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LEGISLATIVE ACTION

Senate

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House

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05/01/2014 02:31 PM

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Senator Brandes moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 61.13016, Florida Statutes, is amended
to read:

61.13016 Suspension of driver ~~driver's~~ licenses and motor
vehicle registrations.-

(1) The driver ~~driver's~~ license and motor vehicle
registration of a support obligor who is delinquent in payment
or who has failed to comply with subpoenas or a similar order to



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12 appear or show cause relating to paternity or support
13 proceedings may be suspended. When an obligor is 15 days
14 delinquent making a payment in support or failure to comply with
15 a subpoena, order to appear, order to show cause, or similar
16 order in IV-D cases, the Title IV-D agency may provide notice to
17 the obligor of the delinquency or failure to comply with a
18 subpoena, order to appear, order to show cause, or similar order
19 and the intent to suspend by regular United States mail that is
20 posted to the obligor's last address of record with the
21 Department of Highway Safety and Motor Vehicles. When an obligor
22 is 15 days delinquent in making a payment in support in non-IV-D
23 cases, and upon the request of the obligee, the depository or
24 the clerk of the court must provide notice to the obligor of the
25 delinquency and the intent to suspend by regular United States
26 mail that is posted to the obligor's last address of record with
27 the Department of Highway Safety and Motor Vehicles. In either
28 case, the notice must state:

29 (a) The terms of the order creating the support obligation;

30 (b) The period of the delinquency and the total amount of
31 the delinquency as of the date of the notice or describe the
32 subpoena, order to appear, order to show cause, or other similar
33 order that ~~which~~ has not been complied with;

34 (c) That notification will be given to the Department of
35 Highway Safety and Motor Vehicles to suspend the obligor's
36 driver ~~driver's~~ license and motor vehicle registration unless,
37 within 20 days after the date that the notice is mailed, the
38 obligor:

39 1.a. Pays the delinquency in full and any other costs and
40 fees accrued between the date of the notice and the date the



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41 delinquency is paid;

42 b. Enters into a written agreement for payment with the
43 obligee in non-IV-D cases or with the Title IV-D agency in IV-D
44 cases; or in IV-D cases, complies with a subpoena or order to
45 appear, order to show cause, or a similar order; ~~or~~

46 c. Files a petition with the circuit court to contest the
47 delinquency action; ~~and~~

48 d. Demonstrates that he or she receives reemployment
49 assistance or unemployment compensation pursuant to chapter 443;

50 e. Demonstrates that he or she is disabled and incapable of
51 self-support or that he or she receives benefits under the
52 federal Supplemental Security Income or Social Security
53 Disability Insurance programs;

54 f. Demonstrates that he or she receives temporary cash
55 assistance pursuant to chapter 414; or

56 g. Demonstrates that he or she is making payments in
57 accordance with a confirmed bankruptcy plan under chapter 11,
58 chapter 12, or chapter 13 of the United States Bankruptcy Code,
59 11 U.S.C. ss. 101 et seq.; and

60 2. Pays any applicable delinquency fees.

61
62 If an ~~the~~ obligor in a non-IV-D case ~~eases~~ enters into a written
63 agreement for payment before the expiration of the 20-day
64 period, the obligor must provide a copy of the signed written
65 agreement to the depository or the clerk of the court. If an
66 obligor seeks to satisfy sub-subparagraph 1.d., sub-subparagraph
67 1.e., sub-subparagraph 1.f., or sub-subparagraph 1.g. before
68 expiration of the 20-day period, the obligor must provide the
69 applicable documentation or proof to the depository or the clerk



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70 of the court.

71 (2) (a) Upon petition filed by the obligor in the circuit
72 court within 20 days after the mailing date of the notice, the
73 court may, in its discretion, direct the department to issue a
74 license for driving privilege ~~privileges~~ restricted to business
75 purposes only, as defined by s. 322.271, if the person is
76 otherwise qualified for such a license. As a condition for the
77 court to exercise its discretion under this subsection, the
78 obligor must agree to a schedule of payment on any child support
79 arrearages and to maintain current child support obligations. If
80 the obligor fails to comply with the schedule of payment, the
81 court shall direct the Department of Highway Safety and Motor
82 Vehicles to suspend the obligor's driver ~~driver's~~ license.

83 (b) The obligor must serve a copy of the petition on the
84 Title IV-D agency in IV-D cases or on the depository or the
85 clerk of the court in non-IV-D cases. When an obligor timely
86 files a petition to set aside a suspension, the court must hear
87 the matter within 15 days after the petition is filed. The court
88 must enter an order resolving the matter within 10 days after
89 the hearing, and a copy of the order must be served on the
90 parties. The timely filing of a petition under this subsection
91 stays the intent to suspend until the entry of a court order
92 resolving the matter.

93 (3) If the obligor does not, within 20 days after the
94 mailing date on the notice, pay the delinquency; ~~;~~ enter into a
95 written payment agreement; ~~;~~ comply with the subpoena, order to
96 appear, order to show cause, or other similar order; ~~;~~ ~~or~~ file a
97 motion to contest; or satisfy sub-subparagraph (1)(c)1.d., sub-
98 subparagraph (1)(c)1.e., subparagraph (1)(c)1.f., or sub-



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99 subparagraph (1)(c)1.g., the Title IV-D agency in IV-D cases, or
100 the depository or clerk of the court in non-IV-D cases, may
101 ~~shall~~ file the notice with the Department of Highway Safety and
102 Motor Vehicles and request the suspension of the obligor's
103 driver ~~driver's~~ license and motor vehicle registration in
104 accordance with s. 322.058.

105 (4) The obligor may, within 20 days after the mailing date
106 on the notice of delinquency or noncompliance and intent to
107 suspend, file in the circuit court a petition to contest the
108 notice of delinquency or noncompliance and intent to suspend on
109 the ground of mistake of fact regarding the existence of a
110 delinquency or the identity of the obligor. The obligor must
111 serve a copy of the petition on the Title IV-D agency in IV-D
112 cases or depository or clerk of the court in non-IV-D cases.
113 When an obligor timely files a petition to contest, the court
114 must hear the matter within 15 days after the petition is filed.
115 The court must enter an order resolving the matter within 10
116 days after the hearing, and a copy of the order must be served
117 on the parties. The timely filing of a petition to contest stays
118 the notice of delinquency and intent to suspend until the entry
119 of a court order resolving the matter.

120 (5) The procedures prescribed in this section and s.
121 322.058 may be used to enforce compliance with an order to
122 appear for genetic testing.

123 Section 2. Section 316.0778, Florida Statutes, is created
124 to read:

125 316.0778 Automated license plate recognition systems;
126 records retention.-

127 (1) As used in this section, the term "automated license



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128 plate recognition system" means a system of one or more mobile
129 or fixed high-speed cameras combined with computer algorithms to
130 convert images of license plates into computer-readable data.

131 (2) In consultation with the Department of Law Enforcement,
132 the Department of State shall establish a retention schedule for
133 records containing images and data generated through the use of
134 an automated license plate recognition system. The retention
135 schedule must establish a maximum period that the records may be
136 retained.

137 Section 3. Section 316.0817, Florida Statutes, is created
138 to read:

139 316.0817 Loading and unloading of bus passengers.—

140 (1) Notwithstanding any other law, a bus may not stop to
141 load or unload passengers in a manner that impedes, blocks, or
142 otherwise restricts the progression of traffic on the main-
143 traveled portion of a roadway if there is another reasonable
144 means for the bus to stop parallel to the travel lane and safely
145 load and unload passengers. As used in this section, the term
146 "reasonable means" means sufficient unobstructed pavement or a
147 designated turn lane that is sufficient in length to allow the
148 safe loading and unloading of passengers parallel to the travel
149 lane.

150 (2) This section does not apply to a school bus.

151 Section 4. Subsection (7) of section 316.1937, Florida
152 Statutes, is amended to read:

153 316.1937 Ignition interlock devices, requiring; unlawful
154 acts.—

155 (7) Notwithstanding the provisions of this section, if a
156 person is required to operate a motor vehicle in the course and



157 scope of his or her employment and if the vehicle is owned or
158 leased by the employer, the person may operate that vehicle
159 without installation of an approved ignition interlock device if
160 the employer has been notified of such driving privilege
161 restriction. ~~and if~~ Proof of that notification must be ~~is~~ with
162 the vehicle. This employment exemption does not apply, however,
163 if the business entity which owns the vehicle is owned or
164 controlled by the person whose driving privilege has been
165 restricted.

166 Section 5. Section 316.1938, Florida Statutes, is amended
167 to read:

168 316.1938 Ignition interlock devices, certification; warning
169 label.-

170 (1) The department shall contract with a minimum of three
171 providers that have been selected through a competitive
172 procurement process pursuant to s. 287.057 needed to implement
173 the ignition interlock requirements of this chapter and chapter
174 322. Such contract shall be at no cost to the state. The
175 contracts between the department and the selected providers of
176 ignition interlock devices shall be for a term of 5 years. The
177 department may adopt rules to implement the ignition interlock
178 requirements of this chapter and chapter 322. Such rules may
179 include, but are not limited to, medical waivers, specifications
180 for such devices, and their approval, installation, removal,
181 servicing, and monitoring ~~The Department of Highway Safety and~~
182 ~~Motor Vehicles shall certify or cause to be certified the~~
183 ~~accuracy and precision of the breath-testing component of the~~
184 ~~ignition interlock devices as required by s. 316.1937, and shall~~
185 ~~publish a list of approved devices, together with rules~~



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186 ~~governing the accuracy and precision of the breath-testing~~
187 ~~component of such devices as adopted by rule in compliance with~~
188 ~~s. 316.1937. The cost of certification shall be borne by the~~
189 ~~manufacturers of ignition interlock devices.~~

190 (2) Ignition interlock devices required by this chapter and
191 chapter 322 shall conform to specifications of the rules or
192 contracts of the department ~~No model of ignition interlock~~
193 ~~device shall be certified unless it meets the accuracy~~
194 ~~requirements specified by rule of the department.~~

195 (3) The department shall design and adopt by rule a warning
196 label which shall be affixed to each ignition interlock device
197 upon installation. The label shall contain a warning that any
198 person tampering, circumventing, or otherwise misusing the
199 device is guilty of a violation of law and may be subject to
200 civil liability.

201 Section 6. Paragraph (d) is added to subsection (2) of
202 section 316.1975, Florida Statutes, to read:

203 316.1975 Unattended motor vehicle.—

204 (2) This section does not apply to the operator of:

205 (d) A vehicle that is started by remote control while the
206 ignition, transmission, and doors are locked.

207 Section 7. Paragraph (b) of subsection (3) of section
208 316.2126, Florida Statutes, is amended to read:

209 316.2126 Authorized use of golf carts, low-speed vehicles,
210 and utility vehicles.—

211 (3)

212 (b) Seasonal delivery personnel may use the following
213 vehicles solely for the purpose of delivering express envelopes
214 and packages having a maximum size of 130 inches for the



215 combined length and girth and weighing not more than 150 pounds
216 from midnight October 15 until midnight January ~~December~~ 31 of
217 each year:

218 1. Low-speed vehicles and utility vehicles as defined in s.
219 320.01 upon any public road within a residential area that has a
220 posted speed limit of 35 miles per hour or less.

221 2. Golf carts upon a public road within a residential area
222 that has a posted speed limit of 30 miles per hour or less.

223 3. Golf carts upon a public road within a residential area
224 that has a posted speed limit of 30 to 35 miles per hour, unless
225 a municipality having jurisdiction over the public road has
226 enacted an ordinance restricting personnel from driving on such
227 roads.

228
229 Seasonal delivery personnel may pull a trailer from any of these
230 vehicles.

231 Section 8. Paragraph (d) of subsection (2) of section
232 316.2952, Florida Statutes, is amended to read:

233 316.2952 Windshields; requirements; restrictions.—

234 (2) A person shall not operate any motor vehicle on any
235 public highway, road, or street with any sign, sunscreening
236 material, product, or covering attached to, or located in or
237 upon, the windshield, except the following:

238 (d) A global positioning system device or similar satellite
239 receiver device that ~~which~~ uses the global positioning system
240 operated pursuant to 10 U.S.C. s. 2281 to obtain ~~for the purpose~~
241 ~~of obtaining~~ navigation, to improve driver safety as a component
242 of safety monitoring equipment capable of providing driver
243 feedback, or to otherwise route ~~routing~~ information while the



244 motor vehicle is being operated.

245 Section 9. Subsections (1) and (3) of section 316.86,
246 Florida Statutes, are amended to read:

247 316.86 Operation of vehicles equipped with autonomous
248 technology on roads for testing purposes; financial
249 responsibility; exemption from liability for manufacturer when
250 third party converts vehicle; report.-

251 (1) Vehicles equipped with autonomous technology may be
252 operated on roads in this state by employees, contractors, or
253 other persons designated by manufacturers of autonomous
254 technology, or by research organizations associated with
255 accredited educational institutions, for the purpose of testing
256 the technology. For testing purposes, a human operator must
257 retain ~~shall be present in the autonomous vehicle such that he~~
258 ~~or she has~~ the ability to monitor the vehicle's performance and
259 intervene, if necessary, unless the vehicle is being tested or
260 demonstrated on a closed course or any other autonomous vehicle
261 testing roadway as designated by the Department of
262 Transportation and the applicable local government or authority.

263 Before ~~Prior to~~ the start of testing in this state, the entity
264 performing the testing must submit to the Department of Highway
265 Safety and Motor Vehicles an instrument of insurance, surety
266 bond, or proof of self-insurance acceptable to the department in
267 the amount of \$5 million.

268 ~~(3) By February 12, 2014, the Department of Highway Safety~~
269 ~~and Motor Vehicles shall submit a report to the President of the~~
270 ~~Senate and the Speaker of the House of Representatives~~
271 ~~recommending additional legislative or regulatory action that~~
272 ~~may be required for the safe testing and operation of motor~~



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273 ~~vehicles equipped with autonomous technology.~~

274 Section 10. Paragraph (a) of subsection (1) of section
275 318.15, Florida Statutes, is amended to read:

276 318.15 Failure to comply with civil penalty or to appear;
277 penalty.-

278 (1) (a) If a person fails to comply with the civil penalties
279 provided in s. 318.18 within the time period specified in s.
280 318.14(4), fails to enter into or comply with the terms of a
281 penalty payment plan with the clerk of the court in accordance
282 with ss. 318.14 and 28.246, fails to attend driver improvement
283 school, or fails to appear at a scheduled hearing, the clerk of
284 the court shall notify the Department of Highway Safety and
285 Motor Vehicles of such failure within 10 days after such
286 failure. Upon receipt of such notice, the department shall
287 immediately issue an order suspending the driver ~~driver's~~
288 license and privilege to drive of such person effective 20 days
289 after the date the order of suspension is mailed in accordance
290 with s. 322.251(1), (2), and (6). Any such suspension of the
291 driving privilege which has not been reinstated, including a
292 similar suspension imposed outside Florida, shall remain on the
293 records of the department for a period of 7 years from the date
294 imposed and shall be removed from the records after the
295 expiration of 7 years from the date it is imposed. The
296 department may not accept the resubmission of such suspension.

297 Section 11. Subsection (6) of section 318.18, Florida
298 Statutes, is amended to read:

299 318.18 Amount of penalties.-The penalties required for a
300 noncriminal disposition pursuant to s. 318.14 or a criminal
301 offense listed in s. 318.17 are as follows:



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302 (6) One hundred dollars or the fine amount designated by
303 county ordinance, plus court costs for illegally parking, under
304 s. 316.1955, in a parking space provided for people who have
305 disabilities. However, this fine shall be waived if a person
306 provides to the law enforcement agency or parking enforcement
307 specialist or agency that issued the citation for such a
308 violation proof that the person committing the violation has a
309 valid parking permit or license plate issued pursuant to s.
310 316.1958, s. 320.0842, s. 320.0843, s. 320.0845, or s. 320.0848
311 or a signed affidavit that the owner of the disabled parking
312 permit or license plate was present at the time the violation
313 occurred, and that such a parking permit or license plate was
314 valid at the time the violation occurred. The law enforcement
315 officer or agency or the parking enforcement specialist or
316 agency, upon determining that all required documentation has
317 been submitted verifying that the required parking permit or
318 license plate was valid at the time of the violation, must sign
319 an affidavit of compliance. Upon provision of the affidavit of
320 compliance and payment of a dismissal fee of up to \$7.50 to the
321 clerk of the circuit court, the clerk shall dismiss the
322 citation. However, the clerk may designate a local governmental
323 entity to receive the affidavit and dismissal fee, and the local
324 governmental entity may keep the fee.

325 Section 12. Subsection (17) of section 320.02, Florida
326 Statutes, is amended to read:

327 320.02 Registration required; application for registration;
328 forms.—

329 (17) If an ~~any~~ applicant's name appears on a list of
330 persons who may not be issued a license plate, revalidation



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331 sticker, or replacement license plate after a written notice to
332 surrender a vehicle was submitted to the department by a lienor
333 as provided in s. 320.1316, the department shall ~~may~~ withhold
334 renewal of registration or replacement registration of the any
335 motor vehicle identified in ~~owned by the applicant at the time~~
336 the notice ~~was~~ submitted by the lienor. The lienor must maintain
337 proof that written notice to surrender the vehicle was sent to
338 each registered owner pursuant to s. 320.1316(1). A revalidation
339 sticker or replacement license plate may not be issued for the
340 identified vehicle until the ~~that~~ person's name no longer
341 appears on the list, ~~or until~~ the person presents documentation
342 from the lienor that the vehicle has been surrendered to the
343 lienor, or a court orders the person's name removed from the
344 list as provided in s. 320.1316. The department may ~~shall~~ not
345 withhold an initial registration in connection with an
346 applicant's purchase or lease of a motor vehicle solely because
347 the applicant's name is on the list created by s. 320.1316.

348 Section 13. Paragraphs (uu) and (xxx) of subsection (4) and
349 subsection (10) of section 320.08056, Florida Statutes, are
350 amended to read:

351 320.08056 Specialty license plates.—

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

354 (uu) Wildlife Foundation of Florida ~~Sportsmen's National~~
355 ~~Land Trust~~ license plate, \$25.

356 (xxx) Protect Our Oceans ~~Catch Me, Release Me~~ license
357 plate, \$25.

358 (10) (a) A specialty license plate annual use fee collected
359 and distributed under this chapter, or any interest earned from



360 those fees, may not be used for commercial or for-profit
361 activities nor for general or administrative expenses, except as
362 authorized by s. 320.08058 or to pay the cost of the audit or
363 report required by s. 320.08062(1). The fees and any interest
364 earned from the fees may be expended only for use in this state
365 unless the annual use fee is derived from the sale of United
366 States Armed Forces and veterans-related specialty license
367 plates pursuant to paragraphs (4) (d), (bb), (ll), (lll), (uuu),
368 and (bbbb) and s. 320.0891.

369 (b) As used in this subsection, the term "administrative
370 expenses" means those expenditures that are considered direct
371 operating costs of the organization. Such costs include, but are
372 not limited to, the following:

373 1. Administrative salaries of employees and officers of the
374 organization who do not or cannot prove, via detailed daily time
375 sheets, that they actively participate in program activities.

376 2. Bookkeeping and support services of the organization.

377 3. Office supplies and equipment not directly used for the
378 specified program.

379 4. Travel time, per diem, mileage reimbursement, and
380 lodging expenses not directly associated with a specified
381 program purpose.

382 5. Paper, printing, envelopes, and postage not directly
383 associated with a specified program purpose.

384 6. Miscellaneous expenses such as food, beverage,
385 entertainment, and conventions.

386 Section 14. Paragraphs (a) and (b) of subsection (47) and
387 paragraph (a) of subsection (76) of section 320.08058, Florida
388 Statutes, are amended to read:



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389 320.08058 Specialty license plates.-

390 (47) WILDLIFE FOUNDATION OF FLORIDA ~~SPORTSMEN'S NATIONAL~~
391 ~~LAND TRUST~~ LICENSE PLATES.-

392 (a) The department shall develop a Wildlife Foundation of
393 Florida ~~Sportsmen's National Land Trust~~ license plate as
394 provided in this section. The word "Florida" must appear at the
395 top of the plate, and the words "Wildlife Foundation of Florida
396 ~~Sportsmen's National Land Trust~~" must appear at the bottom of
397 the plate.

398 (b) The annual revenues from the sales of the license plate
399 shall be distributed to the Wildlife Foundation of Florida,
400 Inc., a citizen support organization created pursuant to s.
401 379.223 ~~Sportsmen's National Land Trust~~. Such annual revenues
402 must be used ~~by the trust~~ in the following manner:

403 ~~1. Fifty percent may be retained until all startup costs~~
404 ~~for developing and establishing the plate have been recovered.~~

405 ~~1.2.~~ Seventy-five ~~Twenty-five~~ percent must be used to fund
406 programs and projects within the state that preserve open space
407 and wildlife habitat, promote conservation, improve wildlife
408 habitat, and establish open space for the perpetual use of the
409 public.

410 ~~2.3.~~ Twenty-five percent may be used for promotion,
411 marketing, and administrative costs directly associated with
412 operation of the foundation ~~trust~~.

413 (76) PROTECT OUR OCEANS ~~CATCH ME, RELEASE ME~~ LICENSE
414 PLATES.-

415 (a) The department shall develop a Protect Our Oceans ~~Catch~~
416 ~~Me, Release Me~~ license plate as provided in this section.
417 Protect Our Oceans ~~Catch Me, Release Me~~ license plates must bear



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418 the colors and design approved by the department. The word
419 "Florida" must appear at the top of the plate, and the words
420 "Protect Our Oceans" ~~"Catch Me, Release Me"~~ must appear at the
421 bottom of the plate.

422 Section 15. Section 320.08062, Florida Statutes, is
423 amended to read:

424 320.08062 Audits and attestations required; annual use fees
425 of specialty license plates.—

426 (1) (a) All organizations that receive annual use fee
427 proceeds from the department are responsible for ensuring that
428 proceeds are used in accordance with ss. 320.08056 and
429 320.08058.

430 (b) Any organization not subject to audit pursuant to s.
431 215.97 shall annually attest, under penalties of perjury, that
432 such proceeds were used in compliance with ss. 320.08056 and
433 320.08058. The attestation shall be made annually in a form and
434 format determined by the department.

435 (c) Any organization subject to audit pursuant to s. 215.97
436 shall submit an audit report in accordance with rules
437 promulgated by the Auditor General. The annual attestation shall
438 be submitted to the department for review within 9 months after
439 the end of the organization's fiscal year.

440 (2) ~~(a)~~ Within 120 ~~90~~ days after receiving an organization's
441 audit or attestation, the department shall determine which
442 recipients of revenues from specialty license plate annual use
443 fees have not complied with subsection (1). In determining
444 compliance, the department may commission an independent
445 actuarial consultant, or an independent certified public
446 accountant, who has expertise in nonprofit and charitable



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447 organizations.

448 (a) The department must discontinue the distribution of
449 revenues to an organization that fails to submit the
450 documentation required in subsection (1), but may resume
451 distribution of the revenues upon receipt of the required
452 documentation.

453 (b) If the department or its designee determines that an
454 organization has not complied or has failed to use the revenues
455 in accordance with ss. 320.08056 and 320.08058, the department
456 must discontinue the distribution of the revenues to the
457 organization. The department must notify the organization of its
458 findings and direct the organization to make the changes
459 necessary in order to comply with this chapter. If the officers
460 of the organization sign under penalties of perjury that they
461 acknowledge the findings of the department and attest that they
462 have taken corrective action and attest that the organization
463 will submit to a follow-up review by the department, the
464 department may resume the distribution of revenues ~~until the~~
465 ~~department determines that the organization has complied.~~

466 (c) If an organization fails to comply with the
467 department's directive requiring corrective actions as outlined
468 in paragraph (b), the revenue distributions must be discontinued
469 until completion of the next regular session of the Legislature.
470 The department must notify the Legislature by the first day of
471 the regular session of an organization whose revenues have been
472 withheld pursuant to this paragraph. If the Legislature does not
473 provide direction to the organization and the department
474 regarding the status of the undistributed revenues, the
475 department shall discontinue the plate, and undistributed



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476 ~~revenues must within 12 months after the annual use fee proceeds~~
477 ~~are withheld by the department, the proceeds shall be~~
478 immediately deposited into the Highway Safety Operating Trust
479 Fund ~~to offset department costs related to the issuance of~~
480 ~~specialty license plates.~~

481 ~~(b) In lieu of discontinuing revenue disbursement pursuant~~
482 ~~to this subsection, upon determining that a recipient has not~~
483 ~~complied or has failed to use the revenues in accordance with~~
484 ~~ss. 320.08056 and 320.08058, and with the approval of the~~
485 ~~Legislative Budget Commission, the department is authorized to~~
486 ~~redirect previously collected and future revenues to an~~
487 ~~organization that is able to perform the same or similar~~
488 ~~purposes as the original recipient.~~

489 (3) The department or its designee has the authority to
490 examine all records pertaining to the use of funds from the sale
491 of specialty license plates.

492 Section 16. Section 45 of chapter 2008-176, Laws of
493 Florida, as amended by section 21 of chapter 2010-223, Laws of
494 Florida, is amended to read:

495 Section 45. Except for a specialty license plate proposal
496 which has submitted a letter of intent to the Department of
497 Highway Safety and Motor Vehicles before ~~prior to~~ May 2, 2008,
498 and which has submitted a valid survey, marketing strategy, and
499 application fee as required by s. 320.08053, Florida Statutes,
500 before October 1, 2008 ~~prior to the effective date of this act,~~
501 or which was included in a bill filed during the 2008
502 Legislative Session, the Department of Highway Safety and Motor
503 Vehicles may not issue any new specialty license plates pursuant
504 to ss. 320.08056 and 320.08058, Florida Statutes, between July



505 1, 2008, and July 1, 2016 ~~2011~~.

506 Section 17. Subsection (1) of section 320.083, Florida
507 Statutes, is amended to read:

508 320.083 Amateur radio operators; special license plates;
509 fees.—

510 (1) A person who is the owner or lessee of an automobile or
511 truck for private use, a truck weighing not more than 7,999
512 pounds, or a recreational vehicle as specified in s.

513 320.08(9)(c) or (d), which is not used for hire or commercial
514 use; who is a resident of the state; and who holds a valid
515 official amateur radio station license recognized ~~issued~~ by the
516 Federal Communications Commission shall be issued a special
517 license plate upon application, accompanied by proof of
518 ownership of such radio station license, and payment of the
519 following tax and fees:

520 (a) The license tax required for the vehicle, as prescribed
521 by s. 320.08(2), (3)(a), (b), or (c), (4)(a), (b), (c), (d),
522 (e), or (f), or (9); and

523 (b) An initial additional fee of \$5, and an additional fee
524 of \$1.50 thereafter.

525 Section 18. Section 320.1316, Florida Statutes, is amended
526 to read:

527 320.1316 Failure to surrender vehicle or vessel.—

528 (1) Upon receipt from a lienor who claims a lien on a
529 vehicle pursuant to s. 319.27 by the Department of Highway
530 Safety and Motor Vehicles of written notice to surrender a
531 vehicle or vessel that has been disposed of, concealed, removed,
532 or destroyed by the lienee, the department shall place the name
533 of the registered owner of that vehicle on the list of those



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534 persons who may not be issued a license plate, revalidation
535 sticker, or replacement license plate ~~for any motor vehicle~~
536 ~~under s. 320.03(8) owned by the lience at the time the notice~~
537 ~~was given by the lienor.~~ Pursuant to s. 320.03(8), the
538 department may not issue a license plate, revalidation sticker,
539 or replacement license plate for the vehicle, or a vessel
540 registration number or decal for the vessel, owned by the lienee
541 which is identified in the claim by the lienor. If the vehicle
542 is owned jointly ~~by more than one person~~, the name of each
543 registered owner shall be placed on the list.

544 (2) The notice to surrender the vehicle or vessel shall be
545 signed under oath by the lienor and submitted on forms developed
546 by the department, which must include:

547 (a) The name, address, and telephone number of the lienor.

548 (b) The name of the registered owner of the vehicle or
549 vessel and the address to which the lienor provided notice to
550 surrender the vehicle or vessel to the registered owner.

551 (c) A general description of the vehicle, including its
552 color, make, model, body style, and year.

553 (d) The vehicle identification number, registration license
554 plate number, if known, or other identification number, as
555 applicable.

556 (3) The registered owner of the vehicle or vessel may
557 dispute a notice to surrender the vehicle or vessel or his or
558 her inclusion on the list of those persons who may not be issued
559 a license plate, revalidation sticker, or replacement license
560 plate under s. 320.03(8), or a vessel registration number or
561 decal, by bringing a civil action in the county in which he or
562 she resides ~~by notifying the department of the dispute in~~



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563 ~~writing on forms provided by the department and presenting proof~~
564 ~~that the vehicle was sold to a motor vehicle dealer licensed~~
565 ~~under s. 320.27, a mobile home dealer licensed under s. 320.77,~~
566 ~~or a recreational vehicle dealer licensed under s. 320.771.~~

567 (4) In an action brought pursuant to subsection (3), the
568 petitioner is entitled to the summary procedure specified in s.
569 51.011, and the court shall advance the cause on its calendar if
570 requested by the petitioner.

571 (5) At a hearing challenging the refusal to issue a license
572 plate, revalidation sticker, or replacement license plate under
573 s. 320.03(8), or a vessel registration number or decal, the
574 court shall first determine whether the lienor has a recorded
575 lien on the vehicle or vessel and whether the lienor properly
576 made a demand for the surrender of the vehicle or vessel in
577 accordance with this section. If the court determines that the
578 lien was recorded and that such a demand was properly made, the
579 court shall determine whether good cause exists for the lienee's
580 failure to surrender the vehicle or vessel. As used in this
581 section, the term "good cause" is limited to proof that:

582 (a) The vehicle that was the subject of the demand for
583 surrender was traded in to a licensed motor vehicle dealer
584 before the date of the demand for surrender;

585 (b) The lien giving rise to the inclusion on the list has
586 been paid in full or otherwise satisfied;

587 (c) There is ongoing litigation relating to the validity or
588 enforceability of the lien;

589 (d) The petitioner was in compliance with all of his or her
590 contractual obligations with the lienholder at the time of the
591 demand for surrender;



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592 (e) The vehicle or vessel was reported to law enforcement
593 as stolen by the registered owner of the vehicle or vessel
594 before the demand for surrender; or

595 (f) The petitioner no longer has possession of the vehicle
596 or vessel, and the loss of possession occurred pursuant to
597 operation of law. If the petitioner's loss of possession did not
598 occur pursuant to operation of law, the fact that a third party
599 has physical possession of the vehicle or vessel does not
600 constitute good cause for the failure to surrender the vehicle
601 or vessel.

602 (6) If the petitioner establishes good cause for his or her
603 failure to surrender the vehicle or vessel, the court shall
604 enter an order removing the petitioner's name from the list of
605 those persons who may not be issued a license plate,
606 revalidation sticker, or replacement license plate under s.
607 320.03(8), or a vessel registration number or decal, and shall
608 award the petitioner reasonable attorney fees and costs actually
609 incurred for the proceeding.

610 (7) If the court finds that the demand for surrender was
611 properly made by the lienor and the petitioner fails to
612 establish good cause for the failure to surrender the vehicle or
613 vessel, the court shall award the lienor reasonable attorney
614 fees and costs actually incurred for the proceeding.

615 Section 19. Section 322.032, Florida Statutes, is created
616 to read:

617 322.032 Digital proof of driver license.—

618 (1) The department shall begin to review and prepare for
619 the development of a secure and uniform system for issuing an
620 optional digital proof of driver license. The department may



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621 contract with one or more private entities to develop a digital
622 proof of driver license system.

623 (2) The digital proof of driver license developed by the
624 department or by an entity contracted by the department must be
625 in such a format as to allow law enforcement to verify the
626 authenticity of the digital proof of driver license. The
627 department may promulgate rules to ensure valid authentication
628 of digital driver licenses by law enforcement.

629 (3) A person may not be issued a digital proof of driver
630 license until he or she has satisfied all the requirements of
631 this chapter and has received a physical driver license as
632 provided in this chapter.

633 (4) A person who:

634 (a) Manufactures a false digital proof of driver license
635 commits a felony of the third degree, punishable as provided in
636 s. 775.082, s. 775.083, or s. 775.084.

637 (b) Possesses a false digital proof of driver license
638 commits a misdemeanor of the second degree, punishable as
639 provided in s. 775.082.

640 Section 20. Section 322.055, Florida Statutes, is amended
641 to read:

642 322.055 Revocation or suspension of, or delay of
643 eligibility for, driver ~~driver's~~ license for persons 18 years of
644 age or older convicted of certain drug offenses.—

645 (1) Notwithstanding the provisions of s. 322.28, upon the
646 conviction of a person 18 years of age or older for possession
647 or sale of, trafficking in, or conspiracy to possess, sell, or
648 traffic in a controlled substance, the court shall direct the
649 department to revoke the driver ~~driver's~~ license or driving



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650 privilege of the person. The period of such revocation shall be
651 1 year ~~2 years~~ or until the person is evaluated for and, if
652 deemed necessary by the evaluating agency, completes a drug
653 treatment and rehabilitation program approved or regulated by
654 the Department of Children and Families ~~Family Services~~.
655 However, the court may, in its sound discretion, direct the
656 department to issue a license for driving privilege ~~privileges~~
657 restricted to business or employment purposes only, as defined
658 by s. 322.271, if the person is otherwise qualified for such a
659 license. A driver whose license or driving privilege has been
660 suspended or revoked under this section or s. 322.056 may, upon
661 the expiration of 6 months, petition the department for
662 restoration of the driving privilege on a restricted or
663 unrestricted basis depending on length of suspension or
664 revocation. In no case shall a restricted license be available
665 until 6 months of the suspension or revocation period has
666 expired.

667 (2) If a person 18 years of age or older is convicted for
668 the possession or sale of, trafficking in, or conspiracy to
669 possess, sell, or traffic in a controlled substance and such
670 person is eligible by reason of age for a driver ~~driver's~~
671 license or privilege, the court shall direct the department to
672 withhold issuance of such person's driver ~~driver's~~ license or
673 driving privilege for a period of 1 year ~~2 years~~ after the date
674 the person was convicted or until the person is evaluated for
675 and, if deemed necessary by the evaluating agency, completes a
676 drug treatment and rehabilitation program approved or regulated
677 by the Department of Children and Families ~~Family Services~~.
678 However, the court may, in its sound discretion, direct the



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679 department to issue a license for driving privilege ~~privileges~~
680 restricted to business or employment purposes only, as defined
681 by s. 322.271, if the person is otherwise qualified for such a
682 license. A driver whose license or driving privilege has been
683 suspended or revoked under this section or s. 322.056 may, upon
684 the expiration of 6 months, petition the department for
685 restoration of the driving privilege on a restricted or
686 unrestricted basis depending on the length of suspension or
687 revocation. In no case shall a restricted license be available
688 until 6 months of the suspension or revocation period has
689 expired.

690 (3) If a person 18 years of age or older is convicted for
691 the possession or sale of, trafficking in, or conspiracy to
692 possess, sell, or traffic in a controlled substance and such
693 person's driver ~~driver's~~ license or driving privilege is already
694 under suspension or revocation for any reason, the court shall
695 direct the department to extend the period of such suspension or
696 revocation by an additional period of 1 year ~~2 years~~ or until
697 the person is evaluated for and, if deemed necessary by the
698 evaluating agency, completes a drug treatment and rehabilitation
699 program approved or regulated by the Department of Children and
700 Families ~~Family Services~~. However, the court may, in its sound
701 discretion, direct the department to issue a license for driving
702 privilege ~~privileges~~ restricted to business or employment
703 purposes only, as defined by s. 322.271, if the person is
704 otherwise qualified for such a license. A driver whose license
705 or driving privilege has been suspended or revoked under this
706 section or s. 322.056 may, upon the expiration of 6 months,
707 petition the department for restoration of the driving privilege



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708 on a restricted or unrestricted basis depending on the length of
709 suspension or revocation. In no case shall a restricted license
710 be available until 6 months of the suspension or revocation
711 period has expired.

712 (4) If a person 18 years of age or older is convicted for
713 the possession or sale of, trafficking in, or conspiracy to
714 possess, sell, or traffic in a controlled substance and such
715 person is ineligible by reason of age for a driver ~~driver's~~
716 license or driving privilege, the court shall direct the
717 department to withhold issuance of such person's driver ~~driver's~~
718 license or driving privilege for a period of 1 year ~~2 years~~
719 after the date that he or she would otherwise have become
720 eligible or until he or she becomes eligible by reason of age
721 for a driver ~~driver's~~ license and is evaluated for and, if
722 deemed necessary by the evaluating agency, completes a drug
723 treatment and rehabilitation program approved or regulated by
724 the Department of Children and Families ~~Family Services~~.
725 However, the court may, in its sound discretion, direct the
726 department to issue a license for driving privilege ~~privileges~~
727 restricted to business or employment purposes only, as defined
728 by s. 322.271, if the person is otherwise qualified for such a
729 license. A driver whose license or driving privilege has been
730 suspended or revoked under this section or s. 322.056 may, upon
731 the expiration of 6 months, petition the department for
732 restoration of the driving privilege on a restricted or
733 unrestricted basis depending on the length of suspension or
734 revocation. In no case shall a restricted license be available
735 until 6 months of the suspension or revocation period has
736 expired.



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737 (5) A court that orders the revocation or suspension of, or
738 delay in eligibility for, a driver license pursuant to this
739 section shall make a specific, articulated determination as to
740 whether the issuance of a license for driving privilege
741 restricted to business purposes only, as defined in s. 322.271,
742 is appropriate in each case.

743 (6) ~~(5)~~ Each clerk of court shall promptly report to the
744 department each conviction for the possession or sale of,
745 trafficking in, or conspiracy to possess, sell, or traffic in a
746 controlled substance.

747 Section 21. Section 322.058, Florida Statutes, is amended
748 to read:

749 322.058 Suspension of driving privilege ~~privileges~~ due to
750 support delinquency; reinstatement.-

751 (1) When the department receives notice from the Title IV-D
752 agency or depository or the clerk of the court that any person
753 licensed to operate a motor vehicle in the State of Florida
754 under the provisions of this chapter has a delinquent support
755 obligation or has failed to comply with a subpoena, order to
756 appear, order to show cause, or similar order, the department
757 shall suspend the driver ~~driver's~~ license of the person named in
758 the notice and the registration of all motor vehicles owned by
759 that person.

760 (2) The department must reinstate the driving privilege and
761 allow registration of a motor vehicle when the Title IV-D agency
762 in IV-D cases or the depository or the clerk of the court in
763 non-IV-D cases provides to the department an affidavit stating
764 that:

765 (a) The person has paid the delinquency;



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766 (b) The person has reached a written agreement for payment
767 with the Title IV-D agency or the obligee in non-IV-D cases;

768 (c) A court has entered an order granting relief to the
769 obligor ordering the reinstatement of the license and motor
770 vehicle registration; ~~or~~

771 (d) The person has complied with the subpoena, order to
772 appear, order to show cause, or similar order;

773 (e) The person receives reemployment assistance or
774 unemployment compensation pursuant to chapter 443;

775 (f) The person is disabled and incapable of self-support or
776 receives benefits under the federal Supplemental Security Income
777 or Social Security Disability Insurance programs;

778 (g) The person receives temporary cash assistance pursuant
779 to chapter 414; or

780 (h) The person is making payments in accordance with a
781 confirmed bankruptcy plan under chapter 11, chapter 12, or
782 chapter 13 of the United States Bankruptcy Code, 11 U.S.C. ss.
783 101 et seq.

784 (3) The department shall not be held liable for any license
785 or vehicle registration suspension resulting from the discharge
786 of its duties under this section.

787 (4) This section applies only to the annual renewal in the
788 owner's birth month of a motor vehicle registration and does not
789 apply to the transfer of a registration of a motor vehicle sold
790 by a motor vehicle dealer licensed under chapter 320, except for
791 the transfer of registrations which includes the annual
792 renewals. This section does not affect the issuance of the title
793 to a motor vehicle, notwithstanding s. 319.23(8)(b).

794 Section 22. Section 322.059, Florida Statutes, is amended



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795 to read:

796 322.059 Mandatory surrender of suspended driver ~~driver's~~
797 license and registration.—A ~~Any~~ person whose driver ~~driver's~~
798 license or registration has been suspended as provided in s.
799 322.058 must immediately return his or her driver ~~driver's~~
800 license and registration to the Department of Highway Safety and
801 Motor Vehicles. The department shall invalidate the digital
802 proof of driver license issued pursuant to s. 322.032 for such
803 person. If such person fails to return his or her driver
804 ~~driver's~~ license or registration, a ~~any~~ law enforcement agent
805 may seize the license or registration while the driver ~~driver's~~
806 license or registration is suspended.

807 Section 23. Subsection (3) of section 322.141, Florida
808 Statutes, is amended to read:

809 322.141 Color or markings of certain licenses or
810 identification cards.—

811 (3) All licenses for the operation of motor vehicles or
812 identification cards originally issued or reissued by the
813 department to persons who are designated as sexual predators
814 under s. 775.21, ~~or~~ subject to registration as sexual offenders
815 under s. 943.0435 or s. 944.607, or who have a similar
816 designation or are subject to a similar registration under the
817 laws of another jurisdiction, shall have on the front of the
818 license or identification card the following:

819 (a) For a person designated as a sexual predator under s.
820 775.21 or who has a similar designation under the laws of
821 another jurisdiction, the marking "SEXUAL PREDATOR." ~~"775.21,~~
822 ~~F.S."~~

823 (b) For a person subject to registration as a sexual



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824 offender under s. 943.0435 or s. 944.607 or subject to a similar
825 registration under the laws of another jurisdiction, the marking
826 "943.0435, F.S."

827 Section 24. Subsection (1) of section 322.15, Florida
828 Statutes, is amended to read:

829 322.15 License to be carried and exhibited on demand;
830 fingerprint to be imprinted upon a citation.-

831 (1) Every licensee shall have his or her driver ~~driver's~~
832 license, which must be fully legible with no portion of such
833 license faded, altered, mutilated, or defaced, in his or her
834 immediate possession at all times when operating a motor vehicle
835 and shall display the same upon the demand of a law enforcement
836 officer or an authorized representative of the department. A
837 licensee may display digital proof of driver license as provided
838 in s. 322.032 in lieu of a physical driver license.

839 Section 25. Paragraphs (e) and (f) of subsection (1) of
840 section 322.21, Florida Statutes, are amended to read:

841 322.21 License fees; procedure for handling and collecting
842 fees.-

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

844 (e) A replacement driver license issued pursuant to s.
845 322.17 is \$25. Of this amount, \$7 shall be deposited into the
846 Highway Safety Operating Trust Fund or retained by the tax
847 collector if issued by a tax collector that has completed the
848 transition of driver licensing services, and \$18 shall be
849 deposited into the General Revenue Fund. ~~Beginning July 1, 2015,~~
850 ~~or upon completion of the transition of driver license issuance~~
851 ~~services, if the replacement driver license is issued by the tax~~
852 ~~collector, the tax collector shall retain the \$7 that would~~



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853 ~~otherwise be deposited into the Highway Safety Operating Trust~~
854 ~~Fund and the remaining revenues shall be deposited into the~~
855 ~~General Revenue Fund.~~

856 (f) An original, renewal, or replacement identification
857 card issued pursuant to s. 322.051 is \$25, except that an
858 applicant who presents evidence satisfactory to the department
859 that he or she is homeless as defined in s. 414.0252(7) or his
860 or her annual income is at or below 100 percent of the federal
861 poverty level is exempt from such fee. Funds collected from
862 these fees for original, renewal, or replacement identification
863 cards shall be distributed as follows:

864 1. For an original identification card issued pursuant to
865 s. 322.051, the fee is \$25. ~~This amount~~ shall be deposited into
866 the General Revenue Fund.

867 2. For a renewal identification card issued pursuant to s.
868 322.051 ~~the fee is \$25.~~ ~~Of this amount,~~ \$6 shall be deposited
869 into the Highway Safety Operating Trust Fund, and \$19 shall be
870 deposited into the General Revenue Fund.

871 3. For a replacement identification card issued pursuant to
872 s. 322.051, the fee is \$25. Of this amount, \$9 shall be
873 deposited into the Highway Safety Operating Trust Fund or
874 retained by the tax collector if issued by a tax collector that
875 has completed the transition of driver licensing services, and
876 \$16 shall be deposited into the General Revenue Fund. ~~Beginning~~
877 ~~July 1, 2015, or upon completion of the transition of the driver~~
878 ~~license issuance services, if the replacement identification~~
879 ~~card is issued by the tax collector, the tax collector shall~~
880 ~~retain the \$9 that would otherwise be deposited into the Highway~~
881 ~~Safety Operating Trust Fund and the remaining revenues shall be~~



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882 ~~deposited into the General Revenue Fund.~~

883 Section 26. Subsection (2) of section 337.251, Florida
884 Statutes, is amended, present subsections (3) through (10) of
885 that section are redesignated as subsections (4) through (11),
886 respectively, and a new subsection (3) is added to that section,
887 to read:

888 337.251 Lease of property for joint public-private
889 development and areas above or below department property.-

890 (2) The department may request proposals for the lease of
891 such property or, if the department receives a proposal for to
892 ~~negotiate~~ a lease of a particular department property which it
893 desires to consider, the department ~~it~~ shall publish a notice in
894 a newspaper of general circulation at least once a week for 2
895 weeks, stating that it has received the proposal and will
896 accept, for 60 days after the date of publication, other
897 proposals for lease of such property for 120 days after the date
898 of publication use of the space. A copy of the notice must be
899 mailed to each local government in the affected area. The
900 department shall establish by rule an application fee for the
901 submission of proposals pursuant to this section. The fee must
902 be sufficient to pay the anticipated costs of evaluating the
903 proposals. The department may engage the services of private
904 consultants to assist in the evaluations. Before approval, the
905 department shall determine that the proposed lease:

- 906 (a) Is in the public's best interest;
907 (b) Does not require that state funds be used; and
908 (c) Has adequate safeguards in place to ensure that
909 additional costs are not borne and service disruptions are not
910 experienced by the traveling public and residents of the state



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911 in the event of default by the private lessee or upon
912 termination or expiration of the lease.

913 (3) The department shall provide an independent analysis of
914 a proposed lease which demonstrates the cost-effectiveness and
915 overall public benefit at the following times:

916 (a) Before moving forward with the procurement; and

917 (b) Before awarding the contract if the procurement moves
918 forward.

919 Section 27. Subsection (5) of section 526.141, Florida
920 Statutes, is amended to read:

921 526.141 Self-service gasoline stations; attendants;
922 regulations.-

923 (5) (a) Every full-service gasoline station offering self-
924 service at a lesser cost shall require an attendant employed by
925 the station to dispense gasoline from the self-service portion
926 of the station to any motor vehicle properly displaying an
927 exemption parking permit as provided in s. 316.1958 or s.
928 320.0848 or a license plate issued pursuant to s. 320.084, s.
929 320.0842, s. 320.0843, or s. 320.0845 when the person to whom
930 such permit has been issued is the operator of the vehicle and
931 such service is requested. Such stations shall prominently
932 display a decal no larger than 8 square inches on the front of
933 all self-service pumps clearly stating the requirements of this
934 subsection and the penalties applicable to violations of this
935 subsection. The Department of Agriculture and Consumer Services
936 shall enforce this requirement.

937 (b)1. The Department of Agriculture and Consumer Services,
938 when inspecting a self-service gasoline station, shall confirm
939 that a second and separate decal is affixed to each pump. The



940 decal must be blue, at least 15 square inches, and clearly
941 display the international symbol of accessibility shown in s.
942 320.0842, the telephone number of the station, and the words
943 "Call for Assistance." The Department of Agriculture and
944 Consumer Services shall adopt rules to implement and enforce
945 this paragraph and shall confirm that the decals conform with
946 this paragraph and are in place by July 1, 2016.

947 2. This paragraph does not bar a county or municipality
948 from adopting an ordinance, or enforcing an existing ordinance,
949 which expands the accessibility, safety, or availability of
950 fueling assistance to a motor vehicle operator described in
951 paragraph (a).

952 (c) ~~(b)~~ Violation of paragraph (a) is a misdemeanor of the
953 second degree, punishable as provided in s. 775.082 or s.
954 775.083.

955 Section 28. Section 526.142, Florida Statutes, is created
956 to read:

957 526.142 Air and vacuum devices.—A retail outlet as defined
958 in s. 526.303 is not required to provide air or vacuum supply
959 without charge. A political subdivision of this state may not
960 adopt any ordinance regarding the pricing of such commodities.
961 All such ordinances, whether existing or proposed, are preempted
962 and superseded by general law.

963 Section 29. Paragraph (a) of subsection (1) of section
964 562.11, Florida Statutes, is amended to read:

965 562.11 Selling, giving, or serving alcoholic beverages to
966 person under age 21; providing a proper name; misrepresenting or
967 misstating age or age of another to induce licensee to serve
968 alcoholic beverages to person under 21; penalties.—



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969 (1) (a) 1. A ~~It is unlawful for any person~~ may not ~~to~~ sell,
970 give, serve, or permit to be served alcoholic beverages to a
971 person under 21 years of age or to permit a person under 21
972 years of age to consume such beverages on the licensed premises.
973 A person who violates this subparagraph commits a misdemeanor of
974 the second degree, punishable as provided in s. 775.082 or s.
975 775.083. A person who violates this subparagraph a second or
976 subsequent time within 1 year after a prior conviction commits a
977 misdemeanor of the first degree, punishable as provided in s.
978 775.082 or s. 775.083.

979 2. In addition to any other penalty imposed for a violation
980 of subparagraph 1., the court may order the Department of
981 Highway Safety and Motor Vehicles to withhold the issuance of,
982 or suspend or revoke, the driver ~~driver's~~ license or driving
983 privilege, as provided in s. 322.057, of any person who violates
984 subparagraph 1. This subparagraph does not apply to a licensee,
985 as defined in s. 561.01, who violates subparagraph 1. while
986 acting within the scope of his or her license or an employee or
987 agent of a licensee, as defined in s. 561.01, who violates
988 subparagraph 1. while engaged within the scope of his or her
989 employment or agency.

990 3. A court that withholds the issuance of, or suspends or
991 revokes, the driver license or driving privilege of a person
992 pursuant to subparagraph 2. may direct the Department of Highway
993 Safety and Motor Vehicles to issue the person a license for
994 driving privilege restricted to business purposes only, as
995 defined in s. 322.271, if he or she is otherwise qualified.

996 Section 30. Section 812.0155, Florida Statutes, is amended
997 to read:



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998 812.0155 Suspension of driver ~~driver's~~ license following an
999 adjudication of guilt for theft.-

1000 (1) Except as provided in subsections (2) and (3), the
1001 court may order the suspension of the driver ~~driver's~~ license of
1002 each person adjudicated guilty of any misdemeanor violation of
1003 s. 812.014 or s. 812.015, regardless of the value of the
1004 property stolen. ~~The court shall order the suspension of the~~
1005 ~~driver's license of each person adjudicated guilty of any~~
1006 ~~misdemeanor violation of s. 812.014 or s. 812.015 who has~~
1007 ~~previously been convicted of such an offense.~~ Upon ordering the
1008 suspension of the driver ~~driver's~~ license of the person
1009 adjudicated guilty, the court shall forward the driver ~~driver's~~
1010 license of the person adjudicated guilty to the Department of
1011 Highway Safety and Motor Vehicles in accordance with s. 322.25.

1012 (a) The first suspension of a driver ~~driver's~~ license under
1013 this subsection shall be for a period of up to 6 months.

1014 (b) A second or subsequent suspension of a driver ~~driver's~~
1015 license under this subsection shall be for 1 year.

1016 (2) The court may revoke, suspend, or withhold issuance of
1017 a driver ~~driver's~~ license of a person less than 18 years of age
1018 who violates s. 812.014 or s. 812.015 as an alternative to
1019 sentencing the person to:

1020 (a) Probation as defined in s. 985.03 or commitment to the
1021 Department of Juvenile Justice, if the person is adjudicated
1022 delinquent for such violation and has not previously been
1023 convicted of or adjudicated delinquent for any criminal offense,
1024 regardless of whether adjudication was withheld.

1025 (b) Probation as defined in s. 985.03, commitment to the
1026 Department of Juvenile Justice, probation as defined in chapter



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1027 948, community control, or incarceration, if the person is
1028 convicted as an adult of such violation and has not previously
1029 been convicted of or adjudicated delinquent for any criminal
1030 offense, regardless of whether adjudication was withheld.

1031 (3) As used in this subsection, the term "department" means
1032 the Department of Highway Safety and Motor Vehicles. A court
1033 that revokes, suspends, or withholds issuance of a driver
1034 ~~driver's~~ license under subsection (2) shall:

1035 (a) If the person is eligible by reason of age for a driver
1036 ~~driver's~~ license or driving privilege, direct the department to
1037 revoke or withhold issuance of the person's driver ~~driver's~~
1038 license or driving privilege for not less than 6 months and not
1039 more than 1 year;

1040 (b) If the person's driver ~~driver's~~ license is under
1041 suspension or revocation for any reason, direct the department
1042 to extend the period of suspension or revocation by not less
1043 than 6 months and not more than 1 year; or

1044 (c) If the person is ineligible by reason of age for a
1045 driver ~~driver's~~ license or driving privilege, direct the
1046 department to withhold issuance of the person's driver ~~driver's~~
1047 license or driving privilege for not less than 6 months and not
1048 more than 1 year after the date on which the person would
1049 otherwise become eligible.

1050 (4) Subsections (2) and (3) do not preclude the court from
1051 imposing any sanction specified or not specified in subsection
1052 (2) or subsection (3).

1053 (5) A court that suspends the driver license of a person
1054 pursuant to subsection (1) may direct the Department of Highway
1055 Safety and Motor Vehicles to issue the person a license for



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1056 driving privilege restricted to business purposes only, as
1057 defined in s. 322.271, if he or she is otherwise qualified.

1058 Section 31. Section 832.09, Florida Statutes, is amended to
1059 read:

1060 832.09 Suspension of driver license after warrant or capias
1061 is issued in worthless check case.—

1062 (1) The court may order the suspension or revocation of the
1063 driver license of a ~~Any~~ person who is being prosecuted for
1064 passing a worthless check in violation of s. 832.05, who fails
1065 to appear before the court and against whom a warrant or capias
1066 for failure to appear is issued by the court if the person has
1067 previously been adjudicated guilty of a violation of s. 832.05
1068 ~~shall have his or her driver's license suspended or revoked~~
1069 ~~pursuant to s. 322.251.~~

1070 (2) Within 5 working days after the court orders the
1071 suspension of a driver license pursuant to subsection (1)
1072 ~~issuance of a warrant or capias for failure to appear~~, the clerk
1073 of the court in the county where the warrant or capias is issued
1074 shall notify the Department of Highway Safety and Motor Vehicles
1075 by the most efficient method available of the action of the
1076 court.

1077 Section 32. The Department of Highway Safety and Motor
1078 Vehicles is directed to develop a plan of action that addresses
1079 motor vehicle registration holds placed pursuant to ss.
1080 316.1001, 316.1967, and 318.15, Florida Statutes, for
1081 presentation to the Legislature by February 1, 2015. The plan
1082 must, at a minimum, include a methodology for applicants whose
1083 names have been placed on the list of persons who may not be
1084 issued a license plate or revalidation sticker under s.



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1085 320.03(8), Florida Statutes, to rectify the cause of the hold
1086 through the payment of any outstanding toll, parking ticket,
1087 fine, and any other fee at the point of collection of the
1088 registration fee.

1089 Section 33. By January 1, 2015, the Department of Highway
1090 Safety and Motor Vehicles shall conduct and submit a study on
1091 the effectiveness of ignition interlock device use as an
1092 alternative to driver license suspension. The study shall be
1093 submitted to the Governor, the President of the Senate, and the
1094 Speaker of the House of Representatives and shall address the
1095 following:

1096 (1) The effect that ignition interlock device use, as an
1097 alternative to a driver license suspension, will have on the DUI
1098 recidivism rate while the driver is using the ignition interlock
1099 device.

1100 (2) The cost of ignition interlock device use compared to
1101 the cost associated with a subsequent violation, or suspected
1102 violation, of s. 316.193, Florida Statutes, including, but not
1103 limited to, a violation involving property damage, bodily
1104 injury, and death.

1105 (3) In addition to existing penalties, a provision that
1106 provides for credit on a day-for-day basis for ignition
1107 interlock device use, as an alternative to a driver license
1108 suspension, toward any mandatory ignition interlock device use
1109 ordered by the court.

1110 (4) The effectiveness of mandatory ignition interlock
1111 device use for all violations of s. 316.193, Florida Statutes.

1112 Section 34. Any annual revenues distributed to the
1113 Sportsmen's National Land Trust pursuant to former s.



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1114 320.08058(47), Florida Statutes, shall be expended in accordance
1115 with the uses authorized under s. 320.08058(47) (b), Florida
1116 Statutes, as amended by this act and as approved by the Wildlife
1117 Foundation of Florida, Inc.

1118 Section 35. The Department of Highway Safety and Motor
1119 Vehicles is appropriated the nonrecurring sum of \$100,000 from
1120 the Highway Safety Operating Trust Fund. These funds shall be
1121 used for expenditures incurred to issue or reissue a driver
1122 license with the marking "SEXUAL PREDATOR" on the front of the
1123 license to persons that are designated and required to register
1124 as sexual predators in accordance with this act.

1125 Section 36. This act shall take effect July 1, 2014.

1126
1127 ===== T I T L E A M E N D M E N T =====

1128 And the title is amended as follows:

1129 Delete everything before the enacting clause
1130 and insert:

1131 A bill to be entitled
1132 An act relating to transportation and motor vehicles;
1133 amending s. 61.13016, F.S.; revising notification
1134 requirements with respect to the suspension of the
1135 driver license of a child support obligor; requiring
1136 delinquent child support obligors to provide certain
1137 documentation within a specified period in order to
1138 prevent the suspension of a driver license; creating
1139 s. 316.0778, F.S.; defining the term "automated
1140 license plate recognition system"; requiring the
1141 Department of State to consult with the Department of
1142 Law Enforcement in establishing a retention schedule



1143 for records generated by the use of an automated
1144 license plate recognition system; creating s.
1145 316.0817, F.S.; prohibiting a bus from stopping to
1146 load or unload passengers in a manner that impedes,
1147 blocks, or otherwise restricts the progression of
1148 traffic under certain circumstances; amending s.
1149 316.1937, F.S.; authorizing a person otherwise
1150 required to have an installed ignition interlock
1151 device to operate a leased motor vehicle in the course
1152 and scope of employment without installation of such
1153 device under certain circumstances; amending s.
1154 316.1938, F.S.; revising requirements for
1155 certification of ignition interlock devices; requiring
1156 the Department of Highway Safety and Motor Vehicles to
1157 contract with interlock device service providers;
1158 providing contract requirements; authorizing the
1159 department to adopt rules; amending s. 316.1975, F.S.;
1160 authorizing an operator of a vehicle that is started
1161 by remote control to let the vehicle stand unattended
1162 under certain circumstances; amending s. 316.2126,
1163 F.S.; revising the timeframe for the authorized use of
1164 golf carts, low-speed vehicles, and utility vehicles
1165 related to seasonal delivery personnel; amending s.
1166 316.2952, F.S.; revising a provision exempting a
1167 global position system device or similar satellite
1168 receiver device from the prohibition of attachments on
1169 windshields; amending s. 316.86, F.S.; revising
1170 provisions relating to the operation of vehicles
1171 equipped with autonomous technology on state roads for



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1172 testing purposes; authorizing research organizations
1173 associated with accredited educational institutions to
1174 operate such vehicles; authorizing the testing of such
1175 vehicles on certain roadways designated by the
1176 Department of Transportation and the applicable local
1177 government or authority; deleting an obsolete
1178 provision; amending s. 318.15, F.S.; prohibiting the
1179 department from accepting the resubmission of certain
1180 driver license suspensions; amending s. 318.18, F.S.;
1181 providing for a clerk of court to designate a local
1182 governmental entity for disposition of certain parking
1183 citations; authorizing such entity to retain the
1184 processing fee; amending s. 320.02, F.S.; requiring,
1185 rather than authorizing, the Department of Highway
1186 Safety and Motor Vehicles to withhold the renewal of
1187 registration or replacement registration of a motor
1188 vehicle identified in a notice submitted by a lienor
1189 for failure to surrender the vehicle if the
1190 applicant's name is on the list of persons who may not
1191 be issued a license plate or revalidation sticker;
1192 revising the conditions under which a revalidation
1193 sticker or replacement license plate may be issued;
1194 amending ss. 320.08056 and 320.08058, F.S.; revising
1195 the names of certain specialty license plates;
1196 revising distribution of revenue received from the
1197 sale of a certain plate; revising requirements for the
1198 use of the specialty license plate annual use fees;
1199 defining the term "administrative expenses"; amending
1200 s. 320.08062, F.S.; revising provisions relating to



1201 audit and attestation requirements for annual use fee
1202 proceeds; requiring the Department of Highway Safety
1203 and Motor Vehicles to discontinue the distribution of
1204 revenues to an organization that does not meet
1205 specified requirements; authorizing the department to
1206 resume the distribution of revenue under certain
1207 conditions; requiring a report to the Legislature;
1208 requiring the discontinuance of a specialty plate
1209 under certain circumstances; amending chapter 2008-
1210 176, Laws of Florida, as amended; extending the
1211 prohibition on the issuance of new specialty license
1212 plates; amending s. 320.083, F.S.; revising the
1213 requirements for a special license plate; amending s.
1214 320.1316, F.S.; prohibiting the department from
1215 issuing a license plate, revalidation sticker, or
1216 replacement license plate for a vehicle, or a vessel
1217 registration number or decal for a vessel, identified
1218 in a notice from a lienor; requiring that a notice to
1219 surrender a vehicle or vessel be signed under oath by
1220 the lienor; authorizing a registered owner of a
1221 vehicle or vessel to bring a civil action to dispute a
1222 notice to surrender a vehicle or vessel or his or her
1223 inclusion on the list of persons who may not be issued
1224 a license plate, revalidation sticker, replacement
1225 license plate, or vessel registration number or decal;
1226 providing procedures for such a civil action;
1227 providing for the award of attorney fees and costs;
1228 creating s. 322.032, F.S.; requiring the Department of
1229 Highway Safety and Motor Vehicles to begin to review



1230 and prepare for the development of a system for
1231 issuing an optional digital proof of driver license;
1232 authorizing the Department of Highway Safety and Motor
1233 Vehicles to contract with private entities to develop
1234 the system; providing requirements for digital proof
1235 of driver license; providing criminal penalties for
1236 manufacturing or possessing a false digital proof of
1237 driver license; amending s. 322.055, F.S.; reducing
1238 the mandatory period of revocation or suspension of,
1239 or delay in eligibility for, a driver license for
1240 persons convicted of certain drug offenses; requiring
1241 the court to make a determination as to whether a
1242 restricted license would be appropriate for persons
1243 convicted of certain drug offenses; amending s.
1244 322.058, F.S.; requiring the Department of Highway
1245 Safety and Motor Vehicles to reinstate the driving
1246 privilege and allow registration of a motor vehicle of
1247 a child support obligor upon receipt of an affidavit
1248 containing specified information; amending s. 322.059,
1249 F.S.; requiring the Department of Highway Safety and
1250 Motor Vehicles to invalidate the digital proof of
1251 driver license for a person whose license or
1252 registration has been suspended; amending s. 322.141,
1253 F.S.; revising requirements for special markings on
1254 driver licenses and state identification cards for
1255 persons designated as sexual predators or subject to
1256 registration as sexual offenders to include persons so
1257 designated or subject to registration under the laws
1258 of another jurisdiction; amending s. 322.15, F.S.;



1259 authorizing a digital proof of driver license to be
1260 accepted in lieu of a physical driver license;
1261 amending s. 322.21, F.S.; authorizing certain tax
1262 collectors to retain a replacement driver license or
1263 identification card fee under certain circumstances;
1264 exempting certain individuals who are homeless or
1265 whose annual income is at or below a certain
1266 percentage of the federal poverty level from paying a
1267 fee for an original, renewal, or replacement
1268 identification card; amending s. 337.251, F.S.;
1269 revising criteria for leasing certain Department of
1270 Transportation property; increasing the time for the
1271 Department of Transportation to accept proposals for
1272 lease after a notice is published; directing the
1273 Department of Transportation to establish an
1274 application fee by rule; providing criteria for the
1275 fee; providing criteria for a proposed lease;
1276 requiring the Department of Transportation to provide
1277 an independent analysis of a proposed lease; amending
1278 s. 526.141, F.S.; requiring self-service gasoline
1279 pumps to display an additional decal containing
1280 specified information; requiring the Department of
1281 Agriculture and Consumer Services to confirm
1282 compliance by a specified date; providing that a
1283 county or municipality is not barred from adopting or
1284 enforcing an ordinance relating to fueling assistance
1285 for certain motor vehicle operators; creating s.
1286 526.142, F.S.; providing for preemption of local laws
1287 and regulations pertaining to air and vacuum supply;



1288 amending s. 562.11, F.S.; authorizing the court to
1289 direct the Department of Highway Safety and Motor
1290 Vehicles to issue a restricted driver license to
1291 certain persons; amending s. 812.0155, F.S.; deleting
1292 a provision requiring the suspension of the driver
1293 license of a person adjudicated guilty of certain
1294 offenses; authorizing the court to direct the
1295 Department of Highway Safety and Motor Vehicles to
1296 issue a restricted driver license to certain persons;
1297 amending s. 832.09, F.S.; providing that the
1298 suspension of a driver license of a person being
1299 prosecuted for passing a worthless check is
1300 discretionary; directing the Department of Highway
1301 Safety and Motor Vehicles to develop and present to
1302 the Governor and the Legislature a plan that addresses
1303 certain vehicle registration holds; directing the
1304 department to conduct and submit to the Governor and
1305 the Legislature a study on the effectiveness of
1306 ignition interlock device use; providing for the use
1307 of revenue received from the sale of certain specialty
1308 license plates; providing an appropriation; providing
1309 an effective date.