
 174 | for such plates be used to leverage additional funding
 175 | and new sources of revenue for the centers for
 176 | independent living; amending s. 320.0848, F.S.;
 177 | revising the requirements for the deposit of fee
 178 | proceeds from temporary disabled parking permits;
 179 | requiring that certain proceeds be deposited into the
 180 | Florida Endowment Foundation for Vocational
 181 | Rehabilitation, instead of the Florida Governor's
 182 | Alliance for the Employment of Disabled Citizens;
 183 | amending s. 320.089, F.S.; providing for the issuance
 184 | of a Combat Infantry Badge license plate; amending s.
 185 | 320.27, F.S.; providing an exemption for salvage motor
 186 | vehicle dealers from certain application and security
 187 | requirements; amending s. 320.771, F.S.; revising the
 188 | definition of the term "dealer"; amending s. 320.95,
 189 | F.S.; authorizing the department to collect electronic
 190 | mail addresses and use electronic mail for the purpose
 191 | of providing renewal notices in lieu of the United
 192 | States Postal Service; amending s. 322.04, F.S.;
 193 | revising provisions exempting a nonresident from the
 194 | requirement to obtain a driver license under certain
 195 | circumstances; amending s. 322.051, F.S.; revising
 196 | requirements by which an applicant for an

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197 identification card may prove nonimmigrant
198 classification; clarifying the validity of an
199 identification card based on specified documents;
200 authorizing the department to require additional
201 documentation to establish the maintenance of, or
202 efforts to maintain, continuous lawful presence;
203 providing for the department to waive the fees for
204 issuing or renewing an identification card to a person
205 who is homeless; amending s. 322.058, F.S.; conforming
206 a cross-reference; amending s. 322.065, F.S.; revising
207 provisions relating to a person whose driver license
208 has expired for 6 months or less and who drives a
209 motor vehicle; providing penalties; amending s.
210 322.07, F.S.; revising provisions relating to
211 temporary commercial instruction permits; amending s.
212 322.08, F.S.; revising provisions relating to an
213 application for a driver license or temporary permit;
214 requiring that applicants prove nonimmigrant
215 classification by providing certain documentation;
216 authorizing the department to require additional
217 documentation to establish the maintenance of, or
218 efforts to maintain, continuous lawful presence;
219 revising the length of time a license is valid when
220 issuance is based on documentation required under
221 specified provisions; requiring the department and its
222 agents to provide customers applying for or renewing a
223 license or identification card with certain
224 information on voluntary contribution options;

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225 | authorizing the department to collect electronic mail
226 | addresses and use electronic mail for the purpose of
227 | providing renewal notices in lieu of the United States
228 | Postal Service; amending s. 322.121, F.S.; conforming
229 | a provision relating to Safe Driver designation;
230 | revising provisions authorizing the automatic
231 | extension of a license for members of the Armed Forces
232 | of the United States or their dependents while serving
233 | on active duty outside the state; amending s. 322.14,
234 | F.S.; deleting a requirement that a qualified driver
235 | license applicant appear in person for issuance of a
236 | color photographic or digital imaged driver license;
237 | creating s. 322.1415, F.S.; authorizing the department
238 | to issue a specialty driver license or identification
239 | card to qualified applicants; specifying that, at a
240 | minimum, the specialty driver licenses and
241 | identification cards must be available for certain
242 | state and independent universities and professional
243 | sports teams and all branches of the Armed Forces of
244 | the United States; requiring that the department and
245 | applicable organization approve the design of each
246 | specialty driver license and identification card;
247 | requiring an annual report to the Legislature;
248 | providing for future repeal; creating s. 322.145,
249 | F.S.; requiring driver licenses to contain a means for
250 | electronic authentication; directing the department to
251 | make certain security tokens available to a driver
252 | license applicant; directing the department to

253 contract for implementation of the electronic
254 authentication; amending s. 322.18, F.S.; providing
255 that a person who has been issued a driver license
256 using certain documentation as proof of identity is
257 not eligible to renew the driver license; requiring
258 that such person obtain an original license; amending
259 s. 322.19, F.S.; providing that certain persons who
260 have a valid student identification card are presumed
261 not to have changed their legal residence or mailing
262 address; amending s. 322.21, F.S.; revising provisions
263 relating to license fees; prohibiting the fee for an
264 original or renewal of an enhanced driver license or
265 identification card from exceeding a specified amount;
266 requiring that the funds collected from such fee be
267 deposited into the Highway Safety Operating Trust
268 Fund; providing that the issuance of an enhanced
269 driver license or identification card is optional for
270 certain qualified residents; providing for the
271 distribution of funds collected from the specialty
272 driver license and identification card fees; amending
273 s. 322.251, F.S.; providing that certain notices of
274 cancellation, suspension, revocation, or
275 disqualification of a driver license are complete
276 within a specified period after deposit in the mail;
277 amending s. 322.27, F.S.; revising the department's
278 authority to suspend or revoke licenses or
279 identification cards under certain circumstances;
280 amending s. 322.53, F.S.; revising an exemption from

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281 the requirement to obtain a commercial driver license
282 for farmers transporting agricultural products, farm
283 supplies, or farm machinery under certain
284 circumstances; providing that such exemption applies
285 if the vehicle is not used in the operations of a
286 common or contract motor carrier; amending s. 322.54,
287 F.S.; requiring that the driver license classification
288 of any person operating a commercial motor vehicle
289 that does not have a gross vehicle weight rating plate
290 be determined by the actual weight of the vehicle;
291 repealing s. 322.58, F.S., relating to holders of
292 chauffeur licenses and the classified licensure of
293 commercial motor vehicle drivers; amending s. 322.59,
294 F.S.; revising provisions relating to the possession
295 of a medical examiner's certificate; requiring that
296 the department disqualify a driver from operating a
297 commercial motor vehicle if the driver holds a
298 commercial driver license and fails to comply with the
299 medical certification requirements; authorizing the
300 department to issue, under certain circumstances, a
301 Class E driver license to a person who is disqualified
302 from operating a commercial motor vehicle; amending s.
303 322.61, F.S.; revising provisions relating to the
304 disqualification from operating a commercial motor
305 vehicle; providing that any holder of a commercial
306 driver license who is convicted of two violations
307 committed while operating any motor vehicle is
308 permanently disqualified from operating a commercial

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309 motor vehicle; amending s. 324.072, F.S.; prohibiting
310 the department from suspending a registration of a
311 motor vehicle if the person to whom the motor vehicle
312 is registered had certain insurance coverage limits on
313 the date of the offense that caused the suspension or
314 revocation; amending s. 324.091, F.S.; revising the
315 period within which an owner or operator involved in a
316 crash must furnish evidence of automobile liability
317 insurance, motor vehicle liability insurance, or a
318 surety bond; amending s. 328.15, F.S.; requiring that
319 the department establish and administer an electronic
320 titling program that requires the recording of vehicle
321 title information for new, transferred, and corrected
322 certificates of title; requiring that lienholders
323 electronically transmit liens and lien satisfactions
324 to the department; providing exceptions; amending s.
325 328.16, F.S.; requiring that the department
326 electronically transmit a lien to the first lienholder
327 and notify such lienholder of any additional liens;
328 requiring that subsequent lien satisfactions be
329 electronically transmitted to the department; amending
330 s. 328.30, F.S.; authorizing the department to issue
331 an electronic certificate of title in lieu of printing
332 a paper title and to collect electronic mail addresses
333 and use electronic mail as a notification method in
334 lieu of the United States Postal Service; amending s.
335 328.72, F.S., relating to vessel registration;
336 requiring the department and its agents to provide

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337 customers applying for or renewing a registration with
 338 certain information on voluntary contribution options;
 339 amending s. 713.78, F.S.; conforming a cross-
 340 reference; providing an effective date.

341

342 Be It Enacted by the Legislature of the State of Florida:

343

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

346 20.24 Department of Highway Safety and Motor Vehicles.—
 347 There is created a Department of Highway Safety and Motor
 348 Vehicles.

349 (3) The Office of Commercial Vehicle Enforcement ~~Motor~~
 350 ~~Carrier Compliance~~ is established within the Division of the
 351 Florida Highway Patrol.

352 Section 2. Subsection (21) of section 316.003, Florida
 353 Statutes, is amended, and subsection (89) is added to that
 354 section, to read:

355 316.003 Definitions.—The following words and phrases, when
 356 used in this chapter, shall have the meanings respectively
 357 ascribed to them in this section, except where the context
 358 otherwise requires:

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

363 (89) SWAMP BUGGY.—A motorized off-road vehicle that is
 364 designed or modified to travel over swampy or varied terrain and

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365 that may use large tires or tracks operated from an elevated
 366 platform. The term does not include any vehicle defined in
 367 chapter 261 or otherwise defined or classified in this chapter.

368 Section 3. Section 316.1303, Florida Statutes, is amended
 369 to read:

370 316.1303 Traffic regulations to assist mobility-impaired
 371 persons.—

372 (1) Whenever a pedestrian who is mobility impaired is in
 373 the process of crossing a public street or highway with the
 374 assistance of and the pedestrian is mobility impaired (using a
 375 guide dog or service animal designated as such with a visible
 376 means of identification, a walker, a crutch, an orthopedic cane,
 377 or a wheelchair), the driver of a every vehicle approaching the
 378 intersection, as defined in s. 316.003(17), shall bring his or
 379 her vehicle to a full stop before arriving at the such
 380 intersection and, before proceeding, shall take such precautions
 381 as may be necessary to avoid injuring the such pedestrian.

382 (2) A person who is mobility impaired and who is using a
 383 motorized wheelchair on a sidewalk may temporarily leave the
 384 sidewalk and use the roadway to avoid a potential conflict, if
 385 no alternative route exists. A law enforcement officer may issue
 386 only a verbal warning to such person.

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

389 Section 4. Paragraph (d) of subsection (3) and subsections
 390 (5) and (8) of section 316.2065, Florida Statutes, are amended
 391 to read:

392 316.2065 Bicycle regulations.—

393 (3)

394 (d) A bicycle rider or passenger who is under 16 years of

395 age must wear a bicycle helmet that is properly fitted and is

396 fastened securely upon the passenger's head by a strap, and that

397 meets the federal safety standard for bicycle helmets, final

398 rule, 16 C.F.R. part 1203. A helmet purchased before October 1,

399 2012, which meets the standards of the American National

400 Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the

401 standards of the Snell Memorial Foundation (1984 Standard for

402 Protective Headgear for Use in Bicycling), or any other

403 nationally recognized standards for bicycle helmets adopted by

404 the department may continue to be worn by a bicycle rider or

405 passenger until January 1, 2016. As used in this subsection, the

406 term "passenger" includes a child who is riding in a trailer or

407 semitrailer attached to a bicycle.

408 (5) (a) Any person operating a bicycle upon a roadway at

409 less than the normal speed of traffic at the time and place and

410 under the conditions then existing shall ride in the lane marked

411 for bicycle use or, if no lane is marked for bicycle use, as

412 close as practicable to the right-hand curb or edge of the

413 roadway except under any of the following situations:

414 1. When overtaking and passing another bicycle or vehicle

415 proceeding in the same direction.

416 2. When preparing for a left turn at an intersection or

417 into a private road or driveway.

418 3. When reasonably necessary to avoid any condition or

419 potential conflict, including, but not limited to, a fixed or

420 moving object, parked or moving vehicle, bicycle, pedestrian,

421 animal, surface hazard, turn lane, or substandard-width lane,
 422 which ~~that~~ makes it unsafe to continue along the right-hand curb
 423 or edge or within a bicycle lane. For the purposes of this
 424 subsection, a "substandard-width lane" is a lane that is too
 425 narrow for a bicycle and another vehicle to travel safely side
 426 by side within the lane.

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

430 (8) Every bicycle in use between sunset and sunrise shall
 431 be equipped with a lamp on the front exhibiting a white light
 432 visible from a distance of at least 500 feet to the front and a
 433 lamp and reflector on the rear each exhibiting a red light
 434 visible from a distance of 600 feet to the rear. A bicycle or
 435 its rider may be equipped with lights or reflectors in addition
 436 to those required by this section. A law enforcement officer may
 437 issue a bicycle safety brochure and a verbal warning to a
 438 bicycle rider who violates this subsection or may issue a
 439 citation and assess a fine for a pedestrian violation, as
 440 provided in s. 318.18. The court shall dismiss the charge
 441 against a bicycle rider for a first violation of this subsection
 442 upon proof of purchase and installation of the proper lighting
 443 equipment.

444 Section 5. Subsection (3) of section 316.2085, Florida
 445 Statutes, is amended to read:

446 316.2085 Riding on motorcycles or mopeds.—

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

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449 from the rear at all times ~~may not be adjusted or capable of~~
450 ~~being flipped up.~~ Any deliberate act to conceal or obscure ~~No~~
451 ~~device for or method of concealing or obscuring~~ the legibility
452 of the license tag of a motorcycle or moped is prohibited ~~shall~~
453 ~~be installed or used.~~ The license tag of a motorcycle or moped
454 may be affixed horizontally to the ground so that the numbers
455 and letters read from left to right. Alternatively, a Florida
456 license tag for a motorcycle or moped for which the numbers and
457 letters read from top to bottom may be affixed perpendicularly
458 to the ground, provided that the registered owner of the
459 motorcycle or moped maintains a prepaid toll account in good
460 standing and a transponder associated with the prepaid toll
461 account is affixed to the motorcycle or moped. A license tag for
462 a motorcycle or moped issued by another jurisdiction for which
463 the numbers and letters read from top to bottom may be affixed
464 perpendicularly to the ground.

465 Section 6. Subsection (1) of section 316.2126, Florida
466 Statutes, is amended to read:

467 316.2126 Authorized use of golf carts, low-speed vehicles,
468 and utility vehicles.—

469 (1) In addition to the powers granted by ss. 316.212 and
470 316.2125, municipalities are authorized to utilize golf carts
471 and utility vehicles, as defined in s. 320.01, upon any state,
472 county, or municipal roads located within the corporate limits
473 of such municipalities, subject to the following conditions:

474 (a) Golf carts and utility vehicles must comply with the
475 operational and safety requirements in ss. 316.212 and 316.2125,
476 and with any more restrictive ordinances enacted by the local

477 governmental entity pursuant to s. 316.212(8), and shall be
 478 operated only by municipal employees for municipal purposes,
 479 including, but not limited to, police patrol, traffic
 480 enforcement, and inspection of public facilities.

481 (b) In addition to the safety equipment required in s.
 482 316.212(6) and any more restrictive safety equipment required by
 483 the local governmental entity pursuant to s. 316.212(8), such
 484 golf carts and utility vehicles must be equipped with sufficient
 485 lighting and turn signal equipment.

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

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

493 (e) Golf carts and utility vehicles may operate on
 494 sidewalks adjacent to state highways only if such golf carts and
 495 utility vehicles yield to pedestrians and if the sidewalks are
 496 at least 5 feet wide.

497 Section 7. Section 316.2129, Florida Statutes, is created
 498 to read:

499 316.2129 Operation of swamp buggies on public roads,
 500 streets, or highways prohibited; exceptions.—

501 (1) The operation of a swamp buggy on a public road,
 502 street, or highway is prohibited unless a local governmental
 503 entity has designated the public road, street, or highway for
 504 use by swamp buggies based on factors including, but not limited

505 to, the speed, volume, and character of the motor vehicle
 506 traffic currently using the public road, street, or highway.
 507 Upon determining that swamp buggies may be safely operated on a
 508 public road, street, or highway, the local governmental entity
 509 shall post signs indicating that such operation is allowed.

510 (2) The operation of a swamp buggy on land managed, owned,
 511 or leased by a state or federal agency is prohibited unless the
 512 state or federal agency authorizes the operation of swamp
 513 buggies on such land, including any public road, street, or
 514 highway running through or located within the state or federal
 515 land. Upon determining that swamp buggies may be safely operated
 516 on a public road, street, or highway running through or located
 517 within such land, the state or federal agency shall post
 518 appropriate signs or otherwise inform the public that the
 519 operation of swamp buggies is allowed.

520 Section 8. Paragraph (c) of subsection (2) of section
 521 316.302, Florida Statutes, is amended to read:

522 316.302 Commercial motor vehicles; safety regulations;
 523 transporters and shippers of hazardous materials; enforcement.—

524 (2)

525 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
 526 operates a commercial motor vehicle solely in intrastate
 527 commerce not transporting any hazardous material in amounts that
 528 require placarding pursuant to 49 C.F.R. part 172 may not drive
 529 after having been on duty more than 70 hours in any period of 7
 530 consecutive days or more than 80 hours in any period of 8
 531 consecutive days if the motor carrier operates every day of the
 532 week. Thirty-four consecutive hours off duty shall constitute

533 the end of any such period of 7 or 8 consecutive days. This
 534 weekly limit does not apply to a person who operates a
 535 commercial motor vehicle solely within this state while
 536 transporting, during harvest periods, any unprocessed
 537 agricultural products or unprocessed food or fiber that is
 538 subject to seasonal harvesting from place of harvest to the
 539 first place of processing or storage or from place of harvest
 540 directly to market or while transporting livestock, livestock
 541 feed, or farm supplies directly related to growing or harvesting
 542 agricultural products. Upon request of the Department of
 543 Transportation, motor carriers shall furnish time records or
 544 other written verification to that department so that the
 545 Department of Transportation can determine compliance with this
 546 subsection. These time records must be furnished to the
 547 Department of Transportation within 2 days after receipt of that
 548 department's request. Falsification of such information is
 549 subject to a civil penalty not to exceed \$100. ~~The provisions of~~
 550 This paragraph does not apply to operators of farm labor
 551 vehicles being operated during a state of emergency declared by
 552 the Governor or pursuant to s. 570.07(21) and does ~~de~~ not apply
 553 to drivers of utility service vehicles as defined in 49 C.F.R.
 554 s. 395.2.

555 Section 9. Subsection (1) of section 316.3026, Florida
 556 Statutes, is amended to read:

557 316.3026 Unlawful operation of motor carriers.—

558 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~
 559 ~~Carrier Compliance~~ may issue out-of-service orders to motor
 560 carriers, as defined in s. 320.01(33), who, after proper notice,

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561 have failed to pay any penalty or fine assessed by the
562 department, or its agent, against any owner or motor carrier for
563 violations of state law, refused to submit to a compliance
564 review and provide records pursuant to s. 316.302(5) or s.
565 316.70, or violated safety regulations pursuant to s. 316.302 or
566 insurance requirements in s. 627.7415. Such out-of-service
567 orders have the effect of prohibiting the operations of any
568 motor vehicles owned, leased, or otherwise operated by the motor
569 carrier upon the roadways of this state, until the violations
570 have been corrected or penalties have been paid. Out-of-service
571 orders must be approved by the director of the Division of the
572 Florida Highway Patrol or his or her designee. An administrative
573 hearing pursuant to s. 120.569 shall be afforded to motor
574 carriers subject to such orders.

575 Section 10. Subsection (9) of section 316.614, Florida
576 Statutes, is amended to read:

577 316.614 Safety belt usage.—

578 (9) ~~By January 1, 2006,~~ Each law enforcement agency in
579 this state shall adopt departmental policies to prohibit the
580 practice of racial profiling. ~~When a law enforcement officer~~
581 ~~issues a citation for a violation of this section, the law~~
582 ~~enforcement officer must record the race and ethnicity of the~~
583 ~~violation. All law enforcement agencies must maintain such~~
584 ~~information and forward the information to the department in a~~
585 ~~form and manner determined by the department. The department~~
586 ~~shall collect this information by jurisdiction and annually~~
587 ~~report the data to the Governor, the President of the Senate,~~
588 ~~and the Speaker of the House of Representatives. The report must~~

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589 ~~show separate statewide totals for the state's county sheriffs~~
 590 ~~and municipal law enforcement agencies, state law enforcement~~
 591 ~~agencies, and state university law enforcement agencies.~~

592 Section 11. Subsections (9) and (10) of section 318.14,
 593 Florida Statutes, are amended to read:

594 318.14 Noncriminal traffic infractions; exception;
 595 procedures.—

596 (9) Any person who does not hold a commercial driver
 597 ~~driver's~~ license and who is cited while driving a noncommercial
 598 motor vehicle for an infraction under this section other than a
 599 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the
 600 driver exceeds the posted limit by 30 miles per hour or more, s.
 601 320.0605, s. 320.07(3) (a) or (b), s. 322.065, s. 322.15(1), s.
 602 322.61, or s. 322.62 may, in lieu of a court appearance, elect
 603 to attend in the location of his or her choice within this state
 604 a basic driver improvement course approved by the Department of
 605 Highway Safety and Motor Vehicles. In such a case, adjudication
 606 must be withheld and points, as provided by s. 322.27, may not
 607 be assessed. However, a person may not make an election under
 608 this subsection if the person has made an election under this
 609 subsection in the preceding 12 months. A person may not make ~~no~~
 610 more than five elections within his or her lifetime under this
 611 subsection. The requirement for community service under s.
 612 318.18(8) is not waived by a plea of nolo contendere or by the
 613 withholding of adjudication of guilt by a court. If a person
 614 makes an election to attend a basic driver improvement course
 615 under this subsection, 18 percent of the civil penalty imposed
 616 under s. 318.18(3) shall be deposited in the State Courts

617 Revenue Trust Fund; however, that portion is not revenue for
 618 purposes of s. 28.36 and may not be used in establishing the
 619 budget of the clerk of the court under that section or s. 28.35.

620 (10) (a) Any person who does not hold a commercial driver
 621 ~~driver's~~ license and who is cited while driving a noncommercial
 622 motor vehicle for an offense listed under this subsection may,
 623 in lieu of payment of fine or court appearance, elect to enter a
 624 plea of nolo contendere and provide proof of compliance to the
 625 clerk of the court, designated official, or authorized operator
 626 of a traffic violations bureau. In such case, adjudication shall
 627 be withheld; however, a person may not make an ~~no~~ election ~~shall~~
 628 ~~be made~~ under this subsection if the ~~such~~ person has made an
 629 election under this subsection in the preceding 12 months
 630 ~~preceding election hereunder~~. A ~~No~~ person may not make more than
 631 three elections under this subsection. This subsection applies
 632 to the following offenses:

633 1. Operating a motor vehicle without a valid driver
 634 ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s.
 635 322.065, or s. 322.15(1), or operating a motor vehicle with a
 636 license that has been suspended for failure to appear, failure
 637 to pay civil penalty, or failure to attend a driver improvement
 638 course pursuant to s. 322.291.

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

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

642 4. Operating a motor vehicle with a license that has been
 643 suspended under s. 61.13016 or s. 322.245 for failure to pay
 644 child support or for failure to pay any other financial

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645 obligation as provided in s. 322.245; however, this subparagraph
646 does not apply if the license has been suspended pursuant to s.
647 322.245(1).

648 5. Operating a motor vehicle with a license that has been
649 suspended under s. 322.091 for failure to meet school attendance
650 requirements.

651 (b) Any person cited for an offense listed in this
652 subsection shall present proof of compliance before ~~prior to~~ the
653 scheduled court appearance date. For the purposes of this
654 subsection, proof of compliance shall consist of a valid,
655 renewed, or reinstated driver ~~driver's~~ license or registration
656 certificate and proper proof of maintenance of security as
657 required by s. 316.646. Notwithstanding waiver of fine, any
658 person establishing proof of compliance shall be assessed court
659 costs of \$25, except that a person charged with violation of s.
660 316.646(1)-(3) may be assessed court costs of \$8. One dollar of
661 such costs shall be remitted to the Department of Revenue for
662 deposit into the Child Welfare Training Trust Fund of the
663 Department of Children and Family Services. One dollar of such
664 costs shall be distributed to the Department of Juvenile Justice
665 for deposit into the Juvenile Justice Training Trust Fund.
666 Fourteen dollars of such costs shall be distributed to the
667 municipality and \$9 shall be deposited by the clerk of the court
668 into the fine and forfeiture fund established pursuant to s.
669 142.01, if the offense was committed within the municipality. If
670 the offense was committed in an unincorporated area of a county
671 or if the citation was for a violation of s. 316.646(1)-(3), the
672 entire amount shall be deposited by the clerk of the court into

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673 the fine and forfeiture fund established pursuant to s. 142.01,
674 except for the moneys to be deposited into the Child Welfare
675 Training Trust Fund and the Juvenile Justice Training Trust
676 Fund. This subsection does ~~shall not be construed to~~ authorize
677 the operation of a vehicle without a valid driver ~~driver's~~
678 license, without a valid vehicle tag and registration, or
679 without the maintenance of required security.

680 Section 12. Paragraph (c) is added to subsection (1) of
681 section 318.15, Florida Statutes, to read:

682 318.15 Failure to comply with civil penalty or to appear;
683 penalty.—

684 (1)

685 (c) A person who is charged with a traffic infraction may
686 request a hearing within 180 days after the date upon which the
687 violation occurred, regardless of any action taken by the court
688 or the department to suspend the person's driving privilege, and
689 upon request, the clerk must set the case for hearing. The
690 person shall be given a form for requesting that his or her
691 driving privilege be reinstated. If the 180th day after the date
692 upon which the violation occurred is a Saturday, Sunday, or a
693 legal holiday, the person who is charged must request a hearing
694 within 177 days after the date upon which the violation
695 occurred; however, the court may grant a request for a hearing
696 made more than 180 days after the date upon which the violation
697 occurred. This paragraph does not affect the assessment of late
698 fees as otherwise provided in this chapter.

699 Section 13. Paragraph (f) of subsection (3) of section
700 318.18, Florida Statutes, is amended to read:

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701 318.18 Amount of penalties.—The penalties required for a
702 noncriminal disposition pursuant to s. 318.14 or a criminal
703 offense listed in s. 318.17 are as follows:

704 (3)

705 (f) If a violation of s. 316.1301 or s. 316.1303(1) ~~s.~~
706 ~~316.1303~~ results in an injury to the pedestrian or damage to the
707 property of the pedestrian, an additional fine of up to \$250
708 shall be paid. This amount must be distributed pursuant to s.
709 318.21.

710 Section 14. Subsection (5) of section 318.21, Florida
711 Statutes, is amended to read:

712 318.21 Disposition of civil penalties by county courts.—
713 All civil penalties received by a county court pursuant to the
714 provisions of this chapter shall be distributed and paid monthly
715 as follows:

716 (5) Of the additional fine assessed under s. 318.18(3)(f)
717 for a violation of s. 316.1303(1) ~~s. 316.1303~~, 60 percent must
718 be remitted to the Department of Revenue and transmitted monthly
719 to the Florida Endowment Foundation for Vocational
720 Rehabilitation, and 40 percent must be distributed pursuant to
721 subsections (1) and (2).

722 Section 15. Section 319.14, Florida Statutes, is amended
723 to read:

724 319.14 Sale of motor vehicles registered or used as
725 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles
726 and nonconforming vehicles.—

727 (1)(a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
728 sell, or exchange any vehicle that has been licensed,

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729 registered, or used as a taxicab, police vehicle, or short-term-
730 lease vehicle, or a vehicle that has been repurchased by a
731 manufacturer pursuant to a settlement, determination, or
732 decision under chapter 681, until the department has stamped in
733 a conspicuous place on the certificate of title of the vehicle,
734 or its duplicate, words stating the nature of the previous use
735 of the vehicle or the title has been stamped "Manufacturer's Buy
736 Back" to reflect that the vehicle is a nonconforming vehicle. If
737 the certificate of title or duplicate was not so stamped upon
738 initial issuance thereof or if, subsequent to initial issuance
739 of the title, the use of the vehicle is changed to a use
740 requiring the notation provided for in this section, the owner
741 or lienholder of the vehicle shall surrender the certificate of
742 title or duplicate to the department prior to offering the
743 vehicle for sale, and the department shall stamp the certificate
744 or duplicate as required herein. When a vehicle has been
745 repurchased by a manufacturer pursuant to a settlement,
746 determination, or decision under chapter 681, the title shall be
747 stamped "Manufacturer's Buy Back" to reflect that the vehicle is
748 a nonconforming vehicle.

749 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
750 sell, or exchange a rebuilt vehicle until the department has
751 stamped in a conspicuous place on the certificate of title for
752 the vehicle words stating that the vehicle has been rebuilt or
753 assembled from parts, or is a kit car, glider kit, replica, ~~or~~
754 flood vehicle, custom vehicle, or street rod unless proper
755 application for a certificate of title for a vehicle that is
756 rebuilt or assembled from parts, or is a kit car, glider kit,

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757 replica, ~~or~~ flood vehicle, custom vehicle, or street rod has
758 been made to the department in accordance with this chapter and
759 the department has conducted the physical examination of the
760 vehicle to ensure ~~assure~~ the identity of the vehicle and all
761 major component parts, as defined in s. 319.30(1), which have
762 been repaired or replaced. Thereafter, the department shall
763 affix a decal to the vehicle, in the manner prescribed by the
764 department, showing the vehicle to be rebuilt.

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

766 ~~1.4.~~ "Assembled from parts" means a motor vehicle or
767 mobile home assembled from parts or combined from parts of motor
768 vehicles or mobile homes, new or used. The term ~~"Assembled from~~
769 ~~parts"~~ does not include ~~mean~~ a motor vehicle defined as a
770 "rebuilt vehicle" in subparagraph 9. 3.7, which has been declared
771 a total loss pursuant to s. 319.30.

772 2. "Custom vehicle" means a motor vehicle that:

773 a.(I) Is 25 years old or older and of a model year after
774 1948 or was manufactured to resemble a vehicle that is 25 years
775 old or older and of a model year after 1948; and

776 (II) Has been altered from the manufacturer's original
777 design or has a body constructed from nonoriginal materials.

778 b. The model year and year of manufacture which the body
779 of a custom vehicle resembles is the model year and year of
780 manufacture listed on the certificate of title, regardless of
781 when the vehicle was actually manufactured.

782 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
783 that has been declared to be a total loss pursuant to s.
784 319.30(3) (a) resulting from damage caused by water.

785 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
 786 supplied by a manufacturer to rebuild a wrecked or outdated
 787 truck or truck tractor.

788 5. "Kit car" means a motor vehicle assembled with a kit
 789 supplied by a manufacturer to rebuild a wrecked or outdated
 790 motor vehicle with a new body kit.

791 ~~6.a.e.~~ "Lease vehicle" includes both short-term-lease
 792 vehicles and long-term-lease vehicles.

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

796 ~~c.2.a.~~ "Short-term-lease vehicle" means a motor vehicle
 797 leased without a driver and under a written agreement to one or
 798 more persons from time to time for a period of less than 12
 799 months.

800 ~~7.9.~~ "Nonconforming vehicle" means a motor vehicle that
 801 ~~which~~ has been purchased by a manufacturer pursuant to a
 802 settlement, determination, or decision under chapter 681.

803 ~~8.1.~~ "Police vehicle" means a motor vehicle owned or
 804 leased by the state or a county or municipality and used in law
 805 enforcement.

806 ~~9.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
 807 home built from salvage or junk, as defined in s. 319.30(1).

808 ~~10.7.~~ "Replica" means a complete new motor vehicle
 809 manufactured to look like an old vehicle.

810 ~~11.10.~~ "Settlement" means an agreement entered into
 811 between a manufacturer and a consumer that occurs after a
 812 dispute is submitted to a program, or an informal dispute

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813 settlement procedure established by a manufacturer or is
814 approved for arbitration before the New Motor Vehicle
815 Arbitration Board as defined in s. 681.102.

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

817 a.(I) Is of a model year of 1948 or older or was
818 manufactured after 1948 to resemble a vehicle of a model year of
819 1948 or older; and

820 (II) Has been altered from the manufacturer's original
821 design or has a body constructed from nonoriginal materials.

822 b. The model year and year of manufacture which the body
823 of a street rod resembles is the model year and year of
824 manufacture listed on the certificate of title, regardless of
825 when the vehicle was actually manufactured.

826 (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or
827 transfer a vehicle referred to in subsection (1) without, prior
828 to consummating the sale, exchange, or transfer, disclosing in
829 writing to the purchaser, customer, or transferee the fact that
830 the vehicle has previously been titled, registered, or used as a
831 taxicab, police vehicle, or short-term-lease vehicle or is a
832 vehicle that is rebuilt or assembled from parts, or is a kit
833 car, glider kit, replica, or flood vehicle, or is a
834 nonconforming vehicle, custom vehicle, or street rod, as the
835 case may be.

836 (3) A ~~Any~~ person who, with intent to offer for sale or
837 exchange any vehicle referred to in subsection (1), knowingly or
838 intentionally advertises, publishes, disseminates, circulates,
839 or places before the public in any communications medium,
840 whether directly or indirectly, any offer to sell or exchange

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841 the vehicle shall clearly and precisely state in each such offer
842 that the vehicle has previously been titled, registered, or used
843 as a taxicab, police vehicle, or short-term-lease vehicle or
844 that the vehicle or mobile home is a vehicle that is rebuilt or
845 assembled from parts, or is a kit car, glider kit, replica, or
846 flood vehicle, or a nonconforming vehicle, custom vehicle, or
847 street rod, as the case may be. A ~~Any~~ person who violates this
848 subsection commits a misdemeanor of the second degree,
849 punishable as provided in s. 775.082 or s. 775.083.

850 (4) When a certificate of title, including a foreign
851 certificate, is branded to reflect a condition or prior use of
852 the titled vehicle, the brand must be noted on the registration
853 certificate of the vehicle and such brand shall be carried
854 forward on all subsequent certificates of title and registration
855 certificates issued for the life of the vehicle.

856 (5) A ~~Any~~ person who knowingly sells, exchanges, or offers
857 to sell or exchange a motor vehicle or mobile home contrary to
858 the provisions of this section or any officer, agent, or
859 employee of a person who knowingly authorizes, directs, aids in,
860 or consents to the sale, exchange, or offer to sell or exchange
861 a motor vehicle or mobile home contrary to the provisions of
862 this section commits a misdemeanor of the second degree,
863 punishable as provided in s. 775.082 or s. 775.083.

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

868 (7) This section applies to a mobile home, travel trailer,

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869 camping trailer, truck camper, or fifth-wheel recreation trailer
870 only when such mobile home or vehicle is a rebuilt vehicle or is
871 assembled from parts.

872 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in
873 any civil action arising out of a violation of this section if
874 the designation of the previous use or condition of the motor
875 vehicle is not noted on the certificate of title and
876 registration certificate of the vehicle which was received by,
877 or delivered to, such person, unless such person has actively
878 concealed the prior use or condition of the vehicle from the
879 purchaser.

880 (9) Subsections (1), (2), and (3) do not apply to the
881 transfer of ownership of a motor vehicle after the motor vehicle
882 has ceased to be used as a lease vehicle and the ownership has
883 been transferred to an owner for private use or to the transfer
884 of ownership of a nonconforming vehicle with 36,000 or more
885 miles on its odometer, or 34 months whichever is later and the
886 ownership has been transferred to an owner for private use. Such
887 owner, as shown on the title certificate, may request the
888 department to issue a corrected certificate of title that does
889 not contain the statement of the previous use of the vehicle as
890 a lease vehicle or condition as a nonconforming vehicle.

891 Section 16. Present subsections (7), (8), and (9) of
892 section 319.225, Florida Statutes, are redesignated as
893 subsections (8), (9), and (10), respectively, a new subsection
894 (7) is added to that section, and present subsection (8) of that
895 section is amended, to read:

896 319.225 Transfer and reassignment forms; odometer

897 disclosure statements.-

898 (7) Subject to approval by the National Highway Traffic
 899 Safety Administration or any other applicable authority, if a
 900 title is held electronically and the transferee agrees to
 901 maintain the title electronically, the transferor and transferee
 902 shall complete a secure reassignment document that discloses the
 903 odometer reading and that is signed by the transferor and
 904 transferee at the tax collector's office or license plate
 905 agency's office. A dealer acquiring a motor vehicle that has an
 906 electronic title shall use a secure reassignment document signed
 907 by the person from whom the dealer acquired the motor vehicle.
 908 Upon transferring the motor vehicle to a purchaser, the dealer
 909 shall execute a separate reassignment document.

910 (9)~~(8)~~ Upon transfer or reassignment of a used motor
 911 vehicle through the services of an auction, the auction shall
 912 complete the information in the space provided for by subsection
 913 (8) ~~(7)~~. Any person who fails to complete the information as
 914 required by this subsection commits ~~is guilty of~~ a misdemeanor
 915 of the second degree, punishable as provided in s. 775.082 or s.
 916 775.083. The department may ~~shall~~ not issue a certificate of
 917 title unless this subsection has been complied with.

918 Section 17. Subsection (6) of section 319.23, Florida
 919 Statutes, is amended, present subsections (7) through (11) of
 920 that section are redesignated as subsections (8) through (12),
 921 respectively, and a new subsection (7) is added to that section,
 922 to read:

923 319.23 Application for, and issuance of, certificate of
 924 title.-

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925 (6) (a) In the case of the sale of a motor vehicle or
926 mobile home by a licensed dealer to a general purchaser, the
927 certificate of title must be obtained in the name of the
928 purchaser by the dealer upon application signed by the
929 purchaser, and in each other case the ~~such~~ certificate must be
930 obtained by the purchaser. In each case of transfer of a motor
931 vehicle or mobile home, the application for a certificate of
932 title, a corrected certificate, or an assignment or reassignment
933 must be filed within 30 days after the delivery of the motor
934 vehicle or after consummation of the sale of the mobile home to
935 the purchaser. An applicant must pay a fee of \$20, in addition
936 to all other fees and penalties required by law, for failing to
937 file such application within the specified time. In the case of
938 the sale of a motor vehicle by a licensed motor vehicle dealer
939 to a general purchaser who resides in another state or country,
940 the dealer is not required to apply for a certificate of title
941 for the motor vehicle; however, the dealer must transfer
942 ownership and reassign the certificate of title or
943 manufacturer's certificate of origin to the purchaser, and the
944 purchaser must sign an affidavit, as approved by the department,
945 that the purchaser will title and register the motor vehicle in
946 another state or country.

947 (b) If a licensed dealer acquires a motor vehicle or
948 mobile home as a trade-in, the dealer must file with the
949 department, within 30 days, a notice of sale signed by the
950 seller. The department shall update its database for that title
951 record to indicate "sold." A licensed dealer need not apply for
952 a certificate of title for any motor vehicle or mobile home in

953 stock acquired for stock purposes except as provided in s.
 954 319.225.

955 (7) If an applicant for a certificate of title is unable
 956 to provide the department with a certificate of title that
 957 assigns the prior owner's interest in the motor vehicle, the
 958 department may accept a bond in the form prescribed by the
 959 department, along with an affidavit in a form prescribed by the
 960 department, which includes verification of the vehicle
 961 identification number and an application for title.

962 (a) The bond must be:

963 1. In a form prescribed by the department;

964 2. Executed by the applicant;

965 3. Issued by a person authorized to conduct a surety
 966 business in this state;

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

969 5. Conditioned to indemnify all prior owners and
 970 lienholders and all subsequent purchasers of the vehicle or
 971 persons who acquire a security interest in the vehicle, and
 972 their successors in interest, against any expense, loss, or
 973 damage, including reasonable attorney fees, occurring because of
 974 the issuance of the certificate of title for the vehicle or for
 975 a defect in or undisclosed security interest on the right,
 976 title, or interest of the applicant to the vehicle.

977 (b) An interested person has a right to recover on the
 978 bond for a breach of the bond's condition. The aggregate
 979 liability of the surety to all persons may not exceed the amount
 980 of the bond.

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

983 (d) The affidavit must:

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

985 2. Include the facts and circumstances under which the
 986 applicant acquired ownership and possession of the motor
 987 vehicle;

988 3. Disclose that no security interests, liens, or
 989 encumbrances against the motor vehicle are known to the
 990 applicant against the motor vehicle; and

991 4. State that the applicant has the right to have a
 992 certificate of title issued.

993 Section 18. Subsection (8) of section 319.24, Florida
 994 Statutes, is amended to read:

995 319.24 Issuance in duplicate; delivery; liens and
 996 encumbrances.—

997 (8) Notwithstanding any requirements in this section or in
 998 s. 319.27 indicating that a lien on a motor vehicle or mobile
 999 home shall be noted on the face of the Florida certificate of
 1000 title, if there are one or more liens or encumbrances on the
 1001 motor vehicle or mobile home, the department shall ~~may~~
 1002 electronically transmit the lien to the first lienholder and
 1003 notify the first lienholder of any additional liens. Subsequent
 1004 lien satisfactions shall ~~may~~ be electronically transmitted to
 1005 the department and must ~~shall~~ include the name and address of
 1006 the person or entity satisfying the lien. When electronic
 1007 transmission of liens and lien satisfactions is ~~are~~ used, the
 1008 issuance of a certificate of title may be waived until the last

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1009 | lien is satisfied and a clear certificate of title is issued to
 1010 | the owner of the vehicle. In subsequent transfer of ownership of
 1011 | the motor vehicle, it shall be presumed that the motor vehicle
 1012 | title is subject to a lien as set forth in s. 319.225(6)(a)
 1013 | until the title to be issued pursuant to this subsection is
 1014 | received by the person or entity satisfying the lien.

1015 | Section 19. Subsection (7) is added to section 319.27,
 1016 | Florida Statutes, to read:

1017 | 319.27 Notice of lien on motor vehicles or mobile homes;
 1018 | notation on certificate; recording of lien.—

1019 | (7) The department shall administer an electronic titling
 1020 | program that requires the electronic recording of vehicle title
 1021 | information for new, transferred, and corrected certificates of
 1022 | title. Lienholders shall electronically transmit liens and lien
 1023 | satisfactions to the department in a format determined by the
 1024 | department. Individuals and lienholders who the department
 1025 | determines are not normally engaged in the business or practice
 1026 | of financing vehicles are exempt from the electronic titling
 1027 | requirement.

1028 | Section 20. Subsection (3) is added to section 319.28,
 1029 | Florida Statutes, to read:

1030 | 319.28 Transfer of ownership by operation of law.—

1031 | (3) A dealer of farm or industrial equipment who conducts
 1032 | a repossession, as defined in s. 493.6101(22), of such equipment
 1033 | is not subject to licensure as a recovery agent or recovery
 1034 | agency if the dealer is regularly engaged in the sale of the
 1035 | equipment for a particular manufacturer and the lender is
 1036 | affiliated with that manufacturer.

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1037 Section 21. Section 319.40, Florida Statutes, is amended
 1038 to read:

1039 319.40 Transactions by electronic or telephonic means.—

1040 (1) The department may ~~is authorized to~~ accept any
 1041 application provided for under this chapter by electronic or
 1042 telephonic means.

1043 (2) The department may issue an electronic certificate of
 1044 title in lieu of printing a paper title.

1045 (3) The department may collect electronic mail addresses
 1046 and use electronic mail in lieu of the United States Postal
 1047 Service as a method of notification. However, any notice
 1048 regarding the potential forfeiture or foreclosure of an interest
 1049 in property must be sent via the United States Postal Service.

1050 Section 22. Paragraph (a) of subsection (1) of section
 1051 320.01, Florida Statutes, is amended, and subsection (46) is
 1052 added to that section, to read:

1053 320.01 Definitions, general.—As used in the Florida
 1054 Statutes, except as otherwise provided, the term:

1055 (1) "Motor vehicle" means:

1056 (a) An automobile, motorcycle, truck, trailer,
 1057 semitrailer, truck tractor and semitrailer combination, or any
 1058 other vehicle operated on the roads of this state, used to
 1059 transport persons or property, and propelled by power other than
 1060 muscular power, but the term does not include traction engines,
 1061 road rollers, special mobile equipment as defined in s.
 1062 316.003(48), such vehicles that ~~as~~ run only upon a track,
 1063 bicycles, swamp buggies, or mopeds.

1064 (46) "Swamp buggy" means a motorized off-road vehicle that

1065 is designed or modified to travel over swampy or varied terrain
 1066 and that may use large tires or tracks operated from an elevated
 1067 platform. The term does not include any vehicle defined in
 1068 chapter 261 or otherwise defined or classified in this chapter.

1069 Section 23. Subsection (2) and paragraph (e) of subsection
 1070 (5) of section 320.02, Florida Statutes, are amended, paragraph
 1071 (o) is added to subsection (15), and subsections (18) and (19)
 1072 are added to that section, to read:

1073 320.02 Registration required; application for
 1074 registration; forms.—

1075 (2) (a) The application for registration shall include the
 1076 street address of the owner's permanent residence or the address
 1077 of his or her permanent place of business and shall be
 1078 accompanied by personal or business identification information
 1079 which may include, but need not be limited to, a driver ~~driver's~~
 1080 license number, Florida identification card number, or federal
 1081 employer identification number. If the owner does not have a
 1082 permanent residence or permanent place of business or if the
 1083 owner's permanent residence or permanent place of business
 1084 cannot be identified by a street address, the application shall
 1085 include:

1086 1. If the vehicle is registered to a business, the name
 1087 and street address of the permanent residence of an owner of the
 1088 business, an officer of the corporation, or an employee who is
 1089 in a supervisory position.

1090 2. If the vehicle is registered to an individual, the name
 1091 and street address of the permanent residence of a close
 1092 relative or friend who is a resident of this state.

1093
 1094 If the vehicle is registered to an active duty member of the
 1095 Armed Forces of the United States who is a Florida resident, the
 1096 active duty member is exempt from the requirement to provide the
 1097 street address of a permanent residence.

1098 (b) The department shall prescribe a form upon which motor
 1099 vehicle owners may record odometer readings when registering
 1100 their motor vehicles.

1101 (5)

1102 (e) Upon the expiration date noted in the cancellation
 1103 policy that the department receives from the insurer, the
 1104 department shall suspend the registration, issued under this
 1105 chapter or s. 207.004(1), of a motor carrier who operates a
 1106 commercial motor vehicle or who permits it to be operated in
 1107 this state during the registration period without having in full
 1108 force ~~and effect~~ liability insurance, a surety bond, or a valid
 1109 self-insurance certificate that complies with ~~the provisions of~~
 1110 this section. The department may cancel the liability insurance
 1111 policy or surety bond no less than 10 days after receiving the
 1112 insurer's ~~may not be canceled on less than 30 days' written~~
 1113 ~~notice by the insurer to the department, such 30 days' notice to~~
 1114 ~~commence from the date notice is received by the department. The~~
 1115 insurer's notice must contain information required by the
 1116 department and must be provided in a format that is compatible
 1117 with the data processing capabilities of the department. The
 1118 department may adopt rules regarding the form and required
 1119 documentation. An insurer who fails to file the proper
 1120 documentation with the department as required in this subsection

1121 or by rules adopted under this subsection violates the Florida
 1122 Insurance Code. The department may use the documentation only
 1123 for enforcement and regulatory purposes, including the
 1124 generation of data regarding compliance by owners of motor
 1125 vehicles with the requirements for financial responsibility
 1126 coverage.

1127 (15)

1128 (o) The application form for motor vehicle registration
 1129 and renewal registration must include language permitting a
 1130 voluntary contribution of \$1 to the Florida Association of Food
 1131 Banks, Inc. The proceeds shall be distributed by the department
 1132 each month to Florida Association of Food Banks, Inc., to be
 1133 used by that organization for the purpose of ending hunger in
 1134 this state.

1135
 1136 For the purpose of applying the service charge provided in s.
 1137 215.20, contributions received under this subsection are not
 1138 income of a revenue nature.

1139 (18) Notwithstanding subsections (8), (14), and (15), the
 1140 department and the tax collectors acting as agents for the
 1141 department shall provide a complete list of voluntary
 1142 contributions authorized by law to customers applying for
 1143 registration or renewal registration. The renewal application
 1144 forms must include either a complete list of all authorized
 1145 voluntary contributions or the department's website address
 1146 which provides a complete list and information on all authorized
 1147 voluntary contributions. The department or a tax collector may
 1148 include on the renewal application forms a complete list of

1149 authorized voluntary contributions and the department's website
 1150 address. Customers renewing a registration at either a tax
 1151 collector's office or a department office shall be provided
 1152 information on voluntary contribution options.

1153 (19) The department shall retain all electronic
 1154 registration records for at least 10 years.

1155 Section 24. Subsection (8) of section 320.03, Florida
 1156 Statutes, is amended to read:

1157 320.03 Registration; duties of tax collectors;
 1158 International Registration Plan.—

1159 (8) If the applicant's name appears on the list referred
 1160 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a
 1161 license plate or revalidation sticker may not be issued until
 1162 that person's name no longer appears on the list or until the
 1163 person presents a receipt from the governmental entity or the
 1164 clerk of court that provided the data showing that the fines
 1165 outstanding have been paid. This subsection does not apply to
 1166 the owner of a leased vehicle if the vehicle is registered in
 1167 the name of the lessee of the vehicle. The tax collector and the
 1168 clerk of the court are each entitled to receive monthly, as
 1169 costs for implementing and administering this subsection, 10
 1170 percent of the civil penalties and fines recovered from such
 1171 persons. As used in this subsection, the term "civil penalties
 1172 and fines" does not include a wrecker operator's lien as
 1173 described in s. 713.78(13). If the tax collector has private tag
 1174 agents, such tag agents are entitled to receive a pro rata share
 1175 of the amount paid to the tax collector, based upon the
 1176 percentage of license plates and revalidation stickers issued by

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1177 the tag agent compared to the total issued within the county.
 1178 The authority of any private agent to issue license plates shall
 1179 be revoked, after notice and a hearing as provided in chapter
 1180 120, if he or she issues any license plate or revalidation
 1181 sticker contrary to the provisions of this subsection. This
 1182 section applies only to the annual renewal in the owner's birth
 1183 month of a motor vehicle registration and does not apply to the
 1184 transfer of a registration of a motor vehicle sold by a motor
 1185 vehicle dealer licensed under this chapter, except for the
 1186 transfer of registrations which includes ~~is inclusive of~~ the
 1187 annual renewals. This section does not affect the issuance of
 1188 the title to a motor vehicle, notwithstanding s. 319.23(8)(b)
 1189 ~~319.23(7)(b)~~.

1190 Section 25. Paragraph (c) of subsection (1) and paragraph
 1191 (a) of subsection (3) of section 320.06, Florida Statutes, are
 1192 amended to read:

1193 320.06 Registration certificates, license plates, and
 1194 validation stickers generally.—

1195 (1)

1196 (c) Registration license plates equipped with validation
 1197 stickers subject to the registration period are valid for not
 1198 more than 12 months and expire at midnight on the last day of
 1199 the registration period. A registration license plate equipped
 1200 with a validation sticker subject to the extended registration
 1201 period is valid for not more than 24 months and expires at
 1202 midnight on the last day of the extended registration period.
 1203 For each registration period after the one in which the original
 1204 ~~metal~~ registration license plate is issued, and until the

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1205 license plate is required to be replaced, a validation sticker
 1206 showing the month and year of expiration shall be issued upon
 1207 payment of the proper license tax amount and fees and is valid
 1208 for not more than 12 months. For each extended registration
 1209 period occurring after the one in which the original ~~metal~~
 1210 registration license plate is issued and until the license plate
 1211 is required to be replaced, a validation sticker showing the
 1212 year of expiration shall be issued upon payment of the proper
 1213 license tax amount and fees and is valid for not more than 24
 1214 months. When license plates equipped with validation stickers
 1215 are issued in any month other than the owner's birth month or
 1216 the designated registration period for any other motor vehicle,
 1217 the effective date shall reflect the birth month or month and
 1218 the year of renewal. However, when a license plate or validation
 1219 sticker is issued for a period of less than 12 months, the
 1220 applicant shall pay the appropriate amount of license tax and
 1221 the applicable fee under s. 320.14 in addition to all other
 1222 fees. Validation stickers issued for vehicles taxed under s.
 1223 320.08(6)(a), for any company that owns 250 vehicles or more, or
 1224 for semitrailers taxed under the provisions of s. 320.08(5)(a),
 1225 for any company that owns 50 vehicles or more, may be placed on
 1226 any vehicle in the fleet so long as the vehicle receiving the
 1227 validation sticker has the same owner's name and address as the
 1228 vehicle to which the validation sticker was originally assigned.

1229 (3)(a) Registration license plates must be ~~made of metal~~
 1230 ~~specialy~~ treated with a retroreflection material, as specified
 1231 by the department. The registration license plate is designed to
 1232 increase nighttime visibility and legibility and must be at

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1233 least 6 inches wide and not less than 12 inches in length,
1234 unless a plate with reduced dimensions is deemed necessary by
1235 the department to accommodate motorcycles, mopeds, or similar
1236 smaller vehicles. Validation stickers must also be treated with
1237 a retroreflection material, must be of such size as specified by
1238 the department, and must adhere to the license plate. The
1239 registration license plate must be imprinted with a combination
1240 of bold letters and numerals or numerals, not to exceed seven
1241 digits, to identify the registration license plate number. The
1242 license plate must be imprinted with the word "Florida" at the
1243 top and the name of the county in which it is sold, the state
1244 motto, or the words "Sunshine State" at the bottom. Apportioned
1245 license plates must have the word "Apportioned" at the bottom
1246 and license plates issued for vehicles taxed under s.
1247 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
1248 the word "Restricted" at the bottom. License plates issued for
1249 vehicles taxed under s. 320.08(12) must be imprinted with the
1250 word "Florida" at the top and the word "Dealer" at the bottom.
1251 Manufacturer license plates issued for vehicles taxed under s.
1252 320.08(12) must be imprinted with the word "Florida" at the top
1253 and the word "Manufacturer" at the bottom. License plates issued
1254 for vehicles taxed under s. 320.08(5)(d) or (e) must be
1255 imprinted with the word "Wrecker" at the bottom. Any county may,
1256 upon majority vote of the county commission, elect to have the
1257 county name removed from the license plates sold in that county.
1258 The state motto or the words "Sunshine State" shall be printed
1259 in lieu thereof. A license plate issued for a vehicle taxed
1260 under s. 320.08(6) may not be assigned a registration license

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1261 number~~7~~ or be issued with any other distinctive character or
 1262 designation~~7~~ that distinguishes the motor vehicle as a for-hire
 1263 motor vehicle.

1264 Section 26. Section 320.0605, Florida Statutes, is amended
 1265 to read:

1266 320.0605 Certificate of registration; possession required;
 1267 exception.—

1268 (1) The registration certificate or an official copy
 1269 thereof, a true copy of a rental or lease documentation
 1270 ~~agreement~~ issued for a motor vehicle or issued for a replacement
 1271 vehicle in the same registration period, a temporary receipt
 1272 printed upon self-initiated electronic renewal of a registration
 1273 via the Internet, or a cab card issued for a vehicle registered
 1274 under the International Registration Plan shall, at all times
 1275 while the vehicle is being used or operated on the roads of this
 1276 state, be in the possession of the operator thereof or be
 1277 carried in the vehicle for which issued and shall be exhibited
 1278 upon demand of any authorized law enforcement officer or any
 1279 agent of the department, except for a vehicle registered under
 1280 s. 320.0657. The provisions of this section do not apply during
 1281 the first 30 days after purchase of a replacement vehicle. A
 1282 violation of this section is a noncriminal traffic infraction,
 1283 punishable as a nonmoving violation as provided in chapter 318.

1284 (2) The rental or lease documentation required under
 1285 subsection (1) must include all of the following information:

1286 (a) The authorized renter's or lessee's name.

1287 (b) The date of rental or lease and time of exit from the
 1288 rental or lease facility.

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- 1289 (c) The rental or lease station identification.
- 1290 (d) The rental or lease agreement number.
- 1291 (e) The rental or lease vehicle's vehicle identification
- 1292 number or VIN.
- 1293 (f) The rental or lease vehicle's license plate number and
- 1294 state of registration.
- 1295 (g) The rental or lease vehicle's make, model, and color.
- 1296 (h) The rental or lease vehicle's mileage when rented or
- 1297 leased.

1298 Section 27. Section 320.061, Florida Statutes, is amended
 1299 to read:

1300 320.061 Unlawful to alter motor vehicle registration
 1301 certificates, license plates, temporary license plates, mobile
 1302 home stickers, or validation stickers or to obscure license
 1303 plates; penalty.—A ~~No~~ person may not ~~shall~~ alter the original
 1304 appearance of a vehicle registration certificate, ~~any~~
 1305 ~~registration~~ license plate, temporary license plate, mobile home
 1306 sticker, or validation sticker, ~~or vehicle registration~~
 1307 ~~certificate~~ issued for and assigned to a ~~any~~ motor vehicle or
 1308 mobile home, whether by mutilation, alteration, defacement, or
 1309 change of color or in any other manner. A ~~No~~ person may not
 1310 ~~shall~~ apply or attach a ~~any~~ substance, reflective matter,
 1311 illuminated device, spray, coating, covering, or other material
 1312 onto or around any license plate which ~~that~~ interferes with the
 1313 legibility, angular visibility, or detectability of any feature
 1314 or detail on the license plate or interferes with the ability to
 1315 record any feature or detail on the license plate. A ~~Any~~ person
 1316 who violates this section commits a noncriminal traffic

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1317 | infraction, punishable as a moving violation as provided in
 1318 | chapter 318.

1319 | Section 28. Paragraph (z) of subsection (4) of section
 1320 | 320.08056, Florida Statutes, is amended to read:

1321 | 320.08056 Specialty license plates.—

1322 | (4) The following license plate annual use fees shall be
 1323 | collected for the appropriate specialty license plates:

1324 | (z) Tampa Bay Estuary license plate, \$25 ~~\$15~~.

1325 | Section 29. Paragraph (e) of subsection (4) of section
 1326 | 320.08068, Florida Statutes, is amended to read:

1327 | 320.08068 Motorcycle specialty license plates.—

1328 | (4) A license plate annual use fee of \$20 shall be
 1329 | collected for each motorcycle specialty license plate. Annual
 1330 | use fees shall be distributed to The Able Trust as custodial
 1331 | agent. The Able Trust may retain a maximum of 10 percent of the
 1332 | proceeds from the sale of the license plate for administrative
 1333 | costs. The Able Trust shall distribute the remaining funds as
 1334 | follows:

1335 | (e) Twenty percent to the Florida Association of Centers
 1336 | for Independent Living ~~to be used to leverage additional funding~~
 1337 | ~~and new sources of revenue for the centers for independent~~
 1338 | ~~living in this state.~~

1339 | Section 30. Subsection (4) of section 320.0848, Florida
 1340 | Statutes, is amended to read:

1341 | 320.0848 Persons who have disabilities; issuance of
 1342 | disabled parking permits; temporary permits; permits for certain
 1343 | providers of transportation services to persons who have
 1344 | disabilities.—

1345 (4) From the proceeds of the temporary disabled parking
 1346 permit fees:

1347 (a) The Department of Highway Safety and Motor Vehicles
 1348 must receive \$3.50 for each temporary permit, to be deposited
 1349 into the Highway Safety Operating Trust Fund and used for
 1350 implementing the real-time disabled parking permit database and
 1351 for administering the disabled parking permit program.

1352 (b) The tax collector, for processing, must receive \$2.50
 1353 for each temporary permit.

1354 (c) The remainder must be distributed monthly as follows:

1355 1. To the Florida Endowment Foundation for Vocational
 1356 Rehabilitation, known as "The Able Trust," ~~Governor's Alliance~~
 1357 ~~for the Employment of Disabled Citizens~~ for the purpose of
 1358 improving employment and training opportunities for persons who
 1359 have disabilities, with special emphasis on removing
 1360 transportation barriers, \$4. These fees must be directly
 1361 deposited into the Florida Endowment Foundation for Vocational
 1362 Rehabilitation as established in s. 413.615 ~~Transportation~~
 1363 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~
 1364 ~~Alliance for Employment of Disabled Citizens.~~

1365 2. To the Transportation Disadvantaged Trust Fund to be
 1366 used for funding matching grants to counties for the purpose of
 1367 improving transportation of persons who have disabilities, \$5.

1368 Section 31. Paragraph (a) of subsection (1) of section
 1369 320.089, Florida Statutes, is amended to read:

1370 320.089 Members of National Guard and active United States
 1371 Armed Forces reservists; former prisoners of war; survivors of
 1372 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi

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1373 Freedom and Operation Enduring Freedom Veterans; Combat Infantry
 1374 Badge recipients; special license plates; fee.—

1375 (1) (a) Each owner or lessee of an automobile or truck for
 1376 private use or recreational vehicle as specified in s.
 1377 320.08(9) (c) or (d), which is not used for hire or commercial
 1378 use, who is a resident of the state and an active or retired
 1379 member of the Florida National Guard, a survivor of the attack
 1380 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
 1381 active or retired member of any branch of the United States
 1382 Armed Forces Reserve, or a recipient of the Combat Infantry
 1383 Badge shall, upon application to the department, accompanied by
 1384 proof of active membership or retired status in the Florida
 1385 National Guard, proof of membership in the Pearl Harbor
 1386 Survivors Association or proof of active military duty in Pearl
 1387 Harbor on December 7, 1941, proof of being a Purple Heart medal
 1388 recipient, ~~or~~ proof of active or retired membership in any
 1389 branch of the Armed Forces Reserve, or proof of membership in
 1390 the Combat Infantrymen's Association, Inc., or other proof of
 1391 being a recipient of the Combat Infantry Badge, and upon payment
 1392 of the license tax for the vehicle as provided in s. 320.08, be
 1393 issued a license plate as provided by s. 320.06, upon which, in
 1394 lieu of the serial numbers prescribed by s. 320.06, shall be
 1395 stamped the words "National Guard," "Pearl Harbor Survivor,"
 1396 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
 1397 Badge," as appropriate, followed by the serial number of the
 1398 license plate. Additionally, the Purple Heart plate may have the
 1399 words "Purple Heart" stamped on the plate and the likeness of
 1400 the Purple Heart medal appearing on the plate.

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1401 Section 32. Subsection (3) of section 320.27, Florida
1402 Statutes, is amended to read:

1403 320.27 Motor vehicle dealers.—

1404 (3) APPLICATION AND FEE.—The application for the license
1405 shall be in such form as may be prescribed by the department and
1406 shall be subject to such rules with respect thereto as may be so
1407 prescribed by it. Such application shall be verified by oath or
1408 affirmation and shall contain a full statement of the name and
1409 birth date of the person or persons applying therefor; the name
1410 of the firm or copartnership, with the names and places of
1411 residence of all members thereof, if such applicant is a firm or
1412 copartnership; the names and places of residence of the
1413 principal officers, if the applicant is a body corporate or
1414 other artificial body; the name of the state under whose laws
1415 the corporation is organized; the present and former place or
1416 places of residence of the applicant; and prior business in
1417 which the applicant has been engaged and the location thereof.
1418 Such application shall describe the exact location of the place
1419 of business and shall state whether the place of business is
1420 owned by the applicant and when acquired, or, if leased, a true
1421 copy of the lease shall be attached to the application. The
1422 applicant shall certify that the location provides an adequately
1423 equipped office and is not a residence; that the location
1424 affords sufficient unoccupied space upon and within which
1425 adequately to store all motor vehicles offered and displayed for
1426 sale; and that the location is a suitable place where the
1427 applicant can in good faith carry on such business and keep and
1428 maintain books, records, and files necessary to conduct such

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1429 business, which shall ~~will~~ be available at all reasonable hours
1430 to inspection by the department or any of its inspectors or
1431 other employees. The applicant shall certify that the business
1432 of a motor vehicle dealer is the principal business which shall
1433 be conducted at that location. The ~~Such~~ application shall
1434 contain a statement that the applicant is either franchised by a
1435 manufacturer of motor vehicles, in which case the name of each
1436 motor vehicle that the applicant is franchised to sell shall be
1437 included, or an independent (nonfranchised) motor vehicle
1438 dealer. The ~~Such~~ application shall contain ~~such~~ other relevant
1439 information as may be required by the department, including
1440 evidence that the applicant is insured under a garage liability
1441 insurance policy or a general liability insurance policy coupled
1442 with a business automobile policy, which shall include, at a
1443 minimum, \$25,000 combined single-limit liability coverage
1444 including bodily injury and property damage protection and
1445 \$10,000 personal injury protection. However, a salvage motor
1446 vehicle dealer as defined in subparagraph (1)(c)5. is exempt
1447 from the requirements for garage liability insurance and
1448 personal injury protection insurance on those vehicles that
1449 cannot be legally operated on state roads, highways, or streets.
1450 Franchise dealers must submit a garage liability insurance
1451 policy, and all other dealers must submit a garage liability
1452 insurance policy or a general liability insurance policy coupled
1453 with a business automobile policy. Such policy shall be for the
1454 license period, and evidence of a new or continued policy shall
1455 be delivered to the department at the beginning of each license
1456 period. Upon making initial application, the applicant shall pay

1457 to the department a fee of \$300 in addition to any other fees
 1458 now required by law.~~+~~ Upon making a subsequent renewal
 1459 application, the applicant shall pay to the department a fee of
 1460 \$75 in addition to any other fees now required by law. Upon
 1461 making an application for a change of location, the person shall
 1462 pay a fee of \$50 in addition to any other fees now required by
 1463 law. The department shall, in the case of every application for
 1464 initial licensure, verify whether certain facts set forth in the
 1465 application are true. Each applicant, general partner in the
 1466 case of a partnership, or corporate officer and director in the
 1467 case of a corporate applicant, must file a set of fingerprints
 1468 with the department for the purpose of determining any prior
 1469 criminal record or any outstanding warrants. The department
 1470 shall submit the fingerprints to the Department of Law
 1471 Enforcement for state processing and forwarding to the Federal
 1472 Bureau of Investigation for federal processing. The actual cost
 1473 of state and federal processing shall be borne by the applicant
 1474 and is in addition to the fee for licensure. The department may
 1475 issue a license to an applicant pending the results of the
 1476 fingerprint investigation, which license is fully revocable if
 1477 the department subsequently determines that any facts set forth
 1478 in the application are not true or correctly represented.

1479 Section 33. Subsection (1) of section 320.771, Florida
 1480 Statutes, is amended to read:

1481 320.771 License required of recreational vehicle dealers.-

1482 (1) DEFINITIONS.-As used in this section, the term:

1483 (a) 1. "Dealer" means any person engaged in the business of
 1484 buying, selling, or dealing in recreational vehicles or offering

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1485 or displaying recreational vehicles for sale. The term "dealer"
 1486 includes a recreational vehicle broker. Any person who buys,
 1487 sells, deals in, or offers or displays for sale, or who acts as
 1488 the agent for the sale of, one or more recreational vehicles in
 1489 any 12-month period shall be prima facie presumed to be a
 1490 dealer. The terms "selling" and "sale" include lease-purchase
 1491 transactions. The term "dealer" does not include banks, credit
 1492 unions, and finance companies that acquire recreational vehicles
 1493 as an incident to their regular business and does not include
 1494 mobile home rental and leasing companies that sell recreational
 1495 vehicles to dealers licensed under this section.

1496 2. A licensed dealer may transact business in recreational
 1497 vehicles with a motor vehicle auction as defined in s.
 1498 320.27(1)(c)4. Further, a licensed dealer may, at retail or
 1499 wholesale, sell a motor vehicle, as described in s.
 1500 320.01(1)(a), acquired in exchange for the sale of a
 1501 recreational vehicle, if the ~~such~~ acquisition is incidental to
 1502 the principal business of being a recreational vehicle dealer.
 1503 However, a recreational vehicle dealer may not buy a motor
 1504 vehicle for the purpose of resale unless licensed as a motor
 1505 vehicle dealer pursuant to s. 320.27. A dealer may apply for a
 1506 certificate of title to a recreational vehicle required to be
 1507 registered under s. 320.08(9), using a manufacturer's statement
 1508 of origin as permitted by s. 319.23(1), only if the dealer is
 1509 authorized by a manufacturer/dealer agreement, as defined in s.
 1510 320.3202, on file with the department, to buy, sell, or deal in
 1511 that particular line-make of recreational vehicle, and the
 1512 dealer is authorized by the manufacturer/dealer agreement to

1513 perform delivery and preparation obligations and warranty defect
 1514 adjustments on that line-make.

1515 (b) "Recreational vehicle broker" means any person who is
 1516 engaged in the business of offering to procure or procuring used
 1517 recreational vehicles for the general public; who holds himself
 1518 or herself out through solicitation, advertisement, or otherwise
 1519 as one who offers to procure or procures used recreational
 1520 vehicles for the general public; or who acts as the agent or
 1521 intermediary on behalf of the owner or seller of a used
 1522 recreational vehicle which is for sale or who assists or
 1523 represents the seller in finding a buyer for the recreational
 1524 vehicle.

1525 (c) ~~For the purposes of this section, the term~~
 1526 "Recreational vehicle" does not include any camping trailer, as
 1527 defined in s. 320.01(1)(b)2.

1528 Section 34. Section 320.95, Florida Statutes, is amended
 1529 to read:

1530 320.95 Transactions by electronic or telephonic means.—

1531 (1) The department may ~~is authorized to accept an~~ any
 1532 application provided for under this chapter by electronic or
 1533 telephonic means.

1534 (2) The department may collect electronic mail addresses
 1535 and use electronic mail in lieu of the United States Postal
 1536 Service for the purpose of providing renewal notices.

1537 Section 35. Section 322.04, Florida Statutes, is amended
 1538 to read:

1539 322.04 Persons exempt from obtaining driver ~~driver's~~
 1540 license.—

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1541 (1) The following persons are exempt from obtaining a
 1542 driver ~~driver's~~ license:

1543 (a) Any employee of the United States Government, while
 1544 operating a noncommercial motor vehicle owned by or leased to
 1545 the United States Government and being operated on official
 1546 business.

1547 (b) Any person while driving or operating any road
 1548 machine, farm tractor, or implement of husbandry temporarily
 1549 operated or moved on a highway.

1550 (c) A nonresident who is at least 16 years of age
 1551 operating ~~and who has in his or her immediate possession a valid~~
 1552 ~~noncommercial driver's license issued to the nonresident in his~~
 1553 ~~or her home state or country, may operate~~ a motor vehicle of the
 1554 type for which a Class E driver ~~driver's~~ license is required in
 1555 this state if the nonresident has in his or her immediate
 1556 possession:

1557 1. A valid noncommercial driver license issued in his or
 1558 her name from another state or territory of the United States;
 1559 or

1560 2. An International Driving Permit issued in his or her
 1561 name in his or her country of residence and a valid license
 1562 issued in that country.

1563 ~~(d) A nonresident who is at least 18 years of age and who~~
 1564 ~~has in his or her immediate possession a valid noncommercial~~
 1565 ~~driver's license issued to the nonresident in his or her home~~
 1566 ~~state or country may operate a motor vehicle, other than a~~
 1567 ~~commercial motor vehicle, in this state.~~

1568 (d)-(e) Any person operating a golf cart, as defined in s.

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1569 320.01, which is operated in accordance with the provisions of
 1570 s. 316.212.

1571 (2) ~~The provisions of~~ This section does ~~de~~ not apply to
 1572 any person to whom s. 322.031 applies.

1573 (3) Any person working for a firm under contract to the
 1574 United States Government, whose residence is outside ~~without~~
 1575 this state and whose main point of employment is outside ~~without~~
 1576 this state may drive a noncommercial vehicle on the public roads
 1577 of this state for periods up to 60 days while in this state on
 1578 temporary duty, if the ~~provided~~ such person has a valid driver
 1579 ~~driver's~~ license from the state of the ~~such~~ person's residence.

1580 Section 36. Paragraph (a) of subsection (1) of section
 1581 322.051, Florida Statutes, is amended, and subsection (9) is
 1582 added to that section, to read::

1583 322.051 Identification cards.—

1584 (1) Any person who is 5 years of age or older, or any
 1585 person who has a disability, regardless of age, who applies for
 1586 a disabled parking permit under s. 320.0848, may be issued an
 1587 identification card by the department upon completion of an
 1588 application and payment of an application fee.

1589 (a) The ~~Each~~ such application must ~~shall~~ include the
 1590 following information regarding the applicant:

1591 1. Full name (first, middle or maiden, and last), gender,
 1592 proof of social security card number satisfactory to the
 1593 department, county of residence, mailing address, proof of
 1594 residential address satisfactory to the department, country of
 1595 birth, and a brief description.

1596 2. Proof of birth date satisfactory to the department.

1597 3. Proof of identity satisfactory to the department. Such
 1598 proof must include one of the following documents issued to the
 1599 applicant:

1600 a. A driver ~~driver's~~ license record or identification card
 1601 record from another jurisdiction that required the applicant to
 1602 submit a document for identification which is substantially
 1603 similar to a document required under sub-subparagraph b., sub-
 1604 subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-
 1605 subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

1606 b. A certified copy of a United States birth certificate;

1607 c. A valid, unexpired United States passport;

1608 d. A naturalization certificate issued by the United
 1609 States Department of Homeland Security;

1610 e. A valid, unexpired alien registration receipt card
 1611 (green card);

1612 f. A Consular Report of Birth Abroad provided by the
 1613 United States Department of State;

1614 g. An unexpired employment authorization card issued by
 1615 the United States Department of Homeland Security; or

1616 h. Proof of nonimmigrant classification provided by the
 1617 United States Department of Homeland Security, for an original
 1618 identification card. In order to prove ~~such~~ nonimmigrant
 1619 classification, an applicant must provide at least one of
 1620 ~~applicants may produce but are not limited to~~ the following
 1621 documents. In addition, the department may require applicants to
 1622 produce United States Department of Homeland Security documents
 1623 for the sole purpose of establishing the maintenance of, or
 1624 efforts to maintain, continuous lawful presence:

- 1625 (I) A notice of hearing from an immigration court
 1626 scheduling a hearing on any proceeding.
- 1627 (II) A notice from the Board of Immigration Appeals
 1628 acknowledging pendency of an appeal.
- 1629 (III) A notice of the approval of an application for
 1630 adjustment of status issued by the United States Bureau of
 1631 Citizenship and Immigration Services.
- 1632 (IV) An ~~Any~~ official documentation confirming the filing
 1633 of a petition for asylum or refugee status or any other relief
 1634 issued by the United States Bureau of Citizenship and
 1635 Immigration Services.
- 1636 (V) A notice of action transferring any pending matter
 1637 from another jurisdiction to Florida, issued by the United
 1638 States Bureau of Citizenship and Immigration Services.
- 1639 (VI) An order of an immigration judge or immigration
 1640 officer granting ~~any~~ relief that authorizes the alien to live
 1641 and work in the United States, including, but not limited to,
 1642 asylum.
- 1643 (VII) Evidence that an application is pending for
 1644 adjustment of status to that of an alien lawfully admitted for
 1645 permanent residence in the United States or conditional
 1646 permanent resident status in the United States, if a visa number
 1647 is available having a current priority date for processing by
 1648 the United States Bureau of Citizenship and Immigration
 1649 Services.
- 1650 (VIII) On or after January 1, 2010, an unexpired foreign
 1651 passport with an unexpired United States Visa affixed,
 1652 accompanied by an approved I-94, documenting the most recent

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1653 admittance into the United States.

1654

1655 An identification card issued based on documents required
 1656 ~~Presentation of any of the documents described in sub-~~
 1657 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
 1658 ~~applicant to an identification card~~ for a period not to exceed
 1659 the expiration date of the document presented or 1 year,
 1660 whichever ~~first~~ occurs first.

1661 (9) Notwithstanding any other provision of this section or
 1662 s. 322.21 to the contrary, the department shall issue or renew a
 1663 card at no charge to a person who presents evidence satisfactory
 1664 to the department that he or she is homeless as defined in s.
 1665 414.0252(7).

1666 Section 37. Subsection (4) of section 322.058, Florida
 1667 Statutes, is amended to read:

1668 322.058 Suspension of driving privileges due to support
 1669 delinquency; reinstatement.—

1670 (4) This section applies only to the annual renewal in the
 1671 owner's birth month of a motor vehicle registration and does not
 1672 apply to the transfer of a registration of a motor vehicle sold
 1673 by a motor vehicle dealer licensed under chapter 320, except for
 1674 the transfer of registrations which includes ~~is inclusive of~~ the
 1675 annual renewals. This section does not affect the issuance of
 1676 the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~s.~~
 1677 ~~319.23(7)(b)~~.

1678 Section 38. Section 322.065, Florida Statutes, is amended
 1679 to read:

1680 322.065 Driver ~~Driver's~~ license expired for 6 ~~4~~ months or

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1681 less; penalties.—~~A~~ Any person whose driver ~~driver's~~ license has
 1682 been expired for 6 ~~4~~ months or less and who drives a motor
 1683 vehicle upon the highways of this state commits ~~is guilty of~~ an
 1684 infraction and is subject to the penalty provided in s. 318.18.

1685 Section 39. Subsection (3) of section 322.07, Florida
 1686 Statutes, is amended to read:

1687 322.07 Instruction permits and temporary licenses.—

1688 (3) Any person who, except for his or her lack of
 1689 instruction in operating a commercial motor vehicle, would
 1690 otherwise be qualified to obtain a commercial driver ~~driver's~~
 1691 license under this chapter, may apply for a temporary commercial
 1692 instruction permit. The department shall issue such a permit
 1693 entitling the applicant, while having the permit in his or her
 1694 immediate possession, to drive a commercial motor vehicle on the
 1695 highways, if ~~provided that~~:

1696 (a) The applicant possesses a valid Florida driver
 1697 ~~driver's~~ license ~~issued in any state~~; and

1698 (b) The applicant, while operating a commercial motor
 1699 vehicle, is accompanied by a licensed driver who is 21 years of
 1700 age or older, who is licensed to operate the class of vehicle
 1701 being operated, and who is ~~actually~~ occupying the closest seat
 1702 to the right of the driver.

1703 Section 40. Paragraph (c) of subsection (2) of section
 1704 322.08, Florida Statutes, is amended, and subsections (8) and
 1705 (9) are added to that section, to read:

1706 322.08 Application for license; requirements for license
 1707 and identification card forms.—

1708 (2) Each such application shall include the following

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1709 information regarding the applicant:

1710 (c) Proof of identity satisfactory to the department. Such
 1711 proof must include one of the following documents issued to the
 1712 applicant:

1713 1. A driver ~~driver's~~ license record or identification card
 1714 record from another jurisdiction that required the applicant to
 1715 submit a document for identification which is substantially
 1716 similar to a document required under subparagraph 2.,
 1717 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
 1718 6., subparagraph 7., or subparagraph 8.;

1719 2. A certified copy of a United States birth certificate;

1720 3. A valid, unexpired United States passport;

1721 4. A naturalization certificate issued by the United
 1722 States Department of Homeland Security;

1723 5. A valid, unexpired alien registration receipt card
 1724 (green card);

1725 6. A Consular Report of Birth Abroad provided by the
 1726 United States Department of State;

1727 7. An unexpired employment authorization card issued by
 1728 the United States Department of Homeland Security; or

1729 8. Proof of nonimmigrant classification provided by the
 1730 United States Department of Homeland Security, for an original
 1731 driver ~~driver's~~ license. In order to prove nonimmigrant
 1732 classification, an applicant must provide at least one of the
 1733 following documents. In addition, the department may require
 1734 applicants to produce United States Department of Homeland
 1735 Security documents for the sole purpose of establishing the
 1736 maintenance of, or efforts to maintain, continuous lawful

1737 ~~presence may produce the following documents, including, but not~~
 1738 ~~limited to:~~

1739 a. A notice of hearing from an immigration court
 1740 scheduling a hearing on any proceeding.

1741 b. A notice from the Board of Immigration Appeals
 1742 acknowledging pendency of an appeal.

1743 c. A notice of the approval of an application for
 1744 adjustment of status issued by the United States Bureau of
 1745 Citizenship and Immigration Services.

1746 d. An ~~Any~~ official documentation confirming the filing of
 1747 a petition for asylum or refugee status or any other relief
 1748 issued by the United States Bureau of Citizenship and
 1749 Immigration Services.

1750 e. A notice of action transferring any pending matter from
 1751 another jurisdiction to this state issued by the United States
 1752 Bureau of Citizenship and Immigration Services.

1753 f. An order of an immigration judge or immigration officer
 1754 granting ~~any~~ relief that authorizes the alien to live and work
 1755 in the United States, including, but not limited to, asylum.

1756 g. Evidence that an application is pending for adjustment
 1757 of status to that of an alien lawfully admitted for permanent
 1758 residence in the United States or conditional permanent resident
 1759 status in the United States, if a visa number is available
 1760 having a current priority date for processing by the United
 1761 States Bureau of Citizenship and Immigration Services.

1762 h. On or after January 1, 2010, an unexpired foreign
 1763 passport with an unexpired United States Visa affixed,
 1764 accompanied by an approved I-94, documenting the most recent

1765 admittance into the United States.

1766
 1767 A driver license or temporary permit issued based on documents
 1768 required ~~Presentation of any of the documents~~ in subparagraph 7.
 1769 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
 1770 ~~license or temporary permit~~ for a period not to exceed the
 1771 expiration date of the document presented or 1 year, ~~whichever~~
 1772 ~~occurs first.~~

1773 (8) Notwithstanding subsection (7), the department and its
 1774 authorized agents shall provide a complete list of voluntary
 1775 contributions authorized by law to customers applying for a
 1776 license or identification card or renewal of a license or
 1777 identification card. The renewal application form must include
 1778 either a complete list of all authorized voluntary contributions
 1779 or the department's website address which provides a complete
 1780 list and information on all authorized voluntary contributions.
 1781 The department or authorized agent may include on the renewal
 1782 application forms a complete list of authorized voluntary
 1783 contributions and the department's website address. Customers
 1784 renewing a license or identification card at either an agent's
 1785 office or a department office shall be provided information on
 1786 voluntary contribution options.

1787 (9) The department may collect electronic mail addresses
 1788 and use electronic mail in lieu of the United States Postal
 1789 Service for the purpose of providing renewal notices.

1790 Section 41. Paragraph (c) of subsection (2) and subsection
 1791 (5) of section 322.121, Florida Statutes, are amended to read:
 1792 322.121 Periodic reexamination of all drivers.-

1793 (2) For each licensee whose driving record does not show
 1794 any revocations, disqualifications, or suspensions for the
 1795 preceding 7 years or any convictions for the preceding 3 years
 1796 except for convictions of the following nonmoving violations:

1797 (c) Operating a motor vehicle with an expired license that
 1798 has been expired for 6 4 months or less pursuant to s. 322.065;
 1799
 1800 the department shall cause such licensee's license to be
 1801 prominently marked with the notation "Safe Driver."

1802 (5) Members of the Armed Forces, or their dependents
 1803 residing with them, shall be granted an automatic extension for
 1804 the expiration of their Class E licenses without reexamination
 1805 while serving on active duty outside this state. This extension
 1806 is valid for 90 days after the member of the Armed Forces is
 1807 either discharged or returns to this state to live.

1808 Section 42. Paragraph (a) of subsection (1) of section
 1809 322.14, Florida Statutes, is amended to read:

1810 322.14 Licenses issued to drivers.—

1811 (1)(a) The department shall, upon successful completion of
 1812 all required examinations and payment of the required fee, issue
 1813 to every qualified applicant ~~qualifying therefor,~~ a driver
 1814 ~~driver's~~ license that must ~~as applied for,~~ which license shall
 1815 bear ~~thereon~~ a color photograph or digital image of the
 1816 licensee; the name of the state; a distinguishing number
 1817 assigned to the licensee; and the licensee's full name, date of
 1818 birth, and residence address; a brief description of the
 1819 licensee, including, but not limited to, the licensee's gender
 1820 and height; and the dates of issuance and expiration of the

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1821 license. A space shall be provided upon which the licensee shall
 1822 affix his or her usual signature. A ~~No~~ license is invalid ~~shall~~
 1823 ~~be valid~~ until it has been ~~so~~ signed by the licensee except that
 1824 the signature of the ~~said~~ licensee is not ~~shall not be~~ required
 1825 if it appears thereon in facsimile or if the licensee is not
 1826 present within the state at the time of issuance. ~~Applicants~~
 1827 ~~qualifying to receive a Class A, Class B, or Class C driver's~~
 1828 ~~license must appear in person within the state for issuance of a~~
 1829 ~~color photographic or digital imaged driver's license pursuant~~
 1830 ~~to s. 322.142.~~

1831 Section 43. Section 322.1415, Florida Statutes, is created
 1832 to read:

1833 322.1415 Specialty driver license and identification card
 1834 program.—

1835 (1) The department may issue to any applicant qualified
 1836 pursuant to s. 322.14 a specialty driver license or
 1837 identification card upon payment of the appropriate fee pursuant
 1838 to s. 322.21.

1839 (2) Any specialty driver license or identification card
 1840 approved by the department shall, at a minimum, be available for
 1841 state and independent universities domiciled in this state, all
 1842 Florida professional sports teams designated pursuant to s.
 1843 320.08058(9)(a), and all branches of the United States Armed
 1844 Forces.

1845 (3) The design and use of each specialty driver license
 1846 and identification card must be approved by the department and
 1847 the organization that is recognized by the driver license or
 1848 card.

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1849 (4) Organizations receiving funds from this program shall
1850 attest, under penalties of perjury, pursuant to s. 320.08062
1851 that the funds have been expended in the same manner as provided
1852 in s. 320.08058. On December 1 of each year, the department
1853 shall deliver an annual report to the President of the Senate
1854 and the Speaker of the House of Representatives which addresses
1855 the viability of the program and details the amounts distributed
1856 to each entity.

1857 (5) This section is repealed August 31, 2016.

1858 Section 44. Section 322.145, Florida Statutes, is created
1859 to read:

1860 322.145 Electronic authentication of licenses.-

1861 (1) Any driver license issued on or after July 1, 2013,
1862 must contain a means of electronic authentication which conforms
1863 to a recognized standard for such authentication, such as public
1864 key infrastructure, symmetric key algorithms, security tokens,
1865 mediametrics, or biometrics. Electronic authentication
1866 capabilities must not interfere with or change the driver
1867 license format or topology.

1868 (2) The department shall provide, at the applicant's
1869 option and at the time a license is issued, a security token
1870 that can be electronically authenticated through a personal
1871 computer. The token must also conform to one of the standards
1872 provided in subsection (1).

1873 (3) The department shall negotiate a new contract with the
1874 vendor selected to implement the electronic authentication
1875 feature which provides that the vendor pay all costs of
1876 implementing the system. This contract must not conflict with

1877 current contractual arrangements for the issuance of driver
 1878 licenses.

1879 Section 45. Paragraph (c) is added to subsection (1) of
 1880 section 322.18, Florida Statutes, to read:

1881 322.18 Original applications, licenses, and renewals;
 1882 expiration of licenses; delinquent licenses.—

1883 (1)

1884 (c) A person who has been issued a driver license based on
 1885 documentation specified in s. 322.08(2)(c)8. as proof of
 1886 identity is not eligible to renew the driver license and must
 1887 obtain an original license.

1888 Section 46. Subsection (2) of section 322.19, Florida
 1889 Statutes, is amended to read:

1890 322.19 Change of address or name.—

1891 (2) Whenever any person, after applying for or receiving a
 1892 driver ~~driver's~~ license, changes the legal residence or mailing
 1893 address in the application or license, the person must, within
 1894 10 calendar days after making the change, obtain a replacement
 1895 license that reflects the change. A written request to the
 1896 department must include the old and new addresses and the driver
 1897 ~~driver's~~ license number. Any person who has a valid, current
 1898 student identification card issued by an educational institution
 1899 in this state is presumed not to have changed his or her legal
 1900 residence or mailing address. This subsection does not affect
 1901 any person required to register a permanent or temporary address
 1902 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.
 1903 943.0435.

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1904 Section 47. Present paragraphs (e) through (h) of
 1905 subsection (1) of section 322.21, Florida Statutes, are
 1906 redesignated as paragraphs (f) through (i), respectively, and
 1907 new paragraphs (e) and (j) are added to that subsection, to
 1908 read:

1909 322.21 License fees; procedure for handling and collecting
 1910 fees.—

1911 (1) Except as otherwise provided herein, the fee for:

1912 (e) An original or renewal enhanced driver license or
 1913 identification card that meets the requirements of the Western
 1914 Hemisphere Travel Initiative, in addition to the fees required
 1915 in paragraph (a), paragraph (b), paragraph (c), or paragraph
 1916 (f), may not exceed \$30. The funds collected pursuant to this
 1917 paragraph shall be deposited into the Highway Safety Operating
 1918 Trust Fund to offset the cost of administration and materials
 1919 related to the issuance of the enhanced driver license or
 1920 identification card. The issuance of an enhanced driver license
 1921 or identification card is optional for all residents who are
 1922 otherwise qualified to be issued a Class A, B, C, or E driver
 1923 license or an identification card.

1924 (j) The specialty driver license or identification card
 1925 issued pursuant to s. 322.1415 is \$25, which is in addition to
 1926 other fees required in this section. The fee shall be
 1927 distributed as follows:

1928 1. Fifty percent shall be distributed as provided in s.
 1929 320.08058 to the appropriate state or independent university,
 1930 professional sports team, or branch of the United States Armed
 1931 Forces.

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1932 2. Fifty percent shall be distributed to the department
 1933 for costs directly related to the specialty driver license and
 1934 identification card program and to defray the costs associated
 1935 with production enhancements and distribution.

1936 Section 48. Subsection (2) of section 322.251, Florida
 1937 Statutes, is amended to read:

1938 322.251 Notice of cancellation, suspension, revocation, or
 1939 disqualification of license.—

1940 (2) The giving of notice and an order of cancellation,
 1941 suspension, revocation, or disqualification by mail is complete
 1942 upon expiration of 20 days after deposit in the United States
 1943 mail for all notices except those issued under chapter 324 or
 1944 ss. 627.732–627.734, which are complete 15 days after deposit in
 1945 the United States mail. Proof of the giving of notice and an
 1946 order of cancellation, suspension, revocation, or
 1947 disqualification in either ~~such~~ manner shall be made by entry in
 1948 the records of the department that such notice was given. The
 1949 ~~Such~~ entry is ~~shall be~~ admissible in the courts of this state
 1950 and constitutes ~~shall constitute~~ sufficient proof that such
 1951 notice was given.

1952 Section 49. Section 322.27, Florida Statutes, is amended
 1953 to read:

1954 322.27 Authority of department to suspend or revoke driver
 1955 license or identification card.—

1956 (1) Notwithstanding any provisions to the contrary in
 1957 chapter 120, the department may ~~is hereby authorized to~~ suspend
 1958 the license of any person without preliminary hearing upon a
 1959 showing of its records or other sufficient evidence that the

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1960 licensee:

1961 (a) Has committed an offense for which mandatory

1962 revocation of license is required upon conviction. A law

1963 enforcement agency must provide information to the department

1964 within 24 hours after any traffic fatality or when the law

1965 enforcement agency initiates action pursuant to s. 316.1933;

1966 (b) Has been convicted of a violation of any traffic law

1967 which resulted in a crash that caused the death or personal

1968 injury of another or property damage in excess of \$500;

1969 (c) Is incompetent to drive a motor vehicle;

1970 (d) Has permitted an unlawful or fraudulent use of the

1971 ~~such~~ license or identification card or has knowingly been a

1972 party to the obtaining of a license or identification card by

1973 fraud or misrepresentation or to the display, or representation

1974 ~~represent~~ as one's own, of a driver ~~any driver's~~ license or

1975 identification card not issued to him or her. ~~Provided, however,~~

1976 ~~no provision of~~ This section does not ~~shall be construed to~~

1977 include the provisions of s. 322.32(1);

1978 (e) Has committed an offense in another state which, if

1979 committed in this state, would be grounds for suspension or

1980 revocation; or

1981 (f) Has committed a second or subsequent violation of s.

1982 316.172(1) within a 5-year period of any previous violation.

1983 (2) The department shall suspend the license of any person

1984 without preliminary hearing upon a showing of its records that

1985 the licensee has been convicted in any court having jurisdiction

1986 over offenses committed under this chapter or any other law of

1987 this state regulating the operation of a motor vehicle on the

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1988 highways, upon direction of the court, when the court feels that
 1989 the seriousness of the offense and the circumstances surrounding
 1990 the conviction warrant the suspension of the licensee's driving
 1991 privilege.

1992 (3) There is established a point system for evaluation of
 1993 convictions of violations of motor vehicle laws or ordinances,
 1994 and violations of applicable provisions of s. 403.413(6)(b) when
 1995 such violations involve the use of motor vehicles, for the
 1996 determination of the continuing qualification of any person to
 1997 operate a motor vehicle. The department is authorized to suspend
 1998 the license of any person upon showing of its records or other
 1999 good and sufficient evidence that the licensee has been
 2000 convicted of violation of motor vehicle laws or ordinances, or
 2001 applicable provisions of s. 403.413(6)(b), amounting to 12 or
 2002 more points as determined by the point system. The suspension
 2003 shall be for a period of not more than 1 year.

2004 (a) When a licensee accumulates 12 points within a 12-
 2005 month period, the period of suspension shall be for not more
 2006 than 30 days.

2007 (b) When a licensee accumulates 18 points, including
 2008 points upon which suspension action is taken under paragraph
 2009 (a), within an 18-month period, the suspension shall be for a
 2010 period of not more than 3 months.

2011 (c) When a licensee accumulates 24 points, including
 2012 points upon which suspension action is taken under paragraphs
 2013 (a) and (b), within a 36-month period, the suspension shall be
 2014 for a period of not more than 1 year.

2015 (d) The point system shall have as its basic element a

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2016 graduated scale of points assigning relative values to
 2017 convictions of the following violations:
 2018 1. Reckless driving, willful and wanton—4 points.
 2019 2. Leaving the scene of a crash resulting in property
 2020 damage of more than \$50—6 points.
 2021 3. Unlawful speed resulting in a crash—6 points.
 2022 4. Passing a stopped school bus—4 points.
 2023 5. Unlawful speed:
 2024 a. Not in excess of 15 miles per hour of lawful or posted
 2025 speed—3 points.
 2026 b. In excess of 15 miles per hour of lawful or posted
 2027 speed—4 points.
 2028 6. A violation of a traffic control signal device as
 2029 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
 2030 However, no points shall be imposed for a violation of s.
 2031 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 2032 stop at a traffic signal and when enforced by a traffic
 2033 infraction enforcement officer. In addition, a violation of s.
 2034 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 2035 stop at a traffic signal and when enforced by a traffic
 2036 infraction enforcement officer may not be used for purposes of
 2037 setting motor vehicle insurance rates.
 2038 7. All other moving violations (including parking on a
 2039 highway outside the limits of a municipality)—3 points. However,
 2040 no points shall be imposed for a violation of s. 316.0741 or s.
 2041 316.2065(12); and points shall be imposed for a violation of s.
 2042 316.1001 only when imposed by the court after a hearing pursuant
 2043 to s. 318.14(5).

2044 8. Any moving violation covered above, excluding unlawful
 2045 speed, resulting in a crash—4 points.

2046 9. Any conviction under s. 403.413(6)(b)—3 points.

2047 10. Any conviction under s. 316.0775(2)—4 points.

2048 (e) A conviction in another state of a violation therein
 2049 which, if committed in this state, would be a violation of the
 2050 traffic laws of this state, or a conviction of an offense under
 2051 any federal law substantially conforming to the traffic laws of
 2052 this state, except a violation of s. 322.26, may be recorded
 2053 against a driver on the basis of the same number of points
 2054 received had the conviction been made in a court of this state.

2055 (f) In computing the total number of points, when the
 2056 licensee reaches the danger zone, the department is authorized
 2057 to send the licensee a warning letter advising that any further
 2058 convictions may result in suspension of his or her driving
 2059 privilege.

2060 (g) The department shall administer and enforce the
 2061 provisions of this law and may make rules and regulations
 2062 necessary for its administration.

2063 (h) Three points shall be deducted from the driver history
 2064 record of any person whose driving privilege has been suspended
 2065 only once pursuant to this subsection and has been reinstated,
 2066 if such person has complied with all other requirements of this
 2067 chapter.

2068 (i) This subsection does ~~shall~~ not apply to persons
 2069 operating a nonmotorized vehicle for which a driver ~~driver's~~
 2070 license is not required.

2071 (4) The department, in computing the points and period of

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2072 time for suspensions under this section, shall use the offense
 2073 date of all convictions.

2074 (5) The department shall revoke the license of any person
 2075 designated a habitual offender, as set forth in s. 322.264, and
 2076 such person is ~~shall~~ not be eligible to be relicensed for a
 2077 minimum of 5 years from the date of revocation, except as
 2078 provided for in s. 322.271. Any person whose license is revoked
 2079 may, by petition to the department, show cause why his or her
 2080 license should not be revoked.

2081 (6) The department shall revoke the driving privilege of
 2082 any person who is convicted of a felony for the possession of a
 2083 controlled substance if, at the time of such possession, the
 2084 person was driving or in actual physical control of a motor
 2085 vehicle. A person whose driving privilege has been revoked
 2086 pursuant to this subsection is ~~shall~~ not be eligible to receive
 2087 a limited business or employment purpose license during the term
 2088 of such revocation.

2089 (7) Review of an order of suspension or revocation shall
 2090 be by writ of certiorari as provided in s. 322.31.

2091 Section 50. Subsection (2) of section 322.53, Florida
 2092 Statutes, is amended to read:

2093 322.53 License required; exemptions.—

2094 (2) The following persons are exempt from the requirement
 2095 to obtain a commercial driver ~~driver's~~ license:

2096 (a) Drivers of authorized emergency vehicles.

2097 (b) Military personnel driving vehicles operated for
 2098 military purposes.

2099 (c) Farmers transporting agricultural products, farm

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2100 supplies, or farm machinery to or from their farms and within
 2101 150 miles of their farms farm, if the vehicle operated under
 2102 this exemption is not used in the operations of a common or
 2103 contract motor carrier or transporting agricultural products to
 2104 or from the first place of storage or processing or directly to
 2105 or from market, within 150 miles of their farm.

2106 (d) Drivers of recreational vehicles, as defined in s.
 2107 320.01.

2108 (e) Drivers who operate straight trucks, as defined in s.
 2109 316.003, and who that are exclusively transporting exclusively
 2110 their own tangible personal property, which is not for sale.

2111 (f) Employees ~~An employee~~ of a publicly owned transit
 2112 system who are ~~is~~ limited to moving vehicles for maintenance or
 2113 parking purposes exclusively within the restricted-access
 2114 confines of a transit system's property.

2115 Section 51. Subsection (5) is added to section 322.54,
 2116 Florida Statutes, to read:

2117 322.54 Classification.—

2118 (5) The required driver license classification of any
 2119 person operating a commercial motor vehicle that does not have a
 2120 gross vehicle weight rating plate or a vehicle identification
 2121 number shall be determined by the actual weight of the vehicle.

2122 Section 52. Section 322.58, Florida Statutes, is repealed.

2123 Section 53. Section 322.59, Florida Statutes, is amended
 2124 to read:

2125 322.59 Possession of medical examiner's certificate.—

2126 (1) The department may ~~shall~~ not issue a commercial driver
 2127 ~~driver's~~ license to a ~~any~~ person who is required by the laws of

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2128 | this state or by federal law to possess a medical examiner's
 2129 | certificate, unless the ~~such~~ person presents a valid
 2130 | certificate, as described in 49 C.F.R. s. 383.71, before ~~prior~~
 2131 | ~~to~~ licensure.

2132 | (2) The department shall disqualify a driver from
 2133 | operating a commercial motor vehicle if the driver holds a
 2134 | commercial driver license and fails to comply with the medical
 2135 | certification requirements in 49 C.F.R. s. 383.71 ~~This section~~
 2136 | ~~does not expand the requirements as to who must possess a~~
 2137 | ~~medical examiner's certificate.~~

2138 | (3) A person who is disqualified from operating a
 2139 | commercial motor vehicle under this section may, if otherwise
 2140 | qualified, be issued a Class E driver license pursuant to s.
 2141 | 322.251.

2142 | Section 54. Subsections (3) and (5) of section 322.61,
 2143 | Florida Statutes, are amended to read:

2144 | 322.61 Disqualification from operating a commercial motor
 2145 | vehicle.—

2146 | (3) (a) Except as provided in subsection (4), any person
 2147 | who is convicted of one of the offenses listed in paragraph (b)
 2148 | while operating a commercial motor vehicle shall, in addition to
 2149 | any other applicable penalties, be disqualified from operating a
 2150 | commercial motor vehicle for a period of 1 year.±

2151 | (b) Except as provided in subsection (4), any holder of a
 2152 | commercial driver ~~driver's~~ license who is convicted of one of
 2153 | the offenses listed in this paragraph while operating a
 2154 | noncommercial motor vehicle shall, in addition to any other
 2155 | applicable penalties, be disqualified from operating a

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2156 commercial motor vehicle for a period of 1 year:

2157 1. Driving a motor vehicle while he or she is under the

2158 influence of alcohol or a controlled substance;

2159 2. Driving a commercial motor vehicle while the alcohol

2160 concentration of his or her blood, breath, or urine is .04

2161 percent or higher;

2162 3. Leaving the scene of a crash involving a motor vehicle

2163 driven by such person;

2164 4. Using a motor vehicle in the commission of a felony;

2165 5. Driving a commercial motor vehicle while in possession

2166 of a controlled substance;

2167 6. Refusing to submit to a test to determine his or her

2168 alcohol concentration while driving a motor vehicle;

2169 7. Driving a commercial vehicle while the licenseholder's

2170 commercial driver ~~driver's~~ license is suspended, revoked, or

2171 canceled or while the licenseholder is disqualified from driving

2172 a commercial vehicle; or

2173 8. Causing a fatality through the negligent operation of a

2174 commercial motor vehicle.

2175 (5) A ~~Any~~ person who is convicted of two violations

2176 specified in subsection (3) which were committed while operating

2177 a commercial motor vehicle, or any combination thereof, arising

2178 in separate incidents shall be permanently disqualified from

2179 operating a commercial motor vehicle. A ~~Any~~ holder of a

2180 commercial driver ~~driver's~~ license who is convicted of two

2181 violations specified in subsection (3) which were committed

2182 while operating any ~~a noncommercial motor vehicle, or any~~

2183 ~~combination thereof,~~ arising in separate incidents shall be

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2184 permanently disqualified from operating a commercial motor
 2185 vehicle. The penalty provided in this subsection is in addition
 2186 to any other applicable penalty.

2187 Section 55. Subsection (1) of section 324.072, Florida
 2188 Statutes, is amended to read:

2189 324.072 Proof required upon certain convictions.—

2190 (1) Upon the suspension or revocation of a license
 2191 pursuant to ~~the provisions of~~ s. 322.26 or s. 322.27, the
 2192 department shall suspend the registration for all motor vehicles
 2193 registered in the name of the licensee ~~such person~~, either
 2194 individually or jointly with another. However, the department
 2195 may, except that it shall not suspend the ~~such~~ registration,
 2196 unless otherwise required by law, if the ~~such~~ person had
 2197 insurance coverage limits required under s. 324.031 on the date
 2198 of the latest offense that caused the suspension or revocation,
 2199 or has previously given or shall immediately give, and
 2200 thereafter maintain, proof of financial responsibility with
 2201 respect to all motor vehicles registered by the ~~such~~ person, in
 2202 accordance with this chapter.

2203 Section 56. Subsection (1) of section 324.091, Florida
 2204 Statutes, is amended to read:

2205 324.091 Notice to department; notice to insurer.—

2206 (1) Each owner and operator involved in a crash or
 2207 conviction case within the purview of this chapter shall furnish
 2208 evidence of automobile liability insurance, motor vehicle
 2209 liability insurance, or a surety bond within 14 ~~30~~ days after
 2210 ~~from~~ the date of the mailing of notice of crash by the
 2211 department in the ~~such~~ form and manner as it may designate. Upon

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2212 receipt of evidence that an automobile liability policy, motor
 2213 vehicle liability policy, or surety bond was in effect at the
 2214 time of the crash or conviction case, the department shall
 2215 forward by United States mail, postage prepaid, to the insurer
 2216 or surety insurer a copy of such information and shall assume
 2217 that the ~~such~~ policy or bond was in effect, unless the insurer
 2218 or surety insurer notifies ~~shall notify~~ the department otherwise
 2219 within 20 days after ~~from~~ the mailing of the notice to the
 2220 insurer or surety insurer. However, ~~provided that~~ if the
 2221 department ~~shall~~ later determines ~~ascertain~~ that an automobile
 2222 liability policy, motor vehicle liability policy, or surety bond
 2223 was not in effect and did not provide coverage for both the
 2224 owner and the operator, it shall ~~at such time~~ take ~~such~~ action
 2225 as it is otherwise authorized to do under this chapter. Proof of
 2226 mailing to the insurer or surety insurer may be made by the
 2227 department by naming the insurer or surety insurer to whom the
 2228 ~~such~~ mailing was made and by specifying the time, place, and
 2229 manner of mailing.

2230 Section 57. Subsection (5) of section 328.15, Florida
 2231 Statutes, is amended to read:

2232 328.15 Notice of lien on vessel; recording.—

2233 (5) (a) The Department of Highway Safety and Motor Vehicles
 2234 shall adopt ~~make such~~ rules to administer and ~~regulations as it~~
 2235 ~~deems necessary or proper for the effective administration of~~
 2236 this section ~~law~~. The department may by rule require that a
 2237 notice of satisfaction of a lien be notarized. The department
 2238 shall prepare the forms of the notice of lien and the
 2239 satisfaction of lien to be supplied, at a charge not to exceed

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2240 50 percent more than cost, to applicants for recording the liens
 2241 or satisfactions and shall keep a record of such notices of lien
 2242 and satisfactions available for inspection by the public at all
 2243 reasonable times. The division may ~~is authorized to~~ furnish
 2244 certified copies of such satisfactions for a fee of \$1, which
 2245 are certified copies shall be admissible in evidence in all
 2246 courts of this state under the same conditions and to the same
 2247 effect as certified copies of other public records.

2248 (b) The department shall establish and administer an
 2249 electronic titling program that requires the recording of
 2250 vehicle title information for new, transferred, and corrected
 2251 certificates of title. Lienholders shall electronically transmit
 2252 liens and lien satisfactions to the department in a format
 2253 determined by the department. Individuals and lienholders who
 2254 the department determines are not normally engaged in the
 2255 business or practice of financing vehicles are not required to
 2256 participate in the electronic titling program.

2257 Section 58. Subsection (4) of section 328.16, Florida
 2258 Statutes, is amended to read:

2259 328.16 Issuance in duplicate; delivery; liens and
 2260 encumbrances.—

2261 (4) Notwithstanding any requirements in this section or in
 2262 s. 328.15 indicating that a lien on a vessel shall be noted on
 2263 the face of the Florida certificate of title, if there are one
 2264 or more liens or encumbrances on a vessel, the department shall
 2265 ~~may~~ electronically transmit the lien to the first lienholder and
 2266 notify the first lienholder of any additional liens. Subsequent
 2267 lien satisfactions shall ~~may~~ be electronically transmitted to

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2268 the department and must ~~shall~~ include the name and address of
 2269 the person or entity satisfying the lien. When electronic
 2270 transmission of liens and lien satisfactions are used, the
 2271 issuance of a certificate of title may be waived until the last
 2272 lien is satisfied and a clear certificate of title is issued to
 2273 the owner of the vessel.

2274 Section 59. Section 328.30, Florida Statutes, is amended
 2275 to read:

2276 328.30 Transactions by electronic or telephonic means.—

2277 (1) The department may ~~is authorized to~~ accept any
 2278 application provided for under this chapter by electronic or
 2279 telephonic means.

2280 (2) The department may issue an electronic certificate of
 2281 title in lieu of printing a paper title.

2282 (3) The department may collect electronic mail addresses
 2283 and use electronic mail in lieu of the United States Postal
 2284 Service for the purpose of providing renewal notices.

2285 Section 60. Present subsection (17) of section 328.72,
 2286 Florida Statutes, is renumbered as subsection (18), and a new
 2287 subsection (17) is added to that section to read:

2288 328.72 Classification; registration; fees and charges;
 2289 surcharge; disposition of fees; fines; marine turtle stickers.—

2290 (17) Notwithstanding subsection (11), the department and
 2291 the tax collectors acting as agents for the department shall
 2292 provide a complete list of voluntary contributions authorized by
 2293 law to customers applying for registration or renewal
 2294 registration. The renewal application forms must include either
 2295 a complete list of all authorized voluntary contributions or the

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2296 department's website address which provides a complete list and
 2297 information on all authorized voluntary contributions. The
 2298 department or a tax collector may include on the renewal forms a
 2299 complete list of authorized voluntary contributions and the
 2300 department's website address. Customers renewing a registration
 2301 at either a tax collector's office or a department office shall
 2302 be provided information on voluntary contribution options.

2303 Section 61. Paragraph (f) of subsection (13) of section
 2304 713.78, Florida Statutes, is amended to read:

2305 713.78 Liens for recovering, towing, or storing vehicles
 2306 and vessels.—

2307 (13)

2308 (f) This subsection applies only to the annual renewal in
 2309 the registered owner's birth month of a motor vehicle
 2310 registration and does not apply to the transfer of a
 2311 registration of a motor vehicle sold by a motor vehicle dealer
 2312 licensed under chapter 320, except for the transfer of
 2313 registrations which includes ~~is inclusive of~~ the annual
 2314 renewals. This subsection does not apply to any vehicle
 2315 registered in the name of the lessor. This subsection does not
 2316 affect the issuance of the title to a motor vehicle,
 2317 notwithstanding s. 319.23(8)(b) ~~s. 319.23(7)(b)~~.

2318 Section 62. This act shall take effect July 1, 2012.