

By the Committees on Appropriations; and Transportation; and
Senator Brandes

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1 A bill to be entitled
2 An act relating to transportation and motor vehicles;
3 amending s. 20.23, F.S.; requiring the Florida
4 Transportation Commission to monitor the Mid-Bay
5 Bridge Authority; repealing the Florida Statewide
6 Passenger Rail Commission; amending s. 61.13016, F.S.;
7 revising notification requirements with respect to the
8 suspension of the driver license of a child support
9 obligor; requiring delinquent child support obligors
10 to provide certain documentation within a specified
11 period in order to prevent the suspension of a driver
12 license; amending s. 110.205, F.S.; conforming cross-
13 references; creating s. 316.0778, F.S.; defining the
14 term "automated license plate recognition system";
15 requiring the Department of State to consult with the
16 Department of Law Enforcement in establishing a
17 retention schedule for records generated by the use of
18 an automated license plate recognition system;
19 creating s. 316.0817, F.S.; prohibiting a bus from
20 stopping to load or unload passengers in a manner that
21 impedes, blocks, or otherwise restricts the
22 progression of traffic under certain circumstances;
23 amending s. 316.1975, F.S.; authorizing an operator of
24 a vehicle that is started by remote control to let the
25 vehicle stand unattended under certain circumstances;
26 amending s. 316.2952, F.S.; revising a provision
27 exempting a global position system device or similar
28 satellite receiver device from the prohibition of
29 attachments on windshields; amending s. 316.86, F.S.;

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30 revising provisions relating to the operation of
31 vehicles equipped with autonomous technology on state
32 roads for testing purposes; authorizing research
33 organizations associated with accredited educational
34 institutions to operate such vehicles; authorizing the
35 testing of such vehicles on certain roadways
36 designated by the Department of Transportation and the
37 applicable local government or authority; deleting an
38 obsolete provision; amending s. 320.02, F.S.;
39 requiring, rather than authorizing, the Department of
40 Highway Safety and Motor Vehicles to withhold the
41 renewal of registration or replacement registration of
42 a motor vehicle identified in a notice submitted by a
43 lienor for failure to surrender the vehicle if the
44 applicant's name is on the list of persons who may not
45 be issued a license plate or revalidation sticker;
46 revising the conditions under which a revalidation
47 sticker or replacement license plate may be issued;
48 amending s. 320.08056, F.S.; defining the terms
49 "administrative costs" and "administrative expenses"
50 for purposes of the section and s. 320.08058, F.S.;
51 amending s. 320.08062, F.S.; revising provisions
52 relating to audit and attestation requirements for
53 annual use fee proceeds; requiring the Department of
54 Highway Safety and Motor Vehicles to discontinue the
55 distribution of revenues to an organization that does
56 not meet specified requirements; authorizing the
57 department to resume the distribution of revenue under
58 certain conditions; requiring a report to the

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59 Legislature; requiring the discontinuance of a
60 specialty plate under certain circumstances; amending
61 chapter 2008-176, Laws of Florida, as amended;
62 extending the prohibition on the issuance of new
63 specialty license plates; amending s. 320.083, F.S.;
64 revising the requirements for a special license plate;
65 amending s. 320.1316, F.S.; prohibiting the department
66 from issuing a license plate, revalidation sticker, or
67 replacement license plate for a vehicle or vessel
68 identified in a notice from a lienor; requiring that a
69 notice to surrender a vehicle or vessel be signed
70 under oath by the lienor; authorizing a registered
71 owner of a vehicle to bring a civil action, rather
72 than to notify the department and present certain
73 proof, to dispute a notice to surrender a vehicle or
74 vessel or his or her inclusion on the list of persons
75 who may not be issued a license plate or revalidation
76 sticker; providing a procedure for such a civil
77 action; providing for the award of attorney fees and
78 costs; creating s. 322.032, F.S.; requiring the
79 Department of Highway Safety and Motor Vehicles to
80 begin to review and prepare for the development of a
81 system for issuing an optional digital proof of driver
82 license; authorizing the Department of Highway Safety
83 and Motor Vehicles to contract with private entities
84 to develop the system; providing requirements for
85 digital proof of driver license; providing criminal
86 penalties for manufacturing or possessing a false
87 digital proof of driver license; amending s. 322.055,

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88 F.S.; reducing the mandatory period of revocation or
89 suspension of, or delay in eligibility for, a driver
90 license for persons convicted of certain drug
91 offenses; requiring the court to make a determination
92 as to whether a restricted license would be
93 appropriate for persons convicted of certain drug
94 offenses; amending s. 322.058, F.S.; requiring the
95 Department of Highway Safety and Motor Vehicles to
96 reinstate the driving privilege and allow registration
97 of a motor vehicle of a child support obligor upon
98 receipt of an affidavit containing specified
99 information; amending s. 322.059, F.S.; requiring the
100 Department of Highway Safety and Motor Vehicles to
101 invalidate the digital proof of driver license for a
102 person whose license or registration has been
103 suspended; amending s. 322.12, F.S.; requiring that
104 certain test fees incurred by certain applicants for a
105 driver license be retained by the tax collector;
106 amending s. 322.141, F.S.; revising requirements for
107 special markings on driver licenses and state
108 identification cards for persons designated as sexual
109 predators or subject to registration as sexual
110 offenders to include persons so designated or subject
111 to registration under the laws of another
112 jurisdiction; amending s. 322.15, F.S.; authorizing a
113 digital proof of driver license to be accepted in lieu
114 of a physical driver license; amending s. 322.21,
115 F.S.; authorizing certain tax collectors to retain a
116 replacement driver license or identification card fee

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117 under certain circumstances; exempting certain
118 individuals who are homeless or whose annual income is
119 at or below a certain percentage of the federal
120 poverty level from paying a fee for an original,
121 renewal, or replacement identification card; amending
122 s. 337.25, F.S.; authorizing the Department of
123 Transportation to use auction services in the
124 conveyance of certain property or leasehold interests;
125 revising certain inventory requirements; revising
126 provisions relating to, and providing criteria for,
127 the disposition of certain excess property by the
128 Department of Transportation; providing criteria for
129 the disposition of donated property, property used for
130 a public purpose, or property acquired to provide
131 replacement housing for certain displaced persons;
132 providing value offsets for property that requires
133 significant maintenance costs or exposes the
134 Department of Transportation to significant liability;
135 providing procedures for the sale of property to
136 abutting property owners; deleting provisions to
137 conform to changes made by the act; providing monetary
138 restrictions and criteria for the conveyance of
139 certain leasehold interests; providing exceptions to
140 restrictions for leases entered into for a public
141 purpose; providing criteria for the preparation of
142 estimates of value prepared by the Department of
143 Transportation; providing that the requirements of s.
144 73.013, F.S., relating to eminent domain are not
145 modified; amending s. 337.251, F.S.; revising criteria

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146 for leasing certain Department of Transportation
147 property; increasing the time for the Department of
148 Transportation to accept proposals for lease after a
149 notice is published; directing the Department of
150 Transportation to establish an application fee by
151 rule; providing criteria for the fee; providing
152 criteria for a proposed lease; requiring the
153 Department of Transportation to provide an independent
154 analysis of a proposed lease; amending s. 339.175,
155 F.S.; increasing the maximum number of apportioned
156 members that may compose the voting membership of a
157 metropolitan planning organization (M.P.O.); providing
158 that the governing board of a multicounty M.P.O. may
159 be made up of any combination of county commissioners
160 from the counties constituting the M.P.O; providing
161 that a voting member of an M.P.O may represent a group
162 of general-purpose local governments through an entity
163 created by the M.P.O.; requiring each M.P.O. to review
164 and reapportion its membership as necessary in
165 conjunction with the decennial census, the agreement
166 of the affected units of the M.P.O., and the agreement
167 of the Governor; removing provisions requiring the
168 Governor to apportion, review, and reapportion the
169 composition of an M.P.O. membership; revising a
170 provision regarding bylaws to allow the M.P.O.
171 governing board to establish bylaws; amending s.
172 339.2821, F.S.; authorizing Enterprise Florida, Inc.,
173 to be a consultant to the Department of Transportation
174 for consideration of expenditures associated with and

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175 contracts for transportation projects; revising the
176 requirements for economic development transportation
177 project contracts between the Department of
178 Transportation and a governmental entity; amending s.
179 526.141, F.S.; requiring full-service gasoline
180 stations offering self-service at a lesser cost to
181 display an additional decal; requiring the decal to
182 contain certain information; requiring the Department
183 of Agriculture and Consumer Services to adopt rules to
184 implement and enforce this requirement; providing an
185 exception for certain county or municipal regulations
186 pertaining to fueling assistance for certain motor
187 vehicle operators; amending s. 562.11, F.S.;
188 authorizing the court to direct the Department of
189 Highway Safety and Motor Vehicles to issue a
190 restricted driver license to certain persons; amending
191 s. 812.0155, F.S.; deleting a provision requiring the
192 suspension of the driver license of a person
193 adjudicated guilty of certain offenses; authorizing
194 the court to direct the Department of Highway Safety
195 and Motor Vehicles to issue a restricted driver
196 license to certain persons; amending s. 832.09, F.S.;
197 providing that the suspension of a driver license of a
198 person being prosecuted for passing a worthless check
199 is discretionary; amending chapter 85-364, Laws of
200 Florida, as amended; providing that maintenance costs
201 are eligible for payment from certain toll revenues as
202 specified; removing references to certain completed
203 projects; directing the Department of Highway Safety

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204 and Motor Vehicles to develop a plan that addresses
205 certain vehicle registration holds; providing an
206 appropriation; providing an effective date.
207

208 Be It Enacted by the Legislature of the State of Florida:
209

210 Section 1. Paragraph (b) of subsection (2) and subsection
211 (3) of section 20.23, Florida Statutes, are amended to read:

212 20.23 Department of Transportation.—There is created a
213 Department of Transportation which shall be a decentralized
214 agency.

215 (2)

216 (b) The commission shall ~~have the primary functions to:~~

217 1. Recommend major transportation policies for the
218 Governor's approval, and assure that approved policies and any
219 revisions ~~thereto~~ are properly executed.

220 2. Periodically review the status of the state
221 transportation system including highway, transit, rail, seaport,
222 intermodal development, and aviation components of the system
223 and recommend improvements ~~therein~~ to the Governor and the
224 Legislature.

225 3. Perform an in-depth evaluation of the annual department
226 budget request, the Florida Transportation Plan, and the
227 tentative work program for compliance with all applicable laws
228 and established departmental policies. Except as specifically
229 provided in s. 339.135(4)(c)2., (d), and (f), the commission may
230 not consider individual construction projects, but shall
231 consider methods of accomplishing the goals of the department in
232 the most effective, efficient, and businesslike manner.

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233 4. Monitor the financial status of the department on a
234 regular basis to assure that the department is managing revenue
235 and bond proceeds responsibly and in accordance with law and
236 established policy.

237 5. Monitor on at least a quarterly basis, the efficiency,
238 productivity, and management of the department, using
239 performance and production standards developed by the commission
240 pursuant to s. 334.045.

241 6. Perform an in-depth evaluation of the factors causing
242 disruption of project schedules in the adopted work program and
243 recommend to the Governor ~~Legislature~~ and the Legislature
244 ~~Governor~~ methods to eliminate or reduce the disruptive effects
245 of these factors.

246 7. Recommend to the Governor and the Legislature
247 improvements to the department's organization in order to
248 streamline and optimize the efficiency of the department. In
249 reviewing the department's organization, the commission shall
250 determine if the current district organizational structure is
251 responsive to this state's ~~Florida's~~ changing economic and
252 demographic development patterns. The initial report by the
253 commission must be delivered to the Governor and the Legislature
254 by December 15, 2000, and each year thereafter, as appropriate.
255 The commission may retain ~~such~~ experts as ~~are reasonably~~
256 necessary to carry out ~~effectuate~~ this subparagraph, and the
257 department shall pay the expenses of the ~~such~~ experts.

258 8. Monitor the efficiency, productivity, and management of
259 the authorities created under chapters 348 and 349, including
260 any authority formed using ~~the provisions of~~ part I of chapter
261 348; the Mid-Bay Bridge Authority re-created pursuant to chapter

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262 2000-411, Laws of Florida; and any authority formed under
263 chapter 343 ~~which is not monitored under subsection (3)~~. The
264 commission shall also conduct periodic reviews of each
265 authority's operations and budget, acquisition of property,
266 management of revenue and bond proceeds, and compliance with
267 applicable laws and generally accepted accounting principles.

268 ~~(3) There is created the Florida Statewide Passenger Rail~~
269 ~~Commission.~~

270 ~~(a)1. The commission shall consist of nine voting members~~
271 ~~appointed as follows:~~

272 ~~a. Three members shall be appointed by the Governor, one of~~
273 ~~whom must have a background in the area of environmental~~
274 ~~concerns, one of whom must have a legislative background, and~~
275 ~~one of whom must have a general business background.~~

276 ~~b. Three members shall be appointed by the President of the~~
277 ~~Senate, one of whom must have a background in civil engineering,~~
278 ~~one of whom must have a background in transportation~~
279 ~~construction, and one of whom must have a general business~~
280 ~~background.~~

281 ~~c. Three members shall be appointed by the Speaker of the~~
282 ~~House of Representatives, one of whom must have a legal~~
283 ~~background, one of whom must have a background in financial~~
284 ~~matters, and one of whom must have a general business~~
285 ~~background.~~

286 ~~2. The initial term of each member appointed by the~~
287 ~~Governor shall be for 4 years. The initial term of each member~~
288 ~~appointed by the President of the Senate shall be for 3 years.~~
289 ~~The initial term of each member appointed by the Speaker of the~~
290 ~~House of Representatives shall be for 2 years. Succeeding terms~~

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291 ~~for all members shall be for 4 years.~~

292 ~~3. A vacancy occurring during a term shall be filled by the~~
293 ~~respective appointing authority in the same manner as the~~
294 ~~original appointment and only for the balance of the unexpired~~
295 ~~term. An appointment to fill a vacancy shall be made within 60~~
296 ~~days after the occurrence of the vacancy.~~

297 ~~4. The commission shall elect one of its members as chair~~
298 ~~of the commission. The chair shall hold office at the will of~~
299 ~~the commission. Five members of the commission shall constitute~~
300 ~~a quorum, and the vote of five members shall be necessary for~~
301 ~~any action taken by the commission. The commission may meet upon~~
302 ~~the constitution of a quorum. A vacancy in the commission does~~
303 ~~not impair the right of a quorum to exercise all rights and~~
304 ~~perform all duties of the commission.~~

305 ~~5. The members of the commission are not entitled to~~
306 ~~compensation but are entitled to reimbursement for travel and~~
307 ~~other necessary expenses as provided in s. 112.061.~~

308 ~~(b) The commission shall have the primary functions of:~~

309 ~~1. Monitoring the efficiency, productivity, and management~~
310 ~~of all publicly funded passenger rail systems in the state,~~
311 ~~including, but not limited to, any authority created under~~
312 ~~chapter 343, chapter 349, or chapter 163 if the authority~~
313 ~~receives public funds for the provision of passenger rail~~
314 ~~service. The commission shall advise each monitored authority of~~
315 ~~its findings and recommendations. The commission shall also~~
316 ~~conduct periodic reviews of each monitored authority's passenger~~
317 ~~rail and associated transit operations and budget, acquisition~~
318 ~~of property, management of revenue and bond proceeds, and~~
319 ~~compliance with applicable laws and generally accepted~~

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320 ~~accounting principles. The commission may seek the assistance of~~
321 ~~the Auditor General in conducting such reviews and shall report~~
322 ~~the findings of such reviews to the Legislature. This paragraph~~
323 ~~does not preclude the Florida Transportation Commission from~~
324 ~~conducting its performance and work program monitoring~~
325 ~~responsibilities.~~

326 ~~2. Advising the department on policies and strategies used~~
327 ~~in planning, designing, building, operating, financing, and~~
328 ~~maintaining a coordinated statewide system of passenger rail~~
329 ~~services.~~

330 ~~3. Evaluating passenger rail policies and providing advice~~
331 ~~and recommendations to the Legislature on passenger rail~~
332 ~~operations in the state.~~

333 ~~(c) The commission or a member of the commission may not~~
334 ~~enter into the day-to-day operation of the department or a~~
335 ~~monitored authority and is specifically prohibited from taking~~
336 ~~part in:~~

337 ~~1. The awarding of contracts.~~

338 ~~2. The selection of a consultant or contractor or the~~
339 ~~prequalification of any individual consultant or contractor.~~
340 ~~However, the commission may recommend to the secretary standards~~
341 ~~and policies governing the procedure for selection and~~
342 ~~prequalification of consultants and contractors.~~

343 ~~3. The selection of a route for a specific project.~~

344 ~~4. The specific location of a transportation facility.~~

345 ~~5. The acquisition of rights-of-way.~~

346 ~~6. The employment, promotion, demotion, suspension,~~
347 ~~transfer, or discharge of any department personnel.~~

348 ~~7. The granting, denial, suspension, or revocation of any~~

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349 ~~license or permit issued by the department.~~

350 ~~(d) The commission is assigned to the Office of the~~
351 ~~Secretary of the Department of Transportation for administrative~~
352 ~~and fiscal accountability purposes, but it shall otherwise~~
353 ~~function independently of the control and direction of the~~
354 ~~department except that reasonable expenses of the commission~~
355 ~~shall be subject to approval by the Secretary of Transportation.~~
356 ~~The department shall provide administrative support and service~~
357 ~~to the commission.~~

358 Section 2. Section 61.13016, Florida Statutes, is amended
359 to read:

360 61.13016 Suspension of driver ~~driver's~~ licenses and motor
361 vehicle registrations.-

362 (1) The driver ~~driver's~~ license and motor vehicle
363 registration of a support obligor who is delinquent in payment
364 or who has failed to comply with subpoenas or a similar order to
365 appear or show cause relating to paternity or support
366 proceedings may be suspended. When an obligor is 15 days
367 delinquent making a payment in support or failure to comply with
368 a subpoena, order to appear, order to show cause, or similar
369 order in IV-D cases, the Title IV-D agency may provide notice to
370 the obligor of the delinquency or failure to comply with a
371 subpoena, order to appear, order to show cause, or similar order
372 and the intent to suspend by regular United States mail that is
373 posted to the obligor's last address of record with the
374 Department of Highway Safety and Motor Vehicles. When an obligor
375 is 15 days delinquent in making a payment in support in non-IV-D
376 cases, and upon the request of the obligee, the depository or
377 the clerk of the court must provide notice to the obligor of the

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378 delinquency and the intent to suspend by regular United States
379 mail that is posted to the obligor's last address of record with
380 the Department of Highway Safety and Motor Vehicles. In either
381 case, the notice must state:

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

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

387 (c) That notification will be given to the Department of
388 Highway Safety and Motor Vehicles to suspend the obligor's
389 driver ~~driver's~~ license and motor vehicle registration unless,
390 within 20 days after the date that the notice is mailed, the
391 obligor:

392 1.a. Pays the delinquency in full and any other costs and
393 fees accrued between the date of the notice and the date the
394 delinquency is paid;

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

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

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

403 e. Demonstrates that he or she is disabled and incapable of
404 self-support or that he or she receives benefits under the
405 federal Supplemental Security Income or Social Security
406 Disability Insurance programs;

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

409 g. Demonstrates that he or she is making payments in
410 accordance with a confirmed bankruptcy plan under chapter 11,
411 chapter 12, or chapter 13 of the United States Bankruptcy Code,
412 11 U.S.C. ss. 101 et seq.; and

413 2. Pays any applicable delinquency fees.
414

415 If an ~~the~~ obligor in a non-IV-D case ~~eases~~ enters into a written
416 agreement for payment before the expiration of the 20-day
417 period, the obligor must provide a copy of the signed written
418 agreement to the depository or the clerk of the court. If an
419 obligor seeks to satisfy sub-subparagraph 1.d., sub-subparagraph
420 1.e., sub-subparagraph 1.f., or sub-subparagraph 1.g. before
421 expiration of the 20-day period, the obligor must provide the
422 applicable documentation or proof to the depository or the clerk
423 of the court.

424 (2) (a) Upon petition filed by the obligor in the circuit
425 court within 20 days after the mailing date of the notice, the
426 court may, in its discretion, direct the department to issue a
427 license for driving privilege ~~privileges~~ restricted to business
428 purposes only, as defined by s. 322.271, if the person is
429 otherwise qualified for such a license. As a condition for the
430 court to exercise its discretion under this subsection, the
431 obligor must agree to a schedule of payment on any child support
432 arrearages and to maintain current child support obligations. If
433 the obligor fails to comply with the schedule of payment, the
434 court shall direct the Department of Highway Safety and Motor
435 Vehicles to suspend the obligor's driver ~~driver's~~ license.

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436 (b) The obligor must serve a copy of the petition on the
437 Title IV-D agency in IV-D cases or on the depository or the
438 clerk of the court in non-IV-D cases. When an obligor timely
439 files a petition to set aside a suspension, the court must hear
440 the matter within 15 days after the petition is filed. The court
441 must enter an order resolving the matter within 10 days after
442 the hearing, and a copy of the order must be served on the
443 parties. The timely filing of a petition under this subsection
444 stays the intent to suspend until the entry of a court order
445 resolving the matter.

446 (3) If the obligor does not, within 20 days after the
447 mailing date on the notice, pay the delinquency;; enter into a
448 written payment agreement;; comply with the subpoena, order to
449 appear, order to show cause, or other similar order;; ~~or~~ file a
450 motion to contest; or satisfy sub-subparagraph (1)(c)1.d., sub-
451 subparagraph (1)(c)1.e., sub-subparagraph (1)(c)1.f., or sub-
452 subparagraph (1)(c)1.g., the Title IV-D agency in IV-D cases, or
453 the depository or clerk of the court in non-IV-D cases, may
454 ~~shall~~ file the notice with the Department of Highway Safety and
455 Motor Vehicles and request the suspension of the obligor's
456 driver ~~driver's~~ license and motor vehicle registration in
457 accordance with s. 322.058.

458 (4) The obligor may, within 20 days after the mailing date
459 on the notice of delinquency or noncompliance and intent to
460 suspend, file in the circuit court a petition to contest the
461 notice of delinquency or noncompliance and intent to suspend on
462 the ground of mistake of fact regarding the existence of a
463 delinquency or the identity of the obligor. The obligor must
464 serve a copy of the petition on the Title IV-D agency in IV-D

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465 cases or depository or clerk of the court in non-IV-D cases.
466 When an obligor timely files a petition to contest, the court
467 must hear the matter within 15 days after the petition is filed.
468 The court must enter an order resolving the matter within 10
469 days after the hearing, and a copy of the order must be served
470 on the parties. The timely filing of a petition to contest stays
471 the notice of delinquency and intent to suspend until the entry
472 of a court order resolving the matter.

473 (5) The procedures prescribed in this section and s.
474 322.058 may be used to enforce compliance with an order to
475 appear for genetic testing.

476 Section 3. Paragraphs (j), (m), and (q) of subsection (2)
477 of section 110.205, Florida Statutes, are amended to read:

478 110.205 Career service; exemptions.—

479 (2) EXEMPT POSITIONS.—The exempt positions that are not
480 covered by this part include the following:

481 (j) The appointed secretaries and the State Surgeon
482 General, assistant secretaries, deputy secretaries, and deputy
483 assistant secretaries of all departments; the executive
484 directors, assistant executive directors, deputy executive
485 directors, and deputy assistant executive directors of all
486 departments; the directors of all divisions and those positions
487 determined by the department to have managerial responsibilities
488 comparable to such positions, which positions include, but are
489 not limited to, program directors, assistant program directors,
490 district administrators, deputy district administrators, the
491 Director of Central Operations Services of the Department of
492 Children and Families ~~Family Services~~, the State Transportation
493 Development Administrator, the State Public Transportation and

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494 Modal Administrator, district secretaries, district directors of
495 transportation development, transportation operations,
496 transportation support, and the managers of the offices of the
497 Department of Transportation specified in s. 20.23(3)(b) ~~s.~~
498 ~~20.23(4)(b)~~, ~~of the Department of Transportation~~. Unless
499 otherwise fixed by law, the department shall set the salary and
500 benefits of these positions ~~in accordance with the rules of the~~
501 ~~Senior Management Service~~; and the positions of county health
502 department directors and county health department administrators
503 of the Department of Health in accordance with the rules of the
504 Senior Management Service.

505 (m) All assistant division director, deputy division
506 director, and bureau chief positions in any department, and
507 those positions determined by the department to have managerial
508 responsibilities comparable to such positions, which include,
509 but are not limited to:

510 1. Positions in the Department of Health and the Department
511 of Children and Families which ~~Family Services that~~ are assigned
512 primary duties of serving as the superintendent or assistant
513 superintendent of an institution.

514 2. Positions in the Department of Corrections which ~~that~~
515 are assigned primary duties of serving as the warden, assistant
516 warden, colonel, or major of an institution or that are assigned
517 primary duties of serving as the circuit administrator or deputy
518 circuit administrator.

519 3. Positions in the Department of Transportation which ~~that~~
520 are assigned primary duties of serving as regional toll managers
521 and managers of offices, as specified ~~defined~~ in s. 20.23(3)(b)
522 and (4)(c) ~~s. 20.23(4)(b) and (5)(c)~~.

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523 4. Positions in the Department of Environmental Protection
524 which ~~that~~ are assigned the duty of an Environmental
525 Administrator or program administrator.

526 5. Positions in the Department of Health which ~~that~~ are
527 assigned the duties of Environmental Administrator, Assistant
528 County Health Department Director, and County Health Department
529 Financial Administrator.

530 6. Positions in the Department of Highway Safety and Motor
531 Vehicles which ~~that~~ are assigned primary duties of serving as
532 captains in the Florida Highway Patrol.

533
534 Unless otherwise fixed by law, the department shall set the
535 salary and benefits of the positions listed in this paragraph in
536 accordance with the rules established for the Selected Exempt
537 Service.

538 (q) The staff directors, assistant staff directors,
539 district program managers, district program coordinators,
540 district subdistrict administrators, district administrative
541 services directors, district attorneys, and the Deputy Director
542 of Central Operations Services of the Department of Children and
543 Families ~~Family Services~~. Unless otherwise fixed by law, the
544 department shall establish the salary pay band and benefits for
545 these positions in accordance with the rules of the Selected
546 Exempt Service.

547 Section 4. Section 316.0778, Florida Statutes, is created
548 to read:

549 316.0778 Automated license plate recognition systems;
550 records retention.-

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

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

555 (2) In consultation with the Department of Law Enforcement,
556 the Department of State shall establish a retention schedule for
557 records containing images and data generated through the use of
558 an automated license plate recognition system. The retention
559 schedule must establish a maximum period that the records may be
560 retained.

561 Section 5. Section 316.0817, Florida Statutes, is created
562 to read:

563 316.0817 Loading and unloading of bus passengers.—

564 (1) Notwithstanding any other law, a bus may not stop to
565 load or unload passengers in a manner that impedes, blocks, or
566 otherwise restricts the progression of traffic on the main-
567 traveled portion of a roadway if there is another reasonable
568 means for the bus to stop parallel to the travel lane and safely
569 load and unload passengers. As used in this section, the term
570 "reasonable means" means sufficient unobstructed pavement or a
571 designated turn lane that is sufficient in length to allow the
572 safe loading and unloading of passengers parallel to the travel
573 lane.

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

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

577 316.1975 Unattended motor vehicle.—

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

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

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581 Section 7. Paragraph (d) of subsection (2) of section
582 316.2952, Florida Statutes, is amended to read:

583 316.2952 Windshields; requirements; restrictions.—

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

588 (d) A global positioning system device or similar satellite
589 receiver device that ~~which~~ uses the global positioning system
590 operated pursuant to 10 U.S.C. s. 2281 to obtain for the purpose
591 of obtaining navigation, to improve driver safety as a component
592 of safety monitoring equipment capable of providing driver
593 feedback, or to otherwise route ~~routing~~ information while the
594 motor vehicle is being operated.

595 Section 8. Subsections (1) and (3) of section 316.86,
596 Florida Statutes, are amended to read:

597 316.86 Operation of vehicles equipped with autonomous
598 technology on roads for testing purposes; financial
599 responsibility; exemption from liability for manufacturer when
600 third party converts vehicle; report.—

601 (1) Vehicles equipped with autonomous technology may be
602 operated on roads in this state by employees, contractors, or
603 other persons designated by manufacturers of autonomous
604 technology, or by research organizations associated with
605 accredited educational institutions, for the purpose of testing
606 the technology. For testing purposes, a human operator must
607 retain ~~shall be present in the autonomous vehicle such that he~~
608 ~~or she has~~ the ability to monitor the vehicle's performance and
609 intervene, if necessary, unless the vehicle is being tested or

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610 demonstrated on a closed course or any other autonomous vehicle
611 testing roadway as designated by the Department of
612 Transportation and the applicable local government or authority.
613 Before ~~Prior to~~ the start of testing in this state, the entity
614 performing the testing must submit to the Department of Highway
615 Safety and Motor Vehicles an instrument of insurance, surety
616 bond, or proof of self-insurance acceptable to the department in
617 the amount of \$5 million.

618 ~~(3) By February 12, 2014, the Department of Highway Safety~~
619 ~~and Motor Vehicles shall submit a report to the President of the~~
620 ~~Senate and the Speaker of the House of Representatives~~
621 ~~recommending additional legislative or regulatory action that~~
622 ~~may be required for the safe testing and operation of motor~~
623 ~~vehicles equipped with autonomous technology.~~

624 Section 9. Subsection (17) of section 320.02, Florida
625 Statutes, is amended to read:

626 320.02 Registration required; application for registration;
627 forms.—

628 (17) If an ~~any~~ applicant's name appears on a list of
629 persons who may not be issued a license plate, revalidation
630 sticker, or replacement license plate after a written notice to
631 surrender a vehicle was submitted to the department by a lienor
632 as provided in s. 320.1316, the department shall ~~may~~ withhold
633 renewal of registration or replacement registration of the ~~any~~
634 motor vehicle identified in ~~owned by the applicant at the time~~
635 the notice ~~was~~ submitted by the lienor. The lienor must maintain
636 proof that written notice to surrender the vehicle was sent to
637 each registered owner pursuant to s. 320.1316(1). A revalidation
638 sticker or replacement license plate may not be issued for the

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639 identified vehicle until the ~~that~~ person's name no longer
640 appears on the list, ~~or until~~ the person presents documentation
641 from the lienor that the vehicle has been surrendered to the
642 lienor, or a court orders the person's name removed from the
643 list as provided in s. 320.1316. The department may ~~shall~~ not
644 withhold an initial registration in connection with an
645 applicant's purchase or lease of a motor vehicle solely because
646 the applicant's name is on the list created by s. 320.1316.

647 Section 10. Subsection (10) of section 320.08056, Florida
648 Statutes, is amended to read:

649 320.08056 Specialty license plates.—

650 (10) (a) A specialty license plate annual use fee collected
651 and distributed under this chapter, or any interest earned from
652 those fees, may not be used for commercial or for-profit
653 activities nor for general or administrative expenses, except as
654 authorized by s. 320.08058 or to pay the cost of the audit or
655 report required by s. 320.08062(1).

656 (b) As used in this section and s. 320.08058, the terms
657 "administrative costs" and "administrative expenses" mean those
658 expenditures which are considered as direct operating costs of
659 the organization. These costs include but are not limited to the
660 following:

661 1. Administrative salaries of employees and officers of the
662 organization who do not, or cannot prove, via detailed daily
663 time sheets, that they actively participate in program
664 activities;

665 2. Bookkeeping and support services of the organization;

666 3. Office supplies and equipment not directly utilized for
667 the specified program(s);

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668 4. Travel time, per diem, mileage reimbursement, and
669 lodging expenses not directly associated with a specified
670 program purpose;

671 5. Paper, printing, envelopes, and postage not directly
672 associated with a specified program purpose; or

673 6. Miscellaneous expenses such as food, beverage,
674 entertainment, and conventions.

675 Section 11. Section 320.08062, Florida Statutes, is
676 amended to read:

677 320.08062 Audits and attestations required; annual use fees
678 of specialty license plates.—

679 (1) (a) All organizations that receive annual use fee
680 proceeds from the department are responsible for ensuring that
681 proceeds are used in accordance with ss. 320.08056 and
682 320.08058.

683 (b) Any organization not subject to audit pursuant to s.
684 215.97 shall annually attest, under penalties of perjury, that
685 such proceeds were used in compliance with ss. 320.08056 and
686 320.08058. The attestation shall be made annually in a form and
687 format determined by the department.

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

693 (2) ~~(a)~~ Within 120 ~~90~~ days after receiving an organization's
694 audit or attestation, the department shall determine which
695 recipients of revenues from specialty license plate annual use
696 fees have not complied with subsection (1). In determining

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697 compliance, the department may commission an independent
698 actuarial consultant, or an independent certified public
699 accountant, who has expertise in nonprofit and charitable
700 organizations.

701 (a) The department must discontinue the distribution of
702 revenues to an organization that fails to submit the
703 documentation required in subsection (1), but may resume
704 distribution of the revenues upon receipt of the required
705 documentation.

706 (b) If the department or its designee determines that an
707 organization has not complied or has failed to use the revenues
708 in accordance with ss. 320.08056 and 320.08058, the department
709 must discontinue the distribution of the revenues to the
710 organization. The department must notify the organization of its
711 findings and direct the organization to make the changes
712 necessary in order to comply with this chapter. If the officers
713 of the organization sign under penalties of perjury that they
714 acknowledge the findings of the department and attest that they
715 have taken corrective action and attest that the organization
716 will submit to a follow-up review by the department, the
717 department may resume the distribution of revenues ~~until the~~
718 ~~department determines that the organization has complied.~~

719 (c) If an organization fails to comply with the
720 department's directive requiring corrective actions as outlined
721 in paragraph (b), the revenue distributions must be discontinued
722 until completion of the next regular session of the Legislature.
723 The department must notify the Legislature by the first day of
724 the regular session of an organization whose revenues have been
725 withheld pursuant to this paragraph. If the Legislature does not

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726 provide direction to the organization and the department
727 regarding the status of the undistributed revenues, the
728 department shall discontinue the plate, and undistributed
729 revenues must ~~within 12 months after the annual use fee proceeds~~
730 ~~are withheld by the department, the proceeds shall be~~
731 immediately deposited into the Highway Safety Operating Trust
732 Fund ~~to offset department costs related to the issuance of~~
733 ~~specialty license plates.~~

734 ~~(b) In lieu of discontinuing revenue disbursement pursuant~~
735 ~~to this subsection, upon determining that a recipient has not~~
736 ~~complied or has failed to use the revenues in accordance with~~
737 ~~ss. 320.08056 and 320.08058, and with the approval of the~~
738 ~~Legislative Budget Commission, the department is authorized to~~
739 ~~redirect previously collected and future revenues to an~~
740 ~~organization that is able to perform the same or similar~~
741 ~~purposes as the original recipient.~~

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

745 Section 12. Section 45 of chapter 2008-176, Laws of
746 Florida, as amended by section 21 of chapter 2010-223, Laws of
747 Florida, is amended to read:

748 Section 45. Except for a specialty license plate proposal
749 which has submitted a letter of intent to the Department of
750 Highway Safety and Motor Vehicles before ~~prior to~~ May 2, 2008,
751 and which has submitted a valid survey, marketing strategy, and
752 application fee as required by s. 320.08053, Florida Statutes,
753 before October 1, 2008 ~~prior to the effective date of this act,~~
754 or which was included in a bill filed during the 2008

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755 Legislative Session, the Department of Highway Safety and Motor
756 Vehicles may not issue any new specialty license plates pursuant
757 to ss. 320.08056 and 320.08058, Florida Statutes, between July
758 1, 2008, and July 1, 2016 ~~2011~~.

759 Section 13. Subsection (1) of section 320.083, Florida
760 Statutes, is amended to read:

761 320.083 Amateur radio operators; special license plates;
762 fees.—

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

766 320.08(9)(c) or (d), which is not used for hire or commercial
767 use; who is a resident of the state; and who holds a valid
768 official amateur radio station license recognized ~~issued~~ by the
769 Federal Communications Commission shall be issued a special
770 license plate upon application, accompanied by proof of
771 ownership of such radio station license, and payment of the
772 following tax and fees:

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

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

778 Section 14. Section 320.1316, Florida Statutes, is amended
779 to read:

780 320.1316 Failure to surrender vehicle or vessel.—

781 (1) Upon receipt from a lienor who claims a lien on a
782 vehicle pursuant to s. 319.27 by the Department of Highway
783 Safety and Motor Vehicles of written notice to surrender a

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784 vehicle or vessel that has been disposed of, concealed, removed,
785 or destroyed by the lienee, the department shall place the name
786 of the registered owner of that vehicle on the list of those
787 persons who may not be issued a license plate, revalidation
788 sticker, or replacement license plate ~~for any motor vehicle~~
789 ~~under s. 320.03(8) owned by the lienee at the time the notice~~
790 ~~was given by the lienor.~~ Pursuant to s. 320.03(8), the
791 department may not issue a license plate or revalidation sticker
792 for the vehicle or vessel owned by the lienee which is
793 identified in the claim by the lienor. If the vehicle is owned
794 jointly ~~by more than one person~~, the name of each registered
795 owner shall be placed on the list.

796 (2) The notice to surrender the vehicle shall be signed
797 under oath by the lienor and submitted on forms developed by the
798 department, which must include:

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

800 (b) The name of the registered owner of the vehicle and the
801 address to which the lienor provided notice to surrender the
802 vehicle to the registered owner.

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

805 (d) The vehicle identification number, registration license
806 plate number, if known, or other identification number, as
807 applicable.

808 (3) The registered owner of the vehicle may dispute a
809 notice to surrender the vehicle or his or her inclusion on the
810 list of those persons who may not be issued a license plate,
811 revalidation sticker, or replacement license plate under s.
812 320.03(8) by bringing a civil action in the county in which he

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813 ~~or she resides by notifying the department of the dispute in~~
814 ~~writing on forms provided by the department and presenting proof~~
815 ~~that the vehicle was sold to a motor vehicle dealer licensed~~
816 ~~under s. 320.27, a mobile home dealer licensed under s. 320.77,~~
817 ~~or a recreational vehicle dealer licensed under s. 320.771.~~

818 (4) In an action brought pursuant to subsection (3), the
819 petitioner is entitled to the summary procedure specified in s.
820 51.011, and the court shall advance the cause on its calendar if
821 requested by the petitioner.

822 (5) At a hearing challenging the refusal to issue a license
823 plate, revalidation sticker, or replacement license plate under
824 s. 320.03(8), the court shall first determine whether the lienor
825 has a recorded lien on the vehicle or vessel and whether the
826 lienor properly made a demand for the surrender of the vehicle
827 or vessel in accordance with this section. If the court
828 determines that the lien was recorded and that such a demand was
829 properly made, the court shall determine whether good cause
830 exists for the lienee's failure to surrender the vehicle or
831 vessel. As used in this section, the term "good cause" is
832 limited to proof that:

833 (a) The vehicle that was the subject of the demand for
834 surrender was traded in to a licensed motor vehicle dealer
835 before the date of the surrender demand;

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

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

840 (d) The petitioner was in compliance with all of his or her
841 contractual obligations with the lienholder at the time of the

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842 demand for surrender;

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

846 (f) The petitioner no longer has possession of the vehicle
847 or vessel, and the loss of possession occurred pursuant to
848 operation of law. If the petitioner's loss of possession did not
849 occur pursuant to operation of law, the fact that a third party
850 has physical possession of the vehicle or vessel does not
851 constitute good cause for the failure to surrender the vehicle
852 or vessel.

853 (6) If the petitioner establishes good cause for his or her
854 failure to surrender the vehicle or vessel, the court shall
855 enter an order removing the petitioner's name from the list of
856 those persons who may not be issued a license plate,
857 revalidation sticker, or replacement license plate under s.
858 320.03(8) and shall award the petitioner reasonable attorney
859 fees and costs actually incurred for the proceeding.

860 (7) If the court finds that the demand for surrender was
861 properly made by the lienor and the petitioner fails to
862 establish good cause for the failure to surrender the vehicle or
863 vessel, the court shall award the lienor reasonable attorney
864 fees and costs actually incurred for the proceeding.

865 Section 15. Section 322.032, Florida Statutes, is created
866 to read:

867 322.032 Digital proof of driver license.—

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

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

873 (2) The digital proof of driver license developed by the
874 department or by an entity contracted by the department must be
875 in such a format as to allow law enforcement to verify the
876 authenticity of the digital proof of driver license. The
877 department may promulgate rules to ensure valid authentication
878 of digital driver licenses by law enforcement.

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

883 (4) A person who:

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

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

890 Section 16. Section 322.055, Florida Statutes, is amended
891 to read:

892 322.055 Revocation or suspension of, or delay of
893 eligibility for, driver ~~driver's~~ license for persons 18 years of
894 age or older convicted of certain drug offenses.—

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

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900 privilege of the person. The period of such revocation shall be
901 1 year ~~2 years~~ or until the person is evaluated for and, if
902 deemed necessary by the evaluating agency, completes a drug
903 treatment and rehabilitation program approved or regulated by
904 the Department of Children and Families ~~Family Services~~.
905 However, the court may, in its sound discretion, direct the
906 department to issue a license for driving privilege ~~privileges~~
907 restricted to business or employment purposes only, as defined
908 by s. 322.271, if the person is otherwise qualified for such a
909 license. A driver whose license or driving privilege has been
910 suspended or revoked under this section or s. 322.056 may, upon
911 the expiration of 6 months, petition the department for
912 restoration of the driving privilege on a restricted or
913 unrestricted basis depending on length of suspension or
914 revocation. In no case shall a restricted license be available
915 until 6 months of the suspension or revocation period has
916 expired.

917 (2) If a person 18 years of age or older is convicted for
918 the possession or sale of, trafficking in, or conspiracy to
919 possess, sell, or traffic in a controlled substance and such
920 person is eligible by reason of age for a driver ~~driver's~~
921 license or privilege, the court shall direct the department to
922 withhold issuance of such person's driver ~~driver's~~ license or
923 driving privilege for a period of 1 year ~~2 years~~ after the date
924 the person was convicted or until the person is evaluated for
925 and, if deemed necessary by the evaluating agency, completes a
926 drug treatment and rehabilitation program approved or regulated
927 by the Department of Children and Families ~~Family Services~~.
928 However, the court may, in its sound discretion, direct the

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929 department to issue a license for driving privilege ~~privileges~~
930 restricted to business or employment purposes only, as defined
931 by s. 322.271, if the person is otherwise qualified for such a
932 license. A driver whose license or driving privilege has been
933 suspended or revoked under this section or s. 322.056 may, upon
934 the expiration of 6 months, petition the department for
935 restoration of the driving privilege on a restricted or
936 unrestricted basis depending on the length of suspension or
937 revocation. In no case shall a restricted license be available
938 until 6 months of the suspension or revocation period has
939 expired.

940 (3) If a person 18 years of age or older is convicted for
941 the possession or sale of, trafficking in, or conspiracy to
942 possess, sell, or traffic in a controlled substance and such
943 person's driver ~~driver's~~ license or driving privilege is already
944 under suspension or revocation for any reason, the court shall
945 direct the department to extend the period of such suspension or
946 revocation by an additional period of 1 year ~~2 years~~ or until
947 the person is evaluated for and, if deemed necessary by the
948 evaluating agency, completes a drug treatment and rehabilitation
949 program approved or regulated by the Department of Children and
950 Families ~~Family Services~~. However, the court may, in its sound
951 discretion, direct the department to issue a license for driving
952 privilege ~~privileges~~ restricted to business or employment
953 purposes only, as defined by s. 322.271, if the person is
954 otherwise qualified for such a license. A driver whose license
955 or driving privilege has been suspended or revoked under this
956 section or s. 322.056 may, upon the expiration of 6 months,
957 petition the department for restoration of the driving privilege

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958 on a restricted or unrestricted basis depending on the length of
959 suspension or revocation. In no case shall a restricted license
960 be available until 6 months of the suspension or revocation
961 period has expired.

962 (4) If a person 18 years of age or older is convicted for
963 the possession or sale of, trafficking in, or conspiracy to
964 possess, sell, or traffic in a controlled substance and such
965 person is ineligible by reason of age for a driver ~~driver's~~
966 license or driving privilege, the court shall direct the
967 department to withhold issuance of such person's driver ~~driver's~~
968 license or driving privilege for a period of 1 year ~~2 years~~
969 after the date that he or she would otherwise have become
970 eligible or until he or she becomes eligible by reason of age
971 for a driver ~~driver's~~ license and is evaluated for and, if
972 deemed necessary by the evaluating agency, completes a drug
973 treatment and rehabilitation program approved or regulated by
974 the Department of Children and Families ~~Family Services~~.
975 However, the court may, in its sound discretion, direct the
976 department to issue a license for driving privilege ~~privileges~~
977 restricted to business or employment purposes only, as defined
978 by s. 322.271, if the person is otherwise qualified for such a
979 license. A driver whose license or driving privilege has been
980 suspended or revoked under this section or s. 322.056 may, upon
981 the expiration of 6 months, petition the department for
982 restoration of the driving privilege on a restricted or
983 unrestricted basis depending on the length of suspension or
984 revocation. In no case shall a restricted license be available
985 until 6 months of the suspension or revocation period has
986 expired.

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987 (5) A court that orders the revocation or suspension of, or
988 delay in eligibility for, a driver license pursuant to this
989 section shall make a specific, articulated determination as to
990 whether the issuance of a license for driving privilege
991 restricted to business purposes only, as defined in s. 322.271,
992 is appropriate in each case.

993 (6)~~(5)~~ Each clerk of court shall promptly report to the
994 department each conviction for the possession or sale of,
995 trafficking in, or conspiracy to possess, sell, or traffic in a
996 controlled substance.

997 Section 17. Section 322.058, Florida Statutes, is amended
998 to read:

999 322.058 Suspension of driving privilege ~~privileges~~ due to
1000 support delinquency; reinstatement.—

1001 (1) When the department receives notice from the Title IV-D
1002 agency or depository or the clerk of the court that any person
1003 licensed to operate a motor vehicle in the State of Florida
1004 under the provisions of this chapter has a delinquent support
1005 obligation or has failed to comply with a subpoena, order to
1006 appear, order to show cause, or similar order, the department
1007 shall suspend the driver ~~driver's~~ license of the person named in
1008 the notice and the registration of all motor vehicles owned by
1009 that person.

1010 (2) The department must reinstate the driving privilege and
1011 allow registration of a motor vehicle when the Title IV-D agency
1012 in IV-D cases or the depository or the clerk of the court in
1013 non-IV-D cases provides to the department an affidavit stating
1014 that:

1015 (a) The person has paid the delinquency;

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1016 (b) The person has reached a written agreement for payment
1017 with the Title IV-D agency or the obligee in non-IV-D cases;

1018 (c) A court has entered an order granting relief to the
1019 obligor ordering the reinstatement of the license and motor
1020 vehicle registration; ~~or~~

1021 (d) The person has complied with the subpoena, order to
1022 appear, order to show cause, or similar order;

1023 (e) The person receives reemployment assistance or
1024 unemployment compensation pursuant to chapter 443;

1025 (f) The person is disabled and incapable of self-support or
1026 receives benefits under the federal Supplemental Security Income
1027 or Social Security Disability Insurance programs;

1028 (g) The person receives temporary cash assistance pursuant
1029 to chapter 414; or

1030 (h) The person is making payments in accordance with a
1031 confirmed bankruptcy plan under chapter 11, chapter 12, or
1032 chapter 13 of the United States Bankruptcy Code, 11 U.S.C. ss.
1033 101 et seq.

1034 (3) The department shall not be held liable for any license
1035 or vehicle registration suspension resulting from the discharge
1036 of its duties under this section.

1037 (4) This section applies only to the annual renewal in the
1038 owner's birth month of a motor vehicle registration and does not
1039 apply to the transfer of a registration of a motor vehicle sold
1040 by a motor vehicle dealer licensed under chapter 320, except for
1041 the transfer of registrations which includes the annual
1042 renewals. This section does not affect the issuance of the title
1043 to a motor vehicle, notwithstanding s. 319.23(8)(b).

1044 Section 18. Section 322.059, Florida Statutes, is amended

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1045 to read:

1046 322.059 Mandatory surrender of suspended driver ~~driver's~~
1047 license and registration.—A ~~Any~~ person whose driver ~~driver's~~
1048 license or registration has been suspended as provided in s.
1049 322.058 must immediately return his or her driver ~~driver's~~
1050 license and registration to the Department of Highway Safety and
1051 Motor Vehicles. The department shall invalidate the digital
1052 proof of driver license issued pursuant to s. 322.032 for such
1053 person. If such person fails to return his or her driver
1054 ~~driver's~~ license or registration, a ~~any~~ law enforcement agent
1055 may seize the license or registration while the driver ~~driver's~~
1056 license or registration is suspended.

1057 Section 19. Subsection (1) of section 322.12, Florida
1058 Statutes, is amended to read:

1059 322.12 Examination of applicants.—

1060 (1) It is the intent of the Legislature that each ~~every~~
1061 applicant for an original driver ~~driver's~~ license in this state
1062 be required to pass an examination pursuant to this section.
1063 However, the department may waive the knowledge, endorsement,
1064 and skills tests for an applicant who is otherwise qualified and
1065 who surrenders a valid driver ~~driver's~~ license from another
1066 state or a province of Canada, or a valid driver ~~driver's~~
1067 license issued by the United States Armed Forces, if the driver
1068 applies for a Florida license of an equal or lesser
1069 classification. An ~~Any~~ applicant who:

1070 (a) ~~Who~~ Fails to pass the initial knowledge test incurs a
1071 \$10 fee for each subsequent test. Of the \$10 fee, \$6 shall be
1072 retained by the tax collector if the knowledge test is conducted
1073 by the tax collector, and the remaining \$4 shall, ~~to~~ be

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1074 deposited into the Highway Safety Operating Trust Fund. All
1075 knowledge test fees incurred by an applicant taking the
1076 knowledge test with a third-party provider or administered at a
1077 state facility shall be deposited into the Highway Safety
1078 Operating Trust Fund. ~~Any applicant~~

1079 (b) ~~Who~~ Fails to pass the initial skills test incurs a \$20
1080 fee for each subsequent test. Of the \$20 fee, \$15 shall be
1081 retained by the tax collector if the skills test is conducted by
1082 the tax collector, and the remaining \$5 shall, ~~to~~ be deposited
1083 into the Highway Safety Operating Trust Fund. All skills test
1084 fees incurred by an applicant taking the skills test with a
1085 third-party provider or administered at a state facility shall
1086 be deposited into the Highway Safety Operating Trust Fund. A
1087 ~~person who~~

1088 (c) Seeks to retain a hazardous-materials endorsement,
1089 pursuant to s. 322.57(1)(d), must pass the hazardous-materials
1090 test, upon surrendering his or her commercial driver ~~driver's~~
1091 ~~license,~~ if the person has not taken and passed the hazardous-
1092 materials test within 2 years before applying for a commercial
1093 driver ~~driver's~~ license in this state.

1094 Section 20. Subsection (3) of section 322.141, Florida
1095 Statutes, is amended to read:

1096 322.141 Color or markings of certain licenses or
1097 identification cards.—

1098 (3) All licenses for the operation of motor vehicles or
1099 identification cards originally issued or reissued by the
1100 department to persons who are designated as sexual predators
1101 under s. 775.21, ~~or~~ subject to registration as sexual offenders
1102 under s. 943.0435 or s. 944.607, or who have a similar

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1103 designation or are subject to a similar registration under the
1104 laws of another jurisdiction, shall have on the front of the
1105 license or identification card the following:

1106 (a) For a person designated as a sexual predator under s.
1107 775.21 or who has a similar designation under the laws of
1108 another jurisdiction, the marking "SEXUAL PREDATOR." ~~"775.21,~~
1109 ~~F.S."~~

1110 (b) For a person subject to registration as a sexual
1111 offender under s. 943.0435 or s. 944.607 or subject to a similar
1112 registration under the laws of another jurisdiction, the marking
1113 "943.0435, F.S."

1114 Section 21. Subsection (1) of section 322.15, Florida
1115 Statutes, is amended to read:

1116 322.15 License to be carried and exhibited on demand;
1117 fingerprint to be imprinted upon a citation.—

1118 (1) Every licensee shall have his or her driver ~~driver's~~
1119 license, which must be fully legible with no portion of such
1120 license faded, altered, mutilated, or defaced, in his or her
1121 immediate possession at all times when operating a motor vehicle
1122 and shall display the same upon the demand of a law enforcement
1123 officer or an authorized representative of the department. A
1124 licensee may display digital proof of driver license as provided
1125 in s. 322.032 in lieu of a physical driver license.

1126 Section 22. Paragraphs (e) and (f) of subsection (1) of
1127 section 322.21, Florida Statutes, are amended to read:

1128 322.21 License fees; procedure for handling and collecting
1129 fees.—

1130 (1) Except as otherwise provided herein, the fee for:
1131 (e) A replacement driver license issued pursuant to s.

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1132 322.17 is \$25. Of this amount, \$7 shall be deposited into the
1133 Highway Safety Operating Trust Fund or retained by the tax
1134 collector if issued by a tax collector that has completed the
1135 transition of driver licensing services, and \$18 shall be
1136 deposited into the General Revenue Fund. ~~Beginning July 1, 2015,~~
1137 ~~or upon completion of the transition of driver license issuance~~
1138 ~~services, if the replacement driver license is issued by the tax~~
1139 ~~collector, the tax collector shall retain the \$7 that would~~
1140 ~~otherwise be deposited into the Highway Safety Operating Trust~~
1141 ~~Fund and the remaining revenues shall be deposited into the~~
1142 ~~General Revenue Fund.~~

1143 (f) An original, renewal, or replacement identification
1144 card issued pursuant to s. 322.051 is \$25, except that an
1145 applicant who presents evidence satisfactory to the department
1146 that he or she is homeless as defined in s. 414.0252(7) or his
1147 or her annual income is at or below 100 percent of the federal
1148 poverty level is exempt from such fee. Funds collected from
1149 ~~these fees~~ for original, renewal, or replacement identification
1150 cards shall be distributed as follows:

1151 1. For an original identification card issued pursuant to
1152 s. 322.051, the fee is \$25. ~~This amount~~ shall be deposited into
1153 the General Revenue Fund.

1154 2. For a renewal identification card issued pursuant to s.
1155 322.051 ~~the fee is \$25. Of this amount,~~ \$6 shall be deposited
1156 into the Highway Safety Operating Trust Fund, and \$19 shall be
1157 deposited into the General Revenue Fund.

1158 3. For a replacement identification card issued pursuant to
1159 s. 322.051, the fee is \$25. Of this amount, \$9 shall be
1160 deposited into the Highway Safety Operating Trust Fund or

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1161 retained by the tax collector if issued by a tax collector that
1162 has completed the transition of driver licensing services, and
1163 \$16 shall be deposited into the General Revenue Fund. ~~Beginning~~
1164 ~~July 1, 2015, or upon completion of the transition of the driver~~
1165 ~~license issuance services, if the replacement identification~~
1166 ~~card is issued by the tax collector, the tax collector shall~~
1167 ~~retain the \$9 that would otherwise be deposited into the Highway~~
1168 ~~Safety Operating Trust Fund and the remaining revenues shall be~~
1169 ~~deposited into the General Revenue Fund.~~

1170 Section 23. Section 337.25, Florida Statutes, is amended to
1171 read:

1172 337.25 Acquisition, lease, and disposal of real and
1173 personal property.—

1174 (1) (a) The department may purchase, lease, exchange, or
1175 otherwise acquire any land, property interests, ~~or~~ buildings, or
1176 other improvements, including personal property within such
1177 buildings or on such lands, necessary to secure or use ~~utilize~~
1178 transportation rights-of-way for existing, proposed, or
1179 anticipated transportation facilities on the State Highway
1180 System, on the State Park Road System, in a rail corridor, or in
1181 a transportation corridor designated by the department. Such
1182 property shall be held in the name of the state.

1183 (b) The department may accept donations of any land, ~~or~~
1184 buildings, or other improvements, including personal property
1185 within such buildings or on such lands with or without such
1186 conditions, reservations, or reverter provisions as are
1187 acceptable to the department. Such donations may be used as
1188 transportation rights-of-way or to secure or use ~~utilize~~
1189 transportation rights-of-way for existing, proposed, or

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1190 anticipated transportation facilities on the State Highway
1191 System, on the State Park Road System, or in a transportation
1192 corridor designated by the department.

1193 (c) ~~If~~ When lands, buildings, or other improvements are
1194 needed for transportation purposes, but are held by a federal,
1195 state, or local governmental entity and used ~~utilized~~ for public
1196 purposes other than transportation, the department may
1197 compensate the entity for such properties by providing
1198 functionally equivalent replacement facilities. The provision
1199 ~~providing~~ of replacement facilities under this subsection may
1200 only be undertaken with the agreement of the governmental entity
1201 affected.

1202 (d) The department may contract pursuant to s. 287.055 for
1203 auction services used in the conveyance of real or personal
1204 property or the conveyance of leasehold interests under
1205 subsections (4) and (5). The contract may allow for the
1206 contractor to retain a portion of the proceeds as compensation
1207 for the contractor's services.

1208 (2) A complete inventory shall be made of all real or
1209 personal property immediately upon possession or acquisition.
1210 Such inventory must ~~shall~~ include ~~an itemized listing of all~~
1211 ~~appliances, fixtures, and other severable items;~~ a statement of
1212 the location or site of each piece of realty, structure, or
1213 severable item; ~~and the serial number assigned to each.~~ Copies
1214 of each inventory shall be filed in the district office in which
1215 the property is located. Such inventory shall be carried forward
1216 to show the final disposition of each item of property, both
1217 real and personal.

1218 (3) The inventory of real property that ~~which~~ was acquired

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1219 by the state after December 31, 1988, ~~that which~~ has been owned
1220 by the state for 10 or more years, and ~~that which~~ is not within
1221 a transportation corridor or within the right-of-way of a
1222 transportation facility shall be evaluated to determine the
1223 necessity for retaining the property. If the property is not
1224 needed for the construction, operation, and maintenance of a
1225 transportation facility~~7~~ or is not located within a
1226 transportation corridor, the department may dispose of the
1227 property pursuant to subsection (4).

1228 (4) The department may convey ~~sell~~, in the name of the
1229 state, any land, building, or other property, real or personal,
1230 which was acquired under ~~the provisions of~~ subsection (1) and
1231 which the department has determined is not needed for the
1232 construction, operation, and maintenance of a transportation
1233 facility. ~~With the exception of any parcel governed by paragraph~~
1234 ~~(c), paragraph (d), paragraph (f), paragraph (g), or paragraph~~
1235 ~~(i), the department shall afford first right of refusal to the~~
1236 ~~local government in the jurisdiction of which the parcel is~~
1237 ~~situated.~~ When such a determination has been made, property may
1238 be disposed of through negotiations, sealed competitive bids,
1239 auctions, or any other means the department deems to be in its
1240 best interest, with due advertisement for property valued by the
1241 department at greater than \$10,000. A sale may not occur at a
1242 price less than the department's current estimate of value,
1243 except as provided in paragraphs (a)-(d). The department may
1244 afford a right of first refusal to the local government or other
1245 political subdivision in the jurisdiction in which the parcel is
1246 situated, except in a conveyance transacted under paragraph (a),
1247 paragraph (c), or paragraph (e). ~~in the following manner:~~

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1248 (a) If the value of the property has been donated to the
1249 state for transportation purposes and a transportation facility
1250 has not been constructed for at least 5 years, plans have not
1251 been prepared for the construction of such facility, and the
1252 property is not located in a transportation corridor, the
1253 governmental entity may authorize reconveyance of the donated
1254 property for no consideration to the original donor or the
1255 donor's heirs, successors, assigns, or representatives ~~is~~
1256 ~~\$10,000 or less as determined by department estimate, the~~
1257 ~~department may negotiate the sale.~~

1258 (b) If the value of the property is to be used for a public
1259 purpose, the property may be conveyed without consideration to a
1260 governmental entity exceeds \$10,000 as determined by department
1261 estimate, such property may be sold to the highest bidder
1262 through receipt of sealed competitive bids, after due
1263 advertisement, or by public auction held at the site of the
1264 improvement which is being sold.

1265 (c) If the property was originally acquired specifically to
1266 provide replacement housing for persons displaced by
1267 transportation projects, the department may negotiate for the
1268 sale of such property as replacement housing. As compensation,
1269 the state shall receive at least its investment in such property
1270 or the department's current estimate of value, whichever is
1271 lower. It is expressly intended that this benefit be extended
1272 only to persons actually displaced by the project. Dispositions
1273 to any other person must be for at least the department's
1274 current estimate of value, in the discretion of the department,
1275 ~~public sale would be inequitable, properties may be sold by~~
1276 ~~negotiation to the owner holding title to the property abutting~~

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1277 ~~the property to be sold, provided such sale is at a negotiated~~
1278 ~~price not less than fair market value as determined by an~~
1279 ~~independent appraisal, the cost of which shall be paid by the~~
1280 ~~owner of the abutting land. If negotiations do not result in the~~
1281 ~~sale of the property to the owner of the abutting land and the~~
1282 ~~property is sold to someone else, the cost of the independent~~
1283 ~~appraisal shall be borne by the purchaser; and the owner of the~~
1284 ~~abutting land shall have the cost of the appraisal refunded to~~
1285 ~~him or her. If, however, no purchase takes place, the owner of~~
1286 ~~the abutting land shall forfeit the sum paid by him or her for~~
1287 ~~the independent appraisal. If, due to action of the department,~~
1288 ~~the property is removed from eligibility for sale, the cost of~~
1289 ~~any appraisal prepared shall be refunded to the owner of the~~
1290 ~~abutting land.~~

1291 (d) If the department determines that the property requires
1292 significant costs to be incurred or that continued ownership of
1293 the property exposes the department to significant liability
1294 risks, the department may use the projected maintenance costs
1295 over the next 10 years to offset the property's value in
1296 establishing a value for disposal of the property, even if that
1297 value is zero ~~property acquired for use as a borrow pit is no~~
1298 ~~longer needed, the department may sell such property to the~~
1299 ~~owner of the parcel of abutting land from which the borrow pit~~
1300 ~~was originally acquired, provided the sale is at a negotiated~~
1301 ~~price not less than fair market value as determined by an~~
1302 ~~independent appraisal, the cost of which shall be paid by the~~
1303 ~~owner of such abutting land.~~

1304 (e) If, at the discretion of the department, a sale to a
1305 person other than an abutting property owner would be

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1306 inequitable, the property may be sold to the abutting owner for
1307 the department's current estimate of value ~~the department begins~~
1308 ~~the process for disposing of the property on its own initiative,~~
1309 ~~either by negotiation under the provisions of paragraph (a),~~
1310 ~~paragraph (c), paragraph (d), or paragraph (i), or by receipt of~~
1311 ~~sealed competitive bids or public auction under the provisions~~
1312 ~~of paragraph (b) or paragraph (i), a department staff appraiser~~
1313 ~~may determine the fair market value of the property by an~~
1314 ~~appraisal.~~

1315 ~~(f) Any property which was acquired by a county or by the~~
1316 ~~department using constitutional gas tax funds for the purpose of~~
1317 ~~a right of way or borrow pit for a road on the State Highway~~
1318 ~~System, State Park Road System, or county road system and which~~
1319 ~~is no longer used or needed by the department may be conveyed~~
1320 ~~without consideration to that county. The county may then sell~~
1321 ~~such surplus property upon receipt of competitive bids in the~~
1322 ~~same manner prescribed in this section.~~

1323 ~~(g) If a property has been donated to the state for~~
1324 ~~transportation purposes and the facility has not been~~
1325 ~~constructed for a period of at least 5 years and no plans have~~
1326 ~~been prepared for the construction of such facility and the~~
1327 ~~property is not located in a transportation corridor, the~~
1328 ~~governmental entity may authorize reconveyance of the donated~~
1329 ~~property for no consideration to the original donor or the~~
1330 ~~donor's heirs, successors, assigns, or representatives.~~

1331 ~~(h) If property is to be used for a public purpose, the~~
1332 ~~property may be conveyed without consideration to a governmental~~
1333 ~~entity.~~

1334 ~~(i) If property was originally acquired specifically to~~

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1335 ~~provide replacement housing for persons displaced by~~
1336 ~~transportation projects, the department may negotiate for the~~
1337 ~~sale of such property as replacement housing. As compensation,~~
1338 ~~the state shall receive no less than its investment in such~~
1339 ~~properties or fair market value, whichever is lower. It is~~
1340 ~~expressly intended that this benefit be extended only to those~~
1341 ~~persons actually displaced by such project. Dispositions to any~~
1342 ~~other persons must be for fair market value.~~

1343 ~~(j) If the department determines that the property will~~
1344 ~~require significant costs to be incurred or that continued~~
1345 ~~ownership of the property exposes the department to significant~~
1346 ~~liability risks, the department may use the projected~~
1347 ~~maintenance costs over the next 5 years to offset the market~~
1348 ~~value in establishing a value for disposal of the property, even~~
1349 ~~if that value is zero.~~

1350 (5) The department may convey a leasehold interest for
1351 commercial or other purposes, in the name of the state, to any
1352 land, building, or other property, real or personal, which was
1353 acquired under ~~the provisions of~~ subsection (1). However, a
1354 lease may not be entered into at a price less than the
1355 department's current estimate of value. The department's
1356 estimate of value shall be prepared in accordance with
1357 department procedures, guidelines, and rules for valuation of
1358 real property, the cost of which shall be paid by the party
1359 seeking the lease of the property.

1360 (a) A lease may be through negotiations, sealed competitive
1361 bids, auctions, or any other means the department deems to be in
1362 its best interest ~~The department may negotiate such a lease at~~
1363 ~~the prevailing market value with the owner from whom the~~

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1364 ~~property was acquired; with the holders of leasehold estates~~
1365 ~~existing at the time of the department's acquisition; or, if~~
1366 ~~public bidding would be inequitable, with the owner holding~~
1367 ~~title to privately owned abutting property, if reasonable notice~~
1368 ~~is provided to all other owners of abutting property.~~ The
1369 department may allow an outdoor advertising sign to remain on
1370 the property acquired, or be relocated on department property,
1371 and such sign is ~~shall not be considered~~ a nonconforming sign
1372 pursuant to chapter 479.

1373 (b) If, at the discretion of the department, a lease to a
1374 person other than an abutting property owner or tenant with a
1375 leasehold interest in the abutting property would be
1376 inequitable, the property may be leased to the abutting owner or
1377 tenant for at least the department's current estimate of value
1378 ~~All other leases shall be by competitive bid.~~

1379 (c) A ~~No~~ lease signed pursuant to paragraph (a) may not ~~or~~
1380 ~~paragraph (b) shall be for a period of more than 5 years;~~
1381 however, the department may renegotiate or extend such a lease
1382 for an additional ~~term of 5 years~~ as the department deems
1383 appropriate ~~without rebidding.~~

1384 (d) Each lease shall provide that, unless otherwise
1385 directed by the lessor, any improvements made to the property
1386 during ~~the term of~~ the lease shall be removed at the lessee's
1387 expense.

1388 (e) If property is to be used for a public purpose,
1389 ~~including a fair, art show, or other educational, cultural, or~~
1390 ~~fundraising activity,~~ the property may be leased without
1391 consideration to a governmental entity ~~or school board.~~ A lease
1392 for a public purpose is exempt from the term limits in paragraph

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1393 (c).

1394 (f) Paragraphs (c) and (e) ~~(d)~~ do not apply to leases
1395 entered into pursuant to s. 260.0161(3), except as provided in
1396 such a lease.

1397 (g) A ~~No~~ lease executed under this subsection may not be
1398 used ~~utilized~~ by the lessee to establish the ~~4 years'~~ standing
1399 required under ~~by~~ s. 73.071(3) (b) if the business had not been
1400 established for the specified number of 4 years on the date
1401 title passed to the department.

1402 (h) The department may enter into a long-term lease without
1403 compensation with a public port listed in s. 403.021(9) (b) for
1404 rail corridors used for the operation of a short-line railroad
1405 to the port.

1406 (6) ~~Nothing in~~ This chapter does not prevent ~~prevents~~ the
1407 joint use of right-of-way for alternative modes of
1408 transportation if; ~~provided that~~ the joint use does not impair
1409 the integrity and safety of the transportation facility.

1410 (7) The department shall prepare the estimate of value
1411 provided under subsection (4) in accordance with department
1412 procedures, guidelines, and rules for valuation of real
1413 property. If the value of the property is greater than \$50,000,
1414 as determined by the department estimate, the sale must be at a
1415 negotiated price of at least the estimate of value as determined
1416 by an appraisal prepared in accordance with department
1417 procedures, guidelines, and rules for valuation of real
1418 property, the cost of which shall be paid by the party seeking
1419 the purchase of the property. If the estimated value is \$50,000
1420 or less, the department may use a department staff appraiser or
1421 obtain an independent appraisal ~~required by paragraphs (4) (c)~~

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1422 and ~~(d) shall be prepared in accordance with department~~
1423 ~~guidelines and rules by an independent appraiser who has been~~
1424 ~~certified by the department. If federal funds were used in the~~
1425 ~~acquisition of the property, the appraisal shall also be subject~~
1426 ~~to the approval of the Federal Highway Administration.~~

1427 (8) As used in this section, the term ~~A~~ "due advertisement"
1428 means ~~under this section is~~ an advertisement in a newspaper of
1429 general circulation in the area of the improvements of at least
1430 ~~not less than~~ 14 calendar days before ~~prior to~~ the date of the
1431 receipt of bids or the date on which a public auction is to be
1432 held.

1433 (9) The department, with the approval of the Chief
1434 Financial Officer, may ~~is authorized to~~ disburse state funds for
1435 real estate closings in a manner consistent with good business
1436 practices and in a manner minimizing costs and risks to the
1437 state.

1438 (10) The department may ~~is authorized to~~ purchase title
1439 insurance if in those instances where it determines ~~is~~
1440 ~~determined~~ that such insurance is necessary to protect the
1441 public's investment in property being acquired for
1442 transportation purposes. The department shall adopt procedures
1443 to be followed in making the determination to purchase title
1444 insurance for a particular parcel or group of parcels which, at
1445 a minimum, shall specify ~~set forth~~ criteria that ~~which~~ the
1446 parcels must meet.

1447 (11) This section does not modify the requirements of s.
1448 73.013.

1449 Section 24. Subsection (2) of section 337.251, Florida
1450 Statutes, is amended, present subsections (3) through (10) of

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1451 that section are redesignated as subsections (4) through (11),
1452 respectively, and a new subsection (3) is added to that section,
1453 to read:

1454 337.251 Lease of property for joint public-private
1455 development and areas above or below department property.-

1456 (2) The department may request proposals for the lease of
1457 such property or, if the department receives a proposal for to
1458 negotiate a lease of a particular department property which it
1459 desires to consider, the department ~~it~~ shall publish a notice in
1460 a newspaper of general circulation at least once a week for 2
1461 weeks, ~~stating that it has received the proposal and will~~
1462 ~~accept, for 60 days after the date of publication, other~~
1463 proposals for lease of such property for 120 days after the date
1464 of publication use of the space. A copy of the notice must be
1465 mailed to each local government in the affected area. The
1466 department shall establish by rule an application fee for the
1467 submission of proposals pursuant to this section. The fee must
1468 be sufficient to pay the anticipated costs of evaluating the
1469 proposals. The department may engage the services of private
1470 consultants to assist in the evaluations. Before approval, the
1471 department shall determine that the proposed lease:

1472 (a) Is in the public's best interest;

1473 (b) Does not require that state funds be used; and

1474 (c) Has adequate safeguards in place to ensure that
1475 additional costs are not borne and service disruptions are not
1476 experienced by the traveling public and residents of the state
1477 in the event of default by the private lessee or upon
1478 termination or expiration of the lease.

1479 (3) The department shall provide an independent analysis of

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1480 a proposed lease which demonstrates the cost-effectiveness and
1481 overall public benefit at the following times:

1482 (a) Before moving forward with the procurement; and

1483 (b) Before awarding the contract if the procurement moves
1484 forward.

1485 Section 25. Paragraphs (a) and (b) of subsection (3),
1486 paragraph (a) of subsection (4), and paragraph (c) of subsection
1487 (11) of section 339.175, Florida Statutes, are amended to read:

1488 339.175 Metropolitan planning organization.—

1489 (3) VOTING MEMBERSHIP.—

1490 (a) The voting membership of an M.P.O. shall consist of at
1491 least ~~not fewer than~~ 5 but not ~~or~~ more than 25 ~~19~~ apportioned
1492 members, with the exact number ~~to be~~ determined on an equitable
1493 geographic-population ratio basis ~~by the Governor~~, based on an
1494 agreement among the affected units of general-purpose local
1495 government and the Governor, as required by federal ~~rules and~~
1496 regulations. ~~The Governor~~, In accordance with 23 U.S.C. s. 134,
1497 the Governor may also allow ~~provide for~~ M.P.O. members who
1498 represent municipalities to alternate with representatives from
1499 other municipalities within the metropolitan planning area which
1500 ~~that~~ do not have members on the M.P.O. With the exception of
1501 instances in which all of the county commissioners in a single-
1502 county M.P.O. are members of the M.P.O. governing board, county
1503 commissioners ~~commission members~~ shall compose at least ~~not less~~
1504 ~~than~~ one-third of the M.P.O. governing board membership. A
1505 multicounty M.P.O. may satisfy this requirement by any
1506 combination of county commissioners from each of the counties
1507 constituting the M.P.O., ~~except for an M.P.O. with more than 15~~
1508 ~~members located in a county with a 5-member county commission or~~

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1509 an M.P.O. with 19 members located in a county with no more than
1510 6 county commissioners, in which case county commission members
1511 may compose less than one-third percent of the M.P.O.
1512 membership, but all county commissioners must be members. All
1513 Voting members shall be elected officials of general-purpose
1514 local governments, one of whom may represent a group of general-
1515 purpose local governments through an entity created by an M.P.O.
1516 for that purpose. ~~except that~~ An M.P.O. may include, as part of
1517 its apportioned voting members, a member of a statutorily
1518 authorized planning board, an official of an agency that
1519 operates or administers a major mode of transportation, or an
1520 official of Space Florida. As used in this section, the term
1521 "elected officials of a general-purpose local government"
1522 excludes ~~shall exclude~~ constitutional officers, including
1523 sheriffs, tax collectors, supervisors of elections, property
1524 appraisers, clerks of the court, and similar types of officials.
1525 County commissioners shall compose not less than 20 percent of
1526 the M.P.O. membership if an official of an agency that operates
1527 or administers a major mode of transportation has been appointed
1528 to an M.P.O.

1529 (b) In metropolitan areas in which authorities or other
1530 agencies have been or may be created by law to perform
1531 transportation functions and are or will be performing
1532 transportation functions that are not under the jurisdiction of
1533 a general-purpose local government represented on the M.P.O.,
1534 such authorities or other agencies may ~~they shall~~ be provided
1535 voting membership on the M.P.O. In all other M.P.O.s in which
1536 ~~M.P.O.'s where~~ transportation authorities or agencies are to be
1537 represented by elected officials from general-purpose local

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1538 governments, the M.P.O. shall establish a process by which the
1539 collective interests of such authorities or other agencies are
1540 expressed and conveyed.

1541 (4) APPORTIONMENT.—

1542 (a) Each M.P.O. shall review the composition of its
1543 membership in conjunction with the decennial census, as prepared
1544 by the United States Department of Commerce, Bureau of the
1545 Census, and with the agreement of the Governor and the affected
1546 general-purpose local government units that constitute the
1547 existing M.P.O., reapportion the membership as necessary to
1548 comply with subsection (3) ~~The Governor shall, with the~~
1549 ~~agreement of the affected units of general-purpose local~~
1550 ~~government as required by federal rules and regulations,~~
1551 ~~apportion the membership on the applicable M.P.O. among the~~
1552 ~~various governmental entities within the area.~~ At the request of
1553 a majority of the affected units of general-purpose local
1554 government comprising an M.P.O., the Governor and a majority of
1555 units of general-purpose local government serving on an M.P.O.
1556 shall cooperatively agree upon and prescribe who may serve as an
1557 alternate member and a method for appointing alternate members,
1558 who may vote at any M.P.O. meeting that he or she ~~an alternate~~
1559 ~~member~~ attends in place of a regular member. The method must
1560 ~~shall~~ be set forth as a part of the interlocal agreement
1561 describing the M.P.O. ~~M.P.O.'s~~ membership or in the M.P.O.'s
1562 operating procedures and bylaws of the M.P.O. The governmental
1563 entity so designated shall appoint the appropriate number of
1564 members to the M.P.O. from eligible officials. Representatives
1565 of the department shall serve as nonvoting advisers to the
1566 M.P.O. governing board. Additional nonvoting advisers may be

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1567 appointed by the M.P.O. as deemed necessary; however, to the
1568 maximum extent feasible, each M.P.O. shall seek to appoint
1569 nonvoting representatives of various multimodal forms of
1570 transportation not otherwise represented by voting members of
1571 the M.P.O. An M.P.O. shall appoint nonvoting advisers
1572 representing major military installations located within the
1573 jurisdictional boundaries of the M.P.O. upon the request of the
1574 aforesaid major military installations and subject to the
1575 agreement of the M.P.O. All nonvoting advisers may attend and
1576 participate fully in governing board meetings but may not vote
1577 or be members of the governing board. ~~The Governor shall review~~
1578 ~~the composition of the M.P.O. membership in conjunction with the~~
1579 ~~decennial census as prepared by the United States Department of~~
1580 ~~Commerce, Bureau of the Census, and reapportion it as necessary~~
1581 ~~to comply with subsection (3).~~

1582 (11) METROPOLITAN PLANNING ORGANIZATION ADVISORY COUNCIL.—

1583 (c) The powers and duties of the Metropolitan Planning
1584 Organization Advisory Council are to:

- 1585 1. Enter into contracts with individuals, private
1586 corporations, and public agencies.
- 1587 2. Acquire, own, operate, maintain, sell, or lease personal
1588 property essential for the conduct of business.
- 1589 3. Accept funds, grants, assistance, gifts, or bequests
1590 from private, local, state, or federal sources.
- 1591 4. Establish bylaws by action of its governing board
1592 providing procedural rules to guide its proceedings and
1593 consideration of matters before the council, or, alternatively,
1594 ~~and~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to
1595 implement provisions of law conferring powers or duties upon it.

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1596 5. Assist M.P.O.s ~~M.P.O.'s~~ in carrying out the urbanized
1597 area transportation planning process by serving as the principal
1598 forum for collective policy discussion pursuant to law.

1599 6. Serve as a clearinghouse for review and comment by
1600 M.P.O.s ~~M.P.O.'s~~ on the Florida Transportation Plan and on other
1601 issues required to comply with federal or state law in carrying
1602 out the urbanized area transportation and systematic planning
1603 processes instituted pursuant to s. 339.155.

1604 7. Employ an executive director and such other staff as
1605 necessary to perform adequately the functions of the council,
1606 within budgetary limitations. The executive director and staff
1607 are exempt from part II of chapter 110 and serve at the
1608 direction and control of the council. The council is assigned to
1609 the Office of the Secretary of the Department of Transportation
1610 for fiscal and accountability purposes, but it shall otherwise
1611 function independently of the control and direction of the
1612 department.

1613 8. Adopt an agency strategic plan that prioritizes steps
1614 ~~provides the priority directions~~ the agency will take to carry
1615 out its mission within the context of the state comprehensive
1616 plan and any other statutory mandates and directives ~~directions~~
1617 ~~given to the agency.~~

1618 Section 26. Paragraph (a) of subsection (1) and subsections
1619 (4) and (5) of section 339.2821, Florida Statutes, are amended
1620 to read:

1621 339.2821 Economic development transportation projects.—

1622 (1) (a) The department, in consultation with the Department
1623 of Economic Opportunity and Enterprise Florida, Inc., may make
1624 and approve expenditures and contract with the appropriate

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1625 governmental body for the direct costs of transportation
1626 projects. The Department of Economic Opportunity and the
1627 Department of Environmental Protection may formally review and
1628 comment on recommended transportation projects, although the
1629 department has final approval authority for any project
1630 authorized under this section.

1631 (4) A contract between the department and a governmental
1632 body for a transportation project must:

1633 (a) Specify that the transportation project is for the
1634 construction of a new or expanding business and specify the
1635 number of full-time permanent jobs that will result from the
1636 project.

1637 (b) Identify the governmental body and require that the
1638 governmental body award the construction of the particular
1639 transportation project to the lowest and best bidder in
1640 accordance with applicable state and federal statutes or rules
1641 unless the transportation project can be constructed using
1642 existing local governmental employees within the contract period
1643 specified by the department.

1644 (c) Require that the governmental body provide the
1645 department with ~~quarterly~~ progress reports. Each ~~quarterly~~
1646 progress report must contain:

1647 1. A narrative description of the work completed and
1648 whether the work is proceeding according to the transportation
1649 project schedule;

1650 2. A description of each change order executed by the
1651 governmental body;

1652 3. A budget summary detailing planned expenditures compared
1653 to actual expenditures; and

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1654 4. The identity of each small or minority business used as
1655 a contractor or subcontractor.

1656 (d) Require that the governmental body make and maintain
1657 records in accordance with accepted governmental accounting
1658 principles and practices for each progress payment made for work
1659 performed in connection with the transportation project, each
1660 change order executed by the governmental body, and each payment
1661 made pursuant to a change order. The records are subject to
1662 financial audit as required by law.

1663 (e) Require that the governmental body, upon completion and
1664 acceptance of the transportation project, certify to the
1665 department that the transportation project has been completed in
1666 compliance with the terms and conditions of the contract between
1667 the department and the governmental body and meets the minimum
1668 construction standards established in accordance with s.
1669 336.045.

1670 (f) Specify that ~~the department transfer funds will not be~~
1671 transferred to the governmental body unless construction has
1672 begun on the facility of the not more often than quarterly, upon
1673 receipt of a request for funds from the governmental body and
1674 consistent with the needs of the transportation project. The
1675 governmental body shall expend funds received from the
1676 department in a timely manner. The department may not transfer
1677 funds unless construction has begun on the facility of a
1678 business on whose behalf the award was made. The grant award
1679 shall be terminated if construction of the transportation
1680 project does not begin within 4 years after the date of the
1681 initial grant award ~~A contract totaling less than \$200,000 is~~
1682 ~~exempt from the transfer requirement.~~

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1683 (g) Require that funds be used only on a transportation
1684 project that has been properly reviewed and approved in
1685 accordance with the criteria provided ~~set forth~~ in this section.

1686 (h) Require that the governing board of the governmental
1687 body adopt a resolution accepting future maintenance and other
1688 attendant costs occurring after completion of the transportation
1689 project if the transportation project is constructed on a county
1690 or municipal system.

1691 (5) For purposes of this section, Space Florida may serve
1692 as the governmental body or as the contracting agency for a
1693 ~~transportation~~ project within a spaceport territory as defined
1694 by s. 331.304.

1695 Section 27. Subsection (5) of section 526.141, Florida
1696 Statutes, is amended to read:

1697 526.141 Self-service gasoline stations; attendants;
1698 regulations.—

1699 (5) (a) Every full-service gasoline station offering self-
1700 service at a lesser cost shall require an attendant employed by
1701 the station to dispense gasoline from the self-service portion
1702 of the station to any motor vehicle properly displaying an
1703 exemption parking permit as provided in s. 316.1958 or s.
1704 320.0848 or a license plate issued pursuant to s. 320.084, s.
1705 320.0842, s. 320.0843, or s. 320.0845 when the person to whom
1706 such permit has been issued is the operator of the vehicle and
1707 such service is requested. Such stations shall prominently
1708 display a decal no larger than 8 square inches on the front of
1709 all self-service pumps clearly stating the requirements of this
1710 subsection and the penalties applicable to violations of this
1711 subsection. The Department of Agriculture and Consumer Services

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1712 shall enforce this requirement.

1713 (b) By July 1, 2016, a full-service gasoline station
1714 offering self-service at a lesser cost shall prominently
1715 display, in addition to the decal required under paragraph (a),
1716 a decal that is blue, is at least 15 square inches in size, and
1717 clearly displays the international symbol of accessibility shown
1718 in s. 320.0842, the telephone number of the station, and the
1719 words "Call for Assistance." The Department of Agriculture and
1720 Consumer Services shall adopt rules to implement and enforce
1721 this paragraph. This paragraph does not bar a county or
1722 municipality from adopting an ordinance, or enforcing an
1723 existing ordinance, that expands the accessibility, safety, or
1724 availability of fueling assistance to a motor vehicle operator
1725 described in paragraph (a).

1726 (c) ~~(b)~~ Violation of paragraph (a) is a misdemeanor of the
1727 second degree, punishable as provided in s. 775.082 or s.
1728 775.083.

1729 Section 28. Paragraph (a) of subsection (1) of section
1730 562.11, Florida Statutes, is amended to read:

1731 562.11 Selling, giving, or serving alcoholic beverages to
1732 person under age 21; providing a proper name; misrepresenting or
1733 misstating age or age of another to induce licensee to serve
1734 alcoholic beverages to person under 21; penalties.—

1735 (1) (a) 1. A ~~It is unlawful for any person~~ may not ~~to~~ sell,
1736 give, serve, or permit to be served alcoholic beverages to a
1737 person under 21 years of age or to permit a person under 21
1738 years of age to consume such beverages on the licensed premises.
1739 A person who violates this subparagraph commits a misdemeanor of
1740 the second degree, punishable as provided in s. 775.082 or s.

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1741 775.083. A person who violates this subparagraph a second or
1742 subsequent time within 1 year after a prior conviction commits a
1743 misdemeanor of the first degree, punishable as provided in s.
1744 775.082 or s. 775.083.

1745 2. In addition to any other penalty imposed for a violation
1746 of subparagraph 1., the court may order the Department of
1747 Highway Safety and Motor Vehicles to withhold the issuance of,
1748 or suspend or revoke, the driver ~~driver's~~ license or driving
1749 privilege, as provided in s. 322.057, of any person who violates
1750 subparagraph 1. This subparagraph does not apply to a licensee,
1751 as defined in s. 561.01, who violates subparagraph 1. while
1752 acting within the scope of his or her license or an employee or
1753 agent of a licensee, as defined in s. 561.01, who violates
1754 subparagraph 1. while engaged within the scope of his or her
1755 employment or agency.

1756 3. A court that withholds the issuance of, or suspends or
1757 revokes, the driver license or driving privilege of a person
1758 pursuant to subparagraph 2. may direct the Department of Highway
1759 Safety and Motor Vehicles to issue the person a license for
1760 driving privilege restricted to business purposes only, as
1761 defined in s. 322.271, if he or she is otherwise qualified.

1762 Section 29. Section 812.0155, Florida Statutes, is amended
1763 to read:

1764 812.0155 Suspension of driver ~~driver's~~ license following an
1765 adjudication of guilt for theft.-

1766 (1) Except as provided in subsections (2) and (3), the
1767 court may order the suspension of the driver ~~driver's~~ license of
1768 each person adjudicated guilty of any misdemeanor violation of
1769 s. 812.014 or s. 812.015, regardless of the value of the

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1770 property stolen. ~~The court shall order the suspension of the~~
1771 ~~driver's license of each person adjudicated guilty of any~~
1772 ~~misdemeanor violation of s. 812.014 or s. 812.015 who has~~
1773 ~~previously been convicted of such an offense.~~ Upon ordering the
1774 suspension of the driver ~~driver's~~ license of the person
1775 adjudicated guilty, the court shall forward the driver ~~driver's~~
1776 license of the person adjudicated guilty to the Department of
1777 Highway Safety and Motor Vehicles in accordance with s. 322.25.

1778 (a) The first suspension of a driver ~~driver's~~ license under
1779 this subsection shall be for a period of up to 6 months.

1780 (b) A second or subsequent suspension of a driver ~~driver's~~
1781 license under this subsection shall be for 1 year.

1782 (2) The court may revoke, suspend, or withhold issuance of
1783 a driver ~~driver's~~ license of a person less than 18 years of age
1784 who violates s. 812.014 or s. 812.015 as an alternative to
1785 sentencing the person to:

1786 (a) Probation as defined in s. 985.03 or commitment to the
1787 Department of Juvenile Justice, if the person is adjudicated
1788 delinquent for such violation and has not previously been
1789 convicted of or adjudicated delinquent for any criminal offense,
1790 regardless of whether adjudication was withheld.

1791 (b) Probation as defined in s. 985.03, commitment to the
1792 Department of Juvenile Justice, probation as defined in chapter
1793 948, community control, or incarceration, if the person is
1794 convicted as an adult of such violation and has not previously
1795 been convicted of or adjudicated delinquent for any criminal
1796 offense, regardless of whether adjudication was withheld.

1797 (3) As used in this subsection, the term "department" means
1798 the Department of Highway Safety and Motor Vehicles. A court

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1799 that revokes, suspends, or withholds issuance of a driver
1800 ~~driver's~~ license under subsection (2) shall:

1801 (a) If the person is eligible by reason of age for a driver
1802 ~~driver's~~ license or driving privilege, direct the department to
1803 revoke or withhold issuance of the person's driver ~~driver's~~
1804 license or driving privilege for not less than 6 months and not
1805 more than 1 year;

1806 (b) If the person's driver ~~driver's~~ license is under
1807 suspension or revocation for any reason, direct the department
1808 to extend the period of suspension or revocation by not less
1809 than 6 months and not more than 1 year; or

1810 (c) If the person is ineligible by reason of age for a
1811 driver ~~driver's~~ license or driving privilege, direct the
1812 department to withhold issuance of the person's driver ~~driver's~~
1813 license or driving privilege for not less than 6 months and not
1814 more than 1 year after the date on which the person would
1815 otherwise become eligible.

1816 (4) Subsections (2) and (3) do not preclude the court from
1817 imposing any sanction specified or not specified in subsection
1818 (2) or subsection (3).

1819 (5) A court that suspends the driver license of a person
1820 pursuant to subsection (1) may direct the Department of Highway
1821 Safety and Motor Vehicles to issue the person a license for
1822 driving privilege restricted to business purposes only, as
1823 defined in s. 322.271, if he or she is otherwise qualified.

1824 Section 30. Section 832.09, Florida Statutes, is amended to
1825 read:

1826 832.09 Suspension of driver license after warrant or capias
1827 is issued in worthless check case.-

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1828 (1) The court may order the suspension or revocation of the
1829 driver license of a Any person who is being prosecuted for
1830 passing a worthless check in violation of s. 832.05, who fails
1831 to appear before the court and against whom a warrant or capias
1832 for failure to appear is issued by the court if the person has
1833 previously been adjudicated guilty of a violation of s. 832.05
1834 ~~shall have his or her driver's license suspended or revoked~~
1835 ~~pursuant to s. 322.251.~~

1836 (2) Within 5 working days after the court orders the
1837 suspension of a driver license pursuant to subsection (1)
1838 ~~issuance of a warrant or capias for failure to appear~~, the clerk
1839 of the court in the county where the warrant or capias is issued
1840 shall notify the Department of Highway Safety and Motor Vehicles
1841 by the most efficient method available of the action of the
1842 court.

1843 Section 31. Section 2 of chapter 85-364, Laws of Florida,
1844 as amended by section 2 of chapter 95-382, Laws of Florida, is
1845 amended to read:

1846 Section 2. All tolls collected shall ~~first~~ be used first
1847 for the payment of annual operating and maintenance costs and
1848 second to discharge the current bond indebtedness related to the
1849 Pinellas Bayway. Thereafter, tolls collected shall be used to
1850 establish a reserve construction account to be used, together
1851 with interest earned thereon, by the department ~~for the~~
1852 ~~construction of Blind Pass Road, State Road 699 improvements,~~
1853 ~~and for Phase II of the Pinellas Bayway improvements. A portion~~
1854 ~~of the tolls collected shall first be used specifically for the~~
1855 ~~construction of the Blind Pass Road improvements, which~~
1856 ~~improvements consist of widening to four lanes the Blind Pass~~

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1857 ~~Road, State Road 699, from 75th Avenue north to the approach of~~
1858 ~~the Blind Pass Bridge, including necessary right-of-way~~
1859 ~~acquisition along said portion of Blind Pass Road, and~~
1860 ~~intersection improvements at 75th Avenue and Blind Pass Road in~~
1861 ~~Pinellas County. Said improvements shall be included in the~~
1862 ~~department's current 5-year work program. Upon completion of the~~
1863 ~~Blind Pass Road improvements, the tolls collected shall be used,~~
1864 ~~together with interest earned thereon, by the department for~~
1865 ~~Phase II of the Pinellas Bayway improvements consists, which~~
1866 ~~improvements consist~~ of widening to four lanes the Pinellas
1867 Bayway from State Road 679 west to Gulf Boulevard, including
1868 necessary approaches, bridges, and avenues of access. Upon
1869 completion of the Phase II improvements, the department shall
1870 continue to collect tolls on the Pinellas Bayway for purposes of
1871 reimbursing the department for all accrued maintenance costs for
1872 the Pinellas Bayway.

1873 Section 32. The Department of Highway Safety and Motor
1874 Vehicles is directed to develop a plan of action that addresses
1875 motor vehicle registration holds placed pursuant to ss.
1876 316.1001, 316.1967, and 318.15, Florida Statutes, for
1877 presentation to the Legislature by February 1, 2015. The plan
1878 must, at a minimum, include a methodology for applicants whose
1879 names have been placed on the list of persons who may not be
1880 issued a license plate or revalidation sticker under s.
1881 320.03(8), Florida Statutes, to rectify the cause of the hold
1882 through the payment of any outstanding toll, parking ticket,
1883 fine, and any other fee at the point of collection of the
1884 registration fee.

1885 Section 33. The Department of Highway Safety and Motor

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1886 Vehicles is appropriated the nonrecurring sum of \$100,000 from
1887 the Highway Safety Operating Trust Fund. These funds shall be
1888 used for expenditures incurred to issue or reissue a driver
1889 license with the marking "SEXUAL PREDATOR" on the front of the
1890 license to persons designated and required to register as a
1891 sexual predator in accordance with this act.

1892 Section 34. This act shall take effect July 1, 2014.