

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 the  
7           definition of the term "motor vehicle" to exclude  
8           swamp buggies; defining the term "swamp buggy";  
9           amending s. 316.0083, F.S.; providing for the  
10          dismissal of a uniform traffic citation for failure to  
11          stop at a red light when the motor vehicle owner is  
12          deceased and an affidavit with specified supporting  
13          documents is filed with the issuing agency; amending  
14          s. 316.1303, F.S.; authorizing a person who is  
15          mobility impaired to use a motorized wheelchair to  
16          temporarily leave the sidewalk and use the roadway  
17          under certain circumstances; authorizing a law  
18          enforcement officer to issue only a verbal warning to  
19          such person; amending s. 316.183, F.S.; revising a  
20          provision that prohibits a school bus from exceeding  
21          the posted speed limits; amending s. 316.2065, F.S.;  
22          revising safety standard requirements for bicycle  
23          helmets that must be worn by certain riders and  
24          passengers; revising requirements for a bicycle  
25          operator to ride in a bicycle lane or along the curb  
26          or edge of the roadway; providing for enforcement of  
27          requirements for bicycle lighting equipment; providing  
28          penalties for violations; providing for dismissal of

29 | the charge following a first offense under certain  
30 | circumstances; amending s. 316.2085, F.S.; requiring  
31 | that the license tag of a motorcycle or moped remain  
32 | clearly visible from the rear at all times;  
33 | prohibiting deliberate acts to conceal or obscure the  
34 | license tag; removing a condition for a motorcycle or  
35 | moped license plate that reads from top to bottom to  
36 | be affixed perpendicular to the ground; requiring that  
37 | owners or operators of motorcycles or mopeds with  
38 | vertical tags pay any required toll by whatever means  
39 | available; providing penalties; amending s. 316.2126,  
40 | F.S.; authorizing municipalities to use golf carts and  
41 | utility vehicles to cross the State Highway System and  
42 | operate on sidewalks adjacent to state highways under  
43 | certain circumstances; creating s. 316.2129, F.S.;  
44 | authorizing the operation of swamp buggies on a public  
45 | road, highway, or street if a local governmental  
46 | entity has designated the public road, highway, or  
47 | street for such use; providing that the authorization  
48 | does not apply to the State Highway System;  
49 | authorizing the operation of swamp buggies on land  
50 | managed, owned, or leased by a state or federal  
51 | agency; amending s. 316.2397, F.S.; providing an  
52 | exception to the prohibition against flashing vehicle  
53 | lights for motorists who intermittently flash the  
54 | vehicle's headlamps at an oncoming vehicle, regardless  
55 | of the intent in doing so, and for persons operating  
56 | bicycles equipped with lamps; amending s. 316.302,

57 | F.S.; requiring owners or drivers of commercial motor  
58 | vehicles that are engaged in intrastate commerce to be  
59 | subject to specified federal rules and regulations as  
60 | such rules and regulations existed on a certain date;  
61 | providing that certain restrictions on the number of  
62 | consecutive hours that a commercial motor vehicle may  
63 | operate do not apply to a farm labor vehicle operated  
64 | during a state of emergency or during an emergency  
65 | pertaining to agriculture; correcting terminology;  
66 | amending s. 316.3026, F.S., relating to unlawful  
67 | operation of motor carriers; conforming provisions to  
68 | changes made by the act; amending s. 316.613, F.S.,  
69 | relating to requirements for the operator of a vehicle  
70 | to use child restraints; providing that such  
71 | provisions do not apply to certain for-hire vehicles;  
72 | providing for the obligation of a parent, guardian, or  
73 | other person responsible for a child's welfare to  
74 | comply with the requirements; amending s. 316.6135,  
75 | F.S.; revising the criteria under which a child may  
76 | not be left unattended in a vehicle; providing  
77 | penalties; amending s. 316.655, F.S.; providing that a  
78 | driver convicted of a violation of certain offenses  
79 | relating to motor vehicles which resulted in an  
80 | accident may have his or her driving privileges  
81 | revoked or suspended; amending s. 318.14, F.S.;  
82 | authorizing a person who does not hold a commercial  
83 | driver license and who is cited for a noncriminal  
84 | traffic infraction while driving a noncommercial motor

85 | vehicle to elect to attend a basic driver improvement  
86 | course in lieu of a court appearance; authorizing a  
87 | person who does not hold a commercial driver license  
88 | and who is cited for certain offenses while driving a  
89 | noncommercial motor vehicle to elect to enter a plea  
90 | of nolo contendere and to provide proof of compliance  
91 | in lieu of payment of fine or court appearance;  
92 | amending s. 318.15, F.S.; providing that a person  
93 | charged with a traffic infraction may request a  
94 | hearing within a specified period after the date upon  
95 | which the violation occurred; requiring that the clerk  
96 | set the case for hearing; providing exceptions to the  
97 | time period for requesting a hearing; authorizing the  
98 | court to grant a request for a hearing made after the  
99 | time period has expired; amending ss. 318.18 and  
100 | 318.21, F.S., relating to penalties and disposition of  
101 | penalties; conforming cross-references; amending s.  
102 | 319.14, F.S.; prohibiting the sale or exchange of  
103 | custom vehicles or street rod vehicles under certain  
104 | conditions; providing definitions; amending s. 319.23,  
105 | F.S.; requiring that the application for a certificate  
106 | of title, corrected certificate, or assignment or  
107 | reassignment be filed within a certain time period  
108 | after the consummation of the sale of a mobile home;  
109 | authorizing the department to accept a bond and  
110 | affidavit if the applicant for a certificate of title  
111 | is unable to provide a title that assigns the prior  
112 | owner's interest in the motor vehicle; providing

113 requirements for the bond and the affidavit; providing  
114 that an interested person has a right to recover on  
115 the bond; limiting liability to the amount of the  
116 bond; providing for future expiration of the bond;  
117 amending s. 319.24, F.S.; requiring that the  
118 department electronically transmit a lien to the first  
119 lienholder and notify the first lienholder of any  
120 additional liens if there are one or more lien  
121 encumbrances on a motor vehicle or mobile home;  
122 requiring that subsequent lien satisfactions be  
123 transmitted electronically to the department; amending  
124 s. 319.27, F.S.; requiring that the department  
125 establish and administer an electronic titling  
126 program; requiring the electronic recording of vehicle  
127 title information for new, transferred, and corrected  
128 certificates of title; requiring that lienholders  
129 electronically transmit liens and lien satisfactions  
130 to the department; providing exceptions; amending s.  
131 319.28, F.S.; providing that a dealer of certain  
132 industrial equipment is not subject to licensure as a  
133 recovery agent or agency under certain conditions;  
134 amending to s. 319.30, F.S.; authorizing the  
135 department to adopt rules to implement an electronic  
136 system for issuing salvage certificates of title and  
137 certificates of destruction; amending s. 319.40, F.S.;  
138 authorizing the department to issue an electronic  
139 certificate of title in lieu of printing a paper title  
140 and to collect electronic mail addresses and use

141 | electronic mail as a notification method in lieu of  
142 | the United States Postal Service; providing an  
143 | exception; amending s. 320.01, F.S.; revising the  
144 | definition of the term "motor vehicle" to exclude  
145 | special mobile equipment and swamp buggies; defining  
146 | the term "swamp buggy"; amending s. 320.02, F.S.;  
147 | providing that an active duty member of the Armed  
148 | Forces of the United States is exempt from the  
149 | requirement to provide an address on an application  
150 | for vehicle registration; revising provisions relating  
151 | to the registration of a motor carrier who operates a  
152 | commercial motor vehicle without liability insurance,  
153 | a surety bond, or a valid self-insurance certificate;  
154 | providing that the registration shall be canceled on  
155 | the expiration date noted in the cancellation notice  
156 | that the department receives from the insurer;  
157 | requiring that the insurer provide notice to the  
158 | department at the same time the cancellation notice is  
159 | provided to the insured; authorizing the department to  
160 | adopt rules regarding the electronic submission of the  
161 | cancellation notice; removing a provision that  
162 | prohibits cancellation of liability insurance or  
163 | surety bond on less than 30 days' notice to the  
164 | department; requiring the application forms for motor  
165 | vehicle registration and renewal of registration to  
166 | include language permitting the applicant to make  
167 | certain voluntary contributions to specified not-for-  
168 | profit entities; providing that such contributions are

169 not income for specified purposes; requiring that the  
170 department retain all electronic registration records  
171 for a specified period; amending s. 320.03, F.S.;  
172 conforming a cross-reference; amending s. 320.06,  
173 F.S.; authorizing the department to conduct a pilot  
174 program to evaluate the designs, concepts, and  
175 technologies for alternative license plates; requiring  
176 that the department investigate the feasibility and  
177 use of alternative license plate technologies and the  
178 long-term cost impact to the consumer for purposes of  
179 the pilot program; requiring limiting the scope of the  
180 pilot program to license plates that are used on  
181 government-owned motor vehicles; providing an  
182 exemption for such license plates from certain  
183 requirements; providing that license plates issued  
184 under ch. 320, F.S., are the property of the state;  
185 amending s. 320.0605, F.S.; revising provisions  
186 relating to a requirement that rental or lease  
187 documentation be in the possession of an operator of a  
188 motor vehicle; providing specified information  
189 sufficient to satisfy this requirement; amending s.  
190 320.061, F.S.; prohibiting a person from altering the  
191 original appearance of a temporary license plate;  
192 amending s. 320.07, F.S.; revising provisions relating  
193 to the expiration of a registration of a motor vehicle  
194 or mobile home; providing that the registration for a  
195 motor vehicle or mobile home whose owner is a natural  
196 person expires at midnight on the owner's birthday;

197 | amending s. 320.08056, F.S.; prohibiting the use of  
198 | funds derived from the specialty license plate program  
199 | from being used to lobby elected members or employees  
200 | of the Legislature; amending s. 320.08058, F.S.;  
201 | providing that up to 15 percent of the proceeds from  
202 | the annual use fees for the Florida Golf license plate  
203 | may be used by the Dade Amateur Golf Association for  
204 | the administration of the Florida Junior Golf Program;  
205 | amending s. 320.08068, F.S.; revising provisions  
206 | relating to the use of funds received from the sale of  
207 | motorcycle specialty license plates; deleting a  
208 | provision that requires that 20 percent of the annual  
209 | fee collected for such plates be used to leverage  
210 | additional funding and new sources of revenue for the  
211 | centers for independent living; amending s. 320.0807,  
212 | F.S.; revising provisions for special license plates  
213 | for the Governor and federal and state legislators;  
214 | providing for issuance of special plates for former  
215 | federal and state legislators; providing a one-time  
216 | fee; providing for distribution of the fee;  
217 | authorizing the department to create a unique plate  
218 | design for plates to be used by members or former  
219 | members of the Legislature or Congress under specified  
220 | provisions; amending s. 320.0848, F.S.; revising the  
221 | requirements for the deposit of fee proceeds from  
222 | temporary disabled parking permits; requiring that  
223 | certain proceeds be deposited into the Florida  
224 | Endowment Foundation for Vocational Rehabilitation,



225 | instead of the Florida Governor's Alliance for the  
226 | Employment of Disabled Citizens; amending s. 320.089,  
227 | F.S.; providing for the issuance of a Combat Infantry  
228 | Badge license plate and a Vietnam War Veterans license  
229 | plate; providing qualifications and requirements for  
230 | the plate; amending s. 320.13, F.S.; authorizing a  
231 | dealer of heavy trucks, upon payment of a license tax,  
232 | to secure one or more dealer license plates under  
233 | certain circumstances; providing that the license  
234 | plates may be used for demonstration purposes for a  
235 | specified period; requiring that the license plates be  
236 | validated on a form prescribed by the department and  
237 | be retained in the vehicle being operated; amending s.  
238 | 320.15, F.S.; providing that an owner of a motor  
239 | vehicle or mobile home may apply for a refund of  
240 | certain license taxes if the owner renews a  
241 | registration during the advanced renewal period and  
242 | surrenders the motor vehicle or mobile home license  
243 | plate before the end of the renewal period; amending  
244 | s. 320.27, F.S.; providing an exemption for salvage  
245 | motor vehicle dealers from certain application and  
246 | security requirements; amending s. 320.771, F.S.;  
247 | revising the definition of the term "dealer"; amending  
248 | s. 320.95, F.S.; authorizing the department to collect  
249 | electronic mail addresses and use electronic mail for  
250 | the purpose of providing renewal notices in lieu of  
251 | the United States Postal Service; amending s. 322.04,  
252 | F.S.; revising provisions exempting a nonresident from

253 | the requirement to obtain a driver license under  
254 | certain circumstances; amending s. 322.051, F.S.;  
255 | revising requirements by which an applicant for an  
256 | identification card may prove nonimmigrant  
257 | classification; clarifying the validity of an  
258 | identification card based on specified documents;  
259 | authorizing the department to require additional  
260 | documentation to establish the maintenance of, or  
261 | efforts to maintain, continuous lawful presence;  
262 | providing for the department to waive the fees for  
263 | issuing or renewing an identification card to a person  
264 | who is homeless; amending s. 322.058, F.S.; conforming  
265 | a cross-reference; amending s. 322.065, F.S.; revising  
266 | provisions relating to a person whose driver license  
267 | has expired for 6 months or less and who drives a  
268 | motor vehicle; amending s. 322.07, F.S.; revising  
269 | provisions relating to temporary commercial  
270 | instruction permits; amending s. 322.08, F.S.;  
271 | revising provisions relating to an application for a  
272 | driver license or temporary permit; requiring that  
273 | applicants prove nonimmigrant classification by  
274 | providing certain documentation; authorizing the  
275 | department to require additional documentation to  
276 | establish the maintenance of, or efforts to maintain,  
277 | continuous lawful presence; revising the length of  
278 | time a license is valid when issuance is based on  
279 | documentation required under specified provisions;  
280 | requiring the application forms for an original,

281 renewal, or replacement driver license to include  
282 language permitting the applicant to make certain  
283 voluntary contributions to specified not-for-profit  
284 entities;; authorizing the department to collect  
285 electronic mail addresses and use electronic mail for  
286 the purpose of providing renewal notices in lieu of  
287 the United States Postal Service; amending s. 322.121,  
288 F.S.; conforming a provision relating to Safe Driver  
289 designation; revising provisions authorizing the  
290 automatic extension of a license for members of the  
291 Armed Forces of the United States or their dependents  
292 while serving on active duty outside the state;  
293 amending s. 322.14, F.S.; deleting a requirement that  
294 a qualified driver license applicant appear in person  
295 for issuance of a color photographic or digital imaged  
296 driver license; creating s. 322.1415, F.S.;

297 authorizing the department to issue a specialty driver  
298 license or identification card to qualified  
299 applicants; specifying that, at a minimum, the  
300 specialty driver licenses and identification cards  
301 must be available for certain state and independent  
302 universities and professional sports teams and all of  
303 the branches of the Armed Forces of the United States;  
304 requiring that the department approve the design of  
305 each specialty driver license and identification card;  
306 providing for future expiration; amending s. 322.142,  
307 F.S.; providing district medical examiners access to  
308 driver information maintained in the Driver and

309 Vehicle Information Database for a specified purpose;  
310 amending s. 322.19, F.S.; providing that certain  
311 persons who have a valid student identification card  
312 are presumed not to have changed their legal residence  
313 or mailing address; amending s. 322.21, F.S.;  
314 providing for the distribution of funds collected from  
315 the specialty driver license and identification card  
316 fees; amending s. 322.251, F.S.; providing that  
317 certain notices of cancellation, suspension,  
318 revocation, or disqualification of a driver license  
319 are complete within a specified period after deposit  
320 in the mail; amending s. 322.27, F.S.; revising the  
321 department's authority to suspend or revoke licenses  
322 or identification cards under certain circumstances;  
323 repealing s. 322.292(5), F.S., relating to private  
324 probation services providers referring probationers to  
325 any DUI program owned in whole or in part by that  
326 probation services provider or its affiliates;  
327 amending s. 322.53, F.S.; revising an exemption from  
328 the requirement to obtain a commercial driver license  
329 for farmers transporting agricultural products, farm  
330 supplies, or farm machinery under certain  
331 circumstances; providing that such exemption applies  
332 if the vehicle is not used in the operations of a  
333 common or contract motor carrier; amending s. 322.54,  
334 F.S.; requiring that persons who drive a motor vehicle  
335 having a gross vehicle weight rating or gross vehicle  
336 weight of a specified amount or more possess certain

337 | classifications of driver licenses; repealing s.  
338 | 322.58, F.S., relating to holders of chauffeur  
339 | licenses and the classified licensure of commercial  
340 | motor vehicle drivers; amending s. 322.59, F.S.;  
341 | revising provisions relating to the possession of a  
342 | medical examiner's certificate; requiring that the  
343 | department disqualify a driver from operating a  
344 | commercial motor vehicle if the driver holds a  
345 | commercial driver license and fails to comply with the  
346 | medical certification requirements; authorizing the  
347 | department to issue, under certain circumstances, a  
348 | Class E driver license to a person who is disqualified  
349 | from operating a commercial motor vehicle; amending s.  
350 | 322.61, F.S.; revising provisions relating to the  
351 | disqualification from operating a commercial motor  
352 | vehicle; providing that any holder of a commercial  
353 | driver license who is convicted of two violations  
354 | committed while operating any motor vehicle is  
355 | permanently disqualified from operating a commercial  
356 | motor vehicle; amending s. 324.072, F.S.; prohibiting  
357 | the department from suspending a registration of a  
358 | motor vehicle if the person to whom the motor vehicle  
359 | is registered had certain limits on the date of the  
360 | offense that caused the suspension or revocation;  
361 | amending s. 324.091, F.S.; revising the period within  
362 | which an owner or operator involved in a crash must  
363 | furnish evidence of automobile liability insurance,  
364 | motor vehicle liability insurance, or surety bond;

365 | amending s. 328.15, F.S.; requiring that the  
366 | department establish and administer an electronic  
367 | titling program that requires the recording of vessel  
368 | title information for new, transferred, and corrected  
369 | certificates of title; requiring that lienholders  
370 | electronically transmit liens and lien satisfactions  
371 | to the department; providing exceptions; amending s.  
372 | 328.16, F.S.; requiring that the department  
373 | electronically transmit a lien to the first lienholder  
374 | and notify such lienholder of any additional liens;  
375 | requiring that subsequent lien satisfactions be  
376 | electronically transmitted to the department; amending  
377 | s. 328.30, F.S.; authorizing the department to issue  
378 | an electronic certificate of title in lieu of printing  
379 | a paper title; authorizing the department to collect  
380 | electronic mail addresses and use electronic mail for  
381 | the purpose of providing renewal notices in lieu of  
382 | the United States Postal Service; amending s. 520.32,  
383 | F.S.; providing an exemption to specified licensing  
384 | requirements for motor vehicle dealers licensed under  
385 | specified provisions; providing for application of the  
386 | exemption; amending s. 713.78, F.S.; conforming a  
387 | cross-reference; amending s. 316.271, F.S.; removing a  
388 | prohibition on using the audible horn of a motor  
389 | vehicle on a highway; amending s. 323.002, F.S.;  
390 | requiring unauthorized wrecker operators to disclose a  
391 | fee schedule and certain information; providing  
392 | effective dates.

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

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

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

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

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

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

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

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

Section 3. Paragraph (d) of subsection (1) of section

421 316.0083, Florida Statutes, is amended to read:

422 316.0083 Mark Wandall Traffic Safety Program;  
 423 administration; report.-

424 (1)

425 (d)1. The owner of the motor vehicle involved in the  
 426 violation is responsible and liable for paying the uniform  
 427 traffic citation issued for a violation of s. 316.074(1) or s.  
 428 316.075(1)(c)1. when the driver failed to stop at a traffic  
 429 signal, unless the owner can establish that:

430 a. The motor vehicle passed through the intersection in  
 431 order to yield right-of-way to an emergency vehicle or as part  
 432 of a funeral procession;

433 b. The motor vehicle passed through the intersection at  
 434 the direction of a law enforcement officer;

435 c. The motor vehicle was, at the time of the violation, in  
 436 the care, custody, or control of another person; or

437 d. A uniform traffic citation was issued by a law  
 438 enforcement officer to the driver of the motor vehicle for the  
 439 alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.

440 e. The motor vehicle's owner was deceased on or before the  
 441 date that the uniformed traffic citation was issued, as  
 442 established by an affidavit submitted by the representative of  
 443 the motor vehicle owner's estate or other designated person or  
 444 family member.

445 2. In order to establish such facts, the owner of the  
 446 motor vehicle shall, within 30 days after the date of issuance  
 447 of the traffic citation, furnish to the appropriate governmental  
 448 entity an affidavit setting forth detailed information



449 supporting an exemption as provided in this paragraph.

450 a. An affidavit supporting an exemption under sub-  
451 subparagraph 1.c. must include the name, address, date of birth,  
452 and, if known, the driver ~~driver's~~ license number of the person  
453 who leased, rented, or otherwise had care, custody, or control  
454 of the motor vehicle at the time of the alleged violation. If  
455 the vehicle was stolen at the time of the alleged offense, the  
456 affidavit must include the police report indicating that the  
457 vehicle was stolen.

458 b. If a traffic citation for a violation of s. 316.074(1)  
459 or s. 316.075(1)(c)1. was issued at the location of the  
460 violation by a law enforcement officer, the affidavit must  
461 include the serial number of the uniform traffic citation.

462 c. If the motor vehicle's owner to whom a traffic citation  
463 has been issued is deceased, the affidavit must include a  
464 certified copy of the owner's death certificate showing that the  
465 date of death occurred on or before the issuance of the uniform  
466 traffic citation and one of the following:

467 (I) A bill of sale or other document showing that the  
468 deceased owner's motor vehicle was sold or transferred after his  
469 or her death, but on or before the date of the alleged  
470 violation;

471 (II) Documentary proof that the registered license plate  
472 belonging to the deceased owner's vehicle was turned into the  
473 department or agent of the department, but on or before the date  
474 of the alleged violation; or

475 (III) A copy of a police report showing that the deceased  
476 owner's registered license plate or motor vehicle was stolen

477 after the owner's death, but on or before the date of the  
478 alleged violation.

479  
480 Upon receipt of the affidavit and documentation required under  
481 this sub-subparagraph, the governmental entity must dismiss the  
482 citation and provide proof of the dismissal to the person that  
483 submitted the affidavit.

484         3. Upon receipt of an affidavit, the person designated as  
485 having care, custody, and control of the motor vehicle at the  
486 time of the violation may be issued a traffic citation for a  
487 violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver  
488 failed to stop at a traffic signal. The affidavit is admissible  
489 in a proceeding pursuant to this section for the purpose of  
490 providing proof that the person identified in the affidavit was  
491 in actual care, custody, or control of the motor vehicle. The  
492 owner of a leased vehicle for which a traffic citation is issued  
493 for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the  
494 driver failed to stop at a traffic signal is not responsible for  
495 paying the traffic citation and is not required to submit an  
496 affidavit as specified in this subsection if the motor vehicle  
497 involved in the violation is registered in the name of the  
498 lessee of such motor vehicle.

499         4. The submission of a false affidavit is a misdemeanor of  
500 the second degree, punishable as provided in s. 775.082 or s.  
501 775.083.

502         Section 4. Section 316.1303, Florida Statutes, is amended  
503 to read:

504         316.1303 Traffic regulations to assist mobility-impaired

505 persons.—

506 (1) Whenever a pedestrian who is mobility impaired is in  
 507 the process of crossing a public street or highway with the  
 508 assistance of and the pedestrian is mobility impaired (using a  
 509 guide dog or service animal designated as such with a visible  
 510 means of identification, a walker, a crutch, an orthopedic cane,  
 511 or a wheelchair), the driver of a every vehicle approaching the  
 512 intersection, as defined in s. 316.003(17), shall bring his or  
 513 her vehicle to a full stop before arriving at the such  
 514 intersection and, before proceeding, shall take such precautions  
 515 as may be necessary to avoid injuring the such pedestrian.

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

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

523 Section 5. Subsection (3) of section 316.183, Florida  
 524 Statutes, is amended to read:

525 316.183 Unlawful speed.—

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

528 Section 6. Effective October 1, 2012, paragraph (d) of  
 529 subsection (3) and subsections (5) and (8) of section 316.2065,  
 530 Florida Statutes, are amended to read:

531 316.2065 Bicycle regulations.—

532 (3)

533 (d) A bicycle rider or passenger who is under 16 years of  
 534 age must wear a bicycle helmet that is properly fitted and is  
 535 fastened securely upon the passenger's head by a strap, and that  
 536 meets the federal safety standard for bicycle helmets, final  
 537 rule, 16 C.F.R. part 1203. A helmet purchased before October 1,  
 538 2012, which meets the standards of the American National  
 539 Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the  
 540 standards of the Snell Memorial Foundation (1984 Standard for  
 541 Protective Headgear for Use in Bicycling), or any other  
 542 nationally recognized standards for bicycle helmets adopted by  
 543 the department may continue to be worn by a bicycle rider or  
 544 passenger until January 1, 2016. As used in this subsection, the  
 545 term "passenger" includes a child who is riding in a trailer or  
 546 semitrailer attached to a bicycle.

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

553 1. When overtaking and passing another bicycle or vehicle  
 554 proceeding in the same direction.

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

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

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

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

569 (8) Every bicycle in use between sunset and sunrise shall  
570 be equipped with a lamp on the front exhibiting a white light  
571 visible from a distance of at least 500 feet to the front and a  
572 lamp and reflector on the rear each exhibiting a red light  
573 visible from a distance of 600 feet to the rear. A bicycle or  
574 its rider may be equipped with lights or reflectors in addition  
575 to those required by this section. A law enforcement officer may  
576 issue a bicycle safety brochure and a verbal warning to a  
577 bicycle rider who violates this subsection or may issue a  
578 citation and assess a fine for a pedestrian violation as  
579 provided in s. 318.18. The court shall dismiss the charge  
580 against a bicycle rider for a first violation of this subsection  
581 upon proof of purchase and installation of the proper lighting  
582 equipment.

583 Section 7. Subsection (3) of section 316.2085, Florida  
584 Statutes, is amended to read:

585 316.2085 Riding on motorcycles or mopeds.—

586 (3) The license tag of a motorcycle or moped must be  
587 permanently affixed to the vehicle and remain clearly visible  
588 from the rear at all times ~~may not be adjusted or capable of~~

589 ~~being flipped up. Any deliberate act to conceal or obscure No~~  
 590 ~~device for or method of concealing or obscuring~~ the legibility  
 591 of the license tag of a motorcycle is prohibited ~~shall be~~  
 592 ~~installed or used.~~ The license tag of a motorcycle or moped may  
 593 be affixed horizontally to the ground so that the numbers and  
 594 letters read from left to right. Alternatively, a license tag  
 595 for a motorcycle or moped for which the numbers and letters read  
 596 from top to bottom may be affixed perpendicularly to the ground,  
 597 ~~provided that the registered owner of the motorcycle or moped~~  
 598 ~~maintains a prepaid toll account in good standing and a~~  
 599 ~~transponder associated with the prepaid toll account is affixed~~  
 600 ~~to the motorcycle or moped. Notwithstanding the authorization to~~  
 601 affix the license tag of a motorcycle or moped perpendicularly  
 602 to the ground, the owner or operator of a motorcycle or moped  
 603 shall pay any required toll pursuant to s. 316.1001 by whatever  
 604 means available.

605 (7) A violation of this section is a noncriminal traffic  
 606 infraction, punishable as a moving violation as provided in  
 607 chapter 318.

608 Section 8. Subsection (1) of section 316.2126, Florida  
 609 Statutes, is amended to read:

610 316.2126 Authorized use of golf carts, low-speed vehicles,  
 611 and utility vehicles.—

612 (1) In addition to the powers granted by ss. 316.212 and  
 613 316.2125, municipalities are authorized to use ~~utilize~~ golf  
 614 carts and utility vehicles, as defined in s. 320.01, upon any  
 615 state, county, or municipal roads located within the corporate  
 616 limits of such municipalities, subject to the following

617 conditions:

618 (a) Golf carts and utility vehicles must comply with the  
 619 operational and safety requirements in ss. 316.212 and 316.2125,  
 620 and with any more restrictive ordinances enacted by the local  
 621 governmental entity pursuant to s. 316.212(8), and shall be  
 622 operated only by municipal employees for municipal purposes,  
 623 including, but not limited to, police patrol, traffic  
 624 enforcement, and inspection of public facilities.

625 (b) In addition to the safety equipment required in s.  
 626 316.212(6) and any more restrictive safety equipment required by  
 627 the local governmental entity pursuant to s. 316.212(8), such  
 628 golf carts and utility vehicles must be equipped with sufficient  
 629 lighting and turn signal equipment.

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

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

637 (e) Golf carts and utility vehicles may operate on  
 638 sidewalks adjacent to state highways only if such golf carts and  
 639 utility vehicles yield to pedestrians and if the sidewalks are  
 640 at least 5 feet wide.

641 Section 9. Section 316.2129, Florida Statutes, is created  
 642 to read:

643 316.2129 Operation of swamp buggies on public roads,  
 644 streets, or highways authorized.-

645       (1) A swamp buggy may be operated on a public road,  
646 street, or highway if the local governmental entity, as defined  
647 in s. 334.03, having jurisdiction over the public road, street,  
648 or highway, has designated it for use by swamp buggies. Upon  
649 determining that swamp buggies may safely operate on or cross  
650 such public road, street, or highway, the local governmental  
651 entity shall post appropriate signs or otherwise inform the  
652 public that the operation of swamp buggies is allowed. This  
653 authorization does not apply to the State Highway System, as  
654 defined in s. 334.03. However, a swamp buggy may be operated on  
655 a part of the State Highway System only to cross that portion of  
656 the State Highway System which intersects a county road or  
657 municipal street that has been designated for use by swamp  
658 buggies if the Department of Transportation has reviewed and  
659 approved the location and design of the crossing and any traffic  
660 control devices needed for safety purposes.

661       (2) A swamp buggy may be operated on land managed, owned,  
662 or leased by a state or federal agency if the state or federal  
663 agency allows the operation of swamp buggies on such land,  
664 including any public road, street, or highway running through or  
665 located within the state or federal land. Upon determining that  
666 swamp buggies may safely operate on or cross a public road,  
667 street, or highway running through or located within such land,  
668 the state or federal agency shall post appropriate signs or  
669 otherwise inform the public that the operation of swamp buggies  
670 is allowed.

671       Section 10. Subsection (7) of section 316.2397, Florida  
672 Statutes, is amended to read:



673 | 316.2397 Certain lights prohibited; exceptions.—

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

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

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

681 | (c) For the lamps authorized under ~~in~~ subsections (1),  
 682 | (2), (3), (4), and (9), s. 316.2065, or and s. 316.235(5) which  
 683 | may are permitted to flash.

684 | Section 11. Effective July 1, 2012, paragraph (b) of  
 685 | subsection (1) and paragraph (c) of subsection (2) of section  
 686 | 316.302, Florida Statutes, are amended to read:

687 | 316.302 Commercial motor vehicles; safety regulations;  
 688 | transporters and shippers of hazardous materials; enforcement.—

689 | (1)

690 | (b) Except as otherwise provided in this section, all  
 691 | owners or drivers of commercial motor vehicles that are engaged  
 692 | in intrastate commerce are subject to the rules and regulations  
 693 | contained in 49 C.F.R. parts 382, 385, and 390-397, with the  
 694 | exception of 49 C.F.R. s. 390.5 as it relates to the definition  
 695 | of bus, as such rules and regulations existed on October 1, 2011  
 696 | ~~2009~~.

697 | (2)

698 | (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
 699 | operates a commercial motor vehicle solely in intrastate  
 700 | commerce not transporting any hazardous material in amounts that

701 require placarding pursuant to 49 C.F.R. part 172 may not drive  
702 after having been on duty more than 70 hours in any period of 7  
703 consecutive days or more than 80 hours in any period of 8  
704 consecutive days if the motor carrier operates every day of the  
705 week. Thirty-four consecutive hours off duty shall constitute  
706 the end of any such period of 7 or 8 consecutive days. This  
707 weekly limit does not apply to a person who operates a  
708 commercial motor vehicle solely within this state while  
709 transporting, during harvest periods, any unprocessed  
710 agricultural products or unprocessed food or fiber that is  
711 subject to seasonal harvesting from place of harvest to the  
712 first place of processing or storage or from place of harvest  
713 directly to market or while transporting livestock, livestock  
714 feed, or farm supplies directly related to growing or harvesting  
715 agricultural products. Upon request of the Department of Highway  
716 Safety and Motor Vehicles ~~Department of Transportation~~, motor  
717 carriers shall furnish time records or other written  
718 verification to that department so that the Department of  
719 Highway Safety and Motor Vehicles ~~Department of Transportation~~  
720 can determine compliance with this subsection. These time  
721 records must be furnished to the Department of Highway Safety  
722 and Motor Vehicles ~~Department of Transportation~~ within 2 days  
723 after receipt of that department's request. Falsification of  
724 such information is subject to a civil penalty not to exceed  
725 \$100. The provisions of this paragraph do not apply to operators  
726 of farm labor vehicles operated during a state of emergency  
727 declared by the Governor or operated pursuant to s. 570.07(21),  
728 and do not apply to drivers of utility service vehicles as

729 defined in 49 C.F.R. s. 395.2.

730 Section 12. Subsection (1) of section 316.3026, Florida  
731 Statutes, is amended to read:

732 316.3026 Unlawful operation of motor carriers.—

733 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~  
734 ~~Carrier Compliance~~ may issue out-of-service orders to motor  
735 carriers, as defined in s. 320.01(33), who, after proper notice,  
736 have failed to pay any penalty or fine assessed by the  
737 department, or its agent, against any owner or motor carrier for  
738 violations of state law, refused to submit to a compliance  
739 review and provide records pursuant to s. 316.302(5) or s.  
740 316.70, or violated safety regulations pursuant to s. 316.302 or  
741 insurance requirements in s. 627.7415. Such out-of-service  
742 orders have the effect of prohibiting the operations of any  
743 motor vehicles owned, leased, or otherwise operated by the motor  
744 carrier upon the roadways of this state, until the violations  
745 have been corrected or penalties have been paid. Out-of-service  
746 orders must be approved by the director of the Division of the  
747 Florida Highway Patrol or his or her designee. An administrative  
748 hearing pursuant to s. 120.569 shall be afforded to motor  
749 carriers subject to such orders.

750 Section 13. Section 316.613, Florida Statutes, is amended  
751 to read:

752 316.613 Child restraint requirements.—

753 (1) (a) Every operator of a motor vehicle as defined in  
754 this section herein, while transporting a child in a motor  
755 vehicle operated on the roadways, streets, or highways of this  
756 state, shall, if the child is 5 years of age or younger, provide

757 for protection of the child by properly using a crash-tested,  
 758 federally approved child restraint device. For children aged  
 759 through 3 years, such restraint device must be a separate  
 760 carrier or a vehicle manufacturer's integrated child seat. For  
 761 children aged 4 through 5 years, a separate carrier, an  
 762 integrated child seat, or a seat belt may be used.

763 (b) The department shall provide notice of the requirement  
 764 for child restraint devices, which notice shall accompany the  
 765 delivery of each motor vehicle license tag.

766 (2) As used in this section, the term "motor vehicle"  
 767 means a motor vehicle as defined in s. 316.003 that is operated  
 768 on the roadways, streets, and highways of the state. The term  
 769 does not include:

770 (a) A school bus as defined in s. 316.003(45).

771 (b) A bus used for the transportation of persons for  
 772 compensation, other than a bus regularly used to transport  
 773 children to or from school, as defined in s. 316.615(1)(b), or  
 774 in conjunction with school activities.

775 (c) A farm tractor or implement of husbandry.

776 (d) A truck having a gross vehicle weight rating of more  
 777 than 26,000 pounds.

778 (e) A motorcycle, moped, or bicycle.

779 (3) The failure to provide and use a child passenger  
 780 restraint shall not be considered comparative negligence, nor  
 781 shall such failure be admissible as evidence in the trial of any  
 782 civil action with regard to negligence.

783 (4) It is the legislative intent that all state, county,  
 784 and local law enforcement agencies, and safety councils, in

785 recognition of the problems with child death and injury from  
786 unrestrained occupancy in motor vehicles, conduct a continuing  
787 safety and public awareness campaign as to the magnitude of the  
788 problem.

789 (5) Any person who violates ~~the provisions of~~ this section  
790 commits a moving violation, punishable as provided in chapter  
791 318 and shall have 3 points assessed against his or her driver  
792 ~~driver's~~ license as set forth in s. 322.27. In lieu of the  
793 penalty specified in s. 318.18 and the assessment of points, a  
794 person who violates ~~the provisions of~~ this section may elect,  
795 with the court's approval, to participate in a child restraint  
796 safety program approved by the chief judge of the circuit in  
797 which the violation occurs, and, upon completing such program,  
798 the penalty specified in chapter 318 and associated costs may be  
799 waived at the court's discretion and the assessment of points  
800 shall be waived. The child restraint safety program must use a  
801 course approved by the Department of Highway Safety and Motor  
802 Vehicles, and the fee for the course must bear a reasonable  
803 relationship to the cost of providing the course.

804 (6) The child restraint requirements imposed by this  
805 section do not apply to a chauffeur-driven taxi, limousine,  
806 sedan, van, bus, motor coach, or other passenger vehicle if the  
807 operator and the motor vehicle are hired and used for the  
808 transportation of persons for compensation. It is the obligation  
809 and responsibility of the parent, guardian, or other person  
810 responsible for a child's welfare, as defined in s. 39.01(47),  
811 to comply with the requirements of this section.

812 Section 14. Section 316.6135, Florida Statutes, is amended

813 to read:

814 316.6135 Leaving children unattended or unsupervised in  
815 motor vehicles; penalty; authority of law enforcement officer.-

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

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

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

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

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

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

833 (5) Any law enforcement officer who observes a child left  
834 unattended or unsupervised in a motor vehicle in violation of  
835 subsection (1) may use whatever means are reasonably necessary  
836 to protect the minor child and to remove the child from the  
837 vehicle.

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

840 (7) The child shall be remanded to the custody of the

841 Department of Children and Family Services pursuant to chapter  
 842 39, unless the law enforcement officer is able to locate the  
 843 parents or legal guardian or other person responsible for the  
 844 child.

845 Section 15. Subsection (2) of section 316.655, Florida  
 846 Statutes, is amended to read:

847 316.655 Penalties.—

848 (2) A driver ~~Drivers~~ convicted of a violation of any  
 849 offense prohibited by this chapter or any other law of this  
 850 state regulating motor vehicles, which resulted in an accident,  
 851 may have his or her ~~their~~ driving privileges revoked or  
 852 suspended by the court if the court finds such revocation or  
 853 suspension warranted by the totality of the circumstances  
 854 resulting in the conviction and the need to provide for the  
 855 maximum safety for all persons who travel on or who are  
 856 otherwise affected by the use of the highways of the state. In  
 857 determining whether suspension or revocation is appropriate, the  
 858 court shall consider all pertinent factors, including, but not  
 859 limited to, such factors as the extent and nature of the  
 860 driver's violation of this chapter, the number of persons killed  
 861 or injured as the result of the driver's violation of this  
 862 chapter, and the extent of any property damage resulting from  
 863 the driver's violation of this chapter.

864 Section 16. Subsections (9) and (10) of section 318.14,  
 865 Florida Statutes, are amended to read:

866 318.14 Noncriminal traffic infractions; exception;  
 867 procedures.—

868 (9) Any person who does not hold a commercial driver

869 ~~driver's~~ license and who is cited while driving a noncommercial  
 870 motor vehicle for an infraction under this section other than a  
 871 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the  
 872 driver exceeds the posted limit by 30 miles per hour or more, s.  
 873 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s.  
 874 322.61, or s. 322.62 may, in lieu of a court appearance, elect  
 875 to attend in the location of his or her choice within this state  
 876 a basic driver improvement course approved by the Department of  
 877 Highway Safety and Motor Vehicles. In such a case, adjudication  
 878 must be withheld and points, as provided by s. 322.27, may not  
 879 be assessed. However, a person may not make an election under  
 880 this subsection if the person has made an election under this  
 881 subsection in the preceding 12 months. A person may not make ~~no~~  
 882 more than five elections within his or her lifetime under this  
 883 subsection. The requirement for community service under s.  
 884 318.18(8) is not waived by a plea of nolo contendere or by the  
 885 withholding of adjudication of guilt by a court. If a person  
 886 makes an election to attend a basic driver improvement course  
 887 under this subsection, 18 percent of the civil penalty imposed  
 888 under s. 318.18(3) shall be deposited in the State Courts  
 889 Revenue Trust Fund; however, that portion is not revenue for  
 890 purposes of s. 28.36 and may not be used in establishing the  
 891 budget of the clerk of the court under that section or s. 28.35.

892 (10) (a) Any person who does not hold a commercial driver  
 893 ~~driver's~~ license and who is cited while driving a noncommercial  
 894 motor vehicle for an offense listed under this subsection may,  
 895 in lieu of payment of fine or court appearance, elect to enter a  
 896 plea of nolo contendere and provide proof of compliance to the



897 clerk of the court, designated official, or authorized operator  
 898 of a traffic violations bureau. In such case, adjudication shall  
 899 be withheld; however, a person may not make an ~~no~~ election ~~shall~~  
 900 ~~be made~~ under this subsection if the ~~such~~ person has made an  
 901 election under this subsection in the preceding 12 months  
 902 ~~preceding election hereunder~~. A ~~No~~ person may not make more than  
 903 three elections under this subsection. This subsection applies  
 904 to the following offenses:

905 1. Operating a motor vehicle without a valid driver  
 906 ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s.  
 907 322.065, or s. 322.15(1), or operating a motor vehicle with a  
 908 license that has been suspended for failure to appear, failure  
 909 to pay civil penalty, or failure to attend a driver improvement  
 910 course pursuant to s. 322.291.

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

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

914 4. Operating a motor vehicle with a license that has been  
 915 suspended under s. 61.13016 or s. 322.245 for failure to pay  
 916 child support or for failure to pay any other financial  
 917 obligation as provided in s. 322.245; however, this subparagraph  
 918 does not apply if the license has been suspended pursuant to s.  
 919 322.245(1).

920 5. Operating a motor vehicle with a license that has been  
 921 suspended under s. 322.091 for failure to meet school attendance  
 922 requirements.

923 (b) Any person cited for an offense listed in this  
 924 subsection shall present proof of compliance before ~~prior to~~ the

925 | scheduled court appearance date. For the purposes of this  
926 | subsection, proof of compliance shall consist of a valid,  
927 | renewed, or reinstated driver ~~driver's~~ license or registration  
928 | certificate and proper proof of maintenance of security as  
929 | required by s. 316.646. Notwithstanding waiver of fine, any  
930 | person establishing proof of compliance shall be assessed court  
931 | costs of \$25, except that a person charged with violation of s.  
932 | 316.646(1)-(3) may be assessed court costs of \$8. One dollar of  
933 | such costs shall be remitted to the Department of Revenue for  
934 | deposit into the Child Welfare Training Trust Fund of the  
935 | Department of Children and Family Services. One dollar of such  
936 | costs shall be distributed to the Department of Juvenile Justice  
937 | for deposit into the Juvenile Justice Training Trust Fund.  
938 | Fourteen dollars of such costs shall be distributed to the  
939 | municipality and \$9 shall be deposited by the clerk of the court  
940 | into the fine and forfeiture fund established pursuant to s.  
941 | 142.01, if the offense was committed within the municipality. If  
942 | the offense was committed in an unincorporated area of a county  
943 | or if the citation was for a violation of s. 316.646(1)-(3), the  
944 | entire amount shall be deposited by the clerk of the court into  
945 | the fine and forfeiture fund established pursuant to s. 142.01,  
946 | except for the moneys to be deposited into the Child Welfare  
947 | Training Trust Fund and the Juvenile Justice Training Trust  
948 | Fund. This subsection does ~~shall not be construed to~~ authorize  
949 | the operation of a vehicle without a valid driver ~~driver's~~  
950 | license, without a valid vehicle tag and registration, or  
951 | without the maintenance of required security.

952 | Section 17. Paragraph (c) is added to subsection (1) of

953 section 318.15, Florida Statutes, to read:

954 318.15 Failure to comply with civil penalty or to appear;  
 955 penalty.—

956 (1)

957 (c) A person who is charged with a traffic infraction may  
 958 request a hearing within 180 days after the date upon which the  
 959 violation occurred, regardless of any action taken by the court  
 960 or the department to suspend the person's driving privilege,  
 961 and, upon request, the clerk must set the case for hearing. The  
 962 person shall be given a form for requesting that his or her  
 963 driving privilege be reinstated. If the 180th day after the date  
 964 upon which the violation occurred is a Saturday, Sunday, or a  
 965 legal holiday, the person who is charged must request a hearing  
 966 within 177 days after the date upon which the violation  
 967 occurred; however, the court may grant a request for a hearing  
 968 made more than 180 days after the date upon which the violation  
 969 occurred. This paragraph does not affect the assessment of late  
 970 fees as otherwise provided in this chapter.

971 Section 18. Paragraph (f) of subsection (3) of section  
 972 318.18, Florida Statutes, is amended to read:

973 318.18 Amount of penalties.—The penalties required for a  
 974 noncriminal disposition pursuant to s. 318.14 or a criminal  
 975 offense listed in s. 318.17 are as follows:

976 (3)

977 (f) If a violation of s. 316.1301 or s. 316.1303(1) ~~s.~~  
 978 ~~316.1303~~ results in an injury to the pedestrian or damage to the  
 979 property of the pedestrian, an additional fine of up to \$250  
 980 shall be paid. This amount must be distributed pursuant to s.

981 318.21.

982 Section 19. Subsection (5) of section 318.21, Florida  
 983 Statutes, is amended to read:

984 318.21 Disposition of civil penalties by county courts.—  
 985 All civil penalties received by a county court pursuant to the  
 986 provisions of this chapter shall be distributed and paid monthly  
 987 as follows:

988 (5) Of the additional fine assessed under s. 318.18(3)(f)  
 989 for a violation of s. 316.1303(1) ~~s. 316.1303~~, 60 percent must  
 990 be remitted to the Department of Revenue and transmitted monthly  
 991 to the Florida Endowment Foundation for Vocational  
 992 Rehabilitation, and 40 percent must be distributed pursuant to  
 993 subsections (1) and (2).

994 Section 20. Section 319.14, Florida Statutes, is amended  
 995 to read:

996 319.14 Sale of motor vehicles registered or used as  
 997 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,  
 998 ~~and~~ nonconforming vehicles, custom vehicles, or street rod  
 999 vehicles.—

1000 (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,  
 1001 sell, or exchange any vehicle that has been licensed,  
 1002 registered, or used as a taxicab, police vehicle, or short-term-  
 1003 lease vehicle, or a vehicle that has been repurchased by a  
 1004 manufacturer pursuant to a settlement, determination, or  
 1005 decision under chapter 681, until the department has stamped in  
 1006 a conspicuous place on the certificate of title of the vehicle,  
 1007 or its duplicate, words stating the nature of the previous use  
 1008 of the vehicle or the title has been stamped "Manufacturer's Buy

1009 Back" to reflect that the vehicle is a nonconforming vehicle. If  
 1010 the certificate of title or duplicate was not so stamped upon  
 1011 initial issuance thereof or if, subsequent to initial issuance  
 1012 of the title, the use of the vehicle is changed to a use  
 1013 requiring the notation provided for in this section, the owner  
 1014 or lienholder of the vehicle shall surrender the certificate of  
 1015 title or duplicate to the department prior to offering the  
 1016 vehicle for sale, and the department shall stamp the certificate  
 1017 or duplicate as required herein. When a vehicle has been  
 1018 repurchased by a manufacturer pursuant to a settlement,  
 1019 determination, or decision under chapter 681, the title shall be  
 1020 stamped "Manufacturer's Buy Back" to reflect that the vehicle is  
 1021 a nonconforming vehicle.

1022 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,  
 1023 sell, or exchange a rebuilt vehicle until the department has  
 1024 stamped in a conspicuous place on the certificate of title for  
 1025 the vehicle words stating that the vehicle has been rebuilt or  
 1026 assembled from parts, or is a kit car, glider kit, replica, ~~or~~  
 1027 flood vehicle, custom vehicle, or street rod vehicle unless  
 1028 proper application for a certificate of title for a vehicle that  
 1029 is rebuilt or assembled from parts, or is a kit car, glider kit,  
 1030 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle  
 1031 has been made to the department in accordance with this chapter  
 1032 and the department has conducted the physical examination of the  
 1033 vehicle to assure the identity of the vehicle and all major  
 1034 component parts, as defined in s. 319.30(1), which have been  
 1035 repaired or replaced. Thereafter, the department shall affix a  
 1036 decal to the vehicle, in the manner prescribed by the

1037 department, showing the vehicle to be rebuilt.

1038 (c) As used in this section, the term:

1039 1. "Police vehicle" means a motor vehicle owned or leased  
1040 by the state or a county or municipality and used in law  
1041 enforcement.

1042 2.a. "Short-term-lease vehicle" means a motor vehicle  
1043 leased without a driver and under a written agreement to one or  
1044 more persons from time to time for a period of less than 12  
1045 months.

1046 b. "Long-term-lease vehicle" means a motor vehicle leased  
1047 without a driver and under a written agreement to one person for  
1048 a period of 12 months or longer.

1049 c. "Lease vehicle" includes both short-term-lease vehicles  
1050 and long-term-lease vehicles.

1051 3. "Rebuilt vehicle" means a motor vehicle or mobile home  
1052 built from salvage or junk, as defined in s. 319.30(1).

1053 4. "Assembled from parts" means a motor vehicle or mobile  
1054 home assembled from parts or combined from parts of motor  
1055 vehicles or mobile homes, new or used. "Assembled from parts"  
1056 does not mean a motor vehicle defined as a "rebuilt vehicle" in  
1057 subparagraph 3., which has been declared a total loss pursuant  
1058 to s. 319.30.

1059 5. "Kit car" means a motor vehicle assembled with a kit  
1060 supplied by a manufacturer to rebuild a wrecked or outdated  
1061 motor vehicle with a new body kit.

1062 6. "Glider kit" means a vehicle assembled with a kit  
1063 supplied by a manufacturer to rebuild a wrecked or outdated  
1064 truck or truck tractor.

1065 7. "Replica" means a complete new motor vehicle  
 1066 manufactured to look like an old vehicle.

1067 8. "Flood vehicle" means a motor vehicle or mobile home  
 1068 that has been declared to be a total loss pursuant to s.  
 1069 319.30(3)(a) resulting from damage caused by water.

1070 9. "Nonconforming vehicle" means a motor vehicle which has  
 1071 been purchased by a manufacturer pursuant to a settlement,  
 1072 determination, or decision under chapter 681.

1073 10. "Settlement" means an agreement entered into between a  
 1074 manufacturer and a consumer that occurs after a dispute is  
 1075 submitted to a program, or an informal dispute settlement  
 1076 procedure established by a manufacturer or is approved for  
 1077 arbitration before the New Motor Vehicle Arbitration Board as  
 1078 defined in s. 681.102.

1079 11. "Custom vehicle" means a motor vehicle that:

1080 a. Is 25 years of age or older and of a model year after  
 1081 1948 or was manufactured to resemble a vehicle that is 25 years  
 1082 of age or older and of a model year after 1948; and

1083 b. Has been altered from the manufacturer's original  
 1084 design or has a body constructed from nonoriginal materials.

1085  
 1086 The model year and year of manufacture that the body of a custom  
 1087 vehicle resembles is the model year and year of manufacture  
 1088 listed on the certificate of title, regardless of when the  
 1089 vehicle was actually manufactured.

1090 12. "Street rod" means a motor vehicle that:

1091 a. Is of a model year of 1948 or older or was manufactured  
 1092 after 1948 to resemble a vehicle of a model year of 1948 or

1093 older; and

1094 b. Has been altered from the manufacturer's original  
1095 design or has a body constructed from nonoriginal materials.

1096  
1097 The model year and year of manufacture that the body of a street  
1098 rod resembles is the model year and year of manufacture listed  
1099 on the certificate of title, regardless of when the vehicle was  
1100 actually manufactured.

1101 (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or  
1102 transfer a vehicle referred to in subsection (1) without, before  
1103 ~~prior to~~ consummating the sale, exchange, or transfer,  
1104 disclosing in writing to the purchaser, customer, or transferee  
1105 the fact that the vehicle has previously been titled,  
1106 registered, or used as a taxicab, police vehicle, or short-term-  
1107 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from  
1108 parts, ~~or~~ is a kit car, glider kit, replica, or flood vehicle,  
1109 or is a nonconforming vehicle, custom vehicle, or street rod  
1110 vehicle, as the case may be.

1111 (3) Any person who, with intent to offer for sale or  
1112 exchange any vehicle referred to in subsection (1), knowingly or  
1113 intentionally advertises, publishes, disseminates, circulates,  
1114 or places before the public in any communications medium,  
1115 whether directly or indirectly, any offer to sell or exchange  
1116 the vehicle shall clearly and precisely state in each such offer  
1117 that the vehicle has previously been titled, registered, or used  
1118 as a taxicab, police vehicle, or short-term-lease vehicle or  
1119 that the vehicle or mobile home is a vehicle that is rebuilt or  
1120 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or



1121 flood vehicle, or is a nonconforming vehicle, custom vehicle, or  
 1122 street rod vehicle, as the case may be. A ~~Any~~ person who  
 1123 violates this subsection commits a misdemeanor of the second  
 1124 degree, punishable as provided in s. 775.082 or s. 775.083.

1125 (4) If ~~When~~ a certificate of title, including a foreign  
 1126 certificate, is branded to reflect a condition or prior use of  
 1127 the titled vehicle, the brand must be noted on the registration  
 1128 certificate of the vehicle and such brand shall be carried  
 1129 forward on all subsequent certificates of title and registration  
 1130 certificates issued for the life of the vehicle.

1131 (5) A ~~Any~~ person who knowingly sells, exchanges, or offers  
 1132 to sell or exchange a motor vehicle or mobile home contrary to  
 1133 ~~the provisions of~~ this section or any officer, agent, or  
 1134 employee of a person who knowingly authorizes, directs, aids in,  
 1135 or consents to the sale, exchange, or offer to sell or exchange  
 1136 a motor vehicle or mobile home contrary to ~~the provisions of~~  
 1137 this section commits a misdemeanor of the second degree,  
 1138 punishable as provided in s. 775.082 or s. 775.083.

1139 (6) A ~~Any~~ person who removes a rebuilt decal from a  
 1140 rebuilt vehicle with the intent to conceal the rebuilt status of  
 1141 the vehicle commits a felony of the third degree, punishable as  
 1142 provided in s. 775.082, s. 775.083, or s. 775.084.

1143 (7) This section applies to a mobile home, travel trailer,  
 1144 camping trailer, truck camper, or fifth-wheel recreation trailer  
 1145 only when the ~~such~~ mobile home or vehicle is a rebuilt vehicle  
 1146 or is assembled from parts.

1147 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in  
 1148 any civil action arising out of a violation of this section if

1149 | the designation of the previous use or condition of the motor  
 1150 | vehicle is not noted on the certificate of title and  
 1151 | registration certificate of the vehicle which was received by,  
 1152 | or delivered to, such person, unless the ~~such~~ person has  
 1153 | actively concealed the prior use or condition of the vehicle  
 1154 | from the purchaser.

1155 |         (9) Subsections (1), (2), and (3) do not apply to the  
 1156 | transfer of ownership of a motor vehicle after the motor vehicle  
 1157 | has ceased to be used as a lease vehicle and the ownership has  
 1158 | been transferred to an owner for private use or to the transfer  
 1159 | of ownership of a nonconforming vehicle with 36,000 or more  
 1160 | miles on its odometer, or 34 months whichever is later and the  
 1161 | ownership has been transferred to an owner for private use. Such  
 1162 | owner, as shown on the title certificate, may request the  
 1163 | department to issue a corrected certificate of title that does  
 1164 | not contain the statement of the previous use of the vehicle as  
 1165 | a lease vehicle or condition as a nonconforming vehicle.

1166 |         Section 21. Subsection (6) of section 319.23, Florida  
 1167 | Statutes, is amended, present subsections (7) through (11) of  
 1168 | that section are redesignated as subsections (8) through (12),  
 1169 | respectively, and a new subsection (7) is added to that section,  
 1170 | to read:

1171 |         319.23 Application for, and issuance of, certificate of  
 1172 | title.—

1173 |         (6) (a) In the case of the sale of a motor vehicle or  
 1174 | mobile home by a licensed dealer to a general purchaser, the  
 1175 | certificate of title must be obtained in the name of the  
 1176 | purchaser by the dealer upon application signed by the

1177 purchaser, and in each other case the ~~such~~ certificate must be  
1178 obtained by the purchaser. In each case of transfer of a motor  
1179 vehicle or mobile home, the application for a certificate of  
1180 title, a corrected certificate, or an assignment or reassignment  
1181 must be filed within 30 days after the delivery of the motor  
1182 vehicle or after consummation of the sale of the mobile home to  
1183 the purchaser. An applicant must pay a fee of \$20, in addition  
1184 to all other fees and penalties required by law, for failing to  
1185 file such application within the specified time. In the case of  
1186 the sale of a motor vehicle by a licensed motor vehicle dealer  
1187 to a general purchaser who resides in another state or country,  
1188 the dealer is not required to apply for a certificate of title  
1189 for the motor vehicle; however, the dealer must transfer  
1190 ownership and reassign the certificate of title or  
1191 manufacturer's certificate of origin to the purchaser, and the  
1192 purchaser must sign an affidavit, as approved by the department,  
1193 that the purchaser will title and register the motor vehicle in  
1194 another state or country.

1195 (b) If a licensed dealer acquires a motor vehicle or  
1196 mobile home as a trade-in, the dealer must file with the  
1197 department, within 30 days, a notice of sale signed by the  
1198 seller. The department shall update its database for that title  
1199 record to indicate "sold." A licensed dealer need not apply for  
1200 a certificate of title for any motor vehicle or mobile home in  
1201 stock acquired for stock purposes except as provided in s.  
1202 319.225.

1203 (7) If an applicant for a certificate of title is unable  
1204 to provide the department with a certificate of title that

1205 assigns the prior owner's interest in the motor vehicle, the  
 1206 department may accept a bond in the form prescribed by the  
 1207 department, along with an affidavit in a form prescribed by the  
 1208 department, which includes verification of the vehicle  
 1209 identification number and an application for title.

1210 (a) The bond must be:

1211 1. In a form prescribed by the department;

1212 2. Executed by the applicant;

1213 3. Issued by a person authorized to conduct a surety  
 1214 business in this state;

1215 4. In an amount equal to two times the value of the  
 1216 vehicle as determined by the department; and

1217 5. Conditioned to indemnify all prior owners and  
 1218 lienholders and all subsequent purchasers of the vehicle or  
 1219 persons who acquire a security interest in the vehicle, and  
 1220 their successors in interest, against any expense, loss, or  
 1221 damage, including reasonable attorney fees, occurring because of  
 1222 the issuance of the certificate of title for the vehicle or for  
 1223 a defect in or undisclosed security interest on the right,  
 1224 title, or interest of the applicant to the vehicle.

1225 (b) An interested person has a right to recover on the  
 1226 bond for a breach of the bond's condition. The aggregate  
 1227 liability of the surety to all persons may not exceed the amount  
 1228 of the bond.

1229 (c) A bond under this subsection expires on the third  
 1230 anniversary of the date the bond became effective.

1231 (d) The affidavit must:

1232 1. Be in a form prescribed by the department;

1233           2. Include the facts and circumstances under which the  
 1234 applicant acquired ownership and possession of the motor  
 1235 vehicle;

1236           3. Disclose that no security interests, liens, or  
 1237 encumbrances against the motor vehicle are known to the  
 1238 applicant against the motor vehicle; and

1239           4. State that the applicant has the right to have a  
 1240 certificate of title issued.

1241           Section 22. Subsection (8) of section 319.24, Florida  
 1242 Statutes, is amended to read:

1243           319.24 Issuance in duplicate; delivery; liens and  
 1244 encumbrances.—

1245           (8) Notwithstanding any requirements in this section or in  
 1246 s. 319.27 indicating that a lien on a motor vehicle or mobile  
 1247 home shall be noted on the face of the Florida certificate of  
 1248 title, if there are one or more liens or encumbrances on the  
 1249 motor vehicle or mobile home, the department shall ~~may~~  
 1250 electronically transmit the lien to the first lienholder and  
 1251 notify the first lienholder of any additional liens. Subsequent  
 1252 lien satisfactions shall ~~may~~ be electronically transmitted to  
 1253 the department and must ~~shall~~ include the name and address of  
 1254 the person or entity satisfying the lien. When electronic  
 1255 transmission of liens and lien satisfactions is ~~are~~ used, the  
 1256 issuance of a certificate of title may be waived until the last  
 1257 lien is satisfied and a clear certificate of title is issued to  
 1258 the owner of the vehicle. In subsequent transfer of ownership of  
 1259 the motor vehicle, it shall be presumed that the motor vehicle  
 1260 title is subject to a lien as set forth in s. 319.225(6) (a)

1261 until the title to be issued pursuant to this subsection is  
 1262 received by the person or entity satisfying the lien.

1263 Section 23. Subsection (7) is added to section 319.27,  
 1264 Florida Statutes, to read:

1265 319.27 Notice of lien on motor vehicles or mobile homes;  
 1266 notation on certificate; recording of lien.—

1267 (7) The department shall establish and administer an  
 1268 electronic titling program that requires the electronic  
 1269 recording of vehicle title information for new, transferred, and  
 1270 corrected certificates of title. Lienholders shall  
 1271 electronically transmit liens and lien satisfactions to the  
 1272 department in a format determined by the department. Individuals  
 1273 and lienholders who the department determines are not normally  
 1274 engaged in the business or practice of financing vehicles are  
 1275 exempt from the electronic titling requirement.

1276 Section 24. Subsection (3) is added to section 319.28,  
 1277 Florida Statutes, to read:

1278 319.28 Transfer of ownership by operation of law.—

1279 (3) A dealer of industrial equipment who conducts a  
 1280 repossession, as defined in s. 493.6101(22), of such equipment  
 1281 is not subject to licensure as a recovery agent or recovery  
 1282 agency if the dealer is regularly engaged in the sale of the  
 1283 equipment for a particular manufacturer and the lender is  
 1284 affiliated with that manufacturer.

1285 Section 25. Present subsection (10) of section 319.30,  
 1286 Florida Statutes, is renumbered as subsection (11), and new  
 1287 subsection (10) is added to that section to read:

1288 319.30 Definitions; dismantling, destruction, change of

1289 identity of motor vehicle or mobile home; salvage.—

1290 (10) The department may adopt rules to implement an  
 1291 electronic system for issuing salvage certificates of title and  
 1292 certificates of destruction.

1293 Section 26. Section 319.40, Florida Statutes, is amended  
 1294 to read:

1295 319.40 Transactions by electronic or telephonic means.—

1296 (1) The department may ~~is authorized to~~ accept any  
 1297 application provided for under this chapter by electronic or  
 1298 telephonic means.

1299 (2) The department may issue an electronic certificate of  
 1300 title in lieu of printing a paper title.

1301 (3) The department may collect electronic mail addresses  
 1302 and use electronic mail in lieu of the United States Postal  
 1303 Service as a method of notification. However, any notice  
 1304 regarding the potential forfeiture or foreclosure of an interest  
 1305 in property must be sent via the United States Postal Service.

1306 Section 27. Paragraph (a) of subsection (1) of section  
 1307 320.01, Florida Statutes, is amended, and subsection (46) is  
 1308 added to that section, to read:

1309 320.01 Definitions, general.—As used in the Florida  
 1310 Statutes, except as otherwise provided, the term:

1311 (1) "Motor vehicle" means:

1312 (a) An automobile, motorcycle, truck, trailer,  
 1313 semitrailer, truck tractor and semitrailer combination, or any  
 1314 other vehicle operated on the roads of this state, used to  
 1315 transport persons or property, and propelled by power other than  
 1316 muscular power, but the term does not include traction engines,

1317 road rollers, special mobile equipment as defined in s.  
 1318 316.003(48), ~~such~~ vehicles that ~~as~~ run only upon a track,  
 1319 bicycles, swamp buggies, or mopeds.

1320 (46) "Swamp buggy" means a motorized off-road vehicle that  
 1321 is designed or modified to travel over swampy or varied terrain  
 1322 and that may use large tires or tracks operated from an elevated  
 1323 platform. The term does not include any vehicle defined in  
 1324 chapter 261 or otherwise defined or classified in this chapter.

1325 Section 28. Subsection (2) and paragraph (e) of subsection  
 1326 (5) of section 320.02, Florida Statutes, are amended, paragraphs  
 1327 (o), (p), (q), and (r) are added to subsection (15), and  
 1328 subsection (18) is added to that section, to read:

1329 320.02 Registration required; application for  
 1330 registration; forms.—

1331 (2)(a) The application for registration shall include the  
 1332 street address of the owner's permanent residence or the address  
 1333 of his or her permanent place of business and shall be  
 1334 accompanied by personal or business identification information  
 1335 which may include, but need not be limited to, a driver ~~driver's~~  
 1336 license number, Florida identification card number, or federal  
 1337 employer identification number. If the owner does not have a  
 1338 permanent residence or permanent place of business or if the  
 1339 owner's permanent residence or permanent place of business  
 1340 cannot be identified by a street address, the application shall  
 1341 include:

1342 1. If the vehicle is registered to a business, the name  
 1343 and street address of the permanent residence of an owner of the  
 1344 business, an officer of the corporation, or an employee who is



1345 in a supervisory position.

1346 2. If the vehicle is registered to an individual, the name  
 1347 and street address of the permanent residence of a close  
 1348 relative or friend who is a resident of this state.

1349  
 1350 If the vehicle is registered to an active duty member of the  
 1351 Armed Forces of the United States who is a Florida resident, the  
 1352 active duty member is exempt from the requirement to provide the  
 1353 street address of a permanent residence.

1354 (b) The department shall prescribe a form upon which motor  
 1355 vehicle owners may record odometer readings when registering  
 1356 their motor vehicles.

1357 (5)

1358 (e) Upon the expiration date noted in the cancellation  
 1359 notice that the department receives from the insurer, the  
 1360 department shall suspend the registration, issued under this  
 1361 chapter or s. 207.004(1), of a motor carrier who operates a  
 1362 commercial motor vehicle or who permits it to be operated in  
 1363 this state during the registration period without having in full  
 1364 force ~~and effect~~ liability insurance, a surety bond, or a valid  
 1365 self-insurance certificate that complies with ~~the provisions of~~  
 1366 this section. The insurer shall provide notice to the department  
 1367 at the same time the cancellation notice is provided to the  
 1368 insured pursuant to s. 627.7281. The department may adopt rules  
 1369 regarding the electronic submission of the cancellation notice  
 1370 ~~liability insurance policy or surety bond may not be canceled on~~  
 1371 ~~less than 30 days' written notice by the insurer to the~~  
 1372 ~~department, such 30 days' notice to commence from the date~~

1373 ~~notice is received by the department.~~

1374 (15)

1375 (o) The application form for motor vehicle registration  
 1376 and renewal registration must include language permitting a  
 1377 voluntary contribution of \$1 to the Florida Association of Food  
 1378 Banks, Inc. The proceeds shall be distributed by the department  
 1379 each month to Florida Association of Food Banks, Inc., to be  
 1380 used by that organization for the purpose of ending hunger in  
 1381 this state.

1382 (p) The application form for motor vehicle registration  
 1383 and renewal of registration must include language permitting a  
 1384 voluntary contribution of \$1 per applicant for Autism Services  
 1385 and Supports. Such contributions must be transferred by the  
 1386 department to the Achievement and Rehabilitation Centers, Inc.,  
 1387 Autism Services Fund.

1388 (q) The application form for motor vehicle registration  
 1389 and renewal of registration must include language permitting a  
 1390 voluntary contribution of \$1 per applicant to Support Our  
 1391 Troops, which shall be distributed to Support Our Troops, Inc.,  
 1392 a Florida not-for-profit organization.

1393 (r) The application form for motor vehicle registration  
 1394 and renewal of registration must include language permitting a  
 1395 voluntary contribution of \$1 to Take Stock In Children. Such  
 1396 contributions shall be transferred by the department to Take  
 1397 Stock In Children, Inc.

1398  
 1399 For the purpose of applying the service charge provided in s.  
 1400 215.20, contributions received under this subsection are not

1401 income of a revenue nature.

1402 (18) The department shall retain all electronic  
 1403 registration records for at least 10 years.

1404 Section 29. Subsection (8) of section 320.03, Florida  
 1405 Statutes, is amended to read:

1406 320.03 Registration; duties of tax collectors;  
 1407 International Registration Plan.—

1408 (8) If the applicant's name appears on the list referred  
 1409 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a  
 1410 license plate or revalidation sticker may not be issued until  
 1411 that person's name no longer appears on the list or until the  
 1412 person presents a receipt from the governmental entity or the  
 1413 clerk of court that provided the data showing that the fines  
 1414 outstanding have been paid. This subsection does not apply to  
 1415 the owner of a leased vehicle if the vehicle is registered in  
 1416 the name of the lessee of the vehicle. The tax collector and the  
 1417 clerk of the court are each entitled to receive monthly, as  
 1418 costs for implementing and administering this subsection, 10  
 1419 percent of the civil penalties and fines recovered from such  
 1420 persons. As used in this subsection, the term "civil penalties  
 1421 and fines" does not include a wrecker operator's lien as  
 1422 described in s. 713.78(13). If the tax collector has private tag  
 1423 agents, such tag agents are entitled to receive a pro rata share  
 1424 of the amount paid to the tax collector, based upon the  
 1425 percentage of license plates and revalidation stickers issued by  
 1426 the tag agent compared to the total issued within the county.  
 1427 The authority of any private agent to issue license plates shall  
 1428 be revoked, after notice and a hearing as provided in chapter

1429 120, if he or she issues any license plate or revalidation  
 1430 sticker contrary to the provisions of this subsection. This  
 1431 section applies only to the annual renewal in the owner's birth  
 1432 month of a motor vehicle registration and does not apply to the  
 1433 transfer of a registration of a motor vehicle sold by a motor  
 1434 vehicle dealer licensed under this chapter, except for the  
 1435 transfer of registrations which includes ~~is inclusive of~~ the  
 1436 annual renewals. This section does not affect the issuance of  
 1437 the title to a motor vehicle, notwithstanding s. 319.23(8)(b)  
 1438 ~~319.23(7)(b)~~.

1439 Section 30. Subsections (5) and (6) are added to section  
 1440 320.06, Florida Statutes, to read:

1441 320.06 Registration certificates, license plates, and  
 1442 validation stickers generally.—

1443 (5) The department may conduct a pilot program to evaluate  
 1444 the designs, concepts, and technologies for alternative license  
 1445 plates. For purposes of the pilot program, the department shall  
 1446 investigate the feasibility and use of alternative license plate  
 1447 technologies and the long-term cost impact to the consumer. The  
 1448 pilot program shall be limited to license plates that are used  
 1449 on government-owned motor vehicles as described in s. 320.0655.  
 1450 Such license plates are exempt from the requirements in  
 1451 paragraph (3)(a).

1452 (6) All license plates issued pursuant to this chapter are  
 1453 the property of the state.

1454 Section 31. Section 320.0605, Florida Statutes, is amended  
 1455 to read:

1456 320.0605 Certificate of registration; possession required;

1457 exception.—

1458       (1) The registration certificate or an official copy  
 1459 thereof, a true copy of ~~a~~ rental or lease documentation  
 1460 ~~agreement~~ issued for a motor vehicle or issued for a replacement  
 1461 vehicle in the same registration period, a temporary receipt  
 1462 printed upon self-initiated electronic renewal of a registration  
 1463 via the Internet, or a cab card issued for a vehicle registered  
 1464 under the International Registration Plan shall, at all times  
 1465 while the vehicle is being used or operated on the roads of this  
 1466 state, be in the possession of the operator thereof or be  
 1467 carried in the vehicle for which issued and shall be exhibited  
 1468 upon demand of any authorized law enforcement officer or any  
 1469 agent of the department, except for a vehicle registered under  
 1470 s. 320.0657. The provisions of this section do not apply during  
 1471 the first 30 days after purchase of a replacement vehicle. A  
 1472 violation of this section is a noncriminal traffic infraction,  
 1473 punishable as a nonmoving violation as provided in chapter 318.

1474       (2) Rental or lease documentation that is sufficient to  
 1475 satisfy the requirement in subsection (1) includes the  
 1476 following:

- 1477       (a) Date of rental and time of exit from rental facility;
- 1478       (b) Rental station identification;
- 1479       (c) Rental agreement number;
- 1480       (d) Rental vehicle identification number;
- 1481       (e) Rental vehicle license plate number and state of  
 1482 registration;
- 1483       (f) Vehicle's make, model, and color;
- 1484       (g) Vehicle's mileage; and

1485 (h) Authorized renter's name.

1486 Section 32. Section 320.061, Florida Statutes, is amended  
1487 to read:

1488 320.061 Unlawful to alter motor vehicle registration  
1489 certificates, license plates, temporary license plates, mobile  
1490 home stickers, or validation stickers or to obscure license  
1491 plates; penalty.—~~A No~~ person may not ~~shall~~ alter the original  
1492 appearance of a vehicle registration certificate, ~~any~~  
1493 ~~registration~~ license plate, temporary license plate, mobile home  
1494 sticker, or validation sticker, ~~or vehicle registration~~  
1495 ~~certificate~~ issued for and assigned to a ~~any~~ motor vehicle or  
1496 mobile home, whether by mutilation, alteration, defacement, or  
1497 change of color or in any other manner. ~~A No~~ person may not  
1498 ~~shall~~ apply or attach a ~~any~~ substance, reflective matter,  
1499 illuminated device, spray, coating, covering, or other material  
1500 onto or around any license plate which ~~that~~ interferes with the  
1501 legibility, angular visibility, or detectability of any feature  
1502 or detail on the license plate or interferes with the ability to  
1503 record any feature or detail on the license plate. ~~A Any~~ person  
1504 who violates this section commits a noncriminal traffic  
1505 infraction, punishable as a moving violation as provided in  
1506 chapter 318.

1507 Section 33. Subsection (1) of section 320.07, Florida  
1508 Statutes, is amended to read:

1509 320.07 Expiration of registration; renewal required;  
1510 penalties.—

1511 (1) The registration of a motor vehicle or mobile home  
1512 expires at midnight on the last day of the registration or

1513 extended registration period, or for a motor vehicle or mobile  
 1514 home owner who is a natural person, at midnight on the owner's  
 1515 birthday. A vehicle may ~~shall~~ not be operated on the roads of  
 1516 this state after expiration of the renewal period unless the  
 1517 registration has been renewed according to law.

1518 Section 34. Subsection (11) of section 320.08056, Florida  
 1519 Statutes, is amended to read:

1520 320.08056 Specialty license plates.—

1521 (11) The annual use fee from the sale of specialty license  
 1522 plates, the interest earned from those fees, or any fees  
 1523 received by an agency as a result of the sale of specialty  
 1524 license plates may not be used for the purpose of marketing to,  
 1525 or lobbying, entertaining, or rewarding, an employee of a  
 1526 governmental agency that is responsible for the sale and  
 1527 distribution of specialty license plates, or an elected member  
 1528 or employee of the Legislature.

1529 Section 35. Paragraph (b) of subsection (35) of section  
 1530 320.08058, Florida Statutes, is amended to read:

1531 320.08058 Specialty license plates.—

1532 (35) Florida Golf License Plates.—

1533 (b) The department shall distribute the Florida Golf  
 1534 license plate annual use fee to the Dade Amateur Golf  
 1535 Association, a nonprofit organization under s. 501(c)(3) of the  
 1536 Internal Revenue Code. The license plate annual use fees are to  
 1537 be annually allocated as follows:

1538 1. Up to ~~10~~ 15 percent of the proceeds from the annual use  
 1539 fees may be used by the Dade Amateur Golf Association for the  
 1540 administration of the Florida Junior Golf Program.

1541           2. The Dade Amateur Golf Association shall receive the  
 1542 first \$80,000 in proceeds from the annual use fees for the  
 1543 operation of youth golf programs in Miami-Dade County.  
 1544 Thereafter, 15 percent of the proceeds from the annual use fees  
 1545 shall be provided to the Dade Amateur Golf Association for the  
 1546 operation of youth golf programs in Miami-Dade County.

1547           3. The remaining proceeds from the annual use fees shall  
 1548 be available for grants to nonprofit organizations to operate  
 1549 youth golf programs and for marketing the Florida Golf license  
 1550 plates. All grant recipients shall be required to provide to the  
 1551 Dade Amateur Golf Association an annual program and financial  
 1552 report regarding the use of grant funds. Such reports shall be  
 1553 made available to the public.

1554           Section 36. Paragraph (e) of subsection (4) of section  
 1555 320.08068, Florida Statutes, is amended to read:

1556           320.08068 Motorcycle specialty license plates.—

1557           (4) A license plate annual use fee of \$20 shall be  
 1558 collected for each motorcycle specialty license plate. Annual  
 1559 use fees shall be distributed to The Able Trust as custodial  
 1560 agent. The Able Trust may retain a maximum of 10 percent of the  
 1561 proceeds from the sale of the license plate for administrative  
 1562 costs. The Able Trust shall distribute the remaining funds as  
 1563 follows:

1564           (e) Twenty percent to the Florida Association of Centers  
 1565 for Independent Living ~~to be used to leverage additional funding~~  
 1566 ~~and new sources of revenue for the centers for independent~~  
 1567 ~~living in this state.~~

1568           Section 37. Section 320.0807, Florida Statutes, is amended



1569 to read:

1570 320.0807 Special license plates for Governor and federal  
1571 and state legislators.-

1572 (1) Upon application by any member of the House of  
1573 Representatives of Congress and payment of the fees prescribed  
1574 by s. 320.0805, the department may ~~is authorized to~~ issue to  
1575 such member of Congress a license plate stamped "Official Member  
1576 ~~of~~ Congress" followed by the number of the appropriate  
1577 congressional district and the letters "MC," or any other  
1578 configuration chosen by the member which is not already in use.  
1579 Upon application by a United States Senator and payment of the  
1580 fees prescribed by s. 320.0805, the department may ~~is authorized~~  
1581 ~~to~~ issue a license plate stamped "USS," followed by the numeral  
1582 II in the case of the junior senator.

1583 (2) Upon application by any member of the state House of  
1584 Representatives and payment of the fees prescribed by s.  
1585 320.0805, the department may ~~is authorized to~~ issue the ~~such~~  
1586 state representative license plates stamped ~~in bold letters~~  
1587 "Official House State Legislator," followed by the number of the  
1588 appropriate House of Representatives district and the letters  
1589 "HR," or any other configuration chosen by the member which is  
1590 not already in use. Upon application by a state senator and  
1591 payment of the fees prescribed by s. 320.0805, the department  
1592 may ~~is authorized to~~ issue license plates stamped ~~in bold~~  
1593 ~~letters~~ "Official Senate State Senator," followed by the number  
1594 of the appropriate Senate district and the letters "SN," or any  
1595 other configuration chosen by the member which is not already in  
1596 use.

1597 (3) Upon application by the Governor and payment of the  
1598 appropriate fees, the department may ~~is authorized to~~ issue to  
1599 the Governor two license plates stamped ~~in bold letters~~ "Florida  
1600 1" and "Florida 2."

1601 (4) License plates purchased under subsection (1),  
1602 subsection (2), or subsection (3) shall be replaced by the  
1603 department at no cost, other than the fees required by ss.  
1604 320.04 and 320.06(3)(b), when the person to whom the ~~such~~ plates  
1605 have been issued leaves the elective office with respect to  
1606 which the ~~such~~ license plates were issued. Within 30 days after  
1607 leaving office, the person to whom the ~~such~~ license plates have  
1608 been issued shall make application to the department for a  
1609 replacement license plate. The ~~Such~~ person may return the  
1610 prestige license plates to the department or may retain the ~~such~~  
1611 plates as souvenirs. Upon receipt of the replacement license  
1612 plate, the ~~such~~ person may ~~shall~~ not continue to display on any  
1613 vehicle the prestige license plate or plates issued with respect  
1614 to his or her former office.

1615 (5) Upon application by any current or former President of  
1616 the Senate and payment of the fees prescribed by s. 320.0805,  
1617 the department may ~~is authorized to~~ issue a license plate  
1618 stamped ~~in bold letters~~ "Senate President" followed by the  
1619 number assigned by the department or chosen by the applicant if  
1620 it is not already in use. Upon application by any current or  
1621 former Speaker of the House of Representatives and payment of  
1622 the fees prescribed by s. 320.0805, the department may ~~is~~  
1623 ~~authorized to~~ issue a license plate stamped ~~in bold letters~~  
1624 "House Speaker" followed by the number assigned by the

1625 department or chosen by the applicant if it is not already in  
 1626 use.

1627 (6) (a) Upon application by any former member of Congress  
 1628 or former member of the state Legislature, payment of the fees  
 1629 prescribed by s. 320.0805, and payment of a one-time fee of  
 1630 \$500, the department may issue a former member of Congress,  
 1631 state senator, or state representative a license plate stamped  
 1632 "Retired Congress," "Retired Senate," or "Retired House," as  
 1633 appropriate, for a vehicle owned by the former member.

1634 (b) To qualify for a Retired Congress, Retired Senate, or  
 1635 Retired House prestige license plate, a former member must have  
 1636 served at least 4 years as a member of Congress, state senator,  
 1637 or state representative, respectively.

1638 (c) Four hundred fifty dollars of the one-time fee  
 1639 collected under paragraph (a) shall be distributed to the  
 1640 account of the citizen support organization established pursuant  
 1641 to s. 272.129 and used for the benefit of the Legislative  
 1642 Research Center and Museum at the Historic Capitol, and the  
 1643 remaining \$50 shall be deposited into the Highway Safety  
 1644 Operating Trust Fund.

1645 (7) The department may create a unique plate design for  
 1646 plates to be used by members or former members of the  
 1647 Legislature or Congress as provided in subsections (2), (5), and  
 1648 (6).

1649 (8) ~~(6)~~ Any person who does not make application for a  
 1650 replacement license plate as required by subsection (4), or who,  
 1651 after receipt of the replacement license plate, continues to  
 1652 display on any vehicle the prestige license plate or plates

1653 issued with respect to his or her former office, is guilty of a  
 1654 misdemeanor of the second degree, punishable as provided in s.  
 1655 775.082 or s. 775.083.

1656 Section 38. Subsection (4) of section 320.0848, Florida  
 1657 Statutes, is amended to read:

1658 320.0848 Persons who have disabilities; issuance of  
 1659 disabled parking permits; temporary permits; permits for certain  
 1660 providers of transportation services to persons who have  
 1661 disabilities.—

1662 (4) From the proceeds of the temporary disabled parking  
 1663 permit fees:

1664 (a) The Department of Highway Safety and Motor Vehicles  
 1665 must receive \$3.50 for each temporary permit, to be deposited  
 1666 into the Highway Safety Operating Trust Fund and used for  
 1667 implementing the real-time disabled parking permit database and  
 1668 for administering the disabled parking permit program.

1669 (b) The tax collector, for processing, must receive \$2.50  
 1670 for each temporary permit.

1671 (c) The remainder must be distributed monthly as follows:

1672 1. To the Florida Endowment Foundation for Vocational  
 1673 Rehabilitation, known as "The Able Trust," ~~Governor's Alliance~~  
 1674 ~~for the Employment of Disabled Citizens~~ for the purpose of  
 1675 improving employment and training opportunities for persons who  
 1676 have disabilities, with special emphasis on removing  
 1677 transportation barriers, \$4. These fees must be directly  
 1678 deposited into the Florida Endowment Foundation for Vocational  
 1679 Rehabilitation as established in s. 413.615 ~~Transportation~~  
 1680 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~

1681 ~~Alliance for Employment of Disabled Citizens.~~

1682 2. To the Transportation Disadvantaged Trust Fund to be  
1683 used for funding matching grants to counties for the purpose of  
1684 improving transportation of persons who have disabilities, \$5.

1685 Section 39. Paragraph (a) of subsection (1) of section  
1686 320.089, Florida Statutes, is amended, and subsection (5) is  
1687 added to that section, to read:

1688 320.089 Members of National Guard and active United States  
1689 Armed Forces reservists; former prisoners of war; survivors of  
1690 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi  
1691 Freedom and Operation Enduring Freedom Veterans; Vietnam War  
1692 Veterans; Combat Infantry Badge recipients; special license  
1693 plates; fee.—

1694 (1) (a) Each owner or lessee of an automobile or truck for  
1695 private use or recreational vehicle as specified in s.  
1696 320.08(9)(c) or (d), which is not used for hire or commercial  
1697 use, who is a resident of the state and an active or retired  
1698 member of the Florida National Guard, a survivor of the attack  
1699 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an  
1700 active or retired member of any branch of the United States  
1701 Armed Forces Reserve, or a recipient of the Combat Infantry  
1702 Badge shall, upon application to the department, accompanied by  
1703 proof of active membership or retired status in the Florida  
1704 National Guard, proof of membership in the Pearl Harbor  
1705 Survivors Association or proof of active military duty in Pearl  
1706 Harbor on December 7, 1941, proof of being a Purple Heart medal  
1707 recipient, ~~or~~ proof of active or retired membership in any  
1708 branch of the Armed Forces Reserve, or proof of membership in

1709 the Combat Infantrymen's Association, Inc., or other proof of  
1710 being a recipient of the Combat Infantry Badge, and upon payment  
1711 of the license tax for the vehicle as provided in s. 320.08, be  
1712 issued a license plate as provided by s. 320.06, upon which, in  
1713 lieu of the serial numbers prescribed by s. 320.06, shall be  
1714 stamped the words "National Guard," "Pearl Harbor Survivor,"  
1715 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry  
1716 Badge," as appropriate, followed by the serial number of the  
1717 license plate. Additionally, the Purple Heart plate may have the  
1718 words "Purple Heart" stamped on the plate and the likeness of  
1719 the Purple Heart medal appearing on the plate.

1720 (5) The owner or lessee of an automobile or truck for  
1721 private use, a truck weighing not more than 7,999 pounds, or a  
1722 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
1723 which automobile, truck, or recreational vehicle is not used for  
1724 hire or commercial use who is a resident of the state and a  
1725 current or former member of the United States military who was  
1726 deployed and served in Vietnam during United States military  
1727 deployment in Indochina shall, upon application to the  
1728 department, accompanied by proof of active membership or former  
1729 active duty status during these operations, and, upon payment of  
1730 the license tax for the vehicle as provided in s. 320.08, be  
1731 issued a license plate as provided by s. 320.06 upon which, in  
1732 lieu of the registration license number prescribed by s. 320.06,  
1733 shall be stamped the words "Vietnam War Veteran," followed by  
1734 the registration license number of the plate.

1735 Section 40. Paragraph (c) is added to subsection (1) of  
1736 section 320.13, Florida Statutes, to read:

1737 320.13 Dealer and manufacturer license plates and  
1738 alternative method of registration.—

1739 (1)

1740 (c) A dealer of heavy trucks as defined in s. 320.01(10),  
1741 upon payment of the license tax imposed by s. 320.08(12), may  
1742 secure one or more dealer license plates that are valid for use  
1743 on vehicles owned by the dealer to whom such plates are issued  
1744 while the heavy trucks are in inventory and for sale and are  
1745 being used only in the state for demonstration purposes. The  
1746 license plates may be used for demonstration purposes for a  
1747 period not to exceed 24 hours. The license plates must be  
1748 validated on a form prescribed by the department and must be  
1749 retained in the vehicle being operated.

1750 Section 41. Section 320.15, Florida Statutes, is amended  
1751 to read:

1752 320.15 Refund of license tax.—Any resident owner of a  
1753 motor vehicle or mobile home that has been destroyed or  
1754 permanently removed from the state shall, upon application to  
1755 the department and surrender of the license plate or mobile home  
1756 sticker issued for such vehicle, be entitled to a credit to  
1757 apply to registration of any other vehicle in the name of the  
1758 owner, if the amount is \$3 or more, for the unexpired period of  
1759 the license. However, if the license plate surrendered is a  
1760 "for-hire" license plate, the amount of credit may not be more  
1761 than one-half of the annual license tax amount. A credit is ~~will~~  
1762 ~~be~~ valid after the expiration date of the license plate  
1763 which is current on the date of the credit, as provided in s.  
1764 320.07. A motor vehicle or mobile home owner who renews a

1765 registration during the advanced renewal period as provided in  
 1766 s. 320.071 and who surrenders the motor vehicle or mobile home  
 1767 license plate before the end of the renewal period may apply for  
 1768 a refund of the license taxes assessed pursuant to s. 320.08.

1769 Section 42. Subsection (3) of section 320.27, Florida  
 1770 Statutes, is amended to read:

1771 320.27 Motor vehicle dealers.—

1772 (3) APPLICATION AND FEE.—The application for the license  
 1773 shall be in such form as may be prescribed by the department and  
 1774 shall be subject to such rules with respect thereto as may be so  
 1775 prescribed by it. Such application shall be verified by oath or  
 1776 affirmation and shall contain a full statement of the name and  
 1777 birth date of the person or persons applying therefor; the name  
 1778 of the firm or copartnership, with the names and places of  
 1779 residence of all members thereof, if such applicant is a firm or  
 1780 copartnership; the names and places of residence of the  
 1781 principal officers, if the applicant is a body corporate or  
 1782 other artificial body; the name of the state under whose laws  
 1783 the corporation is organized; the present and former place or  
 1784 places of residence of the applicant; and prior business in  
 1785 which the applicant has been engaged and the location thereof.  
 1786 Such application shall describe the exact location of the place  
 1787 of business and shall state whether the place of business is  
 1788 owned by the applicant and when acquired, or, if leased, a true  
 1789 copy of the lease shall be attached to the application. The  
 1790 applicant shall certify that the location provides an adequately  
 1791 equipped office and is not a residence; that the location  
 1792 affords sufficient unoccupied space upon and within which



1793 adequately to store all motor vehicles offered and displayed for  
1794 sale; and that the location is a suitable place where the  
1795 applicant can in good faith carry on such business and keep and  
1796 maintain books, records, and files necessary to conduct such  
1797 business, which shall ~~will~~ be available at all reasonable hours  
1798 to inspection by the department or any of its inspectors or  
1799 other employees. The applicant shall certify that the business  
1800 of a motor vehicle dealer is the principal business which shall  
1801 be conducted at that location. The ~~Such~~ application shall  
1802 contain a statement that the applicant is either franchised by a  
1803 manufacturer of motor vehicles, in which case the name of each  
1804 motor vehicle that the applicant is franchised to sell shall be  
1805 included, or an independent (nonfranchised) motor vehicle  
1806 dealer. The ~~Such~~ application shall contain ~~such~~ other relevant  
1807 information as may be required by the department, including  
1808 evidence that the applicant is insured under a garage liability  
1809 insurance policy or a general liability insurance policy coupled  
1810 with a business automobile policy, which shall include, at a  
1811 minimum, \$25,000 combined single-limit liability coverage  
1812 including bodily injury and property damage protection and  
1813 \$10,000 personal injury protection. However, a salvage motor  
1814 vehicle dealer as defined in subparagraph (1)(c)5. is exempt  
1815 from the requirements for garage liability insurance and  
1816 personal injury protection insurance on those vehicles that  
1817 cannot be legally operated on roads, highways, or streets in  
1818 this state. Franchise dealers must submit a garage liability  
1819 insurance policy, and all other dealers must submit a garage  
1820 liability insurance policy or a general liability insurance

1821 policy coupled with a business automobile policy. Such policy  
1822 shall be for the license period, and evidence of a new or  
1823 continued policy shall be delivered to the department at the  
1824 beginning of each license period. Upon making initial  
1825 application, the applicant shall pay to the department a fee of  
1826 \$300 in addition to any other fees now required by law. ~~†~~ Upon  
1827 making a subsequent renewal application, the applicant shall pay  
1828 to the department a fee of \$75 in addition to any other fees now  
1829 required by law. Upon making an application for a change of  
1830 location, the person shall pay a fee of \$50 in addition to any  
1831 other fees now required by law. The department shall, in the  
1832 case of every application for initial licensure, verify whether  
1833 certain facts set forth in the application are true. Each  
1834 applicant, general partner in the case of a partnership, or  
1835 corporate officer and director in the case of a corporate  
1836 applicant, must file a set of fingerprints with the department  
1837 for the purpose of determining any prior criminal record or any  
1838 outstanding warrants. The department shall submit the  
1839 fingerprints to the Department of Law Enforcement for state  
1840 processing and forwarding to the Federal Bureau of Investigation  
1841 for federal processing. The actual cost of state and federal  
1842 processing shall be borne by the applicant and is in addition to  
1843 the fee for licensure. The department may issue a license to an  
1844 applicant pending the results of the fingerprint investigation,  
1845 which license is fully revocable if the department subsequently  
1846 determines that any facts set forth in the application are not  
1847 true or correctly represented.

1848 Section 43. Subsection (1) of section 320.771, Florida

1849 Statutes, is amended to read:

1850 320.771 License required of recreational vehicle dealers.—

1851 (1) DEFINITIONS.—As used in this section, the term:

1852 (a) 1. "Dealer" means any person engaged in the business of  
 1853 buying, selling, or dealing in recreational vehicles or offering  
 1854 or displaying recreational vehicles for sale. The term "dealer"  
 1855 includes a recreational vehicle broker. Any person who buys,  
 1856 sells, deals in, or offers or displays for sale, or who acts as  
 1857 the agent for the sale of, one or more recreational vehicles in  
 1858 any 12-month period shall be prima facie presumed to be a  
 1859 dealer. The terms "selling" and "sale" include lease-purchase  
 1860 transactions. The term "dealer" does not include banks, credit  
 1861 unions, and finance companies that acquire recreational vehicles  
 1862 as an incident to their regular business and does not include  
 1863 mobile home rental and leasing companies that sell recreational  
 1864 vehicles to dealers licensed under this section.

1865 2. A licensed dealer may transact business in recreational  
 1866 vehicles with a motor vehicle auction as defined in s.  
 1867 320.27(1)(c)4. Further, a licensed dealer may, at retail or  
 1868 wholesale, sell a motor vehicle, as described in s.  
 1869 320.01(1)(a), acquired in exchange for the sale of a  
 1870 recreational vehicle, if the ~~such~~ acquisition is incidental to  
 1871 the principal business of being a recreational vehicle dealer.  
 1872 However, a recreational vehicle dealer may not buy a motor  
 1873 vehicle for the purpose of resale unless licensed as a motor  
 1874 vehicle dealer pursuant to s. 320.27. A dealer may apply for a  
 1875 certificate of title to a recreational vehicle required to be  
 1876 registered under s. 320.08(9), using a manufacturer's statement

1877 of origin as permitted by s. 319.23(1), only if the dealer is  
 1878 authorized by a manufacturer/dealer agreement, as defined in s.  
 1879 320.3202, on file with the department, to buy, sell, or deal in  
 1880 that particular line-make of recreational vehicle, and the  
 1881 dealer is authorized by the manufacturer/dealer agreement to  
 1882 perform delivery and preparation obligations and warranty defect  
 1883 adjustments on that line-make.

1884 (b) "Recreational vehicle broker" means any person who is  
 1885 engaged in the business of offering to procure or procuring used  
 1886 recreational vehicles for the general public; who holds himself  
 1887 or herself out through solicitation, advertisement, or otherwise  
 1888 as one who offers to procure or procures used recreational  
 1889 vehicles for the general public; or who acts as the agent or  
 1890 intermediary on behalf of the owner or seller of a used  
 1891 recreational vehicle which is for sale or who assists or  
 1892 represents the seller in finding a buyer for the recreational  
 1893 vehicle.

1894 (c) ~~For the purposes of this section, the term~~  
 1895 "Recreational vehicle" does not include any camping trailer, as  
 1896 defined in s. 320.01(1)(b)2.

1897 Section 44. Section 320.95, Florida Statutes, is amended  
 1898 to read:

1899 320.95 Transactions by electronic or telephonic means.—

1900 (1) The department may ~~is authorized to accept an any~~  
 1901 application provided for under this chapter by electronic or  
 1902 telephonic means.

1903 (2) The department may collect electronic mail addresses  
 1904 and use electronic mail in lieu of the United States Postal

1905 Service for the purpose of providing renewal notices.  
 1906 Section 45. Section 322.04, Florida Statutes, is amended  
 1907 to read:

1908 322.04 Persons exempt from obtaining driver ~~driver's~~  
 1909 license.—

1910 (1) The following persons are exempt from obtaining a  
 1911 driver ~~driver's~~ license:

1912 (a) Any employee of the United States Government, while  
 1913 operating a noncommercial motor vehicle owned by or leased to  
 1914 the United States Government and being operated on official  
 1915 business.

1916 (b) Any person while driving or operating any road  
 1917 machine, farm tractor, or implement of husbandry temporarily  
 1918 operated or moved on a highway.

1919 (c) A nonresident who is at least 16 years of age  
 1920 operating and who has in his or her immediate possession a valid  
 1921 noncommercial driver's license issued to the nonresident in his  
 1922 or her home state or country, may operate a motor vehicle of the  
 1923 type for which a Class E driver ~~driver's~~ license is required in  
 1924 this state if the nonresident has in his or her immediate  
 1925 possession:

1926 1. A valid noncommercial driver license issued in his or  
 1927 her name from another state or territory of the United States;  
 1928 or

1929 2. An International Driving Permit issued in his or her  
 1930 name in his or her country of residence and a valid license  
 1931 issued in that country.

1932 ~~(d) A nonresident who is at least 18 years of age and who~~

1933 ~~has in his or her immediate possession a valid noncommercial~~  
 1934 ~~driver's license issued to the nonresident in his or her home~~  
 1935 ~~state or country may operate a motor vehicle, other than a~~  
 1936 ~~commercial motor vehicle, in this state.~~

1937 (d)~~(e)~~ Any person operating a golf cart, as defined in s.  
 1938 320.01, which is operated in accordance with the provisions of  
 1939 s. 316.212.

1940 (2) ~~The provisions of~~ This section does ~~de~~ not apply to  
 1941 any person to whom s. 322.031 applies.

1942 (3) Any person working for a firm under contract to the  
 1943 United States Government, whose residence is outside ~~without~~  
 1944 this state and whose main point of employment is outside ~~without~~  
 1945 this state may drive a noncommercial vehicle on the public roads  
 1946 of this state for periods up to 60 days while in this state on  
 1947 temporary duty, if the ~~provided~~ such person has a valid driver  
 1948 ~~driver's~~ license from the state of the ~~such~~ person's residence.

1949 Section 46. Paragraph (a) of subsection (1) of section  
 1950 322.051, Florida Statutes, is amended, and subsection (9) is  
 1951 added to that section, to read::

1952 322.051 Identification cards.—

1953 (1) Any person who is 5 years of age or older, or any  
 1954 person who has a disability, regardless of age, who applies for  
 1955 a disabled parking permit under s. 320.0848, may be issued an  
 1956 identification card by the department upon completion of an  
 1957 application and payment of an application fee.

1958 (a) The ~~Each~~ such application must ~~shall~~ include the  
 1959 following information regarding the applicant:

1960 1. Full name (first, middle or maiden, and last), gender,

1961 proof of social security card number satisfactory to the  
 1962 department, county of residence, mailing address, proof of  
 1963 residential address satisfactory to the department, country of  
 1964 birth, and a brief description.

1965 2. Proof of birth date satisfactory to the department.

1966 3. Proof of identity satisfactory to the department. Such  
 1967 proof must include one of the following documents issued to the  
 1968 applicant:

1969 a. A driver ~~driver's~~ license record or identification card  
 1970 record from another jurisdiction that required the applicant to  
 1971 submit a document for identification which is substantially  
 1972 similar to a document required under sub-subparagraph b., sub-  
 1973 subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-  
 1974 subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

1975 b. A certified copy of a United States birth certificate;

1976 c. A valid, unexpired United States passport;

1977 d. A naturalization certificate issued by the United  
 1978 States Department of Homeland Security;

1979 e. A valid, unexpired alien registration receipt card  
 1980 (green card);

1981 f. A Consular Report of Birth Abroad provided by the  
 1982 United States Department of State;

1983 g. An unexpired employment authorization card issued by  
 1984 the United States Department of Homeland Security; or

1985 h. Proof of nonimmigrant classification provided by the  
 1986 United States Department of Homeland Security, for an original  
 1987 identification card. In order to prove ~~such~~ nonimmigrant  
 1988 classification, an applicant must provide at least one of

1989 ~~applicants may produce but are not limited to~~ the following  
 1990 documents. In addition, the department may require applicants to  
 1991 produce United States Department of Homeland Security documents  
 1992 for the sole purpose of establishing the maintenance of, or  
 1993 efforts to maintain, continuous lawful presence:

1994 (I) A notice of hearing from an immigration court  
 1995 scheduling a hearing on any proceeding.

1996 (II) A notice from the Board of Immigration Appeals  
 1997 acknowledging pendency of an appeal.

1998 (III) A notice of the approval of an application for  
 1999 adjustment of status issued by the United States Bureau of  
 2000 Citizenship and Immigration Services.

2001 (IV) An ~~Any~~ official documentation confirming the filing  
 2002 of a petition for asylum or refugee status or any other relief  
 2003 issued by the United States Bureau of Citizenship and  
 2004 Immigration Services.

2005 (V) A notice of action transferring any pending matter  
 2006 from another jurisdiction to Florida, issued by the United  
 2007 States Bureau of Citizenship and Immigration Services.

2008 (VI) An order of an immigration judge or immigration  
 2009 officer granting ~~any~~ relief that authorizes the alien to live  
 2010 and work in the United States, including, but not limited to,  
 2011 asylum.

2012 (VII) Evidence that an application is pending for  
 2013 adjustment of status to that of an alien lawfully admitted for  
 2014 permanent residence in the United States or conditional  
 2015 permanent resident status in the United States, if a visa number  
 2016 is available having a current priority date for processing by



2017 the United States Bureau of Citizenship and Immigration  
 2018 Services.

2019 (VIII) On or after January 1, 2010, an unexpired foreign  
 2020 passport with an unexpired United States Visa affixed,  
 2021 accompanied by an approved I-94, documenting the most recent  
 2022 admittance into the United States.

2023  
 2024 An identification card issued based on documents required  
 2025 ~~Presentation of any of the documents described in sub-~~  
 2026 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~  
 2027 ~~applicant to an identification card~~ for a period not to exceed  
 2028 the expiration date of the document presented or 1 year,  
 2029 whichever ~~first~~ occurs first.

2030 (9) Notwithstanding any other provision of this section or  
 2031 s. 322.21 to the contrary, the department shall issue or renew a  
 2032 card at no charge to a person who presents evidence satisfactory  
 2033 to the department that he or she is homeless as defined in s.  
 2034 414.0252(7).

2035 Section 47. Subsection (4) of section 322.058, Florida  
 2036 Statutes, is amended to read:

2037 322.058 Suspension of driving privileges due to support  
 2038 delinquency; reinstatement.—

2039 (4) This section applies only to the annual renewal in the  
 2040 owner's birth month of a motor vehicle registration and does not  
 2041 apply to the transfer of a registration of a motor vehicle sold  
 2042 by a motor vehicle dealer licensed under chapter 320, except for  
 2043 the transfer of registrations which includes ~~is inclusive of~~ the  
 2044 annual renewals. This section does not affect the issuance of

2045 the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~s.~~  
 2046 ~~319.23(7)(b)~~.

2047 Section 48. Section 322.065, Florida Statutes, is amended  
 2048 to read:

2049 322.065 Driver ~~Driver's~~ license expired for 6 4 months or  
 2050 less; penalties.—~~A~~ Any person whose driver ~~driver's~~ license has  
 2051 been expired for 6 4 months or less and who drives a motor  
 2052 vehicle upon the highways of this state commits ~~is guilty of~~ an  
 2053 infraction and is subject to the penalty provided in s. 318.18.

2054 Section 49. Subsection (3) of section 322.07, Florida  
 2055 Statutes, is amended to read:

2056 322.07 Instruction permits and temporary licenses.—

2057 (3) Any person who, except for his or her lack of  
 2058 instruction in operating a commercial motor vehicle, would  
 2059 otherwise be qualified to obtain a commercial driver ~~driver's~~  
 2060 license under this chapter, may apply for a temporary commercial  
 2061 instruction permit. The department shall issue such a permit  
 2062 entitling the applicant, while having the permit in his or her  
 2063 immediate possession, to drive a commercial motor vehicle on the  
 2064 highways, if ~~provided that~~:

2065 (a) The applicant possesses a valid Florida driver  
 2066 ~~driver's~~ license ~~issued in any state~~; and

2067 (b) The applicant, while operating a commercial motor  
 2068 vehicle, is accompanied by a licensed driver who is 21 years of  
 2069 age or older, who is licensed to operate the class of vehicle  
 2070 being operated, and who is ~~actually~~ occupying the closest seat  
 2071 to the right of the driver.

2072 Section 50. Paragraph (c) of subsection (2) and subsection

2073 (7) of section 322.08, Florida Statutes, are amended, and  
 2074 subsection (8) is added to that section, to read:  
 2075       322.08 Application for license; requirements for license  
 2076 and identification card forms.—  
 2077       (2) Each such application shall include the following  
 2078 information regarding the applicant:  
 2079       (c) Proof of identity satisfactory to the department. Such  
 2080 proof must include one of the following documents issued to the  
 2081 applicant:  
 2082       1. A driver ~~driver's~~ license record or identification card  
 2083 record from another jurisdiction that required the applicant to  
 2084 submit a document for identification which is substantially  
 2085 similar to a document required under subparagraph 2.,  
 2086 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
 2087 6., subparagraph 7., or subparagraph 8.;  
 2088       2. A certified copy of a United States birth certificate;  
 2089       3. A valid, unexpired United States passport;  
 2090       4. A naturalization certificate issued by the United  
 2091 States Department of Homeland Security;  
 2092       5. A valid, unexpired alien registration receipt card  
 2093 (green card);  
 2094       6. A Consular Report of Birth Abroad provided by the  
 2095 United States Department of State;  
 2096       7. An unexpired employment authorization card issued by  
 2097 the United States Department of Homeland Security; or  
 2098       8. Proof of nonimmigrant classification provided by the  
 2099 United States Department of Homeland Security, for an original  
 2100 driver ~~driver's~~ license. In order to prove nonimmigrant

2101 classification, an applicant must provide at least one of the  
 2102 following documents. In addition, the department may require  
 2103 applicants to produce United States Department of Homeland  
 2104 Security documents for the sole purpose of establishing the  
 2105 maintenance of, or efforts to maintain, continuous lawful  
 2106 presence ~~may produce the following documents, including, but not~~  
 2107 ~~limited to:~~

2108 a. A notice of hearing from an immigration court  
 2109 scheduling a hearing on any proceeding.

2110 b. A notice from the Board of Immigration Appeals  
 2111 acknowledging pendency of an appeal.

2112 c. A notice of the approval of an application for  
 2113 adjustment of status issued by the United States Bureau of  
 2114 Citizenship and Immigration Services.

2115 d. An ~~Any~~ official documentation confirming the filing of  
 2116 a petition for asylum or refugee status or any other relief  
 2117 issued by the United States Bureau of Citizenship and  
 2118 Immigration Services.

2119 e. A notice of action transferring any pending matter from  
 2120 another jurisdiction to this state issued by the United States  
 2121 Bureau of Citizenship and Immigration Services.

2122 f. An order of an immigration judge or immigration officer  
 2123 granting ~~any~~ relief that authorizes the alien to live and work  
 2124 in the United States, including, but not limited to, asylum.

2125 g. Evidence that an application is pending for adjustment  
 2126 of status to that of an alien lawfully admitted for permanent  
 2127 residence in the United States or conditional permanent resident  
 2128 status in the United States, if a visa number is available

2129 having a current priority date for processing by the United  
 2130 States Bureau of Citizenship and Immigration Services.

2131 h. On or after January 1, 2010, an unexpired foreign  
 2132 passport with an unexpired United States Visa affixed,  
 2133 accompanied by an approved I-94, documenting the most recent  
 2134 admittance into the United States.

2135  
 2136 A driver license or temporary permit issued based on documents  
 2137 required ~~Presentation of any of the documents~~ in subparagraph 7.  
 2138 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~  
 2139 ~~license or temporary permit~~ for a period not to exceed the  
 2140 expiration date of the document presented or 1 year, ~~whichever~~  
 2141 ~~occurs first.~~

2142 (7) The application form for an original, renewal, or  
 2143 replacement driver ~~driver's~~ license or identification card shall  
 2144 include language permitting the following:

2145 (a) A voluntary contribution of \$1 per applicant, which  
 2146 contribution shall be deposited into the Health Care Trust Fund  
 2147 for organ and tissue donor education and for maintaining the  
 2148 organ and tissue donor registry.

2149 (b) A voluntary contribution of \$1 per applicant, which  
 2150 contribution shall be distributed to the Florida Council of the  
 2151 Blind.

2152 (c) A voluntary contribution of \$2 per applicant, which  
 2153 shall be distributed to the Hearing Research Institute,  
 2154 Incorporated.

2155 (d) A voluntary contribution of \$1 per applicant, which  
 2156 shall be distributed to the Juvenile Diabetes Foundation

2157 International.

2158 (e) A voluntary contribution of \$1 per applicant, which  
2159 shall be distributed to the Children's Hearing Help Fund.

2160 (f) A voluntary contribution of \$1 per applicant, which  
2161 shall be distributed to Family First, a nonprofit organization.

2162 (g) A voluntary contribution of \$1 per applicant to Stop  
2163 Heart Disease, which shall be distributed to the Florida Heart  
2164 Research Institute, a nonprofit organization.

2165 (h) A voluntary contribution of \$1 per applicant to Senior  
2166 Vision Services, which shall be distributed to the Florida  
2167 Association of Agencies Serving the Blind, Inc., a not-for-  
2168 profit organization.

2169 (i) A voluntary contribution of \$1 per applicant for  
2170 services for persons with developmental disabilities, which  
2171 shall be distributed to The Arc of Florida.

2172 (j) A voluntary contribution of \$1 to the Ronald McDonald  
2173 House, which shall be distributed each month to Ronald McDonald  
2174 House Charities of Tampa Bay, Inc.

2175 (k) Notwithstanding s. 322.081, a voluntary contribution  
2176 of \$1 per applicant, which shall be distributed to the League  
2177 Against Cancer/La Liga Contra el Cancer, a not-for-profit  
2178 organization.

2179 (l) A voluntary contribution of \$1 per applicant to  
2180 Prevent Child Sexual Abuse, which shall be distributed to  
2181 Lauren's Kids, Inc., a nonprofit organization.

2182 (m) A voluntary contribution of \$1 per applicant, which  
2183 shall be distributed to Prevent Blindness Florida, a not-for-  
2184 profit organization, to prevent blindness and preserve the sight

2185 of the residents of this state.

2186 (n) Notwithstanding s. 322.081, a voluntary contribution  
 2187 of \$1 per applicant to the state homes for veterans, to be  
 2188 distributed on a quarterly basis by the department to the State  
 2189 Homes for Veterans Trust Fund, which is administered by the  
 2190 Department of Veterans' Affairs.

2191 (o) A voluntary contribution of \$1 per applicant to the  
 2192 Disabled American Veterans, Department of Florida, which shall  
 2193 be distributed quarterly to Disabled American Veterans,  
 2194 Department of Florida, a nonprofit organization.

2195 (p) A voluntary contribution of \$1 per applicant for  
 2196 Autism Services and Supports. Such contributions must be  
 2197 transferred by the department to the Achievement and  
 2198 Rehabilitation Centers, Inc., Autism Services Fund.

2199 (q) A voluntary contribution of \$1 per applicant to  
 2200 Support Our Troops, which shall be distributed to Support Our  
 2201 Troops, Inc., a Florida not-for-profit organization.

2202  
 2203 A statement providing an explanation of the purpose of the trust  
 2204 funds shall also be included. For the purpose of applying the  
 2205 service charge provided in s. 215.20, contributions received  
 2206 under paragraphs (b)-(q) ~~(b)-(e)~~ are not income of a revenue  
 2207 nature.

2208 (8) The department may collect electronic mail addresses  
 2209 and use electronic mail in lieu of the United States Postal  
 2210 Service for the purpose of providing renewal notices.

2211 Section 51. Paragraph (c) of subsection (2) and subsection  
 2212 (5) of section 322.121, Florida Statutes, are amended to read:

2213 |           322.121 Periodic reexamination of all drivers.-

2214 |           (2) For each licensee whose driving record does not show  
2215 | any revocations, disqualifications, or suspensions for the  
2216 | preceding 7 years or any convictions for the preceding 3 years  
2217 | except for convictions of the following nonmoving violations:

2218 |           (c) Operating a motor vehicle with an expired license that  
2219 | has been expired for 6 4 months or less pursuant to s. 322.065;

2220 |

2221 | the department shall cause such licensee's license to be  
2222 | prominently marked with the notation "Safe Driver."

2223 |           (5) Members of the Armed Forces, or their dependents  
2224 | residing with them, shall be granted an automatic extension for  
2225 | the expiration of their Class E licenses without reexamination  
2226 | while serving on active duty outside this state. This extension  
2227 | is valid for 90 days after the member of the Armed Forces is  
2228 | either discharged or returns to this state to live.

2229 |           Section 52. Paragraph (a) of subsection (1) of section  
2230 | 322.14, Florida Statutes, is amended to read:

2231 |           322.14 Licenses issued to drivers.-

2232 |           (1)(a) The department shall, upon successful completion of  
2233 | all required examinations and payment of the required fee, issue  
2234 | to every qualified applicant ~~qualifying therefor,~~ a driver  
2235 | ~~driver's~~ license that must as applied for, ~~which license shall~~  
2236 | bear ~~thereon~~ a color photograph or digital image of the  
2237 | licensee; the name of the state; a distinguishing number  
2238 | assigned to the licensee; and the licensee's full name, date of  
2239 | birth, and residence address; a brief description of the  
2240 | licensee, including, but not limited to, the licensee's gender



2241 and height; and the dates of issuance and expiration of the  
 2242 license. A space shall be provided upon which the licensee shall  
 2243 affix his or her usual signature. ~~A No license is invalid shall~~  
 2244 ~~be valid~~ until it has been ~~so~~ signed by the licensee except that  
 2245 the signature of the said licensee is not ~~shall not be~~ required  
 2246 if it appears thereon in facsimile or if the licensee is not  
 2247 present within the state at the time of issuance. ~~Applicants~~  
 2248 ~~qualifying to receive a Class A, Class B, or Class C driver's~~  
 2249 ~~license must appear in person within the state for issuance of a~~  
 2250 ~~color photographic or digital imaged driver's license pursuant~~  
 2251 ~~to s. 322.142.~~

2252 Section 53. Section 322.1415, Florida Statutes, is created  
 2253 to read:

2254 322.1415 Specialty driver license and identification card  
 2255 program.—

2256 (1) The department may issue to any applicant qualified  
 2257 pursuant to s. 322.14 a specialty driver license or  
 2258 identification card upon payment of the appropriate fee pursuant  
 2259 to s. 322.21.

2260 (2) Any specialty driver license or identification card  
 2261 approved by the department shall, at a minimum, be available for  
 2262 state and independent universities domiciled in this state, all  
 2263 Florida professional sports teams designated pursuant to s.  
 2264 320.08058(9)(a), and all branches of the United States Armed  
 2265 Forces.

2266 (3) The design and use of each specialty driver license  
 2267 and identification card must be approved by the department and  
 2268 the organization that is recognized by the driver license or

2269 | card.

2270 |       (4) Organizations receiving funds from this program shall  
 2271 | attest, under penalties of perjury, pursuant to s. 320.08062  
 2272 | that the funds have been expended in the same manner as provided  
 2273 | in s. 320.08058. On December 1 of each year, the department  
 2274 | shall deliver an annual report to the President of the Senate  
 2275 | and the Speaker of the House of Representatives which addresses  
 2276 | the viability of the program and details the amounts distributed  
 2277 | to each entity.

2278 |       (5) This section is repealed August 31, 2016.

2279 |       Section 54. Subsection (4) of section 322.142, Florida  
 2280 | Statutes, is amended to read:

2281 |           322.142 Color photographic or digital imaged licenses.—

2282 |       (4) The department may maintain a film negative or print  
 2283 | file. The department shall maintain a record of the digital  
 2284 | image and signature of the licensees, together with other data  
 2285 | required by the department for identification and retrieval.  
 2286 | Reproductions from the file or digital record are exempt from  
 2287 | the provisions of s. 119.07(1) and shall be made and issued only  
 2288 | for departmental administrative purposes; for the issuance of  
 2289 | duplicate licenses; in response to law enforcement agency  
 2290 | requests; to the Department of Business and Professional  
 2291 | Regulation pursuant to an interagency agreement for the purpose  
 2292 | of accessing digital images for reproduction of licenses issued  
 2293 | by the Department of Business and Professional Regulation; to  
 2294 | the Department of State pursuant to an interagency agreement to  
 2295 | facilitate determinations of eligibility of voter registration  
 2296 | applicants and registered voters in accordance with ss. 98.045

2297 and 98.075; to the Department of Revenue pursuant to an  
 2298 interagency agreement for use in establishing paternity and  
 2299 establishing, modifying, or enforcing support obligations in  
 2300 Title IV-D cases; to the Department of Children and Family  
 2301 Services pursuant to an interagency agreement to conduct  
 2302 protective investigations under part III of chapter 39 and  
 2303 chapter 415; to the Department of Children and Family Services  
 2304 pursuant to an interagency agreement specifying the number of  
 2305 employees in each of that department's regions to be granted  
 2306 access to the records for use as verification of identity to  
 2307 expedite the determination of eligibility for public assistance  
 2308 and for use in public assistance fraud investigations; ~~or~~ to the  
 2309 Department of Financial Services pursuant to an interagency  
 2310 agreement to facilitate the location of owners of unclaimed  
 2311 property, the validation of unclaimed property claims, and the  
 2312 identification of fraudulent or false claims; or to district  
 2313 medical examiners pursuant to an interagency agreement for the  
 2314 purpose of identifying a deceased individual, determining cause  
 2315 of death, and notifying next of kin of any investigations,  
 2316 including autopsies and other laboratory examinations,  
 2317 authorized in s. 406.011.

2318 Section 55. Subsection (2) of section 322.19, Florida  
 2319 Statutes, is amended to read:

2320 322.19 Change of address or name.—

2321 (2) Whenever any person, after applying for or receiving a  
 2322 driver ~~driver's~~ license, changes the legal residence or mailing  
 2323 address in the application or license, the person must, within  
 2324 10 calendar days after making the change, obtain a replacement

2325 license that reflects the change. A written request to the  
 2326 department must include the old and new addresses and the driver  
 2327 ~~driver's~~ license number. Any person who has a valid, current  
 2328 student identification card issued by an educational institution  
 2329 in this state is presumed not to have changed his or her legal  
 2330 residence or mailing address. This subsection does not affect  
 2331 any person required to register a permanent or temporary address  
 2332 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.  
 2333 943.0435.

2334 Section 56. Paragraph (i) is added to subsection (1) of  
 2335 section 322.21, Florida Statutes, to read:

2336 322.21 License fees; procedure for handling and collecting  
 2337 fees.—

2338 (1) Except as otherwise provided herein, the fee for:

2339 (i) The specialty driver license or identification card  
 2340 issued pursuant to s. 322.1415 is \$25, which is in addition to  
 2341 other fees required in this section. The fee shall be  
 2342 distributed as follows:

2343 1. Fifty percent shall be distributed as provided in s.  
 2344 320.08058 to the appropriate state or independent university,  
 2345 professional sports team, or branch of the United States Armed  
 2346 Forces.

2347 2. Fifty percent shall be distributed to the department  
 2348 for costs directly related to the specialty driver license and  
 2349 identification card program and to defray the costs associated  
 2350 with production enhancements and distribution.

2351 Section 57. Subsection (2) of section 322.251, Florida  
 2352 Statutes, is amended to read:

2353 322.251 Notice of cancellation, suspension, revocation, or  
 2354 disqualification of license.—

2355 (2) The giving of notice and an order of cancellation,  
 2356 suspension, revocation, or disqualification by mail is complete  
 2357 upon expiration of 20 days after deposit in the United States  
 2358 mail for all notices except those issued under chapter 324 or  
 2359 ss. 627.732–627.734, which are complete 15 days after deposit in  
 2360 the United States mail. Proof of the giving of notice and an  
 2361 order of cancellation, suspension, revocation, or  
 2362 disqualification in either ~~such~~ manner shall be made by entry in  
 2363 the records of the department that such notice was given. The  
 2364 ~~Such~~ entry is ~~shall be~~ admissible in the courts of this state  
 2365 and constitutes ~~shall constitute~~ sufficient proof that such  
 2366 notice was given.

2367 Section 58. Section 322.27, Florida Statutes, is amended  
 2368 to read:

2369 322.27 Authority of department to suspend or revoke driver  
 2370 license or identification card.—

2371 (1) Notwithstanding any provisions to the contrary in  
 2372 chapter 120, the department may ~~is hereby authorized to~~ suspend  
 2373 the license or identification card of any person without  
 2374 preliminary hearing upon a showing of its records or other  
 2375 sufficient evidence that the licensee or cardholder:

2376 (a) Has committed an offense for which mandatory  
 2377 revocation of license is required upon conviction. A law  
 2378 enforcement agency must provide information to the department  
 2379 within 24 hours after any traffic fatality or when the law  
 2380 enforcement agency initiates action pursuant to s. 316.1933;

2381 (b) Has been convicted of a violation of any traffic law  
 2382 which resulted in a crash that caused the death or personal  
 2383 injury of another or property damage in excess of \$500;

2384 (c) Is incompetent to drive a motor vehicle;

2385 (d) Has permitted an unlawful or fraudulent use of the  
 2386 ~~such~~ license or identification card or has knowingly been a  
 2387 party to the obtaining of a license or identification card by  
 2388 fraud or misrepresentation or to the display, or representation  
 2389 ~~represent~~ as one's own, of a driver ~~any driver's~~ license or  
 2390 identification card not issued to him or her. ~~Provided, however,~~  
 2391 ~~no provision of~~ This section does not ~~shall be construed to~~  
 2392 include the provisions of s. 322.32(1);

2393 (e) Has committed an offense in another state which, if  
 2394 committed in this state, would be grounds for suspension or  
 2395 revocation; or

2396 (f) Has committed a second or subsequent violation of s.  
 2397 316.172(1) within a 5-year period of any previous violation.

2398 (2) The department shall suspend the license of any person  
 2399 without preliminary hearing upon a showing of its records that  
 2400 the licensee has been convicted in any court having jurisdiction  
 2401 over offenses committed under this chapter or any other law of  
 2402 this state regulating the operation of a motor vehicle on the  
 2403 highways, upon direction of the court, when the court feels that  
 2404 the seriousness of the offense and the circumstances surrounding  
 2405 the conviction warrant the suspension of the licensee's driving  
 2406 privilege.

2407 (3) There is established a point system for evaluation of  
 2408 convictions of violations of motor vehicle laws or ordinances,

2409 and violations of applicable provisions of s. 403.413(6) (b) when  
2410 such violations involve the use of motor vehicles, for the  
2411 determination of the continuing qualification of any person to  
2412 operate a motor vehicle. The department is authorized to suspend  
2413 the license of any person upon showing of its records or other  
2414 good and sufficient evidence that the licensee has been  
2415 convicted of violation of motor vehicle laws or ordinances, or  
2416 applicable provisions of s. 403.413(6) (b), amounting to 12 or  
2417 more points as determined by the point system. The suspension  
2418 shall be for a period of not more than 1 year.

2419 (a) When a licensee accumulates 12 points within a 12-  
2420 month period, the period of suspension shall be for not more  
2421 than 30 days.

2422 (b) When a licensee accumulates 18 points, including  
2423 points upon which suspension action is taken under paragraph  
2424 (a), within an 18-month period, the suspension shall be for a  
2425 period of not more than 3 months.

2426 (c) When a licensee accumulates 24 points, including  
2427 points upon which suspension action is taken under paragraphs  
2428 (a) and (b), within a 36-month period, the suspension shall be  
2429 for a period of not more than 1 year.

2430 (d) The point system shall have as its basic element a  
2431 graduated scale of points assigning relative values to  
2432 convictions of the following violations:

- 2433 1. Reckless driving, willful and wanton—4 points.
- 2434 2. Leaving the scene of a crash resulting in property  
2435 damage of more than \$50—6 points.
- 2436 3. Unlawful speed resulting in a crash—6 points.

- 2437 4. Passing a stopped school bus—4 points.
- 2438 5. Unlawful speed:
- 2439 a. Not in excess of 15 miles per hour of lawful or posted
- 2440 speed—3 points.
- 2441 b. In excess of 15 miles per hour of lawful or posted
- 2442 speed—4 points.
- 2443 6. A violation of a traffic control signal device as
- 2444 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
- 2445 However, no points shall be imposed for a violation of s.
- 2446 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
- 2447 stop at a traffic signal and when enforced by a traffic
- 2448 infraction enforcement officer. In addition, a violation of s.
- 2449 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
- 2450 stop at a traffic signal and when enforced by a traffic
- 2451 infraction enforcement officer may not be used for purposes of
- 2452 setting motor vehicle insurance rates.
- 2453 7. All other moving violations (including parking on a
- 2454 highway outside the limits of a municipality)—3 points. However,
- 2455 no points shall be imposed for a violation of s. 316.0741 or s.
- 2456 316.2065(12); and points shall be imposed for a violation of s.
- 2457 316.1001 only when imposed by the court after a hearing pursuant
- 2458 to s. 318.14(5).
- 2459 8. Any moving violation covered above, excluding unlawful
- 2460 speed, resulting in a crash—4 points.
- 2461 9. Any conviction under s. 403.413(6)(b)—3 points.
- 2462 10. Any conviction under s. 316.0775(2)—4 points.
- 2463 (e) A conviction in another state of a violation therein
- 2464 which, if committed in this state, would be a violation of the



2465 traffic laws of this state, or a conviction of an offense under  
 2466 any federal law substantially conforming to the traffic laws of  
 2467 this state, except a violation of s. 322.26, may be recorded  
 2468 against a driver on the basis of the same number of points  
 2469 received had the conviction been made in a court of this state.

2470 (f) In computing the total number of points, when the  
 2471 licensee reaches the danger zone, the department is authorized  
 2472 to send the licensee a warning letter advising that any further  
 2473 convictions may result in suspension of his or her driving  
 2474 privilege.

2475 (g) The department shall administer and enforce the  
 2476 provisions of this law and may make rules and regulations  
 2477 necessary for its administration.

2478 (h) Three points shall be deducted from the driver history  
 2479 record of any person whose driving privilege has been suspended  
 2480 only once pursuant to this subsection and has been reinstated,  
 2481 if such person has complied with all other requirements of this  
 2482 chapter.

2483 (i) This subsection does ~~shall~~ not apply to persons  
 2484 operating a nonmotorized vehicle for which a driver ~~driver's~~  
 2485 license is not required.

2486 (4) The department, in computing the points and period of  
 2487 time for suspensions under this section, shall use the offense  
 2488 date of all convictions.

2489 (5) The department shall revoke the license of any person  
 2490 designated a habitual offender, as set forth in s. 322.264, and  
 2491 such person is ~~shall~~ not be eligible to be relicensed for a  
 2492 minimum of 5 years from the date of revocation, except as

2493 provided for in s. 322.271. Any person whose license is revoked  
 2494 may, by petition to the department, show cause why his or her  
 2495 license should not be revoked.

2496 (6) The department shall revoke the driving privilege of  
 2497 any person who is convicted of a felony for the possession of a  
 2498 controlled substance if, at the time of such possession, the  
 2499 person was driving or in actual physical control of a motor  
 2500 vehicle. A person whose driving privilege has been revoked  
 2501 pursuant to this subsection is ~~shall~~ not be eligible to receive  
 2502 a limited business or employment purpose license during the term  
 2503 of such revocation.

2504 (7) Review of an order of suspension or revocation shall  
 2505 be by writ of certiorari as provided in s. 322.31.

2506 Section 59. Subsection (5) of section 322.292, Florida  
 2507 Statutes, is repealed.

2508 Section 60. Subsection (2) of section 322.53, Florida  
 2509 Statutes, is amended to read:

2510 322.53 License required; exemptions.—

2511 (2) The following persons are exempt from the requirement  
 2512 to obtain a commercial driver ~~driver's~~ license:

2513 (a) Drivers of authorized emergency vehicles.

2514 (b) Military personnel driving vehicles operated for  
 2515 military purposes.

2516 (c) Farmers transporting agricultural products, farm  
 2517 supplies, or farm machinery to or from their farms and within  
 2518 150 miles of their farms farm, if the vehicle operated under  
 2519 this exemption is not used in the operations of a common or  
 2520 contract motor carrier or transporting agricultural products to

2521 ~~or from the first place of storage or processing or directly to~~  
 2522 ~~or from market, within 150 miles of their farm.~~

2523 (d) Drivers of recreational vehicles, as defined in s.  
 2524 320.01.

2525 (e) Drivers who operate straight trucks, as defined in s.  
 2526 316.003, and who ~~that~~ are ~~exclusively~~ transporting exclusively  
 2527 their own tangible personal property, which is not for sale.

2528 (f) Employees ~~An employee~~ of a publicly owned transit  
 2529 system who are ~~is~~ limited to moving vehicles for maintenance or  
 2530 parking purposes exclusively within the restricted-access  
 2531 confines of a transit system's property.

2532 Section 61. Subsection (2) of section 322.54, Florida  
 2533 Statutes, is amended to read:

2534 322.54 Classification.—

2535 (2) The department shall issue, pursuant to the  
 2536 requirements of this chapter, driver ~~drivers'~~ licenses in  
 2537 accordance with the following classifications:

2538 (a) Any person who drives a motor vehicle combination  
 2539 having a gross vehicle weight rating or gross vehicle weight of  
 2540 26,001 pounds or more must possess a valid Class A driver  
 2541 ~~driver's~~ license, if provided the gross vehicle weight rating or  
 2542 gross vehicle weight of the vehicle being towed is more than  
 2543 10,000 pounds. Any person who possesses a valid Class A driver  
 2544 ~~driver's~~ license may, subject to the appropriate restrictions  
 2545 and endorsements, drive any class of motor vehicle within this  
 2546 state.

2547 (b) Any person, except a person who possesses a valid  
 2548 Class A driver ~~driver's~~ license, who drives a motor vehicle

2549 having a gross vehicle weight rating or gross vehicle weight of  
 2550 26,001 pounds or more must possess a valid Class B driver  
 2551 ~~driver's~~ license. Any person, except a person who possesses a  
 2552 valid Class A driver ~~driver's~~ license, who drives such vehicle  
 2553 towing a vehicle having a gross vehicle weight rating of 10,000  
 2554 pounds or less must possess a valid Class B driver ~~driver's~~  
 2555 license. Any person who possesses a valid Class B driver  
 2556 ~~driver's~~ license may, subject to the appropriate restrictions  
 2557 and endorsements, drive any class of motor vehicle, other than  
 2558 the type of motor vehicle for which a Class A driver ~~driver's~~  
 2559 license is required, within this state.

2560 (c) Any person, except a person who possesses a valid  
 2561 Class A or a valid Class B driver ~~driver's~~ license, who drives a  
 2562 motor vehicle having a gross vehicle weight rating of less than  
 2563 26,001 pounds and who is required to obtain an endorsement  
 2564 pursuant to paragraph (1) (b), paragraph (1) (c), or paragraph  
 2565 (1) (e) of s. 322.57, must possess a valid Class C driver  
 2566 ~~driver's~~ license. Any person who possesses a valid Class C  
 2567 driver ~~driver's~~ license may, subject to the appropriate  
 2568 restrictions and endorsements, drive any class of motor vehicle,  
 2569 other than the type of motor vehicle for which a Class A or a  
 2570 Class B driver ~~driver's~~ license is required, within this state.

2571 (d) Any person, except a person who possesses a valid  
 2572 Class A, valid Class B, or valid Class C driver ~~driver's~~  
 2573 license, who drives a motor vehicle must possess a valid Class E  
 2574 driver ~~driver's~~ license. Any person who possesses a valid Class  
 2575 E driver ~~driver's~~ license may, subject to the appropriate  
 2576 restrictions and endorsements, drive any type of motor vehicle,

2577 other than the type of motor vehicle for which a Class A, Class  
 2578 B, or Class C driver ~~driver's~~ license is required, within this  
 2579 state.

2580 Section 62. Section 322.58, Florida Statutes, is repealed.

2581 Section 63. Section 322.59, Florida Statutes, is amended  
 2582 to read:

2583 322.59 Possession of medical examiner's certificate.—

2584 (1) The department may ~~shall~~ not issue a commercial driver  
 2585 ~~driver's~~ license to a ~~any~~ person who is required by the laws of  
 2586 this state or by federal law to possess a medical examiner's  
 2587 certificate, unless the ~~such~~ person presents a valid  
 2588 certificate, as described in 49 C.F.R. s. 383.71, before ~~prior~~  
 2589 ~~to~~ licensure.

2590 (2) The department shall disqualify a driver from  
 2591 operating a commercial motor vehicle if the driver holds a  
 2592 commercial driver license and fails to comply with the medical  
 2593 certification requirements in 49 C.F.R. s. 383.71 ~~This section~~  
 2594 ~~does not expand the requirements as to who must possess a~~  
 2595 ~~medical examiner's certificate.~~

2596 (3) A person who is disqualified from operating a  
 2597 commercial motor vehicle under this section may, if otherwise  
 2598 qualified, be issued a Class E driver license pursuant to s.  
 2599 322.251.

2600 Section 64. Subsections (3) and (5) of section 322.61,  
 2601 Florida Statutes, are amended to read:

2602 322.61 Disqualification from operating a commercial motor  
 2603 vehicle.—

2604 (3) (a) Except as provided in subsection (4), any person

2605 | who is convicted of one of the offenses listed in paragraph (b)  
 2606 | while operating a commercial motor vehicle shall, in addition to  
 2607 | any other applicable penalties, be disqualified from operating a  
 2608 | commercial motor vehicle for a period of 1 year.÷

2609 | (b) Except as provided in subsection (4), any holder of a  
 2610 | commercial driver ~~driver's~~ license who is convicted of one of  
 2611 | the offenses listed in this paragraph while operating a  
 2612 | noncommercial motor vehicle shall, in addition to any other  
 2613 | applicable penalties, be disqualified from operating a  
 2614 | commercial motor vehicle for a period of 1 year:

2615 | 1. Driving a motor vehicle while he or she is under the  
 2616 | influence of alcohol or a controlled substance;

2617 | 2. Driving a commercial motor vehicle while the alcohol  
 2618 | concentration of his or her blood, breath, or urine is .04  
 2619 | percent or higher;

2620 | 3. Leaving the scene of a crash involving a motor vehicle  
 2621 | driven by such person;

2622 | 4. Using a motor vehicle in the commission of a felony;

2623 | 5. Driving a commercial motor vehicle while in possession  
 2624 | of a controlled substance;

2625 | 6. Refusing to submit to a test to determine his or her  
 2626 | alcohol concentration while driving a motor vehicle;

2627 | 7. Driving a commercial vehicle while the licenseholder's  
 2628 | commercial driver ~~driver's~~ license is suspended, revoked, or  
 2629 | canceled or while the licenseholder is disqualified from driving  
 2630 | a commercial vehicle; or

2631 | 8. Causing a fatality through the negligent operation of a  
 2632 | commercial motor vehicle.

2633           (5) A ~~Any~~ person who is convicted of two violations  
 2634 specified in subsection (3) which were committed while operating  
 2635 a commercial motor vehicle, or any combination thereof, arising  
 2636 in separate incidents shall be permanently disqualified from  
 2637 operating a commercial motor vehicle. A ~~Any~~ holder of a  
 2638 commercial driver ~~driver's~~ license who is convicted of two  
 2639 violations specified in subsection (3) which were committed  
 2640 while operating any ~~a noncommercial~~ motor vehicle, ~~or any~~  
 2641 ~~combination thereof~~, arising in separate incidents shall be  
 2642 permanently disqualified from operating a commercial motor  
 2643 vehicle. The penalty provided in this subsection is in addition  
 2644 to any other applicable penalty.

2645           Section 65. Subsection (1) of section 324.072, Florida  
 2646 Statutes, is amended to read:

2647           324.072 Proof required upon certain convictions.—

2648           (1) Upon the suspension or revocation of a license  
 2649 pursuant to ~~the provisions of~~ s. 322.26 or s. 322.27, the  
 2650 department shall suspend the registration for all motor vehicles  
 2651 registered in the name of the licensee ~~such person~~, either  
 2652 individually or jointly with another. However, the department  
 2653 may, except that it shall not suspend the ~~such~~ registration,  
 2654 unless otherwise required by law, if the ~~such~~ person had  
 2655 insurance coverage limits required under s. 324.031 on the date  
 2656 of the latest offense that caused the suspension or revocation,  
 2657 or has previously given or shall immediately give, and  
 2658 thereafter maintain, proof of financial responsibility with  
 2659 respect to all motor vehicles registered by the ~~such~~ person, in  
 2660 accordance with this chapter.

2661           Section 66. Subsection (1) of section 324.091, Florida  
 2662 Statutes, is amended to read:  
 2663           324.091 Notice to department; notice to insurer.—  
 2664           (1) Each owner and operator involved in a crash or  
 2665 conviction case within the purview of this chapter shall furnish  
 2666 evidence of automobile liability insurance, motor vehicle  
 2667 liability insurance, or a surety bond within 14 ~~30~~ days after  
 2668 ~~from~~ the date of the mailing of notice of crash by the  
 2669 department in the ~~such~~ form and manner as it may designate. Upon  
 2670 receipt of evidence that an automobile liability policy, motor  
 2671 vehicle liability policy, or surety bond was in effect at the  
 2672 time of the crash or conviction case, the department shall  
 2673 forward by United States mail, postage prepaid, to the insurer  
 2674 or surety insurer a copy of such information and shall assume  
 2675 that the ~~such~~ policy or bond was in effect, unless the insurer  
 2676 or surety insurer notifies ~~shall notify~~ the department otherwise  
 2677 within 20 days after ~~from~~ the mailing of the notice to the  
 2678 insurer or surety insurer. However, ~~provided that~~ if the  
 2679 department ~~shall~~ later determines ~~ascertain~~ that an automobile  
 2680 liability policy, motor vehicle liability policy, or surety bond  
 2681 was not in effect and did not provide coverage for both the  
 2682 owner and the operator, it shall ~~at such time~~ take ~~such~~ action  
 2683 as it is otherwise authorized to do under this chapter. Proof of  
 2684 mailing to the insurer or surety insurer may be made by the  
 2685 department by naming the insurer or surety insurer to whom the  
 2686 ~~such~~ mailing was made and by specifying the time, place, and  
 2687 manner of mailing.  
 2688           Section 67. Subsection (5) of section 328.15, Florida



2689 Statutes, is amended to read:

2690 328.15 Notice of lien on vessel; recording.—

2691 (5) (a) The Department of Highway Safety and Motor Vehicles  
 2692 shall adopt ~~make such rules to administer and regulations as it~~  
 2693 ~~deems necessary or proper for the effective administration of~~  
 2694 this section law. The department may by rule require that a  
 2695 notice of satisfaction of a lien be notarized. The department  
 2696 shall prepare the forms of the notice of lien and the  
 2697 satisfaction of lien to be supplied, at a charge not to exceed  
 2698 50 percent more than cost, to applicants for recording the liens  
 2699 or satisfactions and shall keep a record of such notices of lien  
 2700 and satisfactions available for inspection by the public at all  
 2701 reasonable times. The division may ~~is authorized to~~ furnish  
 2702 certified copies of such satisfactions for a fee of \$1, which  
 2703 are certified copies ~~shall be~~ admissible in evidence in all  
 2704 courts of this state under the same conditions and to the same  
 2705 effect as certified copies of other public records.

2706 (b) The department shall establish and administer an  
 2707 electronic titling program that requires the recording of vessel  
 2708 title information for new, transferred, and corrected  
 2709 certificates of title. Lienholders shall electronically transmit  
 2710 liens and lien satisfactions to the department in a format  
 2711 determined by the department. Individuals and lienholders who  
 2712 the department determines are not normally engaged in the  
 2713 business or practice of financing vessels are not required to  
 2714 participate in the electronic titling program.

2715 Section 68. Subsection (4) of section 328.16, Florida  
 2716 Statutes, is amended to read:

2717           328.16 Issuance in duplicate; delivery; liens and  
2718 encumbrances.—

2719           (4) Notwithstanding any requirements in this section or in  
2720 s. 328.15 indicating that a lien on a vessel shall be noted on  
2721 the face of the Florida certificate of title, if there are one  
2722 or more liens or encumbrances on a vessel, the department shall  
2723 ~~may~~ electronically transmit the lien to the first lienholder and  
2724 notify the first lienholder of any additional liens. Subsequent  
2725 lien satisfactions shall ~~may~~ be electronically transmitted to  
2726 the department and must ~~shall~~ include the name and address of  
2727 the person or entity satisfying the lien. When electronic  
2728 transmission of liens and lien satisfactions are used, the  
2729 issuance of a certificate of title may be waived until the last  
2730 lien is satisfied and a clear certificate of title is issued to  
2731 the owner of the vessel.

2732           Section 69. Section 328.30, Florida Statutes, is amended  
2733 to read:

2734           328.30 Transactions by electronic or telephonic means.—

2735           (1) The department may ~~is authorized to~~ accept any  
2736 application provided for under this chapter by electronic or  
2737 telephonic means.

2738           (2) The department may issue an electronic certificate of  
2739 title in lieu of printing a paper title.

2740           (3) The department may collect electronic mail addresses  
2741 and use electronic mail in lieu of the United States Postal  
2742 Service for the purpose of providing renewal notices.

2743           Section 70. Subsection (1) of section 520.32, Florida  
2744 Statutes, is amended to read:

2745 520.32 Licenses.—

2746 (1) A person may not engage in or transact the business of  
 2747 a retail seller engaging in retail installment transactions as  
 2748 defined in this part or operate a branch of such business  
 2749 without a license, except that a license is not required for:

2750 (a) A retail seller whose retail installment transactions  
 2751 are limited to the honoring of credit cards issued by dealers in  
 2752 oil and petroleum products licensed to do business in this  
 2753 state.

2754 (b) A person licensed by the office under part I. This  
 2755 paragraph exempts only a person licensed under part I from the  
 2756 licensure requirements of this section. This paragraph does not  
 2757 exempt the licensee from the other sections of this part, and  
 2758 any violations of those sections may subject the licensee to  
 2759 disciplinary action.

2760 Section 71. Paragraph (f) of subsection (13) of section  
 2761 713.78, Florida Statutes, is amended to read:

2762 713.78 Liens for recovering, towing, or storing vehicles  
 2763 and vessels.—

2764 (13)

2765 (f) This subsection applies only to the annual renewal in  
 2766 the registered owner's birth month of a motor vehicle  
 2767 registration and does not apply to the transfer of a  
 2768 registration of a motor vehicle sold by a motor vehicle dealer  
 2769 licensed under chapter 320, except for the transfer of  
 2770 registrations which includes ~~is inclusive of~~ the annual  
 2771 renewals. This subsection does not apply to any vehicle  
 2772 registered in the name of the lessor. This subsection does not

2773 affect the issuance of the title to a motor vehicle,  
 2774 notwithstanding s. 319.23(8)(b) ~~s. 319.23(7)(b)~~.

2775 Section 72. Subsection (3) of section 316.271, Florida  
 2776 Statutes, is amended to read:

2777 316.271 Horns and warning devices.—

2778 (3) The driver of a motor vehicle shall, when reasonably  
 2779 necessary to ensure safe operation, give audible warning with  
 2780 his or her horn, ~~but shall not otherwise use such horn when upon~~  
 2781 ~~a highway.~~

2782 Section 73. Paragraph (c) of subsection (2) of section  
 2783 323.002, Florida Statutes, is amended to read:

2784 323.002 County and municipal wrecker operator systems;  
 2785 penalties for operation outside of system.—

2786 (2) In any county or municipality that operates a wrecker  
 2787 operator system:

2788 (c) When an unauthorized wrecker operator drives by the  
 2789 scene of a wrecked or disabled vehicle and the owner or operator  
 2790 initiates contact by signaling the wrecker operator to stop and  
 2791 provide towing services, the unauthorized wrecker operator must  
 2792 disclose to the owner or operator of the vehicle that he or she  
 2793 is not the authorized wrecker operator who has been designated  
 2794 as part of the wrecker operator system and must disclose, in  
 2795 writing, a fee schedule that includes what charges for towing  
 2796 and storage will apply before the vehicle is connected to or  
 2797 disconnected from the towing apparatus, the fee charged per mile  
 2798 to and from the storage facility, the fee charged per 24 hours  
 2799 of storage, and, prominently displayed, the consumer hotline for  
 2800 the Department of Agriculture and Consumer Services. Any person

2801 | who violates this paragraph is guilty of a misdemeanor of the  
2802 | second degree, punishable as provided in s. 775.082 or s.  
2803 | 775.083.

2804 |       Section 74. Except as otherwise expressly provided in this  
2805 | act and except for this section, which shall take effect upon  
2806 | this act becoming a law, this act shall take effect January 1,  
2807 | 2013.