



413116

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: 4/AD/3R

.

03/07/2016 05:28 PM

.

.

Senator Brandes moved the following:

Senate Amendment (with title amendment)

Between lines 1300 and 1301

insert:

Section 26. Paragraph (a) of subsection (2) of section
318.18, Florida Statutes, is amended to read

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

(2) Thirty dollars for all nonmoving traffic violations
and:



413116

12 (a) For all violations of s. 322.19 and s. 366.94.
13 Section 27. Subsection (46) is added to section 320.01,
14 Florida Statutes, to read:
15 320.01 Definitions, general.—As used in the Florida
16 Statutes, except as otherwise provided, the term:
17 (46) (a) "Ridesharing arrangements" means the transportation
18 of not more than 15 passengers, including the driver, where the
19 transportation is incidental to another purpose of the driver,
20 who is not engaged in transportation as a business or for a
21 profit. The term includes:
22 1. Carpool or vanpool arrangements not exceeding 15
23 passengers, including the driver, in which the driver seeks
24 reimbursement for, or the rideshare participants may pool or
25 otherwise share, transportation costs; and
26 2. Carpool or vanpool arrangements not exceeding 15
27 passengers, including the driver, used in the transportation of
28 employees to or from their places of employment or educational
29 or other institutions.
30 (b) For the purposes of this chapter and chapter 627, motor
31 vehicles used in ridesharing arrangements are not included in
32 the term "for-hire vehicle," and money or other consideration
33 exchanged for, or to facilitate reimbursement of, transportation
34 costs or related expenses in a ridesharing arrangement may not
35 be deemed to be compensation or the receipt of a fee.
36 Section 28. Paragraphs (c), (d), and (e) are added to
37 subsection (8) of section 320.08056, Florida Statutes, to read:
38 320.08056 Specialty license plates.—
39 (8)
40 (c) A person issued a specialty license plate that has been



413116

41 discontinued by the department may keep the discontinued
42 specialty license plate for the remainder of the 10-year license
43 plate replacement period and must pay all other applicable
44 registration fees. However, such person is exempt from paying
45 the applicable specialty license plate fee under subsection (4)
46 for the remainder of the 10-year license plate replacement
47 period.

48 (d) If the department discontinues issuance of a specialty
49 license plate, all annual use fees currently held or collected
50 by the department shall be distributed within 180 days after the
51 date the specialty license plate is discontinued. Of those fees,
52 the department shall retain an amount sufficient to defray the
53 applicable administrative and inventory closeout costs
54 associated with discontinuance of the plate. The remaining funds
55 shall be distributed to the specified organization or
56 organizations as provided in s. 320.08058.

57 (e) If an organization that is the intended recipient of
58 the funds pursuant to s. 320.08058 no longer exists, the
59 department shall deposit any undisbursed funds into the Highway
60 Safety Operating Trust Fund.

61 Section 29. Section 324.031, Florida Statutes, is amended
62 to read:

63 324.031 Manner of proving financial responsibility.—The
64 owner or operator of a taxicab, limousine, jitney, or any other
65 for-hire passenger transportation vehicle may prove financial
66 responsibility by providing satisfactory evidence of holding a
67 motor vehicle liability policy as defined in s. 324.021(8) or s.
68 324.151, which policy is issued by an insurance carrier which is
69 a member of the Florida Insurance Guaranty Association. The



413116

70 operator or owner of any other vehicle, including those used in
71 a ridesharing arrangement, may prove his or her financial
72 responsibility by:

73 (1) Furnishing satisfactory evidence of holding a motor
74 vehicle liability policy as defined in ss. 324.021(8) and
75 324.151;

76 (2) Furnishing a certificate of self-insurance showing a
77 deposit of cash in accordance with s. 324.161; or

78 (3) Furnishing a certificate of self-insurance issued by
79 the department in accordance with s. 324.171.

80
81 Any person, including any firm, partnership, association,
82 corporation, or other person, other than a natural person,
83 electing to use the method of proof specified in subsection (2)
84 shall furnish a certificate of deposit equal to the number of
85 vehicles owned times \$30,000, to a maximum of \$120,000; in
86 addition, any such person, other than a natural person, shall
87 maintain insurance providing coverage in excess of limits of
88 \$10,000/20,000/10,000 or \$30,000 combined single limits, and
89 such excess insurance shall provide minimum limits of
90 \$125,000/250,000/50,000 or \$300,000 combined single limits.
91 These increased limits shall not affect the requirements for
92 proving financial responsibility under s. 324.032(1).

93 Section 30. Paragraph (b) of subsection (3) of section
94 366.94, Florida Statutes, is amended to read:

95 366.94 Electric vehicle charging stations.—

96 (3)

97 (b) If a law enforcement officer finds a motor vehicle in
98 violation of this subsection, the officer or specialist shall



413116

99 charge the operator or other person in charge of the vehicle in
100 violation with a noncriminal traffic infraction, punishable as
101 provided in ~~s. 316.008(4)~~ or s. 318.18(2)(a).

102 Section 31. Paragraph (a) of subsection (2) of section
103 812.014, Florida Statutes, is amended to read:

104 812.014 Theft.—

105 (2)(a)1. If the property stolen is valued at \$100,000 or
106 more or is a semitrailer that was deployed by a law enforcement
107 officer; or

108 2. If the property stolen is cargo valued at \$50,000 or
109 more that has entered the stream of interstate or intrastate
110 commerce from the shipper's loading platform to the consignee's
111 receiving dock; or

112 3. If the offender commits any grand theft and:

113 a. In the course of committing the offense the offender
114 uses a motor vehicle as an instrumentality, other than merely as
115 a getaway vehicle, to assist in committing the offense and
116 thereby damages the real property of another; ~~or~~

117 b. In the course of committing the offense the offender
118 causes damage to the real or personal property of another in
119 excess of \$1,000; ~~or~~

120 c. In the course of committing the offense the offender
121 uses any type of device to defeat, block, disable, jam, or
122 interfere with a global positioning system or similar system
123 designed to identify the location of the cargo or the vehicle or
124 trailer carrying the cargo,

125
126 the offender commits grand theft in the first degree, punishable
127 as a felony of the first degree, as provided in s. 775.082, s.



413116

128 775.083, or s. 775.084.

129

130 ===== T I T L E A M E N D M E N T =====

131 And the title is amended as follows:

132 Delete line 145

133 and insert:

134 Legislature; amending s. 318.18, F.S.; adding a
135 penalty for a specified violation; amending s. 320.01,
136 F.S.; defining the term "ridesharing arrangements";
137 amending s. 320.08056, F.S.; revising provisions for
138 discontinuing issuance of a specialty license plate;
139 amending s. 324.031, F.S.; authorizing the operator or
140 owner of certain vehicles used in a ridesharing
141 arrangement to prove his or her financial
142 responsibility by furnishing certain evidence or a
143 certain certificate; amending s. 366.94, F.S.;
144 revising penalties; amending s. 812.014, F.S.;
145 specifying a certain criminal penalty for offenders
146 committing any grand theft who in the course of
147 committing the offense use any type of device to
148 interfere with a global positioning system or similar
149 system under certain circumstances; providing
150 effective dates.