

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. 316.183, F.S.; revising a provision that
17 prohibits a school bus from exceeding the posted speed
18 limits; amending s. 316.2065, F.S.; revising safety
19 standard requirements for bicycle helmets that must be
20 worn by certain riders and passengers; revising
21 requirements for a bicycle operator to ride in a
22 bicycle lane or along the curb or edge of the roadway;
23 providing for enforcement of requirements for bicycle
24 lighting equipment; providing penalties for
25 violations; providing for dismissal of the charge
26 following a first offense under certain circumstances;
27 amending s. 316.2085, F.S.; requiring that the license
28 tag of a motorcycle or moped remain clearly visible

29 | from the rear at all times; prohibiting deliberate
30 | acts to conceal or obscure the license tag; providing
31 | that certain license tags may be affixed
32 | perpendicularly to the ground; amending s. 316.2126,
33 | F.S.; revising conditions for use of golf carts and
34 | utility vehicles; amending s. 316.2397, F.S.;
35 | providing an exception to the prohibition against
36 | flashing vehicle lights for motorists who
37 | intermittently flash their vehicle's headlamps at an
38 | oncoming vehicle, regardless of their intent in doing
39 | so, and for persons operating bicycles equipped with
40 | lamps; creating s. 316.2129, F.S.; prohibiting the
41 | operation of swamp buggies on a public road, street,
42 | or highway; providing exceptions; prohibiting the
43 | operation of swamp buggies on land managed, owned, or
44 | leased by a state or federal agency; providing
45 | exceptions; amending s. 316.302, F.S.; providing that
46 | specified provisions that restrict the number of
47 | consecutive hours a commercial motor vehicle may
48 | operate do not apply to a farm labor vehicle operated
49 | during a state of emergency or during an emergency
50 | pertaining to agriculture; amending s. 316.3026, F.S.,
51 | relating to unlawful operation of motor carriers;
52 | conforming provisions to changes made by the act;
53 | amending s. 316.6135, F.S.; revising the criteria
54 | under which a child may not be left unattended in a
55 | vehicle; providing penalties; amending s. 316.614,
56 | F.S.; deleting provisions that require that a law

57 enforcement officer record the race and ethnicity of a
58 person who is given a citation for not wearing his or
59 her safety belt; deleting provisions that require that
60 the Department of Highway Safety and Motor Vehicles
61 collect such information and provide reports;
62 amending s. 318.14, F.S.; authorizing a person who
63 does not hold a commercial driver license and who is
64 cited for a noncriminal traffic infraction while
65 driving a noncommercial motor vehicle to elect to
66 attend a basic driver improvement course in lieu of a
67 court appearance; authorizing a person who does not
68 hold a commercial driver license and who is cited for
69 certain offenses while driving a noncommercial motor
70 vehicle to elect to enter a plea of nolo contendere
71 and to provide proof of compliance in lieu of payment
72 of fine or court appearance; amending s. 318.15, F.S.;
73 providing that a person charged with a traffic
74 infraction may request a hearing within a specified
75 period after the date upon which the violation
76 occurred; requiring that the clerk set the case for
77 hearing; providing exceptions to the time period for
78 requesting a hearing; authorizing the court to grant a
79 request for a hearing made more than 180 days after
80 the date upon which the violation occurred; amending
81 ss. 318.18 and 318.21, F.S.; conforming cross-
82 references; amending s. 319.14, F.S.; revising
83 provisions that prohibit the sale or exchange of a
84 rebuilt vehicle until certain conditions are met;

85 requiring an application for a certificate of title
86 with indication on the title that a vehicle is a
87 custom vehicle or a street rod, an inspection by the
88 department, and a decal affixed to such vehicle by the
89 department; defining the terms "custom vehicle" and
90 "street rod"; prohibiting the sale, exchange, or
91 transfer of a custom vehicle or street rod or
92 advertising or offering to sell or exchange a vehicle
93 previously titled, registered, or used as a custom
94 vehicle or street rod unless certain conditions are
95 met; providing penalties; amending s. 319.23, F.S.;
96 requiring that the application for a certificate of
97 title, corrected certificate, or assignment or
98 reassignment be filed after the consummation of the
99 sale of a mobile home; authorizing the department to
100 accept a bond if the applicant for a certificate of
101 title is unable to provide a title that assigns the
102 prior owner's interest in the motor vehicle; providing
103 requirements for the bond and the affidavit; providing
104 for future expiration of the bond; amending s. 319.24,
105 F.S.; requiring that the department electronically
106 transmit a lien to the first lienholder and notify the
107 first lienholder of any additional liens if there are
108 one or more lien encumbrances on a motor vehicle or
109 mobile home; requiring that subsequent lien
110 satisfactions be transmitted electronically to the
111 department; amending s. 319.27, F.S.; requiring that
112 the department administer an electronic titling

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

141 the proper documentation with the department violates
142 the Florida Insurance Code; providing that the
143 department may use the documentation only for
144 enforcement and regulatory purposes; requiring the
145 application forms for motor vehicle registration and
146 renewal of registration to include language permitting
147 the applicant to make a voluntary contribution to the
148 Florida Association of Food Banks, Inc., for Autism
149 Services and Supports, to Support Our Troops, and to
150 Take Stock In Children; providing that such
151 contributions are not income for specified purposes;
152 requiring the department and its agents to provide
153 customers applying for or renewing a registration with
154 certain information on voluntary contribution options;
155 requiring that the department retain all electronic
156 registration records for a specified period; amending
157 s. 320.03, F.S.; conforming a cross-reference;
158 amending s. 320.06, F.S.; deleting a requirement that
159 registration license plates be made—of metal and
160 conforming terminology; amending s. 320.0605, F.S.;
161 revising requirements to possess certain documentation
162 while a vehicle is being operated; requiring rental or
163 lease vehicle documentation to contain certain
164 information; amending s. 320.061, F.S.; prohibiting a
165 person from altering the original appearance of a
166 temporary license plate; providing penalties; amending
167 s. 320.07, F.S.; revising provisions relating to the
168 expiration of a registration of a motor vehicle or

169 mobile home; providing that the registration for a
170 motor vehicle or mobile home whose owner is a natural
171 person expires at midnight on the owner's birthday;
172 amending s. 320.08056, F.S.; revising the annual use
173 fee for the Tampa Bay Estuary license plate; amending
174 s. 320.08058, F.S.; requiring that the Harbor Branch
175 Oceanographic Institution, Inc., distribute a
176 specified percentage of the remaining fees from the
177 Aquaculture license plate to the Florida Aquaculture
178 Association for research and education; amending s.
179 320.08068, F.S.; revising provisions relating to the
180 use of funds received from the sale of motorcycle
181 specialty license plates; deleting a provision that
182 requires that 20 percent of the annual fee collected
183 for such plates be used to leverage additional funding
184 and new sources of revenue for the centers for
185 independent living; amending s. 320.0848, F.S.;
186 revising the requirements for the deposit of fee
187 proceeds from temporary disabled parking permits;
188 requiring that certain proceeds be deposited into the
189 Florida Endowment Foundation for Vocational
190 Rehabilitation, instead of the Florida Governor's
191 Alliance for the Employment of Disabled Citizens;
192 amending s. 320.089, F.S.; providing for the issuance
193 of a Combat Infantry Badge license plate and a Vietnam
194 War Veterans license plate; amending s. 320.15, F.S.;
195 providing that an owner of a motor vehicle or mobile
196 home may apply for a refund of certain license taxes

197 | if the owner renews a registration during the advanced
198 | renewal period and surrenders the motor vehicle or
199 | mobile home license plate before the end of the
200 | renewal period; amending s. 320.27, F.S.; providing an
201 | exemption for salvage motor vehicle dealers from
202 | certain application and security requirements;
203 | amending s. 320.771, F.S.; revising the definition of
204 | the term "dealer"; amending s. 320.95, F.S.;
205 | authorizing the department to collect electronic mail
206 | addresses and use electronic mail for the purpose of
207 | providing renewal notices in lieu of the United States
208 | Postal Service; amending s. 322.04, F.S.; revising
209 | provisions exempting a nonresident from the
210 | requirement to obtain a driver license under certain
211 | circumstances; amending s. 322.051, F.S.; revising
212 | requirements by which an applicant for an
213 | identification card may prove nonimmigrant
214 | classification; clarifying the validity of an
215 | identification card based on specified documents;
216 | authorizing the department to require additional
217 | documentation to establish the maintenance of, or
218 | efforts to maintain, continuous lawful presence;
219 | providing for the department to waive the fees for
220 | issuing or renewing an identification card to a person
221 | who is homeless; amending s. 322.058, F.S.; conforming
222 | a cross-reference; amending s. 322.065, F.S.; revising
223 | provisions relating to a person whose driver license
224 | has expired for 6 months or less and who drives a

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225 | motor vehicle; providing penalties; amending s.
226 | 322.07, F.S.; revising provisions relating to
227 | temporary commercial instruction permits; amending s.
228 | 322.08, F.S.; revising provisions relating to an
229 | application for a driver license or temporary permit;
230 | requiring that applicants prove nonimmigrant
231 | classification by providing certain documentation;
232 | authorizing the department to require additional
233 | documentation to establish the maintenance of, or
234 | efforts to maintain, continuous lawful presence;
235 | revising the length of time a license is valid when
236 | issuance is based on documentation required under
237 | specified provisions; requiring the application forms
238 | for an original, renewal, or replacement driver
239 | license to include language permitting the applicant
240 | to make a voluntary contribution for Autism Services
241 | and Supports and to Support Our Troops; requiring the
242 | department and its agents to provide customers
243 | applying for or renewing a license or identification
244 | card with certain information on voluntary
245 | contribution options; authorizing the department to
246 | collect electronic mail addresses and use electronic
247 | mail for the purpose of providing renewal notices in
248 | lieu of the United States Postal Service; amending s.
249 | 322.121, F.S.; conforming a provision relating to Safe
250 | Driver designation; revising provisions authorizing
251 | the automatic extension of a license for members of
252 | the Armed Forces of the United States or their

253 dependents while serving on active duty outside the
254 state; amending s. 322.14, F.S.; deleting a
255 requirement that a qualified driver license applicant
256 appear in person for issuance of a color photographic
257 or digital imaged driver license; creating s.
258 322.1415, F.S.; authorizing the department to issue a
259 specialty driver license or identification card to
260 qualified applicants; specifying that, at a minimum,
261 the specialty driver licenses and identification cards
262 must be available for certain state and independent
263 universities and professional sports teams and all
264 branches of the Armed Forces of the United States;
265 requiring that the department and applicable
266 organization approve the design of each specialty
267 driver license and identification card; requiring an
268 annual report to the Legislature; providing for future
269 repeal; creating s. 322.145, F.S.; requiring driver
270 licenses to contain a means for electronic
271 authentication; directing the department to make
272 certain security tokens available to a driver license
273 applicant; directing the department to contract for
274 implementation of the electronic authentication;
275 requiring that such person obtain an original license;
276 amending s. 322.19, F.S.; providing that certain
277 persons who have a valid student identification card
278 are presumed not to have changed their legal residence
279 or mailing address; amending s. 322.21, F.S.; revising
280 provisions relating to license fees; prohibiting the

281 fee for an original or renewal of an enhanced driver
282 license or identification card from exceeding a
283 specified amount; requiring that the funds collected
284 from such fee be deposited into the Highway Safety
285 Operating Trust Fund; providing that the issuance of
286 an enhanced driver license or identification card is
287 optional for certain qualified residents; providing
288 for the distribution of funds collected from the
289 specialty driver license and identification card fees;
290 amending s. 322.251, F.S.; providing that certain
291 notices of cancellation, suspension, revocation, or
292 disqualification of a driver license are complete
293 within a specified period after deposit in the mail;
294 amending s. 322.27, F.S.; revising the department's
295 authority to suspend or revoke licenses or
296 identification cards under certain circumstances;
297 amending s. 322.53, F.S.; revising an exemption from
298 the requirement to obtain a commercial driver license
299 for farmers transporting agricultural products, farm
300 supplies, or farm machinery under certain
301 circumstances; providing that such exemption applies
302 if the vehicle is not used in the operations of a
303 common or contract motor carrier; amending s. 322.54,
304 F.S.; requiring that persons who drive a motor vehicle
305 having a gross vehicle weight rating or gross vehicle
306 weight of a specified amount or more possess certain
307 classifications of driver licenses; repealing s.
308 322.58, F.S., relating to holders of chauffeur

309 licenses and the classified licensure of commercial
310 motor vehicle drivers; amending s. 322.59, F.S.;
311 revising provisions relating to the possession of a
312 medical examiner's certificate; requiring that the
313 department disqualify a driver from operating a
314 commercial motor vehicle if the driver holds a
315 commercial driver license and fails to comply with the
316 medical certification requirements; authorizing the
317 department to issue, under certain circumstances, a
318 Class E driver license to a person who is disqualified
319 from operating a commercial motor vehicle; amending s.
320 322.61, F.S.; revising provisions relating to the
321 disqualification from operating a commercial motor
322 vehicle; providing that any holder of a commercial
323 driver license who is convicted of two violations
324 committed while operating any motor vehicle is
325 permanently disqualified from operating a commercial
326 motor vehicle; amending s. 324.072, F.S.; prohibiting
327 the department from suspending a registration of a
328 motor vehicle if the person to whom the motor vehicle
329 is registered had certain insurance coverage limits on
330 the date of the offense that caused the suspension or
331 revocation; amending s. 324.091, F.S.; revising the
332 period within which an owner or operator involved in a
333 crash must furnish evidence of automobile liability
334 insurance, motor vehicle liability insurance, or a
335 surety bond; amending s. 328.15, F.S.; requiring that
336 the department establish and administer an electronic

337 titling program that requires the recording of vehicle
 338 title information for new, transferred, and corrected
 339 certificates of title; requiring that lienholders
 340 electronically transmit liens and lien satisfactions
 341 to the department; providing exceptions; amending s.
 342 328.16, F.S.; requiring that the department
 343 electronically transmit a lien to the first lienholder
 344 and notify such lienholder of any additional liens;
 345 requiring that subsequent lien satisfactions be
 346 electronically transmitted to the department; amending
 347 s. 328.30, F.S.; authorizing the department to issue
 348 an electronic certificate of title in lieu of printing
 349 a paper title and to collect electronic mail addresses
 350 and use electronic mail as a notification method in
 351 lieu of the United States Postal Service; amending s.
 352 328.72, F.S., relating to vessel registration;
 353 requiring the department and its agents to provide
 354 customers applying for or renewing a registration with
 355 certain information on voluntary contribution options;
 356 amending s. 713.78, F.S.; conforming a cross-
 357 reference; providing effective dates.

358
 359 Be It Enacted by the Legislature of the State of Florida:

360
 361 Section 1. Subsection (3) of section 20.24, Florida
 362 Statutes, is amended to read:
 363 20.24 Department of Highway Safety and Motor Vehicles.—
 364 There is created a Department of Highway Safety and Motor

365 Vehicles.

366 (3) The Office of Commercial Vehicle Enforcement ~~Motor~~
 367 ~~Carrier Compliance~~ is established within the Division of the
 368 Florida Highway Patrol.

369 Section 2. Subsection (21) of section 316.003, Florida
 370 Statutes, is amended, and subsection (89) is added to that
 371 section, to read:

372 316.003 Definitions.—The following words and phrases, when
 373 used in this chapter, shall have the meanings respectively
 374 ascribed to them in this section, except where the context
 375 otherwise requires:

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

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

385 Section 3. Section 316.1303, Florida Statutes, is amended
 386 to read:

387 316.1303 Traffic regulations to assist mobility-impaired
 388 persons.—

389 (1) Whenever a pedestrian who is mobility impaired is in
 390 the process of crossing a public street or highway with the
 391 assistance of ~~and the pedestrian is mobility impaired~~ (using a
 392 guide dog or service animal designated as such with a visible

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393 means of identification, a walker, a crutch, an orthopedic cane,
 394 or a wheelchair), the driver of a every vehicle approaching the
 395 intersection, as defined in s. 316.003(17), shall bring his or
 396 her vehicle to a full stop before arriving at the such
 397 intersection and, before proceeding, shall take ~~such~~ precautions
 398 ~~as may be necessary~~ to avoid injuring the such pedestrian.

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

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

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

408 316.183 Unlawful speed.—

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

411 Section 5. Paragraph (d) of subsection (3) and subsections
 412 (5) and (8) of section 316.2065, Florida Statutes, are amended
 413 to read:

414 316.2065 Bicycle regulations.—

415 (3)

416 (d) A bicycle rider or passenger who is under 16 years of
 417 age must wear a bicycle helmet that is properly fitted and is
 418 fastened securely upon the passenger's head by a strap, and that
 419 meets the federal safety standard for bicycle helmets, final
 420 rule, 16 C.F.R. part 1203. A helmet purchased before October 1,

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421 2012, which meets the standards of the American National
422 Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the
423 standards of the Snell Memorial Foundation (1984 Standard for
424 Protective Headgear for Use in Bicycling), or any other
425 nationally recognized standards for bicycle helmets adopted by
426 the department may continue to be worn by a bicycle rider or
427 passenger until January 1, 2016. As used in this subsection, the
428 term "passenger" includes a child who is riding in a trailer or
429 semitrailer attached to a bicycle.

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

436 1. When overtaking and passing another bicycle or vehicle
437 proceeding in the same direction.

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

440 3. When reasonably necessary to avoid any condition or
441 potential conflict, including, but not limited to, a fixed or
442 moving object, parked or moving vehicle, bicycle, pedestrian,
443 animal, surface hazard, turn lane, or substandard-width lane,
444 which ~~that~~ makes it unsafe to continue along the right-hand curb
445 or edge or within a bicycle lane. For the purposes of this
446 subsection, a "substandard-width lane" is a lane that is too
447 narrow for a bicycle and another vehicle to travel safely side
448 by side within the lane.

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

452 (8) Every bicycle in use between sunset and sunrise shall
 453 be equipped with a lamp on the front exhibiting a white light
 454 visible from a distance of at least 500 feet to the front and a
 455 lamp and reflector on the rear each exhibiting a red light
 456 visible from a distance of 600 feet to the rear. A bicycle or
 457 its rider may be equipped with lights or reflectors in addition
 458 to those required by this section. A law enforcement officer may
 459 issue a bicycle safety brochure and a verbal warning to a
 460 bicycle rider who violates this subsection or may issue a
 461 citation and assess a fine for a pedestrian violation, as
 462 provided in s. 318.18. The court shall dismiss the charge
 463 against a bicycle rider for a first violation of this subsection
 464 upon proof of purchase and installation of the proper lighting
 465 equipment.

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

468 316.2085 Riding on motorcycles or mopeds.—

469 (3) The license tag of a motorcycle or moped must be
 470 permanently affixed to the vehicle and remain clearly visible
 471 from the rear at all times ~~may not be adjusted or capable of~~
 472 ~~being flipped up.~~ Any deliberate act to conceal or obscure ~~No~~
 473 ~~device for or method of concealing or obscuring~~ the legibility
 474 of the license tag of a motorcycle or moped is prohibited ~~shall~~
 475 ~~be installed or used.~~ The license tag of a motorcycle or moped
 476 may be affixed horizontally to the ground so that the numbers

477 and letters read from left to right. Alternatively, a Florida
 478 license tag for a motorcycle or moped for which the numbers and
 479 letters read from top to bottom may be affixed perpendicularly
 480 to the ground, provided that the registered owner of the
 481 motorcycle or moped maintains a prepaid toll account in good
 482 standing and a transponder associated with the prepaid toll
 483 account is affixed to the motorcycle or moped. A license tag for
 484 a motorcycle or moped issued by another jurisdiction for which
 485 the numbers and letters read from top to bottom may be affixed
 486 perpendicularly to the ground.

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

489 316.2126 Authorized use of golf carts, low-speed vehicles,
 490 and utility vehicles.—

491 (1) In addition to the powers granted by ss. 316.212 and
 492 316.2125, municipalities are authorized to utilize golf carts
 493 and utility vehicles, as defined in s. 320.01, upon any state,
 494 county, or municipal roads located within the corporate limits
 495 of such municipalities, subject to the following conditions:

496 (a) Golf carts and utility vehicles must comply with the
 497 operational and safety requirements in ss. 316.212 and 316.2125,
 498 and with any more restrictive ordinances enacted by the local
 499 governmental entity pursuant to s. 316.212(8), and shall be
 500 operated only by municipal employees for municipal purposes,
 501 including, but not limited to, police patrol, traffic
 502 enforcement, and inspection of public facilities.

503 (b) In addition to the safety equipment required in s.
 504 316.212(6) and any more restrictive safety equipment required by

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505 the local governmental entity pursuant to s. 316.212(8), such
 506 golf carts and utility vehicles must be equipped with sufficient
 507 lighting and turn signal equipment.

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

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

515 (e) Golf carts and utility vehicles may operate on
 516 sidewalks adjacent to state highways only if such golf carts and
 517 utility vehicles yield to pedestrians and if the sidewalks are
 518 at least 5 feet wide.

519 Section 8. Subsection (7) of section 316.2397, Florida
 520 Statutes, is amended to read:

521 316.2397 Certain lights prohibited; exceptions.—

522 (7) Flashing lights are prohibited on vehicles except:

523 (a) As a means of indicating a right or left turn, to
 524 change lanes, or to indicate that the vehicle is lawfully
 525 stopped or disabled upon the highway;

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

529 (c) For the lamps authorized under ~~in~~ subsections (1),
 530 (2), (3), (4), and (9), s. 316.2065, or ~~and~~ s. 316.235(5) which
 531 may are permitted to flash.

532 Section 9. Section 316.2129, Florida Statutes, is created

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533 to read:

534 316.2129 Operation of swamp buggies on public roads,
535 streets, or highways prohibited; exceptions.—

536 (1) The operation of a swamp buggy on a public road,
537 street, or highway is prohibited unless a local governmental
538 entity has designated the public road, street, or highway for
539 use by swamp buggies based on factors including, but not limited
540 to, the speed, volume, and character of the motor vehicle
541 traffic currently using the public road, street, or highway.
542 Upon determining that swamp buggies may be safely operated on a
543 public road, street, or highway, the local governmental entity
544 shall post signs indicating that such operation is allowed.

545 (2) The operation of a swamp buggy on land managed, owned,
546 or leased by a state or federal agency is prohibited unless the
547 state or federal agency authorizes the operation of swamp
548 buggies on such land, including any public road, street, or
549 highway running through or located within the state or federal
550 land. Upon determining that swamp buggies may be safely operated
551 on a public road, street, or highway running through or located
552 within such land, the state or federal agency shall post
553 appropriate signs or otherwise inform the public that the
554 operation of swamp buggies is allowed.

555 Section 10. Paragraph (c) of subsection (2) of section
556 316.302, Florida Statutes, is amended to read:

557 316.302 Commercial motor vehicles; safety regulations;
558 transporters and shippers of hazardous materials; enforcement.—

559 (2)

560 (c) Except as provided in 49 C.F.R. s. 395.1, a person who

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561 operates a commercial motor vehicle solely in intrastate
562 commerce not transporting any hazardous material in amounts that
563 require placarding pursuant to 49 C.F.R. part 172 may not drive
564 after having been on duty more than 70 hours in any period of 7
565 consecutive days or more than 80 hours in any period of 8
566 consecutive days if the motor carrier operates every day of the
567 week. Thirty-four consecutive hours off duty shall constitute
568 the end of any such period of 7 or 8 consecutive days. This
569 weekly limit does not apply to a person who operates a
570 commercial motor vehicle solely within this state while
571 transporting, during harvest periods, any unprocessed
572 agricultural products or unprocessed food or fiber that is
573 subject to seasonal harvesting from place of harvest to the
574 first place of processing or storage or from place of harvest
575 directly to market or while transporting livestock, livestock
576 feed, or farm supplies directly related to growing or harvesting
577 agricultural products. Upon request of the Department of
578 Transportation, motor carriers shall furnish time records or
579 other written verification to that department so that the
580 Department of Transportation can determine compliance with this
581 subsection. These time records must be furnished to the
582 Department of Transportation within 2 days after receipt of that
583 department's request. Falsification of such information is
584 subject to a civil penalty not to exceed \$100. ~~The provisions of~~
585 This paragraph does not apply to operators of farm labor
586 vehicles being operated during a state of emergency declared by
587 the Governor or pursuant to s. 570.07(21) and does ~~de~~ not apply
588 to drivers of utility service vehicles as defined in 49 C.F.R.

589 s. 395.2.

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

592 316.3026 Unlawful operation of motor carriers.—

593 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~
 594 ~~Carrier Compliance~~ may issue out-of-service orders to motor
 595 carriers, as defined in s. 320.01(33), who, after proper notice,
 596 have failed to pay any penalty or fine assessed by the
 597 department, or its agent, against any owner or motor carrier for
 598 violations of state law, refused to submit to a compliance
 599 review and provide records pursuant to s. 316.302(5) or s.
 600 316.70, or violated safety regulations pursuant to s. 316.302 or
 601 insurance requirements in s. 627.7415. Such out-of-service
 602 orders have the effect of prohibiting the operations of any
 603 motor vehicles owned, leased, or otherwise operated by the motor
 604 carrier upon the roadways of this state, until the violations
 605 have been corrected or penalties have been paid. Out-of-service
 606 orders must be approved by the director of the Division of the
 607 Florida Highway Patrol or his or her designee. An administrative
 608 hearing pursuant to s. 120.569 shall be afforded to motor
 609 carriers subject to such orders.

610 Section 12. Section 316.6135, Florida Statutes, is amended
 611 to read:

612 316.6135 Leaving children unattended or unsupervised in
 613 motor vehicles; penalty; authority of law enforcement officer.—

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

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617 (a) For a period in excess of 15 minutes;
 618 (b) For any period of time if the motor of the vehicle is
 619 running, ~~or~~ the health of the child is in danger, or the child
 620 appears to be in distress.

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

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

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

631 (5) Any law enforcement officer who observes a child left
 632 unattended or unsupervised in a motor vehicle in violation of
 633 subsection (1) may use whatever means are reasonably necessary
 634 to protect the minor child and to remove the child from the
 635 vehicle.

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

638 (7) The child shall be remanded to the custody of the
 639 Department of Children and Family Services pursuant to chapter
 640 39, unless the law enforcement officer is able to locate the
 641 parents or legal guardian or other person responsible for the
 642 child.

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

645 316.614 Safety belt usage.—

646 (9) ~~By January 1, 2006,~~ Each law enforcement agency in
 647 this state shall adopt departmental policies to prohibit the
 648 practice of racial profiling. ~~When a law enforcement officer~~
 649 ~~issues a citation for a violation of this section, the law~~
 650 ~~enforcement officer must record the race and ethnicity of the~~
 651 ~~violation. All law enforcement agencies must maintain such~~
 652 ~~information and forward the information to the department in a~~
 653 ~~form and manner determined by the department. The department~~
 654 ~~shall collect this information by jurisdiction and annually~~
 655 ~~report the data to the Governor, the President of the Senate,~~
 656 ~~and the Speaker of the House of Representatives. The report must~~
 657 ~~show separate statewide totals for the state's county sheriffs~~
 658 ~~and municipal law enforcement agencies, state law enforcement~~
 659 ~~agencies, and state university law enforcement agencies.~~

660 Section 14. Subsections (9) and (10) of section 318.14,
 661 Florida Statutes, are amended to read:

662 318.14 Noncriminal traffic infractions; exception;
 663 procedures.—

664 (9) Any person who does not hold a commercial driver
 665 ~~driver's~~ license and who is cited while driving a noncommercial
 666 motor vehicle for an infraction under this section other than a
 667 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the
 668 driver exceeds the posted limit by 30 miles per hour or more, s.
 669 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s.
 670 322.61, or s. 322.62 may, in lieu of a court appearance, elect
 671 to attend in the location of his or her choice within this state
 672 a basic driver improvement course approved by the Department of

673 Highway Safety and Motor Vehicles. In such a case, adjudication
 674 must be withheld and points, as provided by s. 322.27, may not
 675 be assessed. However, a person may not make an election under
 676 this subsection if the person has made an election under this
 677 subsection in the preceding 12 months. A person may not make ~~no~~
 678 more than five elections within his or her lifetime under this
 679 subsection. The requirement for community service under s.
 680 318.18(8) is not waived by a plea of nolo contendere or by the
 681 withholding of adjudication of guilt by a court. If a person
 682 makes an election to attend a basic driver improvement course
 683 under this subsection, 18 percent of the civil penalty imposed
 684 under s. 318.18(3) shall be deposited in the State Courts
 685 Revenue Trust Fund; however, that portion is not revenue for
 686 purposes of s. 28.36 and may not be used in establishing the
 687 budget of the clerk of the court under that section or s. 28.35.

688 (10) (a) Any person who does not hold a commercial driver
 689 ~~driver's~~ license and who is cited while driving a noncommercial
 690 motor vehicle for an offense listed under this subsection may,
 691 in lieu of payment of fine or court appearance, elect to enter a
 692 plea of nolo contendere and provide proof of compliance to the
 693 clerk of the court, designated official, or authorized operator
 694 of a traffic violations bureau. In such case, adjudication shall
 695 be withheld; however, a person may not make an ~~no~~ election ~~shall~~
 696 ~~be made~~ under this subsection if the ~~such~~ person has made an
 697 election under this subsection in the preceding 12 months
 698 ~~preceding election hereunder~~. ~~A~~ No person may not make more than
 699 three elections under this subsection. This subsection applies
 700 to the following offenses:

701 1. Operating a motor vehicle without a valid driver
 702 ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s.
 703 322.065, or s. 322.15(1), or operating a motor vehicle with a
 704 license that has been suspended for failure to appear, failure
 705 to pay civil penalty, or failure to attend a driver improvement
 706 course pursuant to s. 322.291.

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

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

710 4. Operating a motor vehicle with a license that has been
 711 suspended under s. 61.13016 or s. 322.245 for failure to pay
 712 child support or for failure to pay any other financial
 713 obligation as provided in s. 322.245; however, this subparagraph
 714 does not apply if the license has been suspended pursuant to s.
 715 322.245(1).

716 5. Operating a motor vehicle with a license that has been
 717 suspended under s. 322.091 for failure to meet school attendance
 718 requirements.

719 (b) Any person cited for an offense listed in this
 720 subsection shall present proof of compliance before ~~prior to~~ the
 721 scheduled court appearance date. For the purposes of this
 722 subsection, proof of compliance shall consist of a valid,
 723 renewed, or reinstated driver ~~driver's~~ license or registration
 724 certificate and proper proof of maintenance of security as
 725 required by s. 316.646. Notwithstanding waiver of fine, any
 726 person establishing proof of compliance shall be assessed court
 727 costs of \$25, except that a person charged with violation of s.
 728 316.646(1)-(3) may be assessed court costs of \$8. One dollar of

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729 such costs shall be remitted to the Department of Revenue for
 730 deposit into the Child Welfare Training Trust Fund of the
 731 Department of Children and Family Services. One dollar of such
 732 costs shall be distributed to the Department of Juvenile Justice
 733 for deposit into the Juvenile Justice Training Trust Fund.
 734 Fourteen dollars of such costs shall be distributed to the
 735 municipality and \$9 shall be deposited by the clerk of the court
 736 into the fine and forfeiture fund established pursuant to s.
 737 142.01, if the offense was committed within the municipality. If
 738 the offense was committed in an unincorporated area of a county
 739 or if the citation was for a violation of s. 316.646(1)-(3), the
 740 entire amount shall be deposited by the clerk of the court into
 741 the fine and forfeiture fund established pursuant to s. 142.01,
 742 except for the moneys to be deposited into the Child Welfare
 743 Training Trust Fund and the Juvenile Justice Training Trust
 744 Fund. This subsection does ~~shall~~ not be construed to authorize
 745 the operation of a vehicle without a valid driver ~~driver's~~
 746 license, without a valid vehicle tag and registration, or
 747 without the maintenance of required security.

748 Section 15. Paragraph (c) is added to subsection (1) of
 749 section 318.15, Florida Statutes, to read:

750 318.15 Failure to comply with civil penalty or to appear;
 751 penalty.-

752 (1)

753 (c) A person who is charged with a traffic infraction may
 754 request a hearing within 180 days after the date upon which the
 755 violation occurred, regardless of any action taken by the court
 756 or the department to suspend the person's driving privilege, and

757 upon request, the clerk must set the case for hearing. The
 758 person shall be given a form for requesting that his or her
 759 driving privilege be reinstated. If the 180th day after the date
 760 upon which the violation occurred is a Saturday, Sunday, or a
 761 legal holiday, the person who is charged must request a hearing
 762 within 177 days after the date upon which the violation
 763 occurred; however, the court may grant a request for a hearing
 764 made more than 180 days after the date upon which the violation
 765 occurred. This paragraph does not affect the assessment of late
 766 fees as otherwise provided in this chapter.

767 Section 16. Paragraph (f) of subsection (3) of section
 768 318.18, Florida Statutes, is amended to read:

769 318.18 Amount of penalties.—The penalties required for a
 770 noncriminal disposition pursuant to s. 318.14 or a criminal
 771 offense listed in s. 318.17 are as follows:

772 (3)

773 (f) If a violation of s. 316.1301 or s. 316.1303(1) ~~s.~~
 774 ~~316.1303~~ results in an injury to the pedestrian or damage to the
 775 property of the pedestrian, an additional fine of up to \$250
 776 shall be paid. This amount must be distributed pursuant to s.
 777 318.21.

778 Section 17. Subsection (5) of section 318.21, Florida
 779 Statutes, is amended to read:

780 318.21 Disposition of civil penalties by county courts.—
 781 All civil penalties received by a county court pursuant to the
 782 provisions of this chapter shall be distributed and paid monthly
 783 as follows:

784 (5) Of the additional fine assessed under s. 318.18(3)(f)

785 for a violation of s. 316.1303(1) ~~s. 316.1303~~, 60 percent must
 786 be remitted to the Department of Revenue and transmitted monthly
 787 to the Florida Endowment Foundation for Vocational
 788 Rehabilitation, and 40 percent must be distributed pursuant to
 789 subsections (1) and (2).

790 Section 18. Section 319.14, Florida Statutes, is amended
 791 to read:

792 319.14 Sale of motor vehicles registered or used as
 793 taxicabs, police vehicles, lease vehicles, or rebuilt vehicles
 794 and nonconforming vehicles.—

795 (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
 796 sell, or exchange any vehicle that has been licensed,
 797 registered, or used as a taxicab, police vehicle, or short-term-
 798 lease vehicle, or a vehicle that has been repurchased by a
 799 manufacturer pursuant to a settlement, determination, or
 800 decision under chapter 681, until the department has stamped in
 801 a conspicuous place on the certificate of title of the vehicle,
 802 or its duplicate, words stating the nature of the previous use
 803 of the vehicle or the title has been stamped "Manufacturer's Buy
 804 Back" to reflect that the vehicle is a nonconforming vehicle. If
 805 the certificate of title or duplicate was not so stamped upon
 806 initial issuance thereof or if, subsequent to initial issuance
 807 of the title, the use of the vehicle is changed to a use
 808 requiring the notation provided for in this section, the owner
 809 or lienholder of the vehicle shall surrender the certificate of
 810 title or duplicate to the department prior to offering the
 811 vehicle for sale, and the department shall stamp the certificate
 812 or duplicate as required herein. When a vehicle has been

813 repurchased by a manufacturer pursuant to a settlement,
 814 determination, or decision under chapter 681, the title shall be
 815 stamped "Manufacturer's Buy Back" to reflect that the vehicle is
 816 a nonconforming vehicle.

817 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,
 818 sell, or exchange a rebuilt vehicle until the department has
 819 stamped in a conspicuous place on the certificate of title for
 820 the vehicle words stating that the vehicle has been rebuilt or
 821 assembled from parts, or is a kit car, glider kit, replica, ~~or~~
 822 flood vehicle, custom vehicle, or street rod unless proper
 823 application for a certificate of title for a vehicle that is
 824 rebuilt or assembled from parts, or is a kit car, glider kit,
 825 replica, ~~or~~ flood vehicle, custom vehicle, or street rod has
 826 been made to the department in accordance with this chapter and
 827 the department has conducted the physical examination of the
 828 vehicle to ensure ~~assure~~ the identity of the vehicle and all
 829 major component parts, as defined in s. 319.30(1), which have
 830 been repaired or replaced. Thereafter, the department shall
 831 affix a decal to the vehicle, in the manner prescribed by the
 832 department, showing the vehicle to be rebuilt.

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

834 1.4. "Assembled from parts" means a motor vehicle or
 835 mobile home assembled from parts or combined from parts of motor
 836 vehicles or mobile homes, new or used. The term ~~"Assembled from~~
 837 ~~parts"~~ does not include ~~mean~~ a motor vehicle defined as a
 838 "rebuilt vehicle" in subparagraph 9. 3. ~~7~~, which has been declared
 839 a total loss pursuant to s. 319.30.

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

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841 a.(I) Is 25 years old or older and of a model year after
842 1948 or was manufactured to resemble a vehicle that is 25 years
843 old or older and of a model year after 1948; and

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

846 b. The model year and year of manufacture which the body
847 of a custom vehicle resembles is the model year and year of
848 manufacture listed on the certificate of title, regardless of
849 when the vehicle was actually manufactured.

850 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
851 that has been declared to be a total loss pursuant to s.
852 319.30(3) (a) resulting from damage caused by water.

853 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
854 supplied by a manufacturer to rebuild a wrecked or outdated
855 truck or truck tractor.

856 5. "Kit car" means a motor vehicle assembled with a kit
857 supplied by a manufacturer to rebuild a wrecked or outdated
858 motor vehicle with a new body kit.

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

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

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

868 ~~7.9.~~ "Nonconforming vehicle" means a motor vehicle that

869 ~~which~~ has been purchased by a manufacturer pursuant to a
 870 settlement, determination, or decision under chapter 681.

871 ~~8.1.~~ "Police vehicle" means a motor vehicle owned or
 872 leased by the state or a county or municipality and used in law
 873 enforcement.

874 ~~9.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
 875 home built from salvage or junk, as defined in s. 319.30(1).

876 ~~10.7.~~ "Replica" means a complete new motor vehicle
 877 manufactured to look like an old vehicle.

878 ~~11.10.~~ "Settlement" means an agreement entered into
 879 between a manufacturer and a consumer that occurs after a
 880 dispute is submitted to a program, or an informal dispute
 881 settlement procedure established by a manufacturer or is
 882 approved for arbitration before the New Motor Vehicle
 883 Arbitration Board as defined in s. 681.102.

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

885 a.(I) Is of a model year of 1948 or older or was
 886 manufactured after 1948 to resemble a vehicle of a model year of
 887 1948 or older; and

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

890 b. The model year and year of manufacture which the body
 891 of a street rod resembles is the model year and year of
 892 manufacture listed on the certificate of title, regardless of
 893 when the vehicle was actually manufactured.

894 (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or
 895 transfer a vehicle referred to in subsection (1) without, prior
 896 to consummating the sale, exchange, or transfer, disclosing in

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897 writing to the purchaser, customer, or transferee the fact that
898 the vehicle has previously been titled, registered, or used as a
899 taxicab, police vehicle, or short-term-lease vehicle or is a
900 vehicle that is rebuilt or assembled from parts, or is a kit
901 car, glider kit, replica, or flood vehicle, or is a
902 nonconforming vehicle, custom vehicle, or street rod, as the
903 case may be.

904 (3) A ~~Any~~ person who, with intent to offer for sale or
905 exchange any vehicle referred to in subsection (1), knowingly or
906 intentionally advertises, publishes, disseminates, circulates,
907 or places before the public in any communications medium,
908 whether directly or indirectly, any offer to sell or exchange
909 the vehicle shall clearly and precisely state in each such offer
910 that the vehicle has previously been titled, registered, or used
911 as a taxicab, police vehicle, or short-term-lease vehicle or
912 that the vehicle or mobile home is a vehicle that is rebuilt or
913 assembled from parts, or is a kit car, glider kit, replica, or
914 flood vehicle, or a nonconforming vehicle, custom vehicle, or
915 street rod, as the case may be. A ~~Any~~ person who violates this
916 subsection commits a misdemeanor of the second degree,
917 punishable as provided in s. 775.082 or s. 775.083.

918 (4) When a certificate of title, including a foreign
919 certificate, is branded to reflect a condition or prior use of
920 the titled vehicle, the brand must be noted on the registration
921 certificate of the vehicle and such brand shall be carried
922 forward on all subsequent certificates of title and registration
923 certificates issued for the life of the vehicle.

924 (5) A ~~Any~~ person who knowingly sells, exchanges, or offers

925 to sell or exchange a motor vehicle or mobile home contrary to
 926 the provisions of this section or any officer, agent, or
 927 employee of a person who knowingly authorizes, directs, aids in,
 928 or consents to the sale, exchange, or offer to sell or exchange
 929 a motor vehicle or mobile home contrary to the provisions of
 930 this section commits a misdemeanor of the second degree,
 931 punishable as provided in s. 775.082 or s. 775.083.

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

936 (7) This section applies to a mobile home, travel trailer,
 937 camping trailer, truck camper, or fifth-wheel recreation trailer
 938 only when such mobile home or vehicle is a rebuilt vehicle or is
 939 assembled from parts.

940 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in
 941 any civil action arising out of a violation of this section if
 942 the designation of the previous use or condition of the motor
 943 vehicle is not noted on the certificate of title and
 944 registration certificate of the vehicle which was received by,
 945 or delivered to, such person, unless such person has actively
 946 concealed the prior use or condition of the vehicle from the
 947 purchaser.

948 (9) Subsections (1), (2), and (3) do not apply to the
 949 transfer of ownership of a motor vehicle after the motor vehicle
 950 has ceased to be used as a lease vehicle and the ownership has
 951 been transferred to an owner for private use or to the transfer
 952 of ownership of a nonconforming vehicle with 36,000 or more

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953 miles on its odometer, or 34 months whichever is later and the
954 ownership has been transferred to an owner for private use. Such
955 owner, as shown on the title certificate, may request the
956 department to issue a corrected certificate of title that does
957 not contain the statement of the previous use of the vehicle as
958 a lease vehicle or condition as a nonconforming vehicle.

959 Section 19. Subsection (6) of section 319.23, Florida
960 Statutes, is amended, present subsections (7) through (11) of
961 that section are redesignated as subsections (8) through (12),
962 respectively, and a new subsection (7) is added to that section,
963 to read:

964 319.23 Application for, and issuance of, certificate of
965 title.—

966 (6) (a) In the case of the sale of a motor vehicle or
967 mobile home by a licensed dealer to a general purchaser, the
968 certificate of title must be obtained in the name of the
969 purchaser by the dealer upon application signed by the
970 purchaser, and in each other case the ~~such~~ certificate must be
971 obtained by the purchaser. In each case of transfer of a motor
972 vehicle or mobile home, the application for a certificate of
973 title, a corrected certificate, or an assignment or reassignment
974 must be filed within 30 days after the delivery of the motor
975 vehicle or after consummation of the sale of the mobile home to
976 the purchaser. An applicant must pay a fee of \$20, in addition
977 to all other fees and penalties required by law, for failing to
978 file such application within the specified time. In the case of
979 the sale of a motor vehicle by a licensed motor vehicle dealer
980 to a general purchaser who resides in another state or country,

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981 the dealer is not required to apply for a certificate of title
 982 for the motor vehicle; however, the dealer must transfer
 983 ownership and reassign the certificate of title or
 984 manufacturer's certificate of origin to the purchaser, and the
 985 purchaser must sign an affidavit, as approved by the department,
 986 that the purchaser will title and register the motor vehicle in
 987 another state or country.

988 (b) If a licensed dealer acquires a motor vehicle or
 989 mobile home as a trade-in, the dealer must file with the
 990 department, within 30 days, a notice of sale signed by the
 991 seller. The department shall update its database for that title
 992 record to indicate "sold." A licensed dealer need not apply for
 993 a certificate of title for any motor vehicle or mobile home in
 994 stock acquired for stock purposes except as provided in s.
 995 319.225.

996 (7) If an applicant for a certificate of title is unable
 997 to provide the department with a certificate of title that
 998 assigns the prior owner's interest in the motor vehicle, the
 999 department may accept a bond in the form prescribed by the
 1000 department, along with an affidavit in a form prescribed by the
 1001 department, which includes verification of the vehicle
 1002 identification number and an application for title.

- 1003 (a) The bond must be:
- 1004 1. In a form prescribed by the department;
 - 1005 2. Executed by the applicant;
 - 1006 3. Issued by a person authorized to conduct a surety
 1007 business in this state;
 - 1008 4. In an amount equal to two times the value of the

1009 vehicle as determined by the department; and
 1010 5. Conditioned to indemnify all prior owners and
 1011 lienholders and all subsequent purchasers of the vehicle or
 1012 persons who acquire a security interest in the vehicle, and
 1013 their successors in interest, against any expense, loss, or
 1014 damage, including reasonable attorney fees, occurring because of
 1015 the issuance of the certificate of title for the vehicle or for
 1016 a defect in or undisclosed security interest on the right,
 1017 title, or interest of the applicant to the vehicle.

1018 (b) An interested person has a right to recover on the
 1019 bond for a breach of the bond's condition. The aggregate
 1020 liability of the surety to all persons may not exceed the amount
 1021 of the bond.

1022 (c) A bond under this subsection expires on the third
 1023 anniversary of the date the bond became effective.

1024 (d) The affidavit must:

- 1025 1. Be in a form prescribed by the department;
- 1026 2. Include the facts and circumstances under which the
 1027 applicant acquired ownership and possession of the motor
 1028 vehicle;
- 1029 3. Disclose that no security interests, liens, or
 1030 encumbrances against the motor vehicle are known to the
 1031 applicant against the motor vehicle; and
- 1032 4. State that the applicant has the right to have a
 1033 certificate of title issued.

1034 Section 20. Subsection (8) of section 319.24, Florida
 1035 Statutes, is amended to read:

1036 319.24 Issuance in duplicate; delivery; liens and

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1037 encumbrances.—
 1038 (8) Notwithstanding any requirements in this section or in
 1039 s. 319.27 indicating that a lien on a motor vehicle or mobile
 1040 home shall be noted on the face of the Florida certificate of
 1041 title, if there are one or more liens or encumbrances on the
 1042 motor vehicle or mobile home, the department shall ~~may~~
 1043 electronically transmit the lien to the first lienholder and
 1044 notify the first lienholder of any additional liens. Subsequent
 1045 lien satisfactions shall ~~may~~ be electronically transmitted to
 1046 the department and must ~~shall~~ include the name and address of
 1047 the person or entity satisfying the lien. When electronic
 1048 transmission of liens and lien satisfactions is ~~are~~ used, the
 1049 issuance of a certificate of title may be waived until the last
 1050 lien is satisfied and a clear certificate of title is issued to
 1051 the owner of the vehicle. In subsequent transfer of ownership of
 1052 the motor vehicle, it shall be presumed that the motor vehicle
 1053 title is subject to a lien as set forth in s. 319.225(6) (a)
 1054 until the title to be issued pursuant to this subsection is
 1055 received by the person or entity satisfying the lien.

1056 Section 21. Subsection (7) is added to section 319.27,
 1057 Florida Statutes, to read:

1058 319.27 Notice of lien on motor vehicles or mobile homes;
 1059 notation on certificate; recording of lien.—

1060 (7) The department shall administer an electronic titling
 1061 program that requires the electronic recording of vehicle title
 1062 information for new, transferred, and corrected certificates of
 1063 title. Lienholders shall electronically transmit liens and lien
 1064 satisfactions to the department in a format determined by the

1065 department. Individuals and lienholders who the department
 1066 determines are not normally engaged in the business or practice
 1067 of financing vehicles are exempt from the electronic titling
 1068 requirement.

1069 Section 22. Subsection (3) is added to section 319.28,
 1070 Florida Statutes, to read:

1071 319.28 Transfer of ownership by operation of law.—

1072 (3) A dealer of farm or industrial equipment who conducts
 1073 a repossession, as defined in s. 493.6101(22), of such equipment
 1074 is not subject to licensure as a recovery agent or recovery
 1075 agency if the dealer is regularly engaged in the sale of the
 1076 equipment for a particular manufacturer and the lender is
 1077 affiliated with that manufacturer.

1078 Section 23. Section 319.40, Florida Statutes, is amended
 1079 to read:

1080 319.40 Transactions by electronic or telephonic means.—

1081 (1) The department may ~~is authorized to~~ accept any
 1082 application provided for under this chapter by electronic or
 1083 telephonic means.

1084 (2) The department may issue an electronic certificate of
 1085 title in lieu of printing a paper title.

1086 (3) The department may collect electronic mail addresses
 1087 and use electronic mail in lieu of the United States Postal
 1088 Service as a method of notification. However, any notice
 1089 regarding the potential forfeiture or foreclosure of an interest
 1090 in property must be sent via the United States Postal Service.

1091 Section 24. Paragraph (a) of subsection (1) of section
 1092 320.01, Florida Statutes, is amended, and subsection (46) is

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1093 added to that section, to read:

1094 320.01 Definitions, general.—As used in the Florida
 1095 Statutes, except as otherwise provided, the term:

1096 (1) "Motor vehicle" means:

1097 (a) An automobile, motorcycle, truck, trailer,
 1098 semitrailer, truck tractor and semitrailer combination, or any
 1099 other vehicle operated on the roads of this state, used to
 1100 transport persons or property, and propelled by power other than
 1101 muscular power, but the term does not include traction engines,
 1102 road rollers, special mobile equipment as defined in s.
 1103 316.003(48), ~~such~~ vehicles that ~~as~~ run only upon a track,
 1104 bicycles, swamp buggies, or mopeds.

1105 (46) "Swamp buggy" means a motorized off-road vehicle that
 1106 is designed or modified to travel over swampy or varied terrain
 1107 and that may use large tires or tracks operated from an elevated
 1108 platform. The term does not include any vehicle defined in
 1109 chapter 261 or otherwise defined or classified in this chapter.

1110 Section 25. Subsection (2) and paragraph (e) of subsection
 1111 (5) of section 320.02, Florida Statutes, are amended, paragraphs
 1112 (o), (p), (q), and (r) are added to subsection (15), and
 1113 subsections (18) and (19) are added to that section, to read:

1114 320.02 Registration required; application for
 1115 registration; forms.—

1116 (2)(a) The application for registration shall include the
 1117 street address of the owner's permanent residence or the address
 1118 of his or her permanent place of business and shall be
 1119 accompanied by personal or business identification information
 1120 which may include, but need not be limited to, a driver ~~driver's~~

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1121 license number, Florida identification card number, or federal
 1122 employer identification number. If the owner does not have a
 1123 permanent residence or permanent place of business or if the
 1124 owner's permanent residence or permanent place of business
 1125 cannot be identified by a street address, the application shall
 1126 include:

1127 1. If the vehicle is registered to a business, the name
 1128 and street address of the permanent residence of an owner of the
 1129 business, an officer of the corporation, or an employee who is
 1130 in a supervisory position.

1131 2. If the vehicle is registered to an individual, the name
 1132 and street address of the permanent residence of a close
 1133 relative or friend who is a resident of this state.

1134
 1135 If the vehicle is registered to an active duty member of the
 1136 Armed Forces of the United States who is a Florida resident, the
 1137 active duty member is exempt from the requirement to provide the
 1138 street address of a permanent residence.

1139 (b) The department shall prescribe a form upon which motor
 1140 vehicle owners may record odometer readings when registering
 1141 their motor vehicles.

1142 (5)

1143 (e) Upon the expiration date noted in the cancellation
 1144 notice that the department receives from the insurer, the
 1145 department shall suspend the registration, issued under this
 1146 chapter or s. 207.004(1), of a motor carrier who operates a
 1147 commercial motor vehicle or who permits it to be operated in
 1148 this state during the registration period without having in full

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1149 force ~~and effect~~ liability insurance, a surety bond, or a valid
1150 self-insurance certificate that complies with ~~the provisions of~~
1151 this section. The insurer shall provide notice to the department
1152 at the same time the cancellation notice is provided to the
1153 insured pursuant to s. 627.7281. The department may adopt rules
1154 regarding the electronic submission of the cancellation notice
1155 ~~liability insurance policy or surety bond may not be canceled on~~
1156 ~~less than 30 days' written notice by the insurer to the~~
1157 ~~department, such 30 days' notice to commence from the date~~
1158 ~~notice is received by the department.~~

1159 (15)

1160 (o) The application form for motor vehicle registration
1161 and renewal registration must include language permitting a
1162 voluntary contribution of \$1 to the Florida Association of Food
1163 Banks, Inc. The proceeds shall be distributed by the department
1164 each month to Florida Association of Food Banks, Inc., to be
1165 used by that organization for the purpose of ending hunger in
1166 this state.

1167 (p) The application form for motor vehicle registration
1168 and renewal of registration must include language permitting a
1169 voluntary contribution of \$1 per applicant for Autism Services
1170 and Supports. Such contributions must be transferred by the
1171 department to the Achievement and Rehabilitation Centers, Inc.,
1172 Autism Services Fund.

1173 (q) The application form for motor vehicle registration
1174 and renewal of registration must include language permitting a
1175 voluntary contribution of \$1 per applicant to Support Our
1176 Troops, which shall be distributed to Support Our Troops, Inc.,

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1177 a Florida not-for-profit organization.

1178 (r) The application form for motor vehicle registration
1179 and renewal of registration must include language permitting a
1180 voluntary contribution of \$1 to Take Stock In Children. Such
1181 contributions shall be transferred by the department to Take
1182 Stock In Children, Inc.

1183

1184 For the purpose of applying the service charge provided in s.
1185 215.20, contributions received under this subsection are not
1186 income of a revenue nature.

1187 (18) Notwithstanding subsections (8), (14), and (15), the
1188 department and the tax collectors acting as agents for the
1189 department shall provide a complete list of voluntary
1190 contributions authorized by law to customers applying for
1191 registration or renewal registration. The renewal application
1192 forms must include either a complete list of all authorized
1193 voluntary contributions or the department's website address
1194 which provides a complete list and information on all authorized
1195 voluntary contributions. The department or a tax collector may
1196 include on the renewal application forms a complete list of
1197 authorized voluntary contributions and the department's website
1198 address. Customers renewing a registration at either a tax
1199 collector's office or a department office shall be provided
1200 information on voluntary contribution options.

1201 (19) The department shall retain all electronic
1202 registration records for at least 10 years.

1203 Section 26. Subsection (8) of section 320.03, Florida
1204 Statutes, is amended to read:

1205 320.03 Registration; duties of tax collectors;
 1206 International Registration Plan.—
 1207 (8) If the applicant's name appears on the list referred
 1208 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a
 1209 license plate or revalidation sticker may not be issued until
 1210 that person's name no longer appears on the list or until the
 1211 person presents a receipt from the governmental entity or the
 1212 clerk of court that provided the data showing that the fines
 1213 outstanding have been paid. This subsection does not apply to
 1214 the owner of a leased vehicle if the vehicle is registered in
 1215 the name of the lessee of the vehicle. The tax collector and the
 1216 clerk of the court are each entitled to receive monthly, as
 1217 costs for implementing and administering this subsection, 10
 1218 percent of the civil penalties and fines recovered from such
 1219 persons. As used in this subsection, the term "civil penalties
 1220 and fines" does not include a wrecker operator's lien as
 1221 described in s. 713.78(13). If the tax collector has private tag
 1222 agents, such tag agents are entitled to receive a pro rata share
 1223 of the amount paid to the tax collector, based upon the
 1224 percentage of license plates and revalidation stickers issued by
 1225 the tag agent compared to the total issued within the county.
 1226 The authority of any private agent to issue license plates shall
 1227 be revoked, after notice and a hearing as provided in chapter
 1228 120, if he or she issues any license plate or revalidation
 1229 sticker contrary to the provisions of this subsection. This
 1230 section applies only to the annual renewal in the owner's birth
 1231 month of a motor vehicle registration and does not apply to the
 1232 transfer of a registration of a motor vehicle sold by a motor

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1233 vehicle dealer licensed under this chapter, except for the
 1234 transfer of registrations which includes ~~is inclusive of~~ the
 1235 annual renewals. This section does not affect the issuance of
 1236 the title to a motor vehicle, notwithstanding s. 319.23(8)(b)
 1237 ~~319.23(7)(b)~~.

1238 Section 27. Paragraph (c) of subsection (1) and paragraph
 1239 (a) of subsection (3) of section 320.06, Florida Statutes, are
 1240 amended to read:

1241 320.06 Registration certificates, license plates, and
 1242 validation stickers generally.—

1243 (1)

1244 (c) Registration license plates equipped with validation
 1245 stickers subject to the registration period are valid for not
 1246 more than 12 months and expire at midnight on the last day of
 1247 the registration period. A registration license plate equipped
 1248 with a validation sticker subject to the extended registration
 1249 period is valid for not more than 24 months and expires at
 1250 midnight on the last day of the extended registration period.
 1251 For each registration period after the one in which the original
 1252 ~~metal~~ registration license plate is issued, and until the
 1253 license plate is required to be replaced, a validation sticker
 1254 showing the month and year of expiration shall be issued upon
 1255 payment of the proper license tax amount and fees and is valid
 1256 for not more than 12 months. For each extended registration
 1257 period occurring after the one in which the original ~~metal~~
 1258 registration license plate is issued and until the license plate
 1259 is required to be replaced, a validation sticker showing the
 1260 year of expiration shall be issued upon payment of the proper

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1261 license tax amount and fees and is valid for not more than 24
1262 months. When license plates equipped with validation stickers
1263 are issued in any month other than the owner's birth month or
1264 the designated registration period for any other motor vehicle,
1265 the effective date shall reflect the birth month or month and
1266 the year of renewal. However, when a license plate or validation
1267 sticker is issued for a period of less than 12 months, the
1268 applicant shall pay the appropriate amount of license tax and
1269 the applicable fee under s. 320.14 in addition to all other
1270 fees. Validation stickers issued for vehicles taxed under s.
1271 320.08(6)(a), for any company that owns 250 vehicles or more, or
1272 for semitrailers taxed under the provisions of s. 320.08(5)(a),
1273 for any company that owns 50 vehicles or more, may be placed on
1274 any vehicle in the fleet so long as the vehicle receiving the
1275 validation sticker has the same owner's name and address as the
1276 vehicle to which the validation sticker was originally assigned.

1277 (3)(a) Registration license plates must be ~~made of metal~~
1278 ~~specialy~~ treated with a retroreflection material, as specified
1279 by the department. The registration license plate is designed to
1280 increase nighttime visibility and legibility and must be at
1281 least 6 inches wide and not less than 12 inches in length,
1282 unless a plate with reduced dimensions is deemed necessary by
1283 the department to accommodate motorcycles, mopeds, or similar
1284 smaller vehicles. Validation stickers must also be treated with
1285 a retroreflection material, must be of such size as specified by
1286 the department, and must adhere to the license plate. The
1287 registration license plate must be imprinted with a combination
1288 of bold letters and numerals or numerals, not to exceed seven

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1289 digits, to identify the registration license plate number. The
 1290 license plate must be imprinted with the word "Florida" at the
 1291 top and the name of the county in which it is sold, the state
 1292 motto, or the words "Sunshine State" at the bottom. Apportioned
 1293 license plates must have the word "Apportioned" at the bottom
 1294 and license plates issued for vehicles taxed under s.
 1295 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
 1296 the word "Restricted" at the bottom. License plates issued for
 1297 vehicles taxed under s. 320.08(12) must be imprinted with the
 1298 word "Florida" at the top and the word "Dealer" at the bottom.
 1299 Manufacturer license plates issued for vehicles taxed under s.
 1300 320.08(12) must be imprinted with the word "Florida" at the top
 1301 and the word "Manufacturer" at the bottom. License plates issued
 1302 for vehicles taxed under s. 320.08(5)(d) or (e) must be
 1303 imprinted with the word "Wrecker" at the bottom. Any county may,
 1304 upon majority vote of the county commission, elect to have the
 1305 county name removed from the license plates sold in that county.
 1306 The state motto or the words "Sunshine State" shall be printed
 1307 in lieu thereof. A license plate issued for a vehicle taxed
 1308 under s. 320.08(6) may not be assigned a registration license
 1309 number~~7~~ or be issued with any other distinctive character or
 1310 designation~~7~~ that distinguishes the motor vehicle as a for-hire
 1311 motor vehicle.

1312 Section 28. Section 320.0605, Florida Statutes, is amended
 1313 to read:

1314 320.0605 Certificate of registration; possession required;
 1315 exception.—

1316 (1) The registration certificate or an official copy

1317 | thereof, a true copy of ~~a~~ rental or lease documentation
 1318 | ~~agreement~~ issued for a motor vehicle or issued for a replacement
 1319 | vehicle in the same registration period, a temporary receipt
 1320 | printed upon self-initiated electronic renewal of a registration
 1321 | via the Internet, or a cab card issued for a vehicle registered
 1322 | under the International Registration Plan shall, at all times
 1323 | while the vehicle is being used or operated on the roads of this
 1324 | state, be in the possession of the operator thereof or be
 1325 | carried in the vehicle for which issued and shall be exhibited
 1326 | upon demand of any authorized law enforcement officer or any
 1327 | agent of the department, except for a vehicle registered under
 1328 | s. 320.0657. The provisions of this section do not apply during
 1329 | the first 30 days after purchase of a replacement vehicle. A
 1330 | violation of this section is a noncriminal traffic infraction,
 1331 | punishable as a nonmoving violation as provided in chapter 318.

1332 | (2) The rental or lease documentation required under
 1333 | subsection (1) must include all of the following information:

1334 | (a) The authorized renter's or lessee's name.

1335 | (b) The date of rental or lease and time of exit from the
 1336 | rental or lease facility.

1337 | (c) The rental or lease station identification.

1338 | (d) The rental or lease agreement number.

1339 | (e) The rental or lease vehicle's vehicle identification
 1340 | number or VIN.

1341 | (f) The rental or lease vehicle's license plate number and
 1342 | state of registration.

1343 | (g) The rental or lease vehicle's make, model, and color.

1344 | (h) The rental or lease vehicle's mileage when rented or

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1345 leased.

1346 Section 29. Section 320.061, Florida Statutes, is amended
1347 to read:

1348 320.061 Unlawful to alter motor vehicle registration
1349 certificates, license plates, temporary license plates, mobile
1350 home stickers, or validation stickers or to obscure license
1351 plates; penalty.—A ~~No~~ person may not ~~shall~~ alter the original
1352 appearance of a vehicle registration certificate, ~~any~~
1353 ~~registration~~ license plate, temporary license plate, mobile home
1354 sticker, or validation sticker, ~~or vehicle registration~~
1355 ~~certificate~~ issued for and assigned to a ~~any~~ motor vehicle or
1356 mobile home, whether by mutilation, alteration, defacement, or
1357 change of color or in any other manner. A ~~No~~ person may not
1358 ~~shall~~ apply or attach a ~~any~~ substance, reflective matter,
1359 illuminated device, spray, coating, covering, or other material
1360 onto or around any license plate which ~~that~~ interferes with the
1361 legibility, angular visibility, or detectability of any feature
1362 or detail on the license plate or interferes with the ability to
1363 record any feature or detail on the license plate. A ~~Any~~ person
1364 who violates this section commits a noncriminal traffic
1365 infraction, punishable as a moving violation as provided in
1366 chapter 318.

1367 Section 30. Subsection (1) of section 320.07, Florida
1368 Statutes, is amended to read:

1369 320.07 Expiration of registration; renewal required;
1370 penalties.—

1371 (1) The registration of a motor vehicle or mobile home
1372 expires at midnight on the last day of the registration or

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1373 extended registration period, or for a motor vehicle or mobile
 1374 home owner who is a natural person, at midnight on the owner's
 1375 birthday. A vehicle may ~~shall~~ not be operated on the roads of
 1376 this state after expiration of the renewal period unless the
 1377 registration has been renewed according to law.

1378 Section 31. Paragraph (z) of subsection (4) of section
 1379 320.08056, Florida Statutes, is amended to read:

1380 320.08056 Specialty license plates.—

1381 (4) The following license plate annual use fees shall be
 1382 collected for the appropriate specialty license plates:

1383 (z) Tampa Bay Estuary license plate, \$25 ~~\$15~~.

1384 Section 32. Paragraph (b) of subsection (45) of section
 1385 320.08058, Florida Statutes, is amended to read:

1386 320.08058 Specialty license plates.—

1387 (45) AQUACULTURE LICENSE PLATES.—

1388 (b) The annual use fees shall be distributed to the Harbor
 1389 Branch Oceanographic Institution, Inc. After reimbursement for
 1390 documented costs expended for establishing the license plate,
 1391 the Harbor Branch Oceanographic Institution, Inc., shall use the
 1392 remaining funds for aquaculture research and education programs
 1393 as follows:

1394 1. Ten percent of the funds shall be distributed to the
 1395 Guy Harvey Research Institute of the Nova Southeastern
 1396 University Oceanographic Center to conduct outreach and
 1397 education regarding aquaculture in the state.

1398 2. Up to 15 percent of the funds may be used for
 1399 administrative costs directly associated with the Harbor Branch
 1400 Oceanographic Institution's aquaculture programs and

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1401 administrative costs associated with the Aquaculture license
1402 plate.

1403 3. Up to 10 percent of the funds may be used for
1404 continuing promotion and marketing of the license plate.

1405 4. Thirty percent of the funds shall be distributed to the
1406 Florida Aquaculture Association for research and education.

1407 ~~5.4.~~ The remaining funds shall be used to conduct
1408 scientific research on environmentally responsible and
1409 sustainable methods of farming freshwater and saltwater
1410 organisms such as fish, shellfish, and crustaceans for food;
1411 biomedical species for pharmaceutical and nutraceutical
1412 compounds; and marine ornamentals for the aquarium trade. These
1413 funds shall also be used to expand the institution's educational
1414 programs that include secondary school field experiences,
1415 college degree programs, and intensive courses in order to
1416 further the objective of increasing aquaculture's contribution
1417 to the state's economy.

1418 Section 33. Paragraph (e) of subsection (4) of section
1419 320.08068, Florida Statutes, is amended to read:

1420 320.08068 Motorcycle specialty license plates.—

1421 (4) A license plate annual use fee of \$20 shall be
1422 collected for each motorcycle specialty license plate. Annual
1423 use fees shall be distributed to The Able Trust as custodial
1424 agent. The Able Trust may retain a maximum of 10 percent of the
1425 proceeds from the sale of the license plate for administrative
1426 costs. The Able Trust shall distribute the remaining funds as
1427 follows:

1428 (e) Twenty percent to the Florida Association of Centers

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1429 | for Independent Living ~~to be used to leverage additional funding~~
 1430 | ~~and new sources of revenue for the centers for independent~~
 1431 | ~~living in this state.~~

1432 | Section 34. Subsection (4) of section 320.0848, Florida
 1433 | Statutes, is amended to read:

1434 | 320.0848 Persons who have disabilities; issuance of
 1435 | disabled parking permits; temporary permits; permits for certain
 1436 | providers of transportation services to persons who have
 1437 | disabilities.—

1438 | (4) From the proceeds of the temporary disabled parking
 1439 | permit fees:

1440 | (a) The Department of Highway Safety and Motor Vehicles
 1441 | must receive \$3.50 for each temporary permit, to be deposited
 1442 | into the Highway Safety Operating Trust Fund and used for
 1443 | implementing the real-time disabled parking permit database and
 1444 | for administering the disabled parking permit program.

1445 | (b) The tax collector, for processing, must receive \$2.50
 1446 | for each temporary permit.

1447 | (c) The remainder must be distributed monthly as follows:

1448 | 1. To the Florida Endowment Foundation for Vocational
 1449 | Rehabilitation, known as "The Able Trust," ~~Governor's Alliance~~
 1450 | ~~for the Employment of Disabled Citizens~~ for the purpose of
 1451 | improving employment and training opportunities for persons who
 1452 | have disabilities, with special emphasis on removing
 1453 | transportation barriers, \$4. These fees must be directly
 1454 | deposited into the Florida Endowment Foundation for Vocational
 1455 | Rehabilitation as established in s. 413.615 Transportation
 1456 | ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~

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1457 ~~Alliance for Employment of Disabled Citizens.~~

1458 2. To the Transportation Disadvantaged Trust Fund to be
1459 used for funding matching grants to counties for the purpose of
1460 improving transportation of persons who have disabilities, \$5.

1461 Section 35. Paragraph (a) of subsection (1) of section
1462 320.089, Florida Statutes, is amended, and subsection (5) is
1463 added to that section, to read:

1464 320.089 Members of National Guard and active United States
1465 Armed Forces reservists; former prisoners of war; survivors of
1466 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi
1467 Freedom and Operation Enduring Freedom Veterans; Vietnam War
1468 Veterans; Combat Infantry Badge recipients; special license
1469 plates; fee.-

1470 (1) (a) Each owner or lessee of an automobile or truck for
1471 private use or recreational vehicle as specified in s.

1472 320.08(9)(c) or (d), which is not used for hire or commercial
1473 use, who is a resident of the state and an active or retired
1474 member of the Florida National Guard, a survivor of the attack
1475 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an
1476 active or retired member of any branch of the United States
1477 Armed Forces Reserve, or a recipient of the Combat Infantry
1478 Badge shall, upon application to the department, accompanied by
1479 proof of active membership or retired status in the Florida
1480 National Guard, proof of membership in the Pearl Harbor
1481 Survivors Association or proof of active military duty in Pearl
1482 Harbor on December 7, 1941, proof of being a Purple Heart medal
1483 recipient, ~~or~~ proof of active or retired membership in any
1484 branch of the Armed Forces Reserve, or proof of membership in

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1485 the Combat Infantrymen's Association, Inc., or other proof of
 1486 being a recipient of the Combat Infantry Badge, and upon payment
 1487 of the license tax for the vehicle as provided in s. 320.08, be
 1488 issued a license plate as provided by s. 320.06, upon which, in
 1489 lieu of the serial numbers prescribed by s. 320.06, shall be
 1490 stamped the words "National Guard," "Pearl Harbor Survivor,"
 1491 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry
 1492 Badge," as appropriate, followed by the serial number of the
 1493 license plate. Additionally, the Purple Heart plate may have the
 1494 words "Purple Heart" stamped on the plate and the likeness of
 1495 the Purple Heart medal appearing on the plate.

1496 (5) The owner or lessee of an automobile or truck for
 1497 private use, a truck weighing not more than 7,999 pounds, or a
 1498 recreational vehicle as specified in s. 320.08(9)(c) or (d)
 1499 which automobile, truck, or recreational vehicle is not used for
 1500 hire or commercial use who is a resident of the state and a
 1501 current or former member of the United States military who was
 1502 deployed and served in Vietnam during United States military
 1503 deployment in Indochina shall, upon application to the
 1504 department, accompanied by proof of active membership or former
 1505 active duty status during these operations, and, upon payment of
 1506 the license tax for the vehicle as provided in s. 320.08, be
 1507 issued a license plate as provided by s. 320.06 upon which, in
 1508 lieu of the registration license number prescribed by s. 320.06,
 1509 shall be stamped the words "Vietnam War Veteran," followed by
 1510 the registration license number of the plate.

1511 Section 36. Section 320.15, Florida Statutes, is amended
 1512 to read:

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1513 320.15 Refund of license tax.—Any resident owner of a
 1514 motor vehicle or mobile home that has been destroyed or
 1515 permanently removed from the state shall, upon application to
 1516 the department and surrender of the license plate or mobile home
 1517 sticker issued for such vehicle, be entitled to a credit to
 1518 apply to registration of any other vehicle in the name of the
 1519 owner, if the amount is \$3 or more, for the unexpired period of
 1520 the license. However, if the license plate surrendered is a
 1521 "for-hire" license plate, the amount of credit may not be more
 1522 than one-half of the annual license tax amount. A credit is ~~will~~
 1523 not ~~be~~ valid after the expiration date of the license plate
 1524 which is current on the date of the credit, as provided in s.
 1525 320.07. A motor vehicle or mobile home owner who renews a
 1526 registration during the advanced renewal period as provided in
 1527 s. 320.071 and who surrenders the motor vehicle or mobile home
 1528 license plate before the end of the renewal period may apply for
 1529 a refund of the license taxes assessed pursuant to s. 320.08.

1530 Section 37. Subsection (3) of section 320.27, Florida
 1531 Statutes, is amended to read:

1532 320.27 Motor vehicle dealers.—

1533 (3) APPLICATION AND FEE.—The application for the license
 1534 shall be in such form as may be prescribed by the department and
 1535 shall be subject to such rules with respect thereto as may be so
 1536 prescribed by it. Such application shall be verified by oath or
 1537 affirmation and shall contain a full statement of the name and
 1538 birth date of the person or persons applying therefor; the name
 1539 of the firm or copartnership, with the names and places of
 1540 residence of all members thereof, if such applicant is a firm or

1541 copartnership; the names and places of residence of the
 1542 principal officers, if the applicant is a body corporate or
 1543 other artificial body; the name of the state under whose laws
 1544 the corporation is organized; the present and former place or
 1545 places of residence of the applicant; and prior business in
 1546 which the applicant has been engaged and the location thereof.
 1547 Such application shall describe the exact location of the place
 1548 of business and shall state whether the place of business is
 1549 owned by the applicant and when acquired, or, if leased, a true
 1550 copy of the lease shall be attached to the application. The
 1551 applicant shall certify that the location provides an adequately
 1552 equipped office and is not a residence; that the location
 1553 affords sufficient unoccupied space upon and within which
 1554 adequately to store all motor vehicles offered and displayed for
 1555 sale; and that the location is a suitable place where the
 1556 applicant can in good faith carry on such business and keep and
 1557 maintain books, records, and files necessary to conduct such
 1558 business, which shall ~~will~~ be available at all reasonable hours
 1559 to inspection by the department or any of its inspectors or
 1560 other employees. The applicant shall certify that the business
 1561 of a motor vehicle dealer is the principal business which shall
 1562 be conducted at that location. The ~~Such~~ application shall
 1563 contain a statement that the applicant is either franchised by a
 1564 manufacturer of motor vehicles, in which case the name of each
 1565 motor vehicle that the applicant is franchised to sell shall be
 1566 included, or an independent (nonfranchised) motor vehicle
 1567 dealer. The ~~Such~~ application shall contain ~~such~~ other relevant
 1568 information as may be required by the department, including

1569 evidence that the applicant is insured under a garage liability
 1570 insurance policy or a general liability insurance policy coupled
 1571 with a business automobile policy, which shall include, at a
 1572 minimum, \$25,000 combined single-limit liability coverage
 1573 including bodily injury and property damage protection and
 1574 \$10,000 personal injury protection. However, a salvage motor
 1575 vehicle dealer as defined in subparagraph (1)(c)5. is exempt
 1576 from the requirements for garage liability insurance and
 1577 personal injury protection insurance on those vehicles that
 1578 cannot be legally operated on state roads, highways, or streets.
 1579 Franchise dealers must submit a garage liability insurance
 1580 policy, and all other dealers must submit a garage liability
 1581 insurance policy or a general liability insurance policy coupled
 1582 with a business automobile policy. Such policy shall be for the
 1583 license period, and evidence of a new or continued policy shall
 1584 be delivered to the department at the beginning of each license
 1585 period. Upon making initial application, the applicant shall pay
 1586 to the department a fee of \$300 in addition to any other fees
 1587 now required by law. ~~‡~~ Upon making a subsequent renewal
 1588 application, the applicant shall pay to the department a fee of
 1589 \$75 in addition to any other fees now required by law. Upon
 1590 making an application for a change of location, the person shall
 1591 pay a fee of \$50 in addition to any other fees now required by
 1592 law. The department shall, in the case of every application for
 1593 initial licensure, verify whether certain facts set forth in the
 1594 application are true. Each applicant, general partner in the
 1595 case of a partnership, or corporate officer and director in the
 1596 case of a corporate applicant, must file a set of fingerprints

1597 with the department for the purpose of determining any prior
 1598 criminal record or any outstanding warrants. The department
 1599 shall submit the fingerprints to the Department of Law
 1600 Enforcement for state processing and forwarding to the Federal
 1601 Bureau of Investigation for federal processing. The actual cost
 1602 of state and federal processing shall be borne by the applicant
 1603 and is in addition to the fee for licensure. The department may
 1604 issue a license to an applicant pending the results of the
 1605 fingerprint investigation, which license is fully revocable if
 1606 the department subsequently determines that any facts set forth
 1607 in the application are not true or correctly represented.

1608 Section 38. Subsection (1) of section 320.771, Florida
 1609 Statutes, is amended to read:

1610 320.771 License required of recreational vehicle dealers.—

1611 (1) DEFINITIONS.—As used in this section, the term:

1612 (a) 1. "Dealer" means any person engaged in the business of
 1613 buying, selling, or dealing in recreational vehicles or offering
 1614 or displaying recreational vehicles for sale. The term "dealer"
 1615 includes a recreational vehicle broker. Any person who buys,
 1616 sells, deals in, or offers or displays for sale, or who acts as
 1617 the agent for the sale of, one or more recreational vehicles in
 1618 any 12-month period shall be prima facie presumed to be a
 1619 dealer. The terms "selling" and "sale" include lease-purchase
 1620 transactions. The term "dealer" does not include banks, credit
 1621 unions, and finance companies that acquire recreational vehicles
 1622 as an incident to their regular business and does not include
 1623 mobile home rental and leasing companies that sell recreational
 1624 vehicles to dealers licensed under this section.

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1625 2. A licensed dealer may transact business in recreational
1626 vehicles with a motor vehicle auction as defined in s.
1627 320.27(1)(c)4. Further, a licensed dealer may, at retail or
1628 wholesale, sell a motor vehicle, as described in s.
1629 320.01(1)(a), acquired in exchange for the sale of a
1630 recreational vehicle, if the ~~such~~ acquisition is incidental to
1631 the principal business of being a recreational vehicle dealer.
1632 However, a recreational vehicle dealer may not buy a motor
1633 vehicle for the purpose of resale unless licensed as a motor
1634 vehicle dealer pursuant to s. 320.27. A dealer may apply for a
1635 certificate of title to a recreational vehicle required to be
1636 registered under s. 320.08(9), using a manufacturer's statement
1637 of origin as permitted by s. 319.23(1), only if the dealer is
1638 authorized by a manufacturer/dealer agreement, as defined in s.
1639 320.3202, on file with the department, to buy, sell, or deal in
1640 that particular line-make of recreational vehicle, and the
1641 dealer is authorized by the manufacturer/dealer agreement to
1642 perform delivery and preparation obligations and warranty defect
1643 adjustments on that line-make.

1644 (b) "Recreational vehicle broker" means any person who is
1645 engaged in the business of offering to procure or procuring used
1646 recreational vehicles for the general public; who holds himself
1647 or herself out through solicitation, advertisement, or otherwise
1648 as one who offers to procure or procures used recreational
1649 vehicles for the general public; or who acts as the agent or
1650 intermediary on behalf of the owner or seller of a used
1651 recreational vehicle which is for sale or who assists or
1652 represents the seller in finding a buyer for the recreational

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1653 vehicle.

1654 (c) ~~For the purposes of this section, the term~~
 1655 "Recreational vehicle" does not include any camping trailer, as
 1656 defined in s. 320.01(1)(b)2.

1657 Section 39. Section 320.95, Florida Statutes, is amended
 1658 to read:

1659 320.95 Transactions by electronic or telephonic means.—

1660 (1) The department ~~may~~ is authorized to accept ~~an~~ any
 1661 application provided for under this chapter by electronic or
 1662 telephonic means.

1663 (2) The department may collect electronic mail addresses
 1664 and use electronic mail in lieu of the United States Postal
 1665 Service for the purpose of providing renewal notices.

1666 Section 40. Section 322.04, Florida Statutes, is amended
 1667 to read:

1668 322.04 Persons exempt from obtaining driver ~~driver's~~
 1669 license.—

1670 (1) The following persons are exempt from obtaining a
 1671 driver ~~driver's~~ license:

1672 (a) Any employee of the United States Government, while
 1673 operating a noncommercial motor vehicle owned by or leased to
 1674 the United States Government and being operated on official
 1675 business.

1676 (b) Any person while driving or operating any road
 1677 machine, farm tractor, or implement of husbandry temporarily
 1678 operated or moved on a highway.

1679 (c) A nonresident who is at least 16 years of age
 1680 operating ~~and who has in his or her immediate possession a valid~~

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1681 ~~noncommercial driver's license issued to the nonresident in his~~
 1682 ~~or her home state or country, may operate a motor vehicle of the~~
 1683 type for which a Class E driver ~~driver's~~ license is required in
 1684 this state if the nonresident has in his or her immediate
 1685 possession:

1686 1. A valid noncommercial driver license issued in his or
 1687 her name from another state or territory of the United States;
 1688 or

1689 2. An International Driving Permit issued in his or her
 1690 name in his or her country of residence and a valid license
 1691 issued in that country.

1692 ~~(d) A nonresident who is at least 18 years of age and who~~
 1693 ~~has in his or her immediate possession a valid noncommercial~~
 1694 ~~driver's license issued to the nonresident in his or her home~~
 1695 ~~state or country may operate a motor vehicle, other than a~~
 1696 ~~commercial motor vehicle, in this state.~~

1697 ~~(d)(e)~~ Any person operating a golf cart, as defined in s.
 1698 320.01, which is operated in accordance with the provisions of
 1699 s. 316.212.

1700 (2) ~~The provisions of~~ This section does ~~de~~ not apply to
 1701 any person to whom s. 322.031 applies.

1702 (3) Any person working for a firm under contract to the
 1703 United States Government, whose residence is outside ~~without~~
 1704 this state and whose main point of employment is outside ~~without~~
 1705 this state may drive a noncommercial vehicle on the public roads
 1706 of this state for periods up to 60 days while in this state on
 1707 temporary duty, if the ~~provided~~ such person has a valid driver
 1708 ~~driver's~~ license from the state of the ~~such~~ person's residence.

1709 Section 41. Paragraph (a) of subsection (1) of section
 1710 322.051, Florida Statutes, is amended, and subsection (9) is
 1711 added to that section, to read::

1712 322.051 Identification cards.—

1713 (1) Any person who is 5 years of age or older, or any
 1714 person who has a disability, regardless of age, who applies for
 1715 a disabled parking permit under s. 320.0848, may be issued an
 1716 identification card by the department upon completion of an
 1717 application and payment of an application fee.

1718 (a) The ~~Each such~~ application must ~~shall~~ include the
 1719 following information regarding the applicant:

1720 1. Full name (first, middle or maiden, and last), gender,
 1721 proof of social security card number satisfactory to the
 1722 department, county of residence, mailing address, proof of
 1723 residential address satisfactory to the department, country of
 1724 birth, and a brief description.

1725 2. Proof of birth date satisfactory to the department.

1726 3. Proof of identity satisfactory to the department. Such
 1727 proof must include one of the following documents issued to the
 1728 applicant:

1729 a. A driver ~~driver's~~ license record or identification card
 1730 record from another jurisdiction that required the applicant to
 1731 submit a document for identification which is substantially
 1732 similar to a document required under sub-subparagraph b., sub-
 1733 subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-
 1734 subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

1735 b. A certified copy of a United States birth certificate;

1736 c. A valid, unexpired United States passport;

1737 d. A naturalization certificate issued by the United
 1738 States Department of Homeland Security;

1739 e. A valid, unexpired alien registration receipt card
 1740 (green card);

1741 f. A Consular Report of Birth Abroad provided by the
 1742 United States Department of State;

1743 g. An unexpired employment authorization card issued by
 1744 the United States Department of Homeland Security; or

1745 h. Proof of nonimmigrant classification provided by the
 1746 United States Department of Homeland Security, for an original
 1747 identification card. In order to prove ~~such~~ nonimmigrant
 1748 classification, an applicant must provide at least one of
 1749 ~~applicants may produce but are not limited to~~ the following
 1750 documents. In addition, the department may require applicants to
 1751 produce United States Department of Homeland Security documents
 1752 for the sole purpose of establishing the maintenance of, or
 1753 efforts to maintain, continuous lawful presence:

1754 (I) A notice of hearing from an immigration court
 1755 scheduling a hearing on any proceeding.

1756 (II) A notice from the Board of Immigration Appeals
 1757 acknowledging pendency of an appeal.

1758 (III) A notice of the approval of an application for
 1759 adjustment of status issued by the United States Bureau of
 1760 Citizenship and Immigration Services.

1761 (IV) An ~~Any~~ official documentation confirming the filing
 1762 of a petition for asylum or refugee status or any other relief
 1763 issued by the United States Bureau of Citizenship and
 1764 Immigration Services.

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1765 (V) A notice of action transferring any pending matter
 1766 from another jurisdiction to Florida, issued by the United
 1767 States Bureau of Citizenship and Immigration Services.

1768 (VI) An order of an immigration judge or immigration
 1769 officer granting ~~any~~ relief that authorizes the alien to live
 1770 and work in the United States, including, but not limited to,
 1771 asylum.

1772 (VII) Evidence that an application is pending for
 1773 adjustment of status to that of an alien lawfully admitted for
 1774 permanent residence in the United States or conditional
 1775 permanent resident status in the United States, if a visa number
 1776 is available having a current priority date for processing by
 1777 the United States Bureau of Citizenship and Immigration
 1778 Services.

1779 (VIII) On or after January 1, 2010, an unexpired foreign
 1780 passport with an unexpired United States Visa affixed,
 1781 accompanied by an approved I-94, documenting the most recent
 1782 admittance into the United States.

1783
 1784 An identification card issued based on documents required
 1785 ~~Presentation of any of the documents described in sub-~~
 1786 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~
 1787 ~~applicant to an identification card for a period not to exceed~~
 1788 ~~the expiration date of the document presented or 1 year,~~
 1789 ~~whichever first occurs first.~~

1790 (9) Notwithstanding any other provision of this section or
 1791 s. 322.21 to the contrary, the department shall issue or renew a
 1792 card at no charge to a person who presents evidence satisfactory

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1793 to the department that he or she is homeless as defined in s.
 1794 414.0252(7).

1795 Section 42. Subsection (4) of section 322.058, Florida
 1796 Statutes, is amended to read:

1797 322.058 Suspension of driving privileges due to support
 1798 delinquency; reinstatement.—

1799 (4) This section applies only to the annual renewal in the
 1800 owner's birth month of a motor vehicle registration and does not
 1801 apply to the transfer of a registration of a motor vehicle sold
 1802 by a motor vehicle dealer licensed under chapter 320, except for
 1803 the transfer of registrations which includes ~~is inclusive of~~ the
 1804 annual renewals. This section does not affect the issuance of
 1805 the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~s.~~
 1806 ~~319.23(7)(b).~~

1807 Section 43. Section 322.065, Florida Statutes, is amended
 1808 to read:

1809 322.065 Driver ~~Driver's~~ license expired for 6 ~~4~~ months or
 1810 less; penalties.—A ~~Any~~ person whose driver ~~driver's~~ license has
 1811 been expired for 6 ~~4~~ months or less and who drives a motor
 1812 vehicle upon the highways of this state commits ~~is guilty of~~ an
 1813 infraction and is subject to the penalty provided in s. 318.18.

1814 Section 44. Subsection (3) of section 322.07, Florida
 1815 Statutes, is amended to read:

1816 322.07 Instruction permits and temporary licenses.—

1817 (3) Any person who, except for his or her lack of
 1818 instruction in operating a commercial motor vehicle, would
 1819 otherwise be qualified to obtain a commercial driver ~~driver's~~
 1820 license under this chapter, may apply for a temporary commercial

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1821 instruction permit. The department shall issue such a permit
 1822 entitling the applicant, while having the permit in his or her
 1823 immediate possession, to drive a commercial motor vehicle on the
 1824 highways, if ~~provided that~~:

1825 (a) The applicant possesses a valid Florida driver
 1826 ~~driver's~~ license ~~issued in any state~~; and

1827 (b) The applicant, while operating a commercial motor
 1828 vehicle, is accompanied by a licensed driver who is 21 years of
 1829 age or older, who is licensed to operate the class of vehicle
 1830 being operated, and who is ~~actually~~ occupying the closest seat
 1831 to the right of the driver.

1832 Section 45. Paragraph (c) of subsection (2) and subsection
 1833 (7) of section 322.08, Florida Statutes, are amended, and
 1834 subsections (8) and (9) are added to that section, to read:

1835 322.08 Application for license; requirements for license
 1836 and identification card forms.—

1837 (2) Each such application shall include the following
 1838 information regarding the applicant:

1839 (c) Proof of identity satisfactory to the department. Such
 1840 proof must include one of the following documents issued to the
 1841 applicant:

1842 1. A driver ~~driver's~~ license record or identification card
 1843 record from another jurisdiction that required the applicant to
 1844 submit a document for identification which is substantially
 1845 similar to a document required under subparagraph 2.,
 1846 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph
 1847 6., subparagraph 7., or subparagraph 8.;

1848 2. A certified copy of a United States birth certificate;

- 1849 | 3. A valid, unexpired United States passport;
- 1850 | 4. A naturalization certificate issued by the United
- 1851 | States Department of Homeland Security;
- 1852 | 5. A valid, unexpired alien registration receipt card
- 1853 | (green card);
- 1854 | 6. A Consular Report of Birth Abroad provided by the
- 1855 | United States Department of State;
- 1856 | 7. An unexpired employment authorization card issued by
- 1857 | the United States Department of Homeland Security; or
- 1858 | 8. Proof of nonimmigrant classification provided by the
- 1859 | United States Department of Homeland Security, for an original
- 1860 | driver ~~driver's~~ license. In order to prove nonimmigrant
- 1861 | classification, an applicant must provide at least one of the
- 1862 | following documents. In addition, the department may require
- 1863 | applicants to produce United States Department of Homeland
- 1864 | Security documents for the sole purpose of establishing the
- 1865 | maintenance of, or efforts to maintain, continuous lawful
- 1866 | presence ~~may produce the following documents, including, but not~~
- 1867 | ~~limited to:~~
- 1868 | a. A notice of hearing from an immigration court
- 1869 | scheduling a hearing on any proceeding.
- 1870 | b. A notice from the Board of Immigration Appeals
- 1871 | acknowledging pendency of an appeal.
- 1872 | c. A notice of the approval of an application for
- 1873 | adjustment of status issued by the United States Bureau of
- 1874 | Citizenship and Immigration Services.
- 1875 | d. An ~~Any~~ official documentation confirming the filing of
- 1876 | a petition for asylum or refugee status or any other relief

1877 | issued by the United States Bureau of Citizenship and
 1878 | Immigration Services.

1879 | e. A notice of action transferring any pending matter from
 1880 | another jurisdiction to this state issued by the United States
 1881 | Bureau of Citizenship and Immigration Services.

1882 | f. An order of an immigration judge or immigration officer
 1883 | granting ~~any~~ relief that authorizes the alien to live and work
 1884 | in the United States, including, but not limited to, asylum.

1885 | g. Evidence that an application is pending for adjustment
 1886 | of status to that of an alien lawfully admitted for permanent
 1887 | residence in the United States or conditional permanent resident
 1888 | status in the United States, if a visa number is available
 1889 | having a current priority date for processing by the United
 1890 | States Bureau of Citizenship and Immigration Services.

1891 | h. On or after January 1, 2010, an unexpired foreign
 1892 | passport with an unexpired United States Visa affixed,
 1893 | accompanied by an approved I-94, documenting the most recent
 1894 | admittance into the United States.

1895 |
 1896 | A driver license or temporary permit issued based on documents
 1897 | required ~~Presentation of any of the documents~~ in subparagraph 7.
 1898 | or subparagraph 8. is valid ~~entitles the applicant to a driver's~~
 1899 | ~~license or temporary permit~~ for a period not to exceed the
 1900 | expiration date of the document presented or 1 year, ~~whichever~~
 1901 | ~~occurs first.~~

1902 | (7) The application form for an original, renewal, or
 1903 | replacement driver ~~driver's~~ license or identification card shall
 1904 | include language permitting the following:

1905 (a) A voluntary contribution of \$1 per applicant, which
 1906 contribution shall be deposited into the Health Care Trust Fund
 1907 for organ and tissue donor education and for maintaining the
 1908 organ and tissue donor registry.

1909 (b) A voluntary contribution of \$1 per applicant, which
 1910 contribution shall be distributed to the Florida Council of the
 1911 Blind.

1912 (c) A voluntary contribution of \$2 per applicant, which
 1913 shall be distributed to the Hearing Research Institute,
 1914 Incorporated.

1915 (d) A voluntary contribution of \$1 per applicant, which
 1916 shall be distributed to the Juvenile Diabetes Foundation
 1917 International.

1918 (e) A voluntary contribution of \$1 per applicant, which
 1919 shall be distributed to the Children's Hearing Help Fund.

1920 (f) A voluntary contribution of \$1 per applicant, which
 1921 shall be distributed to Family First, a nonprofit organization.

1922 (g) A voluntary contribution of \$1 per applicant to Stop
 1923 Heart Disease, which shall be distributed to the Florida Heart
 1924 Research Institute, a nonprofit organization.

1925 (h) A voluntary contribution of \$1 per applicant to Senior
 1926 Vision Services, which shall be distributed to the Florida
 1927 Association of Agencies Serving the Blind, Inc., a not-for-
 1928 profit organization.

1929 (i) A voluntary contribution of \$1 per applicant for
 1930 services for persons with developmental disabilities, which
 1931 shall be distributed to The Arc of Florida.

1932 (j) A voluntary contribution of \$1 to the Ronald McDonald

1933 House, which shall be distributed each month to Ronald McDonald
 1934 House Charities of Tampa Bay, Inc.

1935 (k) Notwithstanding s. 322.081, a voluntary contribution
 1936 of \$1 per applicant, which shall be distributed to the League
 1937 Against Cancer/La Liga Contra el Cancer, a not-for-profit
 1938 organization.

1939 (l) A voluntary contribution of \$1 per applicant to
 1940 Prevent Child Sexual Abuse, which shall be distributed to
 1941 Lauren's Kids, Inc., a nonprofit organization.

1942 (m) A voluntary contribution of \$1 per applicant, which
 1943 shall be distributed to Prevent Blindness Florida, a not-for-
 1944 profit organization, to prevent blindness and preserve the sight
 1945 of the residents of this state.

1946 (n) Notwithstanding s. 322.081, a voluntary contribution
 1947 of \$1 per applicant to the state homes for veterans, to be
 1948 distributed on a quarterly basis by the department to the State
 1949 Homes for Veterans Trust Fund, which is administered by the
 1950 Department of Veterans' Affairs.

1951 (o) A voluntary contribution of \$1 per applicant to the
 1952 Disabled American Veterans, Department of Florida, which shall
 1953 be distributed quarterly to Disabled American Veterans,
 1954 Department of Florida, a nonprofit organization.

1955 (p) A voluntary contribution of \$1 per applicant for
 1956 Autism Services and Supports. Such contributions must be
 1957 transferred by the department to the Achievement and
 1958 Rehabilitation Centers, Inc., Autism Services Fund.

1959 (q) A voluntary contribution of \$1 per applicant to
 1960 Support Our Troops, which shall be distributed to Support Our

1961 Troops, Inc., a Florida not-for-profit organization.

1962

1963 A statement providing an explanation of the purpose of the trust

1964 funds shall also be included. For the purpose of applying the

1965 service charge provided in s. 215.20, contributions received

1966 under paragraphs (b)-(q) ~~(b)-(e)~~ are not income of a revenue

1967 nature.

1968 (8) Notwithstanding subsection (7), the department and its

1969 authorized agents shall provide a complete list of voluntary

1970 contributions authorized by law to customers applying for a

1971 license or identification card or renewal of a license or

1972 identification card. The renewal application form must include

1973 either a complete list of all authorized voluntary contributions

1974 or the department's website address which provides a complete

1975 list and information on all authorized voluntary contributions.

1976 The department or authorized agent may include on the renewal

1977 application forms a complete list of authorized voluntary

1978 contributions and the department's website address. Customers

1979 renewing a license or identification card at either an agent's

1980 office or a department office shall be provided information on

1981 voluntary contribution options.

1982 (9) The department may collect electronic mail addresses

1983 and use electronic mail in lieu of the United States Postal

1984 Service for the purpose of providing renewal notices.

1985 Section 46. Paragraph (c) of subsection (2) and subsection

1986 (5) of section 322.121, Florida Statutes, are amended to read:

1987 322.121 Periodic reexamination of all drivers.—

1988 (2) For each licensee whose driving record does not show

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1989 any revocations, disqualifications, or suspensions for the
 1990 preceding 7 years or any convictions for the preceding 3 years
 1991 except for convictions of the following nonmoving violations:

1992 (c) Operating a motor vehicle with an expired license that
 1993 has been expired for 6 4 months or less pursuant to s. 322.065;

1994
 1995 the department shall cause such licensee's license to be
 1996 prominently marked with the notation "Safe Driver."

1997 (5) Members of the Armed Forces, or their dependents
 1998 residing with them, shall be granted an automatic extension for
 1999 the expiration of their Class E licenses without reexamination
 2000 while serving on active duty outside this state. This extension
 2001 is valid for 90 days after the member of the Armed Forces is
 2002 either discharged or returns to this state to live.

2003 Section 47. Paragraph (a) of subsection (1) of section
 2004 322.14, Florida Statutes, is amended to read:

2005 322.14 Licenses issued to drivers.—

2006 (1)(a) The department shall, upon successful completion of
 2007 all required examinations and payment of the required fee, issue
 2008 to every qualified applicant ~~qualifying therefor,~~ a driver
 2009 ~~driver's~~ license that must ~~as applied for, which license shall~~
 2010 bear ~~thereon~~ a color photograph or digital image of the
 2011 licensee; the name of the state; a distinguishing number
 2012 assigned to the licensee; and the licensee's full name, date of
 2013 birth, and residence address; a brief description of the
 2014 licensee, including, but not limited to, the licensee's gender
 2015 and height; and the dates of issuance and expiration of the
 2016 license. A space shall be provided upon which the licensee shall

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2017 affix his or her usual signature. ~~A No license is invalid shall~~
 2018 ~~be valid until it has been se signed by the licensee except that~~
 2019 ~~the signature of the said licensee is not shall not be required~~
 2020 ~~if it appears thereon in facsimile or if the licensee is not~~
 2021 ~~present within the state at the time of issuance. Applicants~~
 2022 ~~qualifying to receive a Class A, Class B, or Class C driver's~~
 2023 ~~license must appear in person within the state for issuance of a~~
 2024 ~~color photographic or digital imaged driver's license pursuant~~
 2025 ~~to s. 322.142.~~

2026 Section 48. Section 322.1415, Florida Statutes, is created
 2027 to read:

2028 322.1415 Specialty driver license and identification card
 2029 program.—

2030 (1) The department may issue to any applicant qualified
 2031 pursuant to s. 322.14 a specialty driver license or
 2032 identification card upon payment of the appropriate fee pursuant
 2033 to s. 322.21.

2034 (2) Any specialty driver license or identification card
 2035 approved by the department shall, at a minimum, be available for
 2036 state and independent universities domiciled in this state, all
 2037 Florida professional sports teams designated pursuant to s.
 2038 320.08058(9)(a), and all branches of the United States Armed
 2039 Forces.

2040 (3) The design and use of each specialty driver license
 2041 and identification card must be approved by the department and
 2042 the organization that is recognized by the driver license or
 2043 card.

2044 (4) Organizations receiving funds from this program shall

2045 attest, under penalties of perjury, pursuant to s. 320.08062
 2046 that the funds have been expended in the same manner as provided
 2047 in s. 320.08058. On December 1 of each year, the department
 2048 shall deliver an annual report to the President of the Senate
 2049 and the Speaker of the House of Representatives which addresses
 2050 the viability of the program and details the amounts distributed
 2051 to each entity.

2052 (5) This section is repealed August 31, 2016.

2053 Section 49. Section 322.145, Florida Statutes, is created
 2054 to read:

2055 322.145 Electronic authentication of licenses.-

2056 (1) Any driver license issued on or after July 1, 2013,
 2057 must contain a means of electronic authentication which conforms
 2058 to a recognized standard for such authentication, such as public
 2059 key infrastructure, symmetric key algorithms, security tokens,
 2060 mediametrics, or biometrics. Electronic authentication
 2061 capabilities must not interfere with or change the driver
 2062 license format or topology.

2063 (2) The department shall provide, at the applicant's
 2064 option and at the time a license is issued, a security token
 2065 that can be electronically authenticated through a personal
 2066 computer. The token must also conform to one of the standards
 2067 provided in subsection (1).

2068 (3) The department shall negotiate a new contract with the
 2069 vendor selected to implement the electronic authentication
 2070 feature which provides that the vendor pay all costs of
 2071 implementing the system. This contract must not conflict with
 2072 current contractual arrangements for the issuance of driver

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2073 | licenses.

2074 | Section 50. Subsection (2) of section 322.19, Florida
 2075 | Statutes, is amended to read:

2076 | 322.19 Change of address or name.—

2077 | (2) Whenever any person, after applying for or receiving a
 2078 | driver ~~driver's~~ license, changes the legal residence or mailing
 2079 | address in the application or license, the person must, within
 2080 | 10 calendar days after making the change, obtain a replacement
 2081 | license that reflects the change. A written request to the
 2082 | department must include the old and new addresses and the driver
 2083 | ~~driver's~~ license number. Any person who has a valid, current
 2084 | student identification card issued by an educational institution
 2085 | in this state is presumed not to have changed his or her legal
 2086 | residence or mailing address. This subsection does not affect
 2087 | any person required to register a permanent or temporary address
 2088 | change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.
 2089 | 943.0435.

2090 | Section 51. Present paragraphs (e) through (h) of
 2091 | subsection (1) of section 322.21, Florida Statutes, are
 2092 | redesignated as paragraphs (f) through (i), respectively, and
 2093 | new paragraphs (e) and (j) are added to that subsection, to
 2094 | read:

2095 | 322.21 License fees; procedure for handling and collecting
 2096 | fees.—

2097 | (1) Except as otherwise provided herein, the fee for:

2098 | (e) An original or renewal enhanced driver license or
 2099 | identification card that meets the requirements of the Western
 2100 | Hemisphere Travel Initiative, in addition to the fees required

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2101 in paragraph (a), paragraph (b), paragraph (c), or paragraph
 2102 (f), may not exceed \$30. The funds collected pursuant to this
 2103 paragraph shall be deposited into the Highway Safety Operating
 2104 Trust Fund to offset the cost of administration and materials
 2105 related to the issuance of the enhanced driver license or
 2106 identification card. The issuance of an enhanced driver license
 2107 or identification card is optional for all residents who are
 2108 otherwise qualified to be issued a Class A, B, C, or E driver
 2109 license or an identification card.

2110 (j) The specialty driver license or identification card
 2111 issued pursuant to s. 322.1415 is \$25, which is in addition to
 2112 other fees required in this section. The fee shall be
 2113 distributed as follows:

2114 1. Fifty percent shall be distributed as provided in s.
 2115 320.08058 to the appropriate state or independent university,
 2116 professional sports team, or branch of the United States Armed
 2117 Forces.

2118 2. Fifty percent shall be distributed to the department
 2119 for costs directly related to the specialty driver license and
 2120 identification card program and to defray the costs associated
 2121 with production enhancements and distribution.

2122 Section 52. Subsection (2) of section 322.251, Florida
 2123 Statutes, is amended to read:

2124 322.251 Notice of cancellation, suspension, revocation, or
 2125 disqualification of license.—

2126 (2) The giving of notice and an order of cancellation,
 2127 suspension, revocation, or disqualification by mail is complete
 2128 upon expiration of 20 days after deposit in the United States

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2129 | mail for all notices except those issued under chapter 324 or
 2130 | ss. 627.732-627.734, which are complete 15 days after deposit in
 2131 | the United States mail. Proof of the giving of notice and an
 2132 | order of cancellation, suspension, revocation, or
 2133 | disqualification in either ~~such~~ manner shall be made by entry in
 2134 | the records of the department that such notice was given. The
 2135 | ~~Such~~ entry is ~~shall be~~ admissible in the courts of this state
 2136 | and constitutes ~~shall constitute~~ sufficient proof that such
 2137 | notice was given.

2138 | Section 53. Section 322.27, Florida Statutes, is amended
 2139 | to read:

2140 | 322.27 Authority of department to suspend or revoke driver
 2141 | license or identification card.-

2142 | (1) Notwithstanding any provisions to the contrary in
 2143 | chapter 120, the department may ~~is hereby authorized to~~ suspend
 2144 | the license of any person without preliminary hearing upon a
 2145 | showing of its records or other sufficient evidence that the
 2146 | licensee:

2147 | (a) Has committed an offense for which mandatory
 2148 | revocation of license is required upon conviction. A law
 2149 | enforcement agency must provide information to the department
 2150 | within 24 hours after any traffic fatality or when the law
 2151 | enforcement agency initiates action pursuant to s. 316.1933;

2152 | (b) Has been convicted of a violation of any traffic law
 2153 | which resulted in a crash that caused the death or personal
 2154 | injury of another or property damage in excess of \$500;

2155 | (c) Is incompetent to drive a motor vehicle;

2156 | (d) Has permitted an unlawful or fraudulent use of the

2157 ~~such~~ license or identification card or has knowingly been a
 2158 party to the obtaining of a license or identification card by
 2159 fraud or misrepresentation or to the display, or representation
 2160 ~~represent~~ as one's own, of a driver ~~any driver's~~ license or
 2161 identification card not issued to him or her. ~~Provided, however,~~
 2162 ~~no provision of~~ This section does not ~~shall be construed to~~
 2163 include the provisions of s. 322.32(1);

2164 (e) Has committed an offense in another state which, if
 2165 committed in this state, would be grounds for suspension or
 2166 revocation; or

2167 (f) Has committed a second or subsequent violation of s.
 2168 316.172(1) within a 5-year period of any previous violation.

2169 (2) The department shall suspend the license of any person
 2170 without preliminary hearing upon a showing of its records that
 2171 the licensee has been convicted in any court having jurisdiction
 2172 over offenses committed under this chapter or any other law of
 2173 this state regulating the operation of a motor vehicle on the
 2174 highways, upon direction of the court, when the court feels that
 2175 the seriousness of the offense and the circumstances surrounding
 2176 the conviction warrant the suspension of the licensee's driving
 2177 privilege.

2178 (3) There is established a point system for evaluation of
 2179 convictions of violations of motor vehicle laws or ordinances,
 2180 and violations of applicable provisions of s. 403.413(6) (b) when
 2181 such violations involve the use of motor vehicles, for the
 2182 determination of the continuing qualification of any person to
 2183 operate a motor vehicle. The department is authorized to suspend
 2184 the license of any person upon showing of its records or other

2185 | good and sufficient evidence that the licensee has been
 2186 | convicted of violation of motor vehicle laws or ordinances, or
 2187 | applicable provisions of s. 403.413(6)(b), amounting to 12 or
 2188 | more points as determined by the point system. The suspension
 2189 | shall be for a period of not more than 1 year.

2190 | (a) When a licensee accumulates 12 points within a 12-
 2191 | month period, the period of suspension shall be for not more
 2192 | than 30 days.

2193 | (b) When a licensee accumulates 18 points, including
 2194 | points upon which suspension action is taken under paragraph
 2195 | (a), within an 18-month period, the suspension shall be for a
 2196 | period of not more than 3 months.

2197 | (c) When a licensee accumulates 24 points, including
 2198 | points upon which suspension action is taken under paragraphs
 2199 | (a) and (b), within a 36-month period, the suspension shall be
 2200 | for a period of not more than 1 year.

2201 | (d) The point system shall have as its basic element a
 2202 | graduated scale of points assigning relative values to
 2203 | convictions of the following violations:

- 2204 | 1. Reckless driving, willful and wanton—4 points.
- 2205 | 2. Leaving the scene of a crash resulting in property
 2206 | damage of more than \$50—6 points.
- 2207 | 3. Unlawful speed resulting in a crash—6 points.
- 2208 | 4. Passing a stopped school bus—4 points.
- 2209 | 5. Unlawful speed:
 - 2210 | a. Not in excess of 15 miles per hour of lawful or posted
 2211 | speed—3 points.
 - 2212 | b. In excess of 15 miles per hour of lawful or posted

2213 speed—4 points.

2214 6. A violation of a traffic control signal device as
 2215 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
 2216 However, no points shall be imposed for a violation of s.
 2217 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 2218 stop at a traffic signal and when enforced by a traffic
 2219 infraction enforcement officer. In addition, a violation of s.
 2220 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
 2221 stop at a traffic signal and when enforced by a traffic
 2222 infraction enforcement officer may not be used for purposes of
 2223 setting motor vehicle insurance rates.

2224 7. All other moving violations (including parking on a
 2225 highway outside the limits of a municipality)—3 points. However,
 2226 no points shall be imposed for a violation of s. 316.0741 or s.
 2227 316.2065(12); and points shall be imposed for a violation of s.
 2228 316.1001 only when imposed by the court after a hearing pursuant
 2229 to s. 318.14(5).

2230 8. Any moving violation covered above, excluding unlawful
 2231 speed, resulting in a crash—4 points.

2232 9. Any conviction under s. 403.413(6)(b)—3 points.

2233 10. Any conviction under s. 316.0775(2)—4 points.

2234 (e) A conviction in another state of a violation therein
 2235 which, if committed in this state, would be a violation of the
 2236 traffic laws of this state, or a conviction of an offense under
 2237 any federal law substantially conforming to the traffic laws of
 2238 this state, except a violation of s. 322.26, may be recorded
 2239 against a driver on the basis of the same number of points
 2240 received had the conviction been made in a court of this state.

2241 (f) In computing the total number of points, when the
 2242 licensee reaches the danger zone, the department is authorized
 2243 to send the licensee a warning letter advising that any further
 2244 convictions may result in suspension of his or her driving
 2245 privilege.

2246 (g) The department shall administer and enforce the
 2247 provisions of this law and may make rules and regulations
 2248 necessary for its administration.

2249 (h) Three points shall be deducted from the driver history
 2250 record of any person whose driving privilege has been suspended
 2251 only once pursuant to this subsection and has been reinstated,
 2252 if such person has complied with all other requirements of this
 2253 chapter.

2254 (i) This subsection does ~~shall~~ not apply to persons
 2255 operating a nonmotorized vehicle for which a driver ~~driver's~~
 2256 license is not required.

2257 (4) The department, in computing the points and period of
 2258 time for suspensions under this section, shall use the offense
 2259 date of all convictions.

2260 (5) The department shall revoke the license of any person
 2261 designated a habitual offender, as set forth in s. 322.264, and
 2262 such person is ~~shall~~ not ~~be~~ eligible to be relicensed for a
 2263 minimum of 5 years from the date of revocation, except as
 2264 provided for in s. 322.271. Any person whose license is revoked
 2265 may, by petition to the department, show cause why his or her
 2266 license should not be revoked.

2267 (6) The department shall revoke the driving privilege of
 2268 any person who is convicted of a felony for the possession of a

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2269 controlled substance if, at the time of such possession, the
 2270 person was driving or in actual physical control of a motor
 2271 vehicle. A person whose driving privilege has been revoked
 2272 pursuant to this subsection is ~~shall~~ not ~~be~~ eligible to receive
 2273 a limited business or employment purpose license during the term
 2274 of such revocation.

2275 (7) Review of an order of suspension or revocation shall
 2276 be by writ of certiorari as provided in s. 322.31.

2277 Section 54. Subsection (2) of section 322.53, Florida
 2278 Statutes, is amended to read:

2279 322.53 License required; exemptions.—

2280 (2) The following persons are exempt from the requirement
 2281 to obtain a commercial driver ~~driver's~~ license:

2282 (a) Drivers of authorized emergency vehicles.

2283 (b) Military personnel driving vehicles operated for
 2284 military purposes.

2285 (c) Farmers transporting agricultural products, farm
 2286 supplies, or farm machinery to or from their farms and within
 2287 150 miles of their farms farm, if the vehicle operated under
 2288 this exemption is not used in the operations of a common or
 2289 contract motor carrier or transporting agricultural products to
 2290 or from the first place of storage or processing or directly to
 2291 or from market, within 150 miles of their farm.

2292 (d) Drivers of recreational vehicles, as defined in s.
 2293 320.01.

2294 (e) Drivers who operate straight trucks, as defined in s.
 2295 316.003, and who ~~that~~ are ~~exclusively~~ transporting exclusively
 2296 their own tangible personal property, which is not for sale.

2297 (f) Employees ~~An employee~~ of a publicly owned transit
 2298 system who are ~~is~~ limited to moving vehicles for maintenance or
 2299 parking purposes exclusively within the restricted-access
 2300 confines of a transit system's property.

2301 Section 55. Subsection (2) of section 322.54, Florida
 2302 Statutes, is amended to read:

2303 322.54 Classification.—

2304 (2) The department shall issue, pursuant to the
 2305 requirements of this chapter, driver ~~drivers'~~ licenses in
 2306 accordance with the following classifications:

2307 (a) Any person who drives a motor vehicle combination
 2308 having a gross vehicle weight rating or gross vehicle weight of
 2309 26,001 pounds or more must possess a valid Class A driver
 2310 ~~driver's~~ license, if provided the gross vehicle weight rating or
 2311 gross vehicle weight of the vehicle being towed is more than
 2312 10,000 pounds. Any person who possesses a valid Class A driver
 2313 ~~driver's~~ license may, subject to the appropriate restrictions
 2314 and endorsements, drive any class of motor vehicle within this
 2315 state.

2316 (b) Any person, except a person who possesses a valid
 2317 Class A driver ~~driver's~~ license, who drives a motor vehicle
 2318 having a gross vehicle weight rating or gross vehicle weight of
 2319 26,001 pounds or more must possess a valid Class B driver
 2320 ~~driver's~~ license. Any person, except a person who possesses a
 2321 valid Class A driver ~~driver's~~ license, who drives such vehicle
 2322 towing a vehicle having a gross vehicle weight rating of 10,000
 2323 pounds or less must possess a valid Class B driver ~~driver's~~
 2324 license. Any person who possesses a valid Class B driver

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2325 ~~driver's~~ license may, subject to the appropriate restrictions
 2326 and endorsements, drive any class of motor vehicle, other than
 2327 the type of motor vehicle for which a Class A driver ~~driver's~~
 2328 license is required, within this state.

2329 (c) Any person, except a person who possesses a valid
 2330 Class A or a valid Class B driver ~~driver's~~ license, who drives a
 2331 motor vehicle having a gross vehicle weight rating of less than
 2332 26,001 pounds and who is required to obtain an endorsement
 2333 pursuant to paragraph (1) (b), paragraph (1) (c), or paragraph
 2334 (1) (e) of s. 322.57, must possess a valid Class C driver
 2335 ~~driver's~~ license. Any person who possesses a valid Class C
 2336 driver ~~driver's~~ license may, subject to the appropriate
 2337 restrictions and endorsements, drive any class of motor vehicle,
 2338 other than the type of motor vehicle for which a Class A or a
 2339 Class B driver ~~driver's~~ license is required, within this state.

2340 (d) Any person, except a person who possesses a valid
 2341 Class A, valid Class B, or valid Class C driver ~~driver's~~
 2342 license, who drives a motor vehicle must possess a valid Class E
 2343 driver ~~driver's~~ license. Any person who possesses a valid Class
 2344 E driver ~~driver's~~ license may, subject to the appropriate
 2345 restrictions and endorsements, drive any type of motor vehicle,
 2346 other than the type of motor vehicle for which a Class A, Class
 2347 B, or Class C driver ~~driver's~~ license is required, within this
 2348 state.

2349 Section 56. Section 322.58, Florida Statutes, is repealed.

2350 Section 57. Section 322.59, Florida Statutes, is amended
 2351 to read:

2352 322.59 Possession of medical examiner's certificate.—

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2353 (1) The department may ~~shall~~ not issue a commercial driver
 2354 ~~driver's~~ license to a ~~any~~ person who is required by the laws of
 2355 this state or by federal law to possess a medical examiner's
 2356 certificate, unless the ~~such~~ person presents a valid
 2357 certificate, as described in 49 C.F.R. s. 383.71, before ~~prior~~
 2358 ~~to~~ licensure.

2359 (2) The department shall disqualify a driver from
 2360 operating a commercial motor vehicle if the driver holds a
 2361 commercial driver license and fails to comply with the medical
 2362 certification requirements in 49 C.F.R. s. 383.71 ~~This section~~
 2363 ~~does not expand the requirements as to who must possess a~~
 2364 ~~medical examiner's certificate.~~

2365 (3) A person who is disqualified from operating a
 2366 commercial motor vehicle under this section may, if otherwise
 2367 qualified, be issued a Class E driver license pursuant to s.
 2368 322.251.

2369 Section 58. Subsections (3) and (5) of section 322.61,
 2370 Florida Statutes, are amended to read:

2371 322.61 Disqualification from operating a commercial motor
 2372 vehicle.—

2373 (3) (a) Except as provided in subsection (4), any person
 2374 who is convicted of one of the offenses listed in paragraph (b)
 2375 while operating a commercial motor vehicle shall, in addition to
 2376 any other applicable penalties, be disqualified from operating a
 2377 commercial motor vehicle for a period of 1 year. ~~+~~

2378 (b) Except as provided in subsection (4), any holder of a
 2379 commercial driver ~~driver's~~ license who is convicted of one of
 2380 the offenses listed in this paragraph while operating a

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2381 noncommercial motor vehicle shall, in addition to any other
 2382 applicable penalties, be disqualified from operating a
 2383 commercial motor vehicle for a period of 1 year:

2384 1. Driving a motor vehicle while he or she is under the
 2385 influence of alcohol or a controlled substance;

2386 2. Driving a commercial motor vehicle while the alcohol
 2387 concentration of his or her blood, breath, or urine is .04
 2388 percent or higher;

2389 3. Leaving the scene of a crash involving a motor vehicle
 2390 driven by such person;

2391 4. Using a motor vehicle in the commission of a felony;

2392 5. Driving a commercial motor vehicle while in possession
 2393 of a controlled substance;

2394 6. Refusing to submit to a test to determine his or her
 2395 alcohol concentration while driving a motor vehicle;

2396 7. Driving a commercial vehicle while the licenseholder's
 2397 commercial driver ~~driver's~~ license is suspended, revoked, or
 2398 canceled or while the licenseholder is disqualified from driving
 2399 a commercial vehicle; or

2400 8. Causing a fatality through the negligent operation of a
 2401 commercial motor vehicle.

2402 (5) A ~~Any~~ person who is convicted of two violations
 2403 specified in subsection (3) which were committed while operating
 2404 a commercial motor vehicle, or any combination thereof, arising
 2405 in separate incidents shall be permanently disqualified from
 2406 operating a commercial motor vehicle. A ~~Any~~ holder of a
 2407 commercial driver ~~driver's~~ license who is convicted of two
 2408 violations specified in subsection (3) which were committed

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2409 while operating any ~~a noncommercial~~ motor vehicle, ~~or any~~
 2410 ~~combination thereof~~, arising in separate incidents shall be
 2411 permanently disqualified from operating a commercial motor
 2412 vehicle. The penalty provided in this subsection is in addition
 2413 to any other applicable penalty.

2414 Section 59. Subsection (1) of section 324.072, Florida
 2415 Statutes, is amended to read:

2416 324.072 Proof required upon certain convictions.—

2417 (1) Upon the suspension or revocation of a license
 2418 pursuant to ~~the provisions of~~ s. 322.26 or s. 322.27, the
 2419 department shall suspend the registration for all motor vehicles
 2420 registered in the name of the licensee such person, either
 2421 individually or jointly with another. However, the department
 2422 may, except that it shall not suspend the such registration,
 2423 unless otherwise required by law, if the such person had
 2424 insurance coverage limits required under s. 324.031 on the date
 2425 of the latest offense that caused the suspension or revocation,
 2426 or has previously given or shall immediately give, and
 2427 thereafter maintain, proof of financial responsibility with
 2428 respect to all motor vehicles registered by the such person, in
 2429 accordance with this chapter.

2430 Section 60. Subsection (1) of section 324.091, Florida
 2431 Statutes, is amended to read:

2432 324.091 Notice to department; notice to insurer.—

2433 (1) Each owner and operator involved in a crash or
 2434 conviction case within the purview of this chapter shall furnish
 2435 evidence of automobile liability insurance, motor vehicle
 2436 liability insurance, or a surety bond within 14 ~~30~~ days after

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2437 ~~from~~ the date of the mailing of notice of crash by the
 2438 department in the ~~such~~ form and manner as it may designate. Upon
 2439 receipt of evidence that an automobile liability policy, motor
 2440 vehicle liability policy, or surety bond was in effect at the
 2441 time of the crash or conviction case, the department shall
 2442 forward by United States mail, postage prepaid, to the insurer
 2443 or surety insurer a copy of such information and shall assume
 2444 that the ~~such~~ policy or bond was in effect, unless the insurer
 2445 or surety insurer notifies ~~shall notify~~ the department otherwise
 2446 within 20 days after ~~from~~ the mailing of the notice to the
 2447 insurer or surety insurer. However, ~~provided that~~ if the
 2448 department ~~shall~~ later determines ~~ascertain~~ that an automobile
 2449 liability policy, motor vehicle liability policy, or surety bond
 2450 was not in effect and did not provide coverage for both the
 2451 owner and the operator, it shall ~~at such time~~ take ~~such~~ action
 2452 as it is otherwise authorized to do under this chapter. Proof of
 2453 mailing to the insurer or surety insurer may be made by the
 2454 department by naming the insurer or surety insurer to whom the
 2455 ~~such~~ mailing was made and by specifying the time, place, and
 2456 manner of mailing.

2457 Section 61. Subsection (5) of section 328.15, Florida
 2458 Statutes, is amended to read:

2459 328.15 Notice of lien on vessel; recording.—

2460 (5) (a) The Department of Highway Safety and Motor Vehicles
 2461 shall adopt ~~make such rules to administer and regulations as it~~
 2462 ~~deems necessary or proper for the effective administration of~~
 2463 this section ~~law~~. The department may by rule require that a
 2464 notice of satisfaction of a lien be notarized. The department

2465 shall prepare the forms of the notice of lien and the
 2466 satisfaction of lien to be supplied, at a charge not to exceed
 2467 50 percent more than cost, to applicants for recording the liens
 2468 or satisfactions and shall keep a record of such notices of lien
 2469 and satisfactions available for inspection by the public at all
 2470 reasonable times. The division may ~~is authorized to~~ furnish
 2471 certified copies of such satisfactions for a fee of \$1, which
 2472 are ~~certified copies shall be~~ admissible in evidence in all
 2473 courts of this state under the same conditions and to the same
 2474 effect as certified copies of other public records.

2475 (b) The department shall establish and administer an
 2476 electronic titling program that requires the recording of vessel
 2477 title information for new, transferred, and corrected
 2478 certificates of title. Lienholders shall electronically transmit
 2479 liens and lien satisfactions to the department in a format
 2480 determined by the department. Individuals and lienholders who
 2481 the department determines are not normally engaged in the
 2482 business or practice of financing vessels are not required to
 2483 participate in the electronic titling program.

2484 Section 62. Subsection (4) of section 328.16, Florida
 2485 Statutes, is amended to read:

2486 328.16 Issuance in duplicate; delivery; liens and
 2487 encumbrances.—

2488 (4) Notwithstanding any requirements in this section or in
 2489 s. 328.15 indicating that a lien on a vessel shall be noted on
 2490 the face of the Florida certificate of title, if there are one
 2491 or more liens or encumbrances on a vessel, the department shall
 2492 ~~may~~ electronically transmit the lien to the first lienholder and

2493 | notify the first lienholder of any additional liens. Subsequent
 2494 | lien satisfactions shall ~~may~~ be electronically transmitted to
 2495 | the department and must ~~shall~~ include the name and address of
 2496 | the person or entity satisfying the lien. When electronic
 2497 | transmission of liens and lien satisfactions are used, the
 2498 | issuance of a certificate of title may be waived until the last
 2499 | lien is satisfied and a clear certificate of title is issued to
 2500 | the owner of the vessel.

2501 | Section 63. Section 328.30, Florida Statutes, is amended
 2502 | to read:

2503 | 328.30 Transactions by electronic or telephonic means.—

2504 | (1) The department may ~~is authorized to~~ accept any
 2505 | application provided for under this chapter by electronic or
 2506 | telephonic means.

2507 | (2) The department may issue an electronic certificate of
 2508 | title in lieu of printing a paper title.

2509 | (3) The department may collect electronic mail addresses
 2510 | and use electronic mail in lieu of the United States Postal
 2511 | Service for the purpose of providing renewal notices.

2512 | Section 64. Present subsection (17) of section 328.72,
 2513 | Florida Statutes, is renumbered as subsection (18), and a new
 2514 | subsection (17) is added to that section to read:

2515 | 328.72 Classification; registration; fees and charges;
 2516 | surcharge; disposition of fees; fines; marine turtle stickers.—

2517 | (17) Notwithstanding subsection (11), the department and
 2518 | the tax collectors acting as agents for the department shall
 2519 | provide a complete list of voluntary contributions authorized by
 2520 | law to customers applying for registration or renewal

2521 registration. The renewal application forms must include either
 2522 a complete list of all authorized voluntary contributions or the
 2523 department's website address which provides a complete list and
 2524 information on all authorized voluntary contributions. The
 2525 department or a tax collector may include on the renewal forms a
 2526 complete list of authorized voluntary contributions and the
 2527 department's website address. Customers renewing a registration
 2528 at either a tax collector's office or a department office shall
 2529 be provided information on voluntary contribution options.

2530 Section 65. Paragraph (f) of subsection (13) of section
 2531 713.78, Florida Statutes, is amended to read:

2532 713.78 Liens for recovering, towing, or storing vehicles
 2533 and vessels.—

2534 (13)

2535 (f) This subsection applies only to the annual renewal in
 2536 the registered owner's birth month of a motor vehicle
 2537 registration and does not apply to the transfer of a
 2538 registration of a motor vehicle sold by a motor vehicle dealer
 2539 licensed under chapter 320, except for the transfer of
 2540 registrations which includes ~~is inclusive of~~ the annual
 2541 renewals. This subsection does not apply to any vehicle
 2542 registered in the name of the lessor. This subsection does not
 2543 affect the issuance of the title to a motor vehicle,
 2544 notwithstanding s. 319.23(8)(b) ~~s. 319.23(7)(b)~~.

2545 Section 66. Except as otherwise expressly provided in this
 2546 act and except for this section, which shall take effect upon
 2547 this act becoming a law, this act shall take effect January 1,
 2548 2013.