

1                   A bill to be entitled  
2           An act relating to the Department of Highway Safety  
3           and Motor Vehicles; amending s. 316.003, F.S.;  
4           defining the term "autocycle"; revising the definition  
5           of the term "motorcycle"; conforming a cross-  
6           reference; amending s. 316.2397, F.S.; prohibiting  
7           vehicles or equipment from showing or displaying red  
8           and white lights while being driven or moved;  
9           authorizing firefighters to use or display red and  
10          white lights under certain circumstances; revising  
11          requirements for use of amber lights; amending s.  
12          316.2398, F.S.; authorizing firefighters to use or  
13          display red and white lights under certain  
14          circumstances; amending s. 316.302, F.S.; revising  
15          provisions relating to federal regulations to which  
16          owners and drivers of commercial motor vehicles are  
17          subject; delaying the requirement for electronic  
18          logging devices for certain intrastate motor carriers;  
19          deleting a limitation on a civil penalty for  
20          falsification of certain time records; deleting a  
21          requirement that a motor carrier maintain certain  
22          documentation of driving times; providing an exemption  
23          from specified provisions for a person who operates a  
24          commercial motor vehicle with a gross vehicle weight,  
25          gross vehicle weight rating, and gross combined weight

26 rating of less than a specified amount; amending s.  
27 316.3025, F.S.; conforming provisions to changes made  
28 by the act; amending s. 316.614, F.S.; prohibiting a  
29 person from operating an autocycle unless certain  
30 safety belt or child restraint device requirements are  
31 met; amending s. 318.18, F.S.; changing the term  
32 "construction zone" to "work zone" as it relates to  
33 enhanced penalties for unlawful speed; amending s.  
34 320.01, F.S.; revising the definitions of the terms  
35 "apportionable vehicle" and "motorcycle"; amending s.  
36 320.02, F.S.; requiring an application form for motor  
37 vehicle registration to include language authorizing a  
38 voluntary contribution to be distributed to Preserve  
39 Vision Florida rather than Prevent Blindness Florida;  
40 amending s. 320.03, F.S.; authorizing electronic  
41 filing of certain documents; revising rulemaking  
42 authority; amending s. 320.06, F.S.; providing for  
43 future repeal of issuance of a certain annual license  
44 plate and cab card to a vehicle that has an  
45 apportioned registration; providing requirements for  
46 license plates, cab cards, and validation stickers for  
47 vehicles registered in accordance with the  
48 International Registration Plan beginning on a  
49 specified date; authorizing a damaged or worn license  
50 plate to be replaced at no charge under certain

51 | circumstances; amending s. 320.0605, F.S.; authorizing  
52 | presentation of electronic documentation of certain  
53 | information to a law enforcement officer or agent of  
54 | the department; providing construction; providing for  
55 | liability; revising information required in such  
56 | documentation; amending s. 320.0607, F.S.; providing  
57 | an exemption, beginning on a specified date, from a  
58 | certain fee for vehicles registered under the  
59 | International Registration Plan; amending s. 320.0655,  
60 | F.S.; requiring state-owned motor vehicles to be  
61 | marked in a certain manner; providing an exception;  
62 | amending s. 320.08, F.S.; conforming a cross-  
63 | reference; revising provisions regarding eligibility  
64 | for certain agricultural license plates; amending s.  
65 | 320.08068, F.S.; requiring distribution of a specified  
66 | percentage of motorcycle specialty license plate  
67 | annual use fees to Preserve Vision Florida rather than  
68 | Prevent Blindness Florida; creating s. 320.0875, F.S.;  
69 | providing for a special motorcycle license plate to be  
70 | issued to a recipient of the Purple Heart; providing  
71 | requirements for the plate; amending s. 320.089, F.S.;  
72 | providing for a special license plate to be issued to  
73 | a recipient of the Bronze Star; amending s. 320.133,  
74 | F.S.; defining the term "transporter license plate  
75 | eligible business"; revising requirements for the

76 issuance, use, and display of a transporter license  
77 plate; providing criminal penalties; providing for  
78 disqualification from issuance; providing  
79 recordkeeping requirements; providing conditions for  
80 cancellation and removal of such plates; amending s.  
81 320.27, F.S.; revising the definitions of the terms  
82 "motor vehicle dealer" and "motor vehicle broker";  
83 revising provisions relating to licensing  
84 requirements; amending s. 321.25, F.S.; providing for  
85 reimbursement to the department of tuition and other  
86 course expenses for certain training under certain  
87 circumstances; authorizing the department to institute  
88 a civil action; providing an exception; amending s.  
89 322.01, F.S.; conforming provisions to changes made by  
90 the act; amending s. 322.03, F.S.; authorizing  
91 operation of an autocycle without a motorcycle  
92 endorsement; amending s. 322.051, F.S.; revising  
93 eligibility for a "D" designation on an identification  
94 card; amending s. 322.08, F.S.; requiring an  
95 application form for an original, renewal, or  
96 replacement driver license or identification card to  
97 include language authorizing a voluntary contribution  
98 to Preserve Vision Florida rather than Prevent  
99 Blindness Florida; amending s. 322.091, F.S.; revising  
100 reporting requirements relating to students whose

101 driving privileges have been suspended; amending s.  
102 322.12, F.S.; revising the allocation of fees from  
103 certain driver license examinations; exempting the  
104 operation of an autocycle from certain examination  
105 requirements for licenses to operate motorcycles;  
106 amending s. 322.161, F.S.; providing a short title;  
107 revising the period of time in which certain licensees  
108 may accumulate points before being issued a restricted  
109 driver license by the department; requiring restricted  
110 licensees to attend a driver improvement course  
111 approved by the department; providing for extension of  
112 the restriction period under certain circumstances;  
113 amending s. 322.17, F.S.; providing for replacement of  
114 a stolen identification card at no charge; amending s.  
115 322.21, F.S.; deleting obsolete provisions; deleting a  
116 fee for certain specialty driver licenses or  
117 identification cards; revising fee distributions for  
118 certain driver license reinstatement services  
119 performed by tax collectors; providing for expedited  
120 service of a renewal or replacement driver license or  
121 identification card; providing for fee disposition;  
122 amending s. 322.61, F.S.; providing penalties for  
123 texting or using a handheld mobile telephone while  
124 operating a commercial motor vehicle; amending s.  
125 324.031, F.S.; revising requirements for an owner or

126 operator of certain motor vehicles to prove financial  
127 responsibility for damages in the event of a crash  
128 arising out of the use of the motor vehicle; amending  
129 s. 715.07, F.S.; revising provisions for release of a  
130 towed vehicle or vessel; amending s. 812.014, F.S.;  
131 providing a criminal penalty for an offender  
132 committing grand theft who uses a device to interfere  
133 with a global positioning or similar system; amending  
134 ss. 212.05, 316.303, 316.545, 316.613, and 655.960,  
135 F.S.; conforming cross-references; providing  
136 applicability of certain changes made by the act;  
137 providing effective dates.

138  
139 Be It Enacted by the Legislature of the State of Florida:

140  
141 Section 1. Subsections (2) through (97) of section  
142 316.003, Florida Statutes, are renumbered as subsections (3)  
143 through (98), respectively, present subsections (41) and (55)  
144 are amended, and a new subsection (2) is added to that section,  
145 to read:

146 316.003 Definitions.—The following words and phrases, when  
147 used in this chapter, shall have the meanings respectively  
148 ascribed to them in this section, except where the context  
149 otherwise requires:

150 (2) AUTOCYCLE.—A three-wheeled motorcycle that has two

151 wheels in the front and one wheel in the back; is equipped with  
152 a roll cage or roll hoops, a seat belt for each occupant,  
153 antilock brakes, a steering wheel, and seating that does not  
154 require the operator to straddle or sit astride it; and is  
155 manufactured in accordance with the applicable federal  
156 motorcycle safety standards provided in 49 C.F.R. part 571 by a  
157 manufacturer registered with the National Highway Traffic Safety  
158 Administration.

159 (42)-(41) MOTORCYCLE.—Any motor vehicle having a seat or  
160 saddle for the use of the rider and designed to travel on not  
161 more than three wheels in contact with the ground, including an  
162 autocycle, and ~~but~~ excluding a vehicle in which the operator is  
163 enclosed by a cabin unless it meets the requirements set forth  
164 by the National Highway Traffic Safety Administration for a  
165 motorcycle. The term "motorcycle" does not include a tractor or  
166 a moped.

167 (56)-(55) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
168 provided in paragraph (78)(b) ~~(77)(b)~~, any privately owned way  
169 or place used for vehicular travel by the owner and those having  
170 express or implied permission from the owner, but not by other  
171 persons.

172 Section 2. Subsections (1) and (3) of section 316.2397,  
173 Florida Statutes, are amended to read:

174 316.2397 Certain lights prohibited; exceptions.—

175 (1) A ~~No~~ person may not ~~shall~~ drive or move or cause to be

176 moved any vehicle or equipment upon any highway within this  
177 state with a ~~any~~ lamp or device thereon showing or displaying a  
178 red, red and white, or blue light visible from directly in front  
179 thereof except for certain vehicles ~~hereinafter~~ provided in this  
180 section.

181 (3) Vehicles of the fire department and fire patrol,  
182 including vehicles of volunteer firefighters as permitted under  
183 s. 316.2398, may show or display red or red and white lights.  
184 Vehicles of medical staff physicians or technicians of medical  
185 facilities licensed by the state as authorized under s.  
186 316.2398, ambulances as authorized under this chapter, and buses  
187 and taxicabs as authorized under s. 316.2399 may show or display  
188 red lights. Vehicles of the fire department, fire patrol, police  
189 vehicles, and such ambulances and emergency vehicles of  
190 municipal and county departments, public service corporations  
191 operated by private corporations, the Fish and Wildlife  
192 Conservation Commission, the Department of Environmental  
193 Protection, the Department of Transportation, the Department of  
194 Agriculture and Consumer Services, and the Department of  
195 Corrections as are designated or authorized by their respective  
196 department or the chief of police of an incorporated city or any  
197 sheriff of any county may operate emergency lights and sirens in  
198 an emergency. Wreckers, mosquito control fog and spray vehicles,  
199 and emergency vehicles of governmental departments or public  
200 service corporations may show or display amber lights when in

201 actual operation or when a hazard exists provided they are not  
 202 used going to and from the scene of operation or hazard without  
 203 specific authorization of a law enforcement officer or law  
 204 enforcement agency. Wreckers, flatbeds, car carriers, or  
 205 rollbacks registered as wreckers under s. 320.08(5)(d) or (e)  
 206 must use amber rotating or flashing lights while performing  
 207 recoveries and loading on the roadside day or night, and may use  
 208 such lights while towing a vehicle on wheel lifts, slings,  
 209 flatbeds, car carriers, or rollbacks or under reach if the  
 210 operator of the wrecker deems such lights necessary. ~~A flatbed,~~  
 211 ~~car carrier, or rollback may not use amber rotating or flashing~~  
 212 ~~lights when hauling a vehicle on the bed unless it creates a~~  
 213 ~~hazard to other motorists because of protruding objects.~~  
 214 Further, escort vehicles may show or display amber lights when  
 215 in the actual process of escorting overdimensioned equipment,  
 216 material, or buildings as authorized by law. Vehicles owned or  
 217 leased by private security agencies may show or display green  
 218 and amber lights, with either color being no greater than 50  
 219 percent of the lights displayed, while the security personnel  
 220 are engaged in security duties on private or public property.

221 Section 3. Section 316.2398, Florida Statutes, is amended  
 222 to read:

223 316.2398 Display or use of red or red and white warning  
 224 signals; motor vehicles of volunteer firefighters or medical  
 225 staff.—

226 (1) A privately owned vehicle belonging to an active  
227 firefighter member of a regularly organized volunteer  
228 firefighting company or association, while en route to the fire  
229 station for the purpose of proceeding to the scene of a fire or  
230 other emergency or while en route to the scene of a fire or  
231 other emergency in the line of duty as an active firefighter  
232 member of a regularly organized firefighting company or  
233 association, may display or use red or red and white warning  
234 signals. ~~or~~ A privately owned vehicle belonging to a medical  
235 staff physician or technician of a medical facility licensed by  
236 the state, while responding to an emergency in the line of duty,  
237 may display or use red warning signals. Warning signals must be  
238 visible from the front and from the rear of such vehicle,  
239 subject to the following restrictions and conditions:

240 (a) No more than two red or red and white warning signals  
241 may be displayed.

242 (b) No inscription of any kind may appear across the face  
243 of the lens of the red or red and white warning signal.

244 (c) In order for an active volunteer firefighter to  
245 display such red or red and white warning signals on his or her  
246 vehicle, the volunteer firefighter must first secure a written  
247 permit from the chief executive officers of the firefighting  
248 organization to use the red or red and white warning signals,  
249 and this permit must be carried by the volunteer firefighter at  
250 all times while the red or red and white warning signals are

251 displayed.

252 (2) ~~A~~ ~~It is unlawful for~~ any person who is not an active  
253 firefighter member of a regularly organized volunteer  
254 firefighting company or association or a physician or technician  
255 of the medical staff of a medical facility licensed by the state  
256 may not ~~to~~ display on any motor vehicle owned by him or her, at  
257 any time, any red or red and white warning signals as described  
258 in subsection (1).

259 (3) ~~It is unlawful for~~ An active volunteer firefighter may  
260 not ~~to~~ operate any red or red and white warning signals as  
261 authorized in subsection (1), except while en route to the fire  
262 station for the purpose of proceeding to the scene of a fire or  
263 other emergency, or while at or en route to the scene of a fire  
264 or other emergency, in the line of duty.

265 (4) ~~It is unlawful for~~ A physician or technician of the  
266 medical staff of a medical facility may not ~~to~~ operate any red  
267 warning signals as authorized in subsection (1), except when  
268 responding to an emergency in the line of duty.

269 (5) A violation of this section is a nonmoving violation,  
270 punishable as provided in chapter 318. In addition, a ~~any~~  
271 volunteer firefighter who violates this section shall be  
272 dismissed from membership in the firefighting organization by  
273 the chief executive officers thereof.

274 Section 4. Subsection (1) and paragraphs (a), (c), (d),  
275 and (f) of subsection (2) of section 316.302, Florida Statutes,

276 are amended to read:

277 316.302 Commercial motor vehicles; safety regulations;  
278 transporters and shippers of hazardous materials; enforcement.-

279 (1) Except as otherwise provided in subsection (3):

280 (a) All owners and drivers of commercial motor vehicles  
281 that are operated on the public highways of this state while  
282 engaged in interstate commerce are subject to the rules and  
283 regulations contained in 49 C.F.R. parts 382, 385, and 390-397.

284 (b) Except as otherwise provided in this section, all  
285 owners or drivers of commercial motor vehicles that are engaged  
286 in intrastate commerce are subject to the rules and regulations  
287 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~  
288 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~  
289 ~~definition of bus,~~ as such rules and regulations existed on  
290 December 31, 2016 ~~2012~~.

291 (c) The emergency exceptions provided by 49 C.F.R. s.  
292 392.82 also apply to communications by utility drivers and  
293 utility contractor drivers during a Level 1 activation of the  
294 State Emergency Operations Center, as provided in the Florida  
295 Comprehensive Emergency Management plan, or during a state of  
296 emergency declared by executive order or proclamation of the  
297 Governor.

298 (d) Except as provided in ~~s. 316.215(5), and except as~~  
299 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging  
300 requirements for intrastate operations, the requirements of this

301 section supersede all other safety requirements of this chapter  
 302 for commercial motor vehicles.

303 (e) For motor carriers engaged in intrastate commerce  
 304 which are not carrying hazardous materials in amounts that  
 305 require placards, the requirement for electronic logging devices  
 306 and hours of service support documents will not go into effect  
 307 until December 31, 2018.

308 (2) (a) A person who operates a commercial motor vehicle  
 309 solely in intrastate commerce not transporting any hazardous  
 310 material in amounts that require placarding pursuant to 49  
 311 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)  
 312 and 395.3 ~~395.3(a) and (b)~~.

313 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
 314 operates a commercial motor vehicle solely in intrastate  
 315 commerce not transporting any hazardous material in amounts that  
 316 require placarding pursuant to 49 C.F.R. part 172 may not drive  
 317 after having been on duty more than 70 hours in any period of 7  
 318 consecutive days or more than 80 hours in any period of 8  
 319 consecutive days if the motor carrier operates every day of the  
 320 week. Thirty-four consecutive hours off duty shall constitute  
 321 the end of any such period of 7 or 8 consecutive days. This  
 322 weekly limit does not apply to a person who operates a  
 323 commercial motor vehicle solely within this state while  
 324 transporting, during harvest periods, any unprocessed  
 325 agricultural products or unprocessed food or fiber that is

326 subject to seasonal harvesting from place of harvest to the  
327 first place of processing or storage or from place of harvest  
328 directly to market or while transporting livestock, livestock  
329 feed, or farm supplies directly related to growing or harvesting  
330 agricultural products. Upon request of the Department of Highway  
331 Safety and Motor Vehicles, motor carriers shall furnish time  
332 records or other written verification to that department so that  
333 the Department of Highway Safety and Motor Vehicles can  
334 determine compliance with this subsection. These time records  
335 must be furnished to the Department of Highway Safety and Motor  
336 Vehicles within 2 days after receipt of that department's  
337 request. Falsification of such information is subject to a civil  
338 penalty ~~not to exceed \$100. The provisions of~~ This paragraph  
339 does ~~de~~ not apply to operators of farm labor vehicles operated  
340 during a state of emergency declared by the Governor or operated  
341 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of  
342 utility service vehicles as defined in 49 C.F.R. s. 395.2.

343 (d) A person who operates a commercial motor vehicle  
344 solely in intrastate commerce not transporting any hazardous  
345 material in amounts that require placarding pursuant to 49  
346 C.F.R. part 172 within a 150 air-mile radius of the location  
347 where the vehicle is based need not comply with 49 C.F.R. s.  
348 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),  
349 (iii)(A) and (C), 395.1(e)(1)(iii) and (v) are met. ~~If a driver~~  
350 ~~is not released from duty within 12 hours after the driver~~

351 ~~arrives for duty, the motor carrier must maintain documentation~~  
352 ~~of the driver's driving times throughout the duty period.~~

353 (f) A person who operates a commercial motor vehicle  
354 having a ~~declared~~ gross vehicle weight, gross vehicle weight  
355 rating, and gross combined weight rating of less than 26,001  
356 pounds solely in intrastate commerce and who is not transporting  
357 hazardous materials in amounts that require placarding pursuant  
358 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~  
359 ~~as defined in s. 376.301,~~ is exempt from subsection (1).  
360 However, such person must comply with 49 C.F.R. parts 382, 392,  
361 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

362 Section 5. Paragraph (a) of subsection (6) of section  
363 316.3025, Florida Statutes, is amended to read:

364 316.3025 Penalties.—

365 (6) (a) A driver who violates 49 C.F.R. s. 392.80, which  
366 prohibits texting while operating a commercial motor vehicle, or  
367 49 C.F.R. s. 392.82, which prohibits using a handheld mobile  
368 telephone while operating a commercial motor vehicle, may be  
369 assessed a civil penalty ~~and commercial driver license~~  
370 ~~disqualification~~ as follows:

- 371 1. First violation: \$500.
- 372 2. Second violation: \$1,000 ~~and a 60-day commercial driver~~  
373 ~~license disqualification pursuant to 49 C.F.R. part 383.~~
- 374 3. Third and subsequent violations: \$2,750 ~~and a 120-day~~  
375 ~~commercial driver license disqualification pursuant to 49 C.F.R.~~

376 ~~part 383.~~

377 Section 6. Subsections (4) and (5) of section 316.614,  
378 Florida Statutes, are amended to read:

379 316.614 Safety belt usage.—

380 (4) It is unlawful for any person:

381 (a) To operate a motor vehicle or an autocycle in this  
382 state unless each passenger and the operator of the vehicle or  
383 autocycle under the age of 18 years are restrained by a safety  
384 belt or by a child restraint device pursuant to s. 316.613, if  
385 applicable; or

386 (b) To operate a motor vehicle or autocycle in this state  
387 unless the person is restrained by a safety belt.

388 (5) It is unlawful for any person 18 years of age or older  
389 to be a passenger in the front seat of a motor vehicle or an  
390 autocycle unless such person is restrained by a safety belt when  
391 the vehicle or autocycle is in motion.

392 Section 7. Paragraph (d) of subsection (3) of section  
393 318.18, Florida Statutes, is amended to read:

394 318.18 Amount of penalties.—The penalties required for a  
395 noncriminal disposition pursuant to s. 318.14 or a criminal  
396 offense listed in s. 318.17 are as follows:

397 (3)

398 (d) Notwithstanding paragraph (b), a person cited for  
399 exceeding the speed limit in a posted work ~~construction~~ zone,  
400 which posting must include notification of the speed limit and

401 the doubling of fines, shall pay a fine double the amount listed  
 402 in paragraph (b). The fine shall be doubled for work  
 403 ~~construction~~ zone violations only if work ~~construction~~ personnel  
 404 are present or operating equipment on the road or immediately  
 405 adjacent to the road ~~under construction~~.

406 Section 8. Subsections (24) and (26) of section 320.01,  
 407 Florida Statutes, are amended to read:

408 320.01 Definitions, general.—As used in the Florida  
 409 Statutes, except as otherwise provided, the term:

410 (24) "Apportionable vehicle" means any vehicle, except  
 411 recreational vehicles, vehicles displaying restricted plates,  
 412 city pickup and delivery vehicles, ~~buses used in transportation~~  
 413 ~~of chartered parties,~~ and government-owned vehicles, which is  
 414 used or intended for use in two or more member jurisdictions  
 415 that allocate or proportionally register vehicles and which is  
 416 used for the transportation of persons for hire or is designed,  
 417 used, or maintained primarily for the transportation of property  
 418 and:

419 (a) Is a power unit having a gross vehicle weight in  
 420 excess of 26,000 pounds;

421 (b) Is a power unit having three or more axles, regardless  
 422 of weight; or

423 (c) Is used in combination, when the weight of such  
 424 combination exceeds 26,000 pounds gross vehicle weight.  
 425

426 Vehicles, or combinations thereof, having a gross vehicle weight  
427 of 26,000 pounds or less and two-axle vehicles may be  
428 proportionally registered.

429 (26) "Motorcycle" means any motor vehicle having a seat or  
430 saddle for the use of the rider and designed to travel on not  
431 more than three wheels in contact with the ground, including an  
432 autocycle and excluding a vehicle in which the operator is  
433 enclosed by a cabin unless it meets the requirements set forth  
434 by the National Highway Traffic Safety Administration for a  
435 motorcycle. The term "motorcycle" does not include a tractor or  
436 a moped.

437 Section 9. Paragraph (a) of subsection (15) of section  
438 320.02, Florida Statutes, is amended to read:

439 320.02 Registration required; application for  
440 registration; forms.—

441 (15) (a) The application form for motor vehicle  
442 registration shall include language permitting the voluntary  
443 contribution of \$1 per applicant, to be quarterly distributed by  
444 the department to Preserve Vision ~~Prevent Blindness~~ Florida, a  
445 not-for-profit organization, to prevent blindness and preserve  
446 the sight of the residents of this state. A statement providing  
447 an explanation of the purpose of the funds shall be included  
448 with the application form. Prior to the department distributing  
449 the funds collected pursuant to this paragraph, Prevent  
450 Blindness Florida must submit a report to the department that

451 identifies how such funds were used during the preceding year.  
452

453 For the purpose of applying the service charge provided in s.  
454 215.20, contributions received under this subsection are not  
455 income of a revenue nature.

456 Section 10. Effective July 1, 2018, subsection (10) of  
457 section 320.03, Florida Statutes, is amended to read:

458 320.03 Registration; duties of tax collectors;  
459 International Registration Plan.—

460 (10) Jurisdiction over the electronic filing system for  
461 use by authorized electronic filing system agents to  
462 electronically title or register motor vehicles, vessels, mobile  
463 homes, or off-highway vehicles; process title transactions,  
464 derelict motor vehicle certificates, and certificates of  
465 destruction for derelict and salvage motor vehicles pursuant to  
466 s. 319.30(2), (3), (7), and (8); issue or transfer registration  
467 license plates or decals; electronically transfer fees due for  
468 the title and registration process; and perform inquiries for  
469 title, registration, and lienholder verification and  
470 certification of service providers is expressly preempted to the  
471 state, and the department shall have regulatory authority over  
472 the system. The electronic filing system shall be available for  
473 use statewide and applied uniformly throughout the state. An  
474 entity that, in the normal course of its business, sells  
475 products that must be titled or registered, provides title and

476 registration services on behalf of its consumers, or processes  
477 title transactions, derelict motor vehicle certificates, or  
478 certificates of destruction for derelict or salvage motor  
479 vehicles pursuant to s. 319.30(2), (3), (7), or (8), and meets  
480 all established requirements may be an authorized electronic  
481 filing system agent and shall not be precluded from  
482 participating in the electronic filing system in any county.  
483 Upon request from a qualified entity, the tax collector shall  
484 appoint the entity as an authorized electronic filing system  
485 agent for that county. ~~The department shall adopt rules in~~  
486 ~~accordance with chapter 120 to replace the December 10, 2009,~~  
487 ~~program standards and to administer the provisions of this~~  
488 ~~section, including, but not limited to, establishing~~  
489 ~~participation requirements, certification of service providers,~~  
490 ~~electronic filing system requirements, and enforcement authority~~  
491 ~~for noncompliance. The December 10, 2009, program standards,~~  
492 ~~excluding any standards which conflict with this subsection,~~  
493 ~~shall remain in effect until the rules are adopted. An~~  
494 authorized electronic filing agent may charge a fee to the  
495 customer for use of the electronic filing system. The department  
496 shall adopt rules to administer this subsection, including, but  
497 not limited to, establishing participation requirements,  
498 certification of service providers, electronic filing system  
499 requirements, disclosures, and enforcement authority for  
500 noncompliance.

501 Section 11. Paragraph (b) of subsection (1) of section  
 502 320.06, Florida Statutes, is amended to read:

503 320.06 Registration certificates, license plates, and  
 504 validation stickers generally.—

505 (1)

506 (b)1. Registration license plates bearing a graphic symbol  
 507 and the alphanumeric system of identification shall be issued  
 508 for a 10-year period. At the end of the 10-year period, upon  
 509 renewal, the plate shall be replaced. The department shall  
 510 extend the scheduled license plate replacement date from a 6-  
 511 year period to a 10-year period. The fee for such replacement is  
 512 \$28, \$2.80 of which shall be paid each year before the plate is  
 513 replaced, to be credited toward the next \$28 replacement fee.  
 514 The fees shall be deposited into the Highway Safety Operating  
 515 Trust Fund. A credit or refund may not be given for any prior  
 516 years' payments of the prorated replacement fee if the plate is  
 517 replaced or surrendered before the end of the 10-year period,  
 518 except that a credit may be given if a registrant is required by  
 519 the department to replace a license plate under s.

520 320.08056(8)(a). With each license plate, a validation sticker  
 521 shall be issued showing the owner's birth month, license plate  
 522 number, and the year of expiration or the appropriate renewal  
 523 period if the owner is not a natural person. The validation  
 524 sticker shall be placed on the upper right corner of the license  
 525 plate. The license plate and validation sticker shall be issued

526 based on the applicant's appropriate renewal period. The  
527 registration period is 12 months, the extended registration  
528 period is 24 months, and all expirations occur based on the  
529 applicant's appropriate registration period.

530 2. Before October 1, 2018, a vehicle that has an  
531 apportioned registration shall be issued an annual license plate  
532 and a cab card denoting ~~that denote~~ the declared gross vehicle  
533 weight for each apportioned jurisdiction in which the vehicle is  
534 authorized to operate.

535 3. Beginning October 1, 2018, a vehicle registered in  
536 accordance with the International Registration Plan shall be  
537 issued a license plate for a 5-year period, an annual cab card  
538 denoting the declared gross vehicle weight, and an annual  
539 validation sticker showing the month and year of expiration. The  
540 validation sticker shall be placed in the center of the license  
541 plate. The license plate and validation sticker shall be issued  
542 based on the applicant's appropriate renewal period. The fee for  
543 the initial validation sticker and any renewed validation  
544 sticker is \$28. This fee shall be deposited into the Highway  
545 Safety Operating Trust Fund. If the license plate is damaged or  
546 worn, it may be replaced at no charge by applying to the  
547 department and surrendering the current license plate.

548 ~~4.2.~~ In order to retain the efficient administration of  
549 the taxes and fees imposed by this chapter, the 80-cent fee  
550 increase in the replacement fee imposed by chapter 2009-71, Laws

551 of Florida, is negated as provided in s. 320.0804.

552 Section 12. Section 320.0605, Florida Statutes, is amended  
553 to read:

554 320.0605 Certificate of registration; possession required;  
555 exception.—

556 (1) (a) The registration certificate or an official copy  
557 thereof, a true copy or electronic copy of rental or lease  
558 documentation issued for a motor vehicle or issued for a  
559 replacement vehicle in the same registration period, a temporary  
560 receipt printed upon self-initiated electronic renewal of a  
561 registration via the Internet, or a cab card issued for a  
562 vehicle registered under the International Registration Plan  
563 shall, at all times while the vehicle is being used or operated  
564 on the roads of this state, be in the possession of the operator  
565 thereof or be carried in the vehicle for which issued and shall  
566 be exhibited upon demand of any authorized law enforcement  
567 officer or any agent of the department, except for a vehicle  
568 registered under s. 320.0657. ~~The provisions of~~ This section  
569 does ~~de~~ not apply during the first 30 days after purchase of a  
570 replacement vehicle. A violation of this section is a  
571 noncriminal traffic infraction, punishable as a nonmoving  
572 violation as provided in chapter 318.

573 (b)1. The act of presenting to a law enforcement officer  
574 or agent of the department an electronic device displaying an  
575 electronic copy of rental or lease documentation does not

576 constitute consent for the officer or agent to access any  
577 information on the device other than the displayed rental or  
578 lease documentation.

579 2. The person who presents the device to the officer or  
580 agent assumes the liability for any resulting damage to the  
581 device.

582 (2) Rental or lease documentation that is sufficient to  
583 satisfy the requirement in subsection (1) includes the  
584 following:

- 585 (a) ~~Date of rental~~ and time of ~~exit from rental facility~~;
- 586 (b) Rental station identification;
- 587 (c) Rental agreement number;
- 588 (d) Rental vehicle identification number;
- 589 (e) Rental vehicle license plate number and state of  
590 registration;
- 591 (f) Vehicle's make, model, and color;
- 592 (g) Vehicle's mileage; and
- 593 (h) Authorized renter's name.

594 Section 13. Subsection (5) of section 320.0607, Florida  
595 Statutes, is amended to read:

596 320.0607 Replacement license plates, validation decal, or  
597 mobile home sticker.—

598 (5) Upon the issuance of an original license plate, the  
599 applicant shall pay a fee of \$28 to be deposited in the Highway  
600 Safety Operating Trust Fund. Beginning October 1, 2018, this

601 subsection does not apply to a vehicle registered under the  
602 International Registration Plan.

603 Section 14. Subsection (4) is added to section 320.0655,  
604 Florida Statutes, to read:

605 320.0655 Permanent license plates for governmental  
606 entities and volunteer fire departments.—

607 (4) A motor vehicle owned by a governmental entity or  
608 otherwise purchased with state funds shall be clearly marked and  
609 numbered in a manner such that ownership of the vehicle can  
610 easily be determined. This subsection does not apply to a  
611 vehicle registered using a fictitious name pursuant to s.  
612 320.025.

613 Section 15. Section 320.08, Florida Statutes, is amended  
614 to read:

615 320.08 License taxes.—Except as otherwise provided herein,  
616 there are hereby levied and imposed annual license taxes for the  
617 operation of motor vehicles, mopeds, motorized bicycles as  
618 defined in s. 316.003(4) ~~316.003(2)~~, tri-vehicles as defined in  
619 s. 316.003, and mobile homes as defined in s. 320.01, which  
620 shall be paid to and collected by the department or its agent  
621 upon the registration or renewal of registration of the  
622 following:

- 623 (1) MOTORCYCLES AND MOPEDS.—  
624 (a) Any motorcycle: \$10 flat.  
625 (b) Any moped: \$5 flat.

626 (c) Upon registration of a motorcycle, motor-driven cycle,  
 627 or moped, in addition to the license taxes specified in this  
 628 subsection, a nonrefundable motorcycle safety education fee in  
 629 the amount of \$2.50 shall be paid. The proceeds of such  
 630 additional fee shall be deposited in the Highway Safety  
 631 Operating Trust Fund to fund a motorcycle driver improvement  
 632 program implemented pursuant to s. 322.025, the Florida  
 633 Motorcycle Safety Education Program established in s. 322.0255,  
 634 or the general operations of the department.

635 (d) An ancient or antique motorcycle: \$7.50 flat, of which  
 636 \$2.50 shall be deposited into the General Revenue Fund.

637 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

638 (a) An ancient or antique automobile, as defined in s.  
 639 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

640 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

641 (c) Net weight of 2,500 pounds or more, but less than  
 642 3,500 pounds: \$22.50 flat.

643 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

644 (3) TRUCKS.—

645 (a) Net weight of less than 2,000 pounds: \$14.50 flat.

646 (b) Net weight of 2,000 pounds or more, but not more than  
 647 3,000 pounds: \$22.50 flat.

648 (c) Net weight more than 3,000 pounds, but not more than  
 649 5,000 pounds: \$32.50 flat.

650 (d) A truck defined as a "goat," or other vehicle if used

651 in the field by a farmer or in the woods for the purpose of  
652 harvesting a crop, including naval stores, during such  
653 harvesting operations, and which is not principally operated  
654 upon the roads of the state: \$7.50 flat. The term "goat" means a  
655 motor vehicle designed, constructed, and used principally for  
656 the transportation of citrus fruit within citrus groves or for  
657 the transportation of crops on farms, and which can also be used  
658 for hauling associated equipment or supplies, including required  
659 sanitary equipment, and the towing of farm trailers.

660 (e) An ancient or antique truck, as defined in s. 320.086:  
661 \$7.50 flat.

662 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS  
663 VEHICLE WEIGHT.—

664 (a) Gross vehicle weight of 5,001 pounds or more, but less  
665 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be  
666 deposited into the General Revenue Fund.

667 (b) Gross vehicle weight of 6,000 pounds or more, but less  
668 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be  
669 deposited into the General Revenue Fund.

670 (c) Gross vehicle weight of 8,000 pounds or more, but less  
671 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited  
672 into the General Revenue Fund.

673 (d) Gross vehicle weight of 10,000 pounds or more, but  
674 less than 15,000 pounds: \$118 flat, of which \$31 shall be  
675 deposited into the General Revenue Fund.

676 (e) Gross vehicle weight of 15,000 pounds or more, but  
 677 less than 20,000 pounds: \$177 flat, of which \$46 shall be  
 678 deposited into the General Revenue Fund.

679 (f) Gross vehicle weight of 20,000 pounds or more, but  
 680 less than 26,001 pounds: \$251 flat, of which \$65 shall be  
 681 deposited into the General Revenue Fund.

682 (g) Gross vehicle weight of 26,001 pounds or more, but  
 683 less than 35,000: \$324 flat, of which \$84 shall be deposited  
 684 into the General Revenue Fund.

685 (h) Gross vehicle weight of 35,000 pounds or more, but  
 686 less than 44,000 pounds: \$405 flat, of which \$105 shall be  
 687 deposited into the General Revenue Fund.

688 (i) Gross vehicle weight of 44,000 pounds or more, but  
 689 less than 55,000 pounds: \$773 flat, of which \$201 shall be  
 690 deposited into the General Revenue Fund.

691 (j) Gross vehicle weight of 55,000 pounds or more, but  
 692 less than 62,000 pounds: \$916 flat, of which \$238 shall be  
 693 deposited into the General Revenue Fund.

694 (k) Gross vehicle weight of 62,000 pounds or more, but  
 695 less than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
 696 deposited into the General Revenue Fund.

697 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322  
 698 flat, of which \$343 shall be deposited into the General Revenue  
 699 Fund.

700 (m) Notwithstanding the declared gross vehicle weight, a

701 truck tractor used within this state ~~a 150-mile radius of its~~  
 702 ~~home address~~ is eligible for a license plate for a fee of \$324  
 703 flat if:

704 1. The truck tractor is used exclusively for hauling  
 705 forestry products; or

706 2. The truck tractor is used primarily for the hauling of  
 707 forestry products, and is also used for the hauling of  
 708 associated forestry harvesting equipment used by the owner of  
 709 the truck tractor.

710  
 711 Of the fee imposed by this paragraph, \$84 shall be deposited  
 712 into the General Revenue Fund.

713 (n) A truck tractor or heavy truck, not operated as a for-  
 714 hire vehicle, which is engaged exclusively in transporting raw,  
 715 unprocessed, and nonmanufactured agricultural or horticultural  
 716 products within this state ~~a 150-mile radius of its home~~  
 717 ~~address~~, is eligible for a restricted license plate for a fee  
 718 of:

719 1. If such vehicle's declared gross vehicle weight is less  
 720 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be  
 721 deposited into the General Revenue Fund.

722 2. If such vehicle's declared gross vehicle weight is  
 723 44,000 pounds or more and such vehicle only transports from the  
 724 point of production to the point of primary manufacture; to the  
 725 point of assembling the same; or to a shipping point of a rail,

726 | water, or motor transportation company, \$324 flat, of which \$84  
 727 | shall be deposited into the General Revenue Fund.

728 |  
 729 | Such not-for-hire truck tractors and heavy trucks used  
 730 | exclusively in transporting raw, unprocessed, and  
 731 | nonmanufactured agricultural or horticultural products may be  
 732 | incidentally used to haul farm implements and fertilizers  
 733 | delivered direct to the growers. The department may require any  
 734 | documentation deemed necessary to determine eligibility prior to  
 735 | issuance of this license plate. For the purpose of this  
 736 | paragraph, "not-for-hire" means the owner of the motor vehicle  
 737 | must also be the owner of the raw, unprocessed, and  
 738 | nonmanufactured agricultural or horticultural product, or the  
 739 | user of the farm implements and fertilizer being delivered.

740 | (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;  
 741 | SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

742 | (a)1. A semitrailer drawn by a GVW truck tractor by means  
 743 | of a fifth-wheel arrangement: \$13.50 flat per registration year  
 744 | or any part thereof, of which \$3.50 shall be deposited into the  
 745 | General Revenue Fund.

746 | 2. A semitrailer drawn by a GVW truck tractor by means of  
 747 | a fifth-wheel arrangement: \$68 flat per permanent registration,  
 748 | of which \$18 shall be deposited into the General Revenue Fund.

749 | (b) A motor vehicle equipped with machinery and designed  
 750 | for the exclusive purpose of well drilling, excavation,

751 construction, spraying, or similar activity, and which is not  
752 designed or used to transport loads other than the machinery  
753 described above over public roads: \$44 flat, of which \$11.50  
754 shall be deposited into the General Revenue Fund.

755 (c) A school bus used exclusively to transport pupils to  
756 and from school or school or church activities or functions  
757 within their own county: \$41 flat, of which \$11 shall be  
758 deposited into the General Revenue Fund.

759 (d) A wrecker, as defined in s. 320.01, which is used to  
760 tow a vessel as defined in s. 327.02, a disabled, abandoned,  
761 stolen-recovered, or impounded motor vehicle as defined in s.  
762 320.01, or a replacement motor vehicle as defined in s. 320.01:  
763 \$41 flat, of which \$11 shall be deposited into the General  
764 Revenue Fund.

765 (e) A wrecker that is used to tow any nondisabled motor  
766 vehicle, a vessel, or any other cargo unless used as defined in  
767 paragraph (d), as follows:

768 1. Gross vehicle weight of 10,000 pounds or more, but less  
769 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited  
770 into the General Revenue Fund.

771 2. Gross vehicle weight of 15,000 pounds or more, but less  
772 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited  
773 into the General Revenue Fund.

774 3. Gross vehicle weight of 20,000 pounds or more, but less  
775 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited

776 into the General Revenue Fund.

777 4. Gross vehicle weight of 26,000 pounds or more, but less  
778 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited  
779 into the General Revenue Fund.

780 5. Gross vehicle weight of 35,000 pounds or more, but less  
781 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited  
782 into the General Revenue Fund.

783 6. Gross vehicle weight of 44,000 pounds or more, but less  
784 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited  
785 into the General Revenue Fund.

786 7. Gross vehicle weight of 55,000 pounds or more, but less  
787 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited  
788 into the General Revenue Fund.

789 8. Gross vehicle weight of 62,000 pounds or more, but less  
790 than 72,000 pounds: \$1,080 flat, of which \$280 shall be  
791 deposited into the General Revenue Fund.

792 9. Gross vehicle weight of 72,000 pounds or more: \$1,322  
793 flat, of which \$343 shall be deposited into the General Revenue  
794 Fund.

795 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50  
796 shall be deposited into the General Revenue Fund.

797 (6) MOTOR VEHICLES FOR HIRE.—

798 (a) Under nine passengers: \$17 flat, of which \$4.50 shall  
799 be deposited into the General Revenue Fund; plus \$1.50 per cwt,  
800 of which 50 cents shall be deposited into the General Revenue

801 Fund.

802 (b) Nine passengers and over: \$17 flat, of which \$4.50  
 803 shall be deposited into the General Revenue Fund; plus \$2 per  
 804 cwt, of which 50 cents shall be deposited into the General  
 805 Revenue Fund.

806 (7) TRAILERS FOR PRIVATE USE.—

807 (a) Any trailer weighing 500 pounds or less: \$6.75 flat  
 808 per year or any part thereof, of which \$1.75 shall be deposited  
 809 into the General Revenue Fund.

810 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1  
 811 shall be deposited into the General Revenue Fund; plus \$1 per  
 812 cwt, of which 25 cents shall be deposited into the General  
 813 Revenue Fund.

814 (8) TRAILERS FOR HIRE.—

815 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1  
 816 shall be deposited into the General Revenue Fund; plus \$1.50 per  
 817 cwt, of which 50 cents shall be deposited into the General  
 818 Revenue Fund.

819 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which  
 820 \$3.50 shall be deposited into the General Revenue Fund; plus  
 821 \$1.50 per cwt, of which 50 cents shall be deposited into the  
 822 General Revenue Fund.

823 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

824 (a) A travel trailer or fifth-wheel trailer, as defined by  
 825 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27

826 flat, of which \$7 shall be deposited into the General Revenue  
827 Fund.

828 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:  
829 \$13.50 flat, of which \$3.50 shall be deposited into the General  
830 Revenue Fund.

831 (c) A motor home, as defined by s. 320.01(1)(b)4.:

832 1. Net weight of less than 4,500 pounds: \$27 flat, of  
833 which \$7 shall be deposited into the General Revenue Fund.

834 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
835 which \$12.25 shall be deposited into the General Revenue Fund.

836 (d) A truck camper as defined by s. 320.01(1)(b)3.:

837 1. Net weight of less than 4,500 pounds: \$27 flat, of  
838 which \$7 shall be deposited into the General Revenue Fund.

839 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
840 which \$12.25 shall be deposited into the General Revenue Fund.

841 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

842 1. Net weight of less than 4,500 pounds: \$27 flat, of  
843 which \$7 shall be deposited into the General Revenue Fund.

844 2. Net weight of 4,500 pounds or more: \$47.25 flat, of  
845 which \$12.25 shall be deposited into the General Revenue Fund.

846 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;  
847 35 FEET TO 40 FEET.—

848 (a) Park trailers.—Any park trailer, as defined in s.  
849 320.01(1)(b)7.: \$25 flat.

850 (b) A travel trailer or fifth-wheel trailer, as defined in

851 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

852 (11) MOBILE HOMES.—

853 (a) A mobile home not exceeding 35 feet in length: \$20  
854 flat.

855 (b) A mobile home over 35 feet in length, but not  
856 exceeding 40 feet: \$25 flat.

857 (c) A mobile home over 40 feet in length, but not  
858 exceeding 45 feet: \$30 flat.

859 (d) A mobile home over 45 feet in length, but not  
860 exceeding 50 feet: \$35 flat.

861 (e) A mobile home over 50 feet in length, but not  
862 exceeding 55 feet: \$40 flat.

863 (f) A mobile home over 55 feet in length, but not  
864 exceeding 60 feet: \$45 flat.

865 (g) A mobile home over 60 feet in length, but not  
866 exceeding 65 feet: \$50 flat.

867 (h) A mobile home over 65 feet in length: \$80 flat.

868 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
869 motor vehicle dealer, independent motor vehicle dealer, marine  
870 boat trailer dealer, or mobile home dealer and manufacturer  
871 license plate: \$17 flat, of which \$4.50 shall be deposited into  
872 the General Revenue Fund.

873 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or  
874 official license plate: \$4 flat, of which \$1 shall be deposited  
875 into the General Revenue Fund.

876 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor  
 877 vehicle for hire operated wholly within a city or within 25  
 878 miles thereof: \$17 flat, of which \$4.50 shall be deposited into  
 879 the General Revenue Fund; plus \$2 per cwt, of which 50 cents  
 880 shall be deposited into the General Revenue Fund.

881 (15) TRANSPORTER.—Any transporter license plate issued to  
 882 a transporter pursuant to s. 320.133: \$101.25 flat, of which  
 883 \$26.25 shall be deposited into the General Revenue Fund.

884 Section 16. Paragraph (b) of subsection (4) of section  
 885 320.08068, Florida Statutes, is amended to read:

886 320.08068 Motorcycle specialty license plates.—

887 (4) A license plate annual use fee of \$20 shall be  
 888 collected for each motorcycle specialty license plate. Annual  
 889 use fees shall be distributed to The Able Trust as custodial  
 890 agent. The Able Trust may retain a maximum of 10 percent of the  
 891 proceeds from the sale of the license plate for administrative  
 892 costs. The Able Trust shall distribute the remaining funds as  
 893 follows:

894 (b) Twenty percent to Preserve Vision ~~Prevent Blindness~~  
 895 Florida.

896 Section 17. Section 320.0875, Florida Statutes, is created  
 897 to read:

898 320.0875 Purple Heart special motorcycle license plate.—

899 (1) Upon application to the department and payment of the  
 900 license tax for the motorcycle as provided in s. 320.08, a

901 resident of the state who owns or leases a motorcycle that is  
902 not used for hire or commercial use shall be issued a Purple  
903 Heart special motorcycle license plate if he or she provides  
904 documentation acceptable to the department that he or she is a  
905 recipient of the Purple Heart medal.

906 (2) The Purple Heart special motorcycle license plate  
907 shall be stamped with the term "Combat-wounded Veteran" followed  
908 by the serial number of the license plate. The Purple Heart  
909 special motorcycle license plate may have the term "Purple  
910 Heart" stamped on the plate and the likeness of the Purple Heart  
911 medal appearing on the plate.

912 Section 18. Paragraph (a) of subsection (1) of section  
913 320.089, Florida Statutes, is amended to read:

914 ~~320.089 Veterans of the United States Armed Forces;~~  
915 ~~members of National Guard; survivors of Pearl Harbor; Purple~~  
916 ~~Heart medal recipients; active or retired United States Armed~~  
917 ~~Forces reservists; Combat Infantry Badge, Combat Medical Badge,~~  
918 ~~or Combat Action Badge recipients; Combat Action Ribbon~~  
919 ~~recipients; Air Force Combat Action Medal recipients;~~  
920 ~~Distinguished Flying Cross recipients; former prisoners of war;~~  
921 ~~Korean War Veterans; Vietnam War Veterans; Operation Desert~~  
922 ~~Shield Veterans; Operation Desert Storm Veterans; Operation~~  
923 ~~Enduring Freedom Veterans; Operation Iraqi Freedom Veterans;~~  
924 ~~Women Veterans; World War II Veterans; and Navy Submariners;~~  
925 Special license plates for military servicemembers, veterans,

926 and Pearl Harbor Survivors; fee.

927       (1) (a) Upon application to the department and payment of  
928 the license tax for the vehicle as provided in s. 320.08, a  
929 resident of the state who owns or leases ~~Each owner or lessee of~~  
930 an automobile or truck for private use or recreational vehicle  
931 as specified in s. 320.08(9)(c) or (d), which is not used for  
932 hire or commercial use, shall be issued a license plate pursuant  
933 to the following if the applicant provides the department with  
934 proof he or she meets the qualifications listed in this section  
935 for the applicable license plate:

936       1. A person released or discharged from any branch ~~who is~~  
937 ~~a resident of the state and a veteran of the United States Armed~~  
938 ~~Forces~~ shall be issued a license plate stamped with the term  
939 "Veteran" or, a "Woman Veteran" followed by the serial number of  
940 the license plate.

941       2. A World War II Veteran shall be issued a license plate  
942 stamped with the term "WWII Veteran" followed by the serial  
943 number of the license plate.

944       3. A Navy Submariner shall be issued a license plate  
945 stamped with the term "Navy Submariner" followed by the serial  
946 number of the license plate.

947       4. An active or retired member of the Florida National  
948 Guard shall be issued a license plate stamped with the term  
949 "National Guard" followed by the serial number of the license  
950 plate.

951       5. A member of the Pearl Harbor Survivors Association or  
952 other person on active military duty in Pearl Harbor on December  
953 7, 1941, shall be issued a license plate stamped with the term  
954 "Pearl Harbor Survivor" followed by the serial number of the  
955 license plate.~~, a survivor of the attack on Pearl Harbor,~~

956       6. A recipient of the Purple Heart medal shall be issued a  
957 license plate stamped with the term "Combat-wounded Veteran"  
958 followed by the serial number of the license plate. The Purple  
959 Heart plate may have the term "Purple Heart" stamped on the  
960 plate and the likeness of the Purple Heart medal appearing on  
961 the plate.

962       7. An active or retired member of any branch of the United  
963 States Armed Forces Reserve shall be issued a license plate  
964 stamped with the term "U.S. Reserve" followed by the serial  
965 number of the license plate.

966       8. A member of the Combat Infantrymen's Association, Inc.,  
967 or a recipient of the Combat Infantry Badge, Combat Medical  
968 Badge, Combat Action Badge, Combat Action Ribbon, or Air Force  
969 Combat Action Medal shall be issued a license plate stamped with  
970 the term "Combat Infantry Badge," "Combat Medical Badge,"  
971 "Combat Action Badge," "Combat Action Ribbon," or "Air Force  
972 Combat Action Medal," as appropriate, and a likeness of the  
973 related campaign medal or badge, followed by the serial number  
974 of the license plate.

975       9. A recipient of the, ~~or~~ Distinguished Flying Cross shall

976 be issued a license plate stamped with the term "Distinguished  
 977 Flying Cross" and a likeness of the Distinguished Flying Cross  
 978 followed by the serial number of the license plate.

979 10. A recipient of the Bronze Star shall be issued a  
 980 license plate stamped with the term "Bronze Star" and a likeness  
 981 of the Bronze Star followed by the serial number of the license  
 982 plate., upon application to the department, accompanied by proof  
 983 of release or discharge from any branch of the United States  
 984 Armed Forces, proof of active membership or retired status in  
 985 the Florida National Guard, proof of membership in the Pearl  
 986 Harbor Survivors Association or proof of active military duty in  
 987 Pearl Harbor on December 7, 1941, proof of being a Purple Heart  
 988 medal recipient, proof of active or retired membership in any  
 989 branch of the United States Armed Forces Reserve, or proof of  
 990 membership in the Combat Infantrymen's Association, Inc., proof  
 991 of being a recipient of the Combat Infantry Badge, Combat  
 992 Medical Badge, Combat Action Badge, Combat Action Ribbon, Air  
 993 Force Combat Action Medal, or Distinguished Flying Cross, and  
 994 upon payment of the license tax for the vehicle as provided in  
 995 s. 320.08, shall be issued a license plate as provided by s.  
 996 320.06 which, in lieu of the serial numbers prescribed by s.  
 997 320.06, is stamped with the words "Veteran," "Woman Veteran,"  
 998 "WWII Veteran," "Navy Submariner," "National Guard," "Pearl  
 999 Harbor Survivor," "Combat-wounded veteran," "U.S. Reserve,"  
 1000 "Combat Infantry Badge," "Combat Medical Badge," "Combat Action

1001 ~~Badge, " "Combat Action Ribbon," "Air Force Combat Action Medal,"~~  
 1002 ~~or "Distinguished Flying Cross," as appropriate, and a likeness~~  
 1003 ~~of the related campaign medal or badge, followed by the serial~~  
 1004 ~~number of the license plate. Additionally, the Purple Heart~~  
 1005 ~~plate may have the words "Purple Heart" stamped on the plate and~~  
 1006 ~~the likeness of the Purple Heart medal appearing on the plate.~~

1007 Section 19. Section 320.133, Florida Statutes, is amended  
 1008 to read:

1009 320.133 Transporter license plates.—

1010 (1) As used in this section, the term "transporter license  
 1011 plate eligible business" means a business engaged in the limited  
 1012 operation of an unregistered motor vehicle or a reposessor who  
 1013 contracts with lending institutions to repossess or recover  
 1014 motor vehicles or mobile homes.

1015 (2) A person is not eligible to purchase or renew a  
 1016 transporter license plate unless he or she provides proof  
 1017 satisfactory to the department that his or her business is a  
 1018 transporter license plate eligible business.

1019 (3) The application for qualification as a transporter  
 1020 license plate eligible business must be on a form prescribed by  
 1021 the department and must contain the legal name of the person or  
 1022 persons applying for the license plate, the name of the  
 1023 business, and the principal or principals of the business. The  
 1024 application must describe the exact physical location of the  
 1025 place of business within the state. This location must be

1026 available at all reasonable hours for transporter license plate  
1027 records inspection by the department or any law enforcement  
1028 agency. The application must contain proof of a garage liability  
1029 insurance policy or a business automobile policy in the amount  
1030 of at least \$100,000, and the certificate of insurance must  
1031 indicate the number of transporter license plates reported to  
1032 the insurance company. Such coverage shall be maintained for the  
1033 entire registration period. Upon seeking initial qualification,  
1034 the applicant must provide documentation proving that the  
1035 business is registered with the Division of Corporations of the  
1036 Department of State to conduct business in the state. The  
1037 business must indicate how it meets the qualification as a  
1038 transporter license plate eligible business by describing in  
1039 detail the business processes that require the use of a  
1040 transporter license plate.

1041 (4) (a) (1) The department may ~~is authorized to~~ issue a  
1042 transporter license plate to an ~~any~~ applicant who is not a  
1043 licensed dealer and is qualified as a transporter license plate  
1044 eligible business, ~~incidental to the conduct of his or her~~  
1045 ~~business, engages in the transporting of motor vehicles which~~  
1046 ~~are not currently registered to any owner and which do not have~~  
1047 ~~license plates,~~ upon payment of the license tax imposed by s.  
1048 320.08(15) for each transporter ~~such~~ license plate and upon  
1049 proof of ~~liability~~ insurance as described in subsection (3)  
1050 coverage in the amount of \$100,000 or more. The proof of

1051 insurance must indicate the number of transporter license plates  
 1052 reported to the insurance company, which shall be the maximum  
 1053 number of transporter license plates issued to the applicant.  
 1054 ~~Such~~ A transporter license plate is only valid for use on an  
 1055 unregistered ~~any~~ motor vehicle in the possession of the  
 1056 transporter while the motor vehicle is being transported in the  
 1057 course of the transporter's business and may not be attached to  
 1058 any vehicle owned by the transporter or his or her business for  
 1059 which registration would otherwise be required. A person who  
 1060 sells or unlawfully possesses, distributes, or brokers a  
 1061 transporter license plate to be attached to any vehicle commits  
 1062 a misdemeanor of the second degree, punishable as provided in s.  
 1063 775.082 or s. 775.083, and any and all transporter license  
 1064 plates issued are subject to cancellation by the department.  
 1065 (b) A person who knowingly and willfully sells or  
 1066 unlawfully possesses, distributes, or brokers a transporter  
 1067 license plate to avoid registering a vehicle requiring  
 1068 registration pursuant to this chapter or chapter 319 commits a  
 1069 misdemeanor of the first degree, punishable as provided in s.  
 1070 775.082 or s. 775.083, and is disqualified from transporter  
 1071 license plate usage. All transporter license plates issued to  
 1072 the person's business shall be canceled and must be returned to  
 1073 the department immediately upon disqualification. The  
 1074 transporter license plate is subject to removal as provided in  
 1075 subsection (9), and any and all transporter plates issued are

1076 subject to cancellation by the department.

1077 (5) A transporter license plate eligible business issued a  
 1078 transporter license plate must maintain for 2 years, at its  
 1079 location, records of each use of each transporter license plate  
 1080 and evidence that the plate was used as required by this  
 1081 chapter. Such records must be open to inspection by the  
 1082 department or its agents or any law enforcement officer during  
 1083 reasonable business hours. A person who fails to maintain true  
 1084 and accurate records of any transporter license plate usage or  
 1085 comply with this subsection commits a misdemeanor of the second  
 1086 degree, punishable as provided in s. 775.082 or s. 775.083, may  
 1087 be subject to cancellation of any and all transporter license  
 1088 plates issued, and is automatically disqualified from future  
 1089 transporter license plate issuance.

1090 (6) When attached to a motor vehicle, a transporter  
 1091 license plate issued under this section must be accompanied by  
 1092 the registration issued for the license plate by the department  
 1093 and proof of insurance as described in subsection (3). A person  
 1094 who operates a motor vehicle with a transporter license plate  
 1095 attached who fails to provide the documentation listed in this  
 1096 subsection commits a misdemeanor of the second degree,  
 1097 punishable as provided in s. 775.082 or s. 775.083, and the  
 1098 license plate is subject to removal as provided in subsection  
 1099 (9). This subsection does not apply to a person who contracts  
 1100 with dealers and auctions to transport motor vehicles.

1101        (7)~~(2)~~ A license plate issued pursuant to subsection (4)  
 1102 ~~(1)~~ must be in a distinctive color approved by the department,  
 1103 and the word "transporter" must appear on the face of the  
 1104 license plate in place of the county name.

1105        (8)~~(3)~~ An initial registration or renewal ~~A license plate~~  
 1106 issued under this section is valid for ~~a period of~~ 12 months,  
 1107 beginning January 1 and ending December 31. A ~~No~~ refund of the  
 1108 license tax imposed may not be provided for any unexpired  
 1109 portion of a license period.

1110        (9) A license plate attached to a motor vehicle in  
 1111 violation of subsection (4) or subsection (6) must be  
 1112 immediately removed by law enforcement from the motor vehicle to  
 1113 which it is attached and surrendered to the department by the  
 1114 law enforcement agency for cancellation.

1115        Section 20. Paragraphs (c) and (d) of subsection (1) and  
 1116 subsection (2) of section 320.27, Florida Statutes, are amended  
 1117 to read:

1118        320.27 Motor vehicle dealers.—

1119        (1) DEFINITIONS.—The following words, terms, and phrases  
 1120 when used in this section have the meanings respectively  
 1121 ascribed to them in this subsection, except where the context  
 1122 clearly indicates a different meaning:

1123        (c) "Motor vehicle dealer" means a ~~any~~ person engaged in  
 1124 the business of buying, selling, or dealing in motor vehicles or  
 1125 offering or displaying motor vehicles for sale at wholesale or

1126 retail, or who may service and repair motor vehicles pursuant to  
1127 an agreement as defined in s. 320.60(1). ~~A~~ Any person who buys,  
1128 sells, or deals in three or more motor vehicles in any 12-month  
1129 period or who offers or displays for sale three or more motor  
1130 vehicles in any 12-month period shall be prima facie presumed to  
1131 be a motor vehicle dealer ~~engaged in such business~~. A person who  
1132 engages in any of the following activities shall be deemed to be  
1133 dealing in motor vehicles: possessing, storing, or displaying  
1134 motor vehicles for retail sale; advertising motor vehicles for  
1135 retail sale; negotiating with consumers regarding the terms of  
1136 sale for a motor vehicle; providing test drives of motor  
1137 vehicles offered for sale; or delivering or arranging for the  
1138 delivery of a motor vehicle in conjunction with the sale of such  
1139 motor vehicle. The terms "selling" and "sale" include lease-  
1140 purchase transactions. A motor vehicle dealer may, at retail or  
1141 wholesale, sell a recreational vehicle as described in s.  
1142 320.01(1)(b)1.-6. and 8., acquired in exchange for the sale of a  
1143 motor vehicle, provided such acquisition is incidental to the  
1144 principal business of being a motor vehicle dealer. However, a  
1145 motor vehicle dealer may not buy a recreational vehicle for the  
1146 purpose of resale unless licensed as a recreational vehicle  
1147 dealer pursuant to s. 320.771. A motor vehicle dealer may apply  
1148 for a certificate of title to a motor vehicle required to be  
1149 registered under s. 320.08(2)(b), (c), and (d), using a  
1150 manufacturer's statement of origin as permitted by s. 319.23(1),

1151 only if such dealer is authorized by a franchised agreement as  
1152 defined in s. 320.60(1), to buy, sell, or deal in such vehicle  
1153 and is authorized by such agreement to perform delivery and  
1154 preparation obligations and warranty defect adjustments on the  
1155 motor vehicle; provided this limitation shall not apply to  
1156 recreational vehicles, van conversions, or any other motor  
1157 vehicle manufactured on a truck chassis. The transfer of a motor  
1158 vehicle by a dealer not meeting these qualifications shall be  
1159 titled as a used vehicle. The classifications of motor vehicle  
1160 dealers are defined as follows:

1161 1. "Franchised motor vehicle dealer" means any person who  
1162 engages in the business of repairing, servicing, buying,  
1163 selling, or dealing in motor vehicles pursuant to an agreement  
1164 as defined in s. 320.60(1).

1165 2. "Independent motor vehicle dealer" means any person  
1166 other than a franchised or wholesale motor vehicle dealer who  
1167 engages in the business of buying, selling, or dealing in motor  
1168 vehicles, and who may service and repair motor vehicles.

1169 3. "Wholesale motor vehicle dealer" means any person who  
1170 engages exclusively in the business of buying, selling, or  
1171 dealing in motor vehicles at wholesale or with motor vehicle  
1172 auctions. Such person shall be licensed to do business in this  
1173 state, shall not sell or auction a vehicle to any person who is  
1174 not a licensed dealer, and shall not have the privilege of the  
1175 use of dealer license plates. Any person who buys, sells, or

1176 | deals in motor vehicles at wholesale or with motor vehicle  
1177 | auctions on behalf of a licensed motor vehicle dealer and as a  
1178 | bona fide employee of such licensed motor vehicle dealer is not  
1179 | required to be licensed as a wholesale motor vehicle dealer. In  
1180 | such cases it shall be prima facie presumed that a bona fide  
1181 | employer-employee relationship exists. A wholesale motor vehicle  
1182 | dealer shall be exempt from the display provisions of this  
1183 | section but shall maintain an office wherein records are kept in  
1184 | order that those records may be inspected.

1185 |         4. "Motor vehicle auction" means any person offering motor  
1186 | vehicles or recreational vehicles for sale to the highest bidder  
1187 | where buyers are licensed motor vehicle dealers. Such person  
1188 | shall not sell a vehicle to anyone other than a licensed motor  
1189 | vehicle dealer.

1190 |         5. "Salvage motor vehicle dealer" means any person who  
1191 | engages in the business of acquiring salvaged or wrecked motor  
1192 | vehicles for the purpose of reselling them and their parts.

1193 |  
1194 | Notwithstanding any provision of this subsection to the  
1195 | contrary, the term "motor vehicle dealer" does not include  
1196 | persons not engaged in the purchase or sale of motor vehicles as  
1197 | a business who are disposing of vehicles acquired for their own  
1198 | use or for use in their business or acquired by foreclosure or  
1199 | by operation of law, provided such vehicles are acquired and  
1200 | sold in good faith and not for the purpose of avoiding the

1201 provisions of this law; persons engaged in the business of  
1202 manufacturing, selling, or offering or displaying for sale at  
1203 wholesale or retail no more than 25 trailers in a 12-month  
1204 period; public officers while performing their official duties;  
1205 receivers; trustees, administrators, executors, guardians, or  
1206 other persons appointed by, or acting under the judgment or  
1207 order of, any court; banks, finance companies, or other loan  
1208 agencies that acquire motor vehicles as an incident to their  
1209 regular business; motor vehicle brokers; persons whose sole  
1210 dealing in motor vehicles is owning a publication in which, or  
1211 hosting a website on which, licensed motor vehicle dealers  
1212 display vehicles for sale; and motor vehicle rental and leasing  
1213 companies that sell motor vehicles to motor vehicle dealers  
1214 licensed under this section. Vehicles owned under circumstances  
1215 described in this paragraph may be disposed of at retail,  
1216 wholesale, or auction, unless otherwise restricted. A  
1217 manufacturer of fire trucks, ambulances, or school buses may  
1218 sell such vehicles directly to governmental agencies or to  
1219 persons who contract to perform or provide firefighting,  
1220 ambulance, or school transportation services exclusively to  
1221 governmental agencies without processing such sales through  
1222 dealers if such fire trucks, ambulances, school buses, or  
1223 similar vehicles are not presently available through motor  
1224 vehicle dealers licensed by the department.

1225 (d) "Motor vehicle broker" means a ~~any~~ person engaged in

1226 | the business of ~~offering to procure or procuring motor vehicles~~  
 1227 | ~~for the general public~~, or who holds himself or herself out  
 1228 | through solicitation, advertisement, or otherwise as being in  
 1229 | the business of, assisting one who offers to procure or procures  
 1230 | motor vehicles for the general public in purchasing or leasing a  
 1231 | motor vehicle from a licensed motor vehicle dealer, and who does  
 1232 | not deal in motor vehicles as provided in paragraph (c) store,  
 1233 | display, or take ownership of any vehicles for the purpose of  
 1234 | selling such vehicles. An advertisement or solicitation by a  
 1235 | motor vehicle broker must specify that the broker is receiving a  
 1236 | fee and must clearly state that the broker is not a licensed  
 1237 | motor vehicle dealer.

1238 |         (2) LICENSE REQUIRED.—~~A~~ ~~no~~ person may not shall engage in  
 1239 | business as, serve in the capacity of, or act as a motor vehicle  
 1240 | dealer in this state without first obtaining a license therefor  
 1241 | in the appropriate classification as provided in this section.  
 1242 | With the exception of transactions with motor vehicle auctions,  
 1243 | a no person other than a licensed motor vehicle dealer may not  
 1244 | advertise for sale any motor vehicle belonging to another party  
 1245 | unless as a direct result of a bona fide legal proceeding, court  
 1246 | order, settlement of an estate, or by operation of law. However,  
 1247 | owners of motor vehicles titled in their names may advertise and  
 1248 | offer vehicles for sale on their own behalf. ~~It shall be~~  
 1249 | ~~unlawful for~~ A licensed motor vehicle dealer may not to allow a  
 1250 | any person other than a bona fide employee to use the motor

1251 vehicle dealer license for the purpose of acting in the capacity  
1252 of or conducting motor vehicle sales transactions as a motor  
1253 vehicle dealer. A ~~Any person who violates selling or offering a~~  
1254 ~~motor vehicle for sale in violation of~~ the licensing  
1255 requirements of this subsection, or who misrepresents to any  
1256 person its relationship with any manufacturer, importer, or  
1257 distributor, in addition to the penalties provided herein,  
1258 commits ~~shall be deemed guilty of~~ an unfair and deceptive trade  
1259 practice as defined in part II of chapter 501 and shall be  
1260 subject to ~~the provisions of~~ subsections (8) and (9).

1261 Section 21. Section 321.25, Florida Statutes, is amended  
1262 to read:

1263 321.25 Training provided at patrol schools; reimbursement  
1264 of tuition and other course expenses.-

1265 (1) The Department of Highway Safety and Motor Vehicles  
1266 may ~~is authorized to~~ provide for the training of law enforcement  
1267 officials and individuals in matters relating to the duties,  
1268 functions, and powers of the Florida Highway Patrol in the  
1269 schools established by the department for the training of  
1270 highway patrol candidates and officers. The Department of  
1271 Highway Safety and Motor Vehicles may ~~is authorized to~~ charge a  
1272 fee for providing the training authorized by this section. The  
1273 fee shall be charged to persons attending the training. The fee  
1274 shall be based on the Department of Highway Safety and Motor  
1275 Vehicles' costs for providing the training, and such costs may

1276 include, but are not limited to, tuition, lodging, and meals.  
1277 Revenues from the fees shall be used to offset the Department of  
1278 Highway Safety and Motor Vehicles' costs for providing the  
1279 training. The cost of training local enforcement officers shall  
1280 be paid for by their respective offices, counties, or  
1281 municipalities, as the case may be. Such cost shall be deemed a  
1282 proper county or municipal expense or a proper expenditure of  
1283 the office of sheriff.

1284 (2) Notwithstanding s. 943.16, a person who attends  
1285 training under subsection (1) at the expense of the Department  
1286 of Highway Safety and Motor Vehicles must remain in the  
1287 employment or appointment of the Florida Highway Patrol for at  
1288 least 3 years. Once employed, if the person fails to remain  
1289 employed by the Florida Highway Patrol for at least 3 years from  
1290 the first date of employment, the person must pay the cost of  
1291 tuition and other course expenses to the Department of Highway  
1292 Safety and Motor Vehicles. For purposes of this section, the  
1293 term "other course expenses" may include the cost of meals and  
1294 lodging.

1295 (3) The Department of Highway Safety and Motor Vehicles  
1296 may institute a civil action to collect the cost of tuition and  
1297 other course expenses if it is not reimbursed pursuant to  
1298 subsection (2), provided that the Florida Highway Patrol gave  
1299 written notification to the person of the 3-year employment  
1300 commitment during the employment screening process and the

1301 person returned signed acknowledgment of receipt of such  
 1302 notification.

1303 (4) Notwithstanding any other provision of this section,  
 1304 the Department of Highway Safety and Motor Vehicles may waive a  
 1305 person's requirement of reimbursement in part or in full when  
 1306 the person terminates employment due to hardship or extenuating  
 1307 circumstances.

1308 Section 22. Subsection (4) of section 322.01, Florida  
 1309 Statutes, is amended to read:

1310 322.01 Definitions.—As used in this chapter:

1311 (4) "Authorized emergency vehicle" means a vehicle that is  
 1312 equipped with extraordinary audible and visual warning devices,  
 1313 that is authorized by s. 316.2397 to display red, red and white,  
 1314 or blue lights, and that is on call to respond to emergencies.  
 1315 The term includes, but is not limited to, ambulances, law  
 1316 enforcement vehicles, fire trucks, and other rescue vehicles.  
 1317 The term does not include wreckers, utility trucks, or other  
 1318 vehicles that are used only incidentally for emergency purposes.

1319 Section 23. Subsection (4) of section 322.03, Florida  
 1320 Statutes, is amended to read:

1321 322.03 Drivers must be licensed; penalties.—

1322 (4) A person may not operate a motorcycle unless he or she  
 1323 holds a driver license that authorizes such operation, subject  
 1324 to the appropriate restrictions and endorsements. A person may  
 1325 operate an autocycle without a motorcycle endorsement.

1326 Section 24. Paragraph (e) of subsection (8) of section  
1327 322.051, Florida Statutes, is amended to read:

1328 322.051 Identification cards.—

1329 (8)

1330 (e)1. Upon request by a person who has posttraumatic  
1331 stress disorder, traumatic brain injury, or a developmental  
1332 disability, or by a parent or guardian of a child or ward who  
1333 has posttraumatic stress disorder, traumatic brain injury, or a  
1334 developmental disability, the department shall issue an  
1335 identification card exhibiting a capital "D" for the person,  
1336 child, or ward if the person or the parent or guardian of the  
1337 child or ward submits:

1338 a. Payment of an additional \$1 fee; and

1339 b. Proof acceptable to the department of a diagnosis by a  
1340 licensed physician of a developmental disability as defined in  
1341 s. 393.063, posttraumatic stress disorder, or traumatic brain  
1342 injury.

1343 2. The department shall deposit the additional \$1 fee into  
1344 the Agency for Persons with Disabilities Operations and  
1345 Maintenance Trust Fund under s. 20.1971(2).

1346 3. A replacement identification card that includes the  
1347 designation may be issued without payment of the fee required  
1348 under s. 322.21(1)(f).

1349 4. The department shall develop rules to facilitate the  
1350 issuance, requirements, and oversight of developmental

1351 disability identification cards under this section.

1352 Section 25. Paragraph (m) of subsection (8) of section  
1353 322.08, Florida Statutes, is amended to read:

1354 322.08 Application for license; requirements for license  
1355 and identification card forms.—

1356 (8) The application form for an original, renewal, or  
1357 replacement driver license or identification card must include  
1358 language permitting the following:

1359 (m) A voluntary contribution of \$1 per applicant, which  
1360 shall be distributed to Preserve Vision ~~Prevent Blindness~~  
1361 Florida, a not-for-profit organization, to prevent blindness and  
1362 preserve the sight of the residents of this state.

1363  
1364 A statement providing an explanation of the purpose of the trust  
1365 funds shall also be included. For the purpose of applying the  
1366 service charge provided under s. 215.20, contributions received  
1367 under paragraphs (b)-(t) are not income of a revenue nature.

1368 Section 26. Subsection (5) of section 322.091, Florida  
1369 Statutes, is amended to read:

1370 322.091 Attendance requirements.—

1371 (5) REPORTING AND ACCOUNTABILITY.—The department shall,  
1372 upon request, report ~~quarterly~~ to each school district the legal  
1373 name, sex, date of birth, and social security number of each  
1374 student whose driving privileges have been suspended under this  
1375 section.

1376 Section 27. Subsection (1) of section 322.12, Florida  
 1377 Statutes, is amended, and paragraph (c) is added to subsection  
 1378 (5) of that section, to read:

1379 322.12 Examination of applicants.—

1380 (1) It is the intent of the Legislature that every  
 1381 applicant for an original driver license in this state be  
 1382 required to pass an examination pursuant to this section.  
 1383 However, the department may waive the knowledge, endorsement,  
 1384 and skills tests for an applicant who is otherwise qualified and  
 1385 who surrenders a valid driver license from another state or a  
 1386 province of Canada, or a valid driver license issued by the  
 1387 United States Armed Forces, if the driver applies for a Florida  
 1388 license of an equal or lesser classification. An ~~Any~~ applicant  
 1389 who fails to pass the initial knowledge test incurs a \$10 fee  
 1390 for each subsequent test, to be deposited into the Highway  
 1391 Safety Operating Trust Fund, except that if a subsequent test is  
 1392 administered by the tax collector, the tax collector shall  
 1393 retain such \$10 fee, less the general revenue service charge set  
 1394 forth in s. 215.20(1). An ~~Any~~ applicant who fails to pass the  
 1395 initial skills test incurs a \$20 fee for each subsequent test,  
 1396 to be deposited into the Highway Safety Operating Trust Fund,  
 1397 except that if a subsequent test is administered by the tax  
 1398 collector, the tax collector shall retain such \$20 fee, less the  
 1399 general revenue service charge set forth in s. 215.20(1). A  
 1400 person who seeks to retain a hazardous-materials endorsement,

1401 pursuant to s. 322.57(1)(e), must pass the hazardous-materials  
 1402 test, upon surrendering his or her commercial driver license, if  
 1403 the person has not taken and passed the hazardous-materials test  
 1404 within 2 years before applying for a commercial driver license  
 1405 in this state.

1406 (5)

1407 (c) This subsection does not apply to the operation of an  
 1408 autocycle.

1409 Section 28. Section 322.161, Florida Statutes, is amended  
 1410 to read:

1411 322.161 High-risk drivers; restricted licenses.—

1412 (1) This section may be cited as the "Brittany Baxter  
 1413 Act."

1414 (2)~~(1)~~(a) Notwithstanding any provision of law to the  
 1415 contrary, the department shall restrict the driving privilege of  
 1416 any Class E licensee who is age 15 through 17 and who has  
 1417 accumulated six or more points pursuant to s. 318.14, excluding  
 1418 parking violations, within a 15-month ~~12-month~~ period.

1419 (b) Upon determination that any person has accumulated six  
 1420 or more points, the department shall notify the licensee and  
 1421 issue the licensee a restricted license for business purposes  
 1422 only. The licensee must appear before the department within 10  
 1423 days after notification to have this restriction applied. The  
 1424 period of restriction shall be for at least ~~a period of no less~~  
 1425 ~~than~~ 1 year beginning on the date it is applied by the

1426 department. During the period of restriction, the licensee must  
1427 complete a 12-hour approved advanced driver improvement course  
1428 and receive 4 hours of behind-the-wheel training from a Florida  
1429 licensed commercial driving school. Successful completion of a  
1430 behind-the-wheel examination is required in order to receive  
1431 completion credit for the course.

1432 (c) The restriction shall be automatically withdrawn by  
1433 the department after 1 year if the licensee has completed such  
1434 driver improvement course approved by the department and does  
1435 not accumulate any additional points. If the licensee has not  
1436 completed the course requirement, the period of restriction  
1437 shall be extended until such time as the licensee completes the  
1438 course requirement. If the licensee accumulates any additional  
1439 points, then the period of restriction shall be extended 90 days  
1440 for each point. The restriction shall also be automatically  
1441 withdrawn upon the licensee's 18th birthday if no other grounds  
1442 for restriction exist. The licensee must appear before the  
1443 department to have the restriction removed and a duplicate  
1444 license issued.

1445 (3)~~(2)~~ Any action taken by the department pursuant to this  
1446 section shall not be subject to any formal or informal  
1447 administrative hearing or similar administrative procedure.

1448 Section 29. Paragraph (b) of subsection (1) of section  
1449 322.17, Florida Statutes, is amended to read:

1450 322.17 Replacement licenses, identification cards, and

1451 | permits.-

1452 |       (1)

1453 |       (b) In the event that an instruction permit, or driver  
 1454 | license, or identification card issued under ~~the provisions of~~  
 1455 | this chapter is stolen, the person to whom the same was issued  
 1456 | may, at no charge, obtain a replacement upon furnishing proof  
 1457 | satisfactory to the department that such permit, or license, or  
 1458 | identification card was stolen and further furnishing the  
 1459 | person's full name, date of birth, sex, residence and mailing  
 1460 | address, proof of birth satisfactory to the department, and  
 1461 | proof of identity satisfactory to the department.

1462 |       Section 30. Paragraphs (e) and (i) of subsection (1) and  
 1463 | subsection (8) of section 322.21, Florida Statutes, are amended,  
 1464 | and subsection (10) is added to that section, to read:

1465 |       322.21 License fees; procedure for handling and collecting  
 1466 | fees.-

1467 |       (1) Except as otherwise provided herein, the fee for:

1468 |       (e) A replacement driver license issued pursuant to s.  
 1469 | 322.17 is \$25. Of this amount, \$7 shall be deposited into the  
 1470 | Highway Safety Operating Trust Fund and \$18 shall be deposited  
 1471 | into the General Revenue Fund. ~~Beginning July 1, 2015, or upon~~  
 1472 | ~~completion of the transition of driver license issuance~~  
 1473 | ~~services,~~ If the replacement driver license is issued by the tax  
 1474 | collector, the tax collector shall retain the \$7 that would  
 1475 | otherwise be deposited into the Highway Safety Operating Trust

1476 Fund and the remaining revenues shall be deposited into the  
1477 General Revenue Fund.

1478 ~~(i) The specialty driver license or identification card~~  
1479 ~~issued pursuant to s. 322.1415 is \$25, which is in addition to~~  
1480 ~~other fees required in this section. The fee shall be~~  
1481 ~~distributed as follows:~~

1482 ~~1. Fifty percent shall be distributed as provided in s.~~  
1483 ~~320.08058 to the appropriate state or independent university,~~  
1484 ~~professional sports team, or branch of the United States Armed~~  
1485 ~~Forces.~~

1486 ~~2. Fifty percent shall be distributed to the department~~  
1487 ~~for costs directly related to the specialty driver license and~~  
1488 ~~identification card program and to defray the costs associated~~  
1489 ~~with production enhancements and distribution.~~

1490 (8) A ~~Any~~ person who applies for reinstatement following  
1491 the suspension or revocation of the person's driver license must  
1492 pay a service fee of \$45 following a suspension, and \$75  
1493 following a revocation, which is in addition to the fee for a  
1494 license. A ~~Any~~ person who applies for reinstatement of a  
1495 commercial driver license following the disqualification of the  
1496 person's privilege to operate a commercial motor vehicle shall  
1497 pay a service fee of \$75, which is in addition to the fee for a  
1498 license. The department shall collect all of these fees at the  
1499 time of reinstatement. The department shall issue proper  
1500 receipts for such fees and shall promptly transmit all funds

1501 received by it as follows:

1502 (a) Of the \$45 fee received from a licensee for  
 1503 reinstatement following a suspension:

1504 1. If the reinstatement is processed by the department,  
 1505 the department shall deposit \$15 in the General Revenue Fund and  
 1506 \$30 in the Highway Safety Operating Trust Fund.

1507 2. If the reinstatement is processed by the tax collector,  
 1508 \$15, less the general revenue service charge set forth in s.  
 1509 215.20(1), shall be retained by the tax collector, \$15 shall be  
 1510 deposited into the Highway Safety Operating Trust Fund, and \$15  
 1511 shall be deposited into the General Revenue Fund.

1512 (b) Of the \$75 fee received from a licensee for  
 1513 reinstatement following a revocation or disqualification:

1514 1. If the reinstatement is processed by the department,  
 1515 the department shall deposit \$35 in the General Revenue Fund and  
 1516 \$40 in the Highway Safety Operating Trust Fund.

1517 2. If the reinstatement is processed by the tax collector,  
 1518 \$20, less the general revenue service charge set forth in s.  
 1519 215.20(1), shall be retained by the tax collector, \$20 shall be  
 1520 deposited into the Highway Safety Operating Trust Fund, and \$35  
 1521 shall be deposited into the General Revenue Fund.

1522

1523 If the revocation or suspension of the driver license was for a  
 1524 violation of s. 316.193, or for refusal to submit to a lawful  
 1525 breath, blood, or urine test, an additional fee of \$130 must be

1526 charged. However, only one \$130 fee may be collected from one  
1527 person convicted of violations arising out of the same incident.  
1528 The department shall collect the \$130 fee and deposit the fee  
1529 into the Highway Safety Operating Trust Fund at the time of  
1530 reinstatement of the person's driver license, but the fee may  
1531 not be collected if the suspension or revocation is overturned.  
1532 If the revocation or suspension of the driver license was for a  
1533 conviction for a violation of s. 817.234(8) or (9) or s.  
1534 817.505, an additional fee of \$180 is imposed for each offense.  
1535 The department shall collect and deposit the additional fee into  
1536 the Highway Safety Operating Trust Fund at the time of  
1537 reinstatement of the person's driver license.

1538 (10) An applicant who submits an application for a renewal  
1539 or replacement driver license or identification card to the  
1540 department using a convenience service shall be provided with an  
1541 option for expedited mailing whereby the department, at the  
1542 applicant's request, shall issue the license or identification  
1543 card within 5 working days after receipt of the application and  
1544 send the license or identification card using an expedited mail  
1545 service. A fee shall be charged for the expedited mailing  
1546 option, not to exceed the cost of the expedited mail service,  
1547 which is in addition to fees imposed by s. 322.051 or this  
1548 section, or for the convenience service. Fees collected for the  
1549 expedited mailing option shall be deposited into the Highway  
1550 Safety Operating Trust Fund.

1551 Section 31. Subsection (1) of section 322.61, Florida  
 1552 Statutes, is amended, and subsection (2) of that section is  
 1553 reenacted, to read:

1554 322.61 Disqualification from operating a commercial motor  
 1555 vehicle.—

1556 (1) A person who, for offenses occurring within a 3-year  
 1557 period, is convicted of two of the following serious traffic  
 1558 violations, or any combination thereof, arising in separate  
 1559 incidents committed in a commercial motor vehicle shall, in  
 1560 addition to any other applicable penalties, be disqualified from  
 1561 operating a commercial motor vehicle for a period of 60 days. A  
 1562 holder of a commercial driver license or commercial learner's  
 1563 permit who, for offenses occurring within a 3-year period, is  
 1564 convicted of two of the following serious traffic violations, or  
 1565 any combination thereof, arising in separate incidents committed  
 1566 in a noncommercial motor vehicle shall, in addition to any other  
 1567 applicable penalties, be disqualified from operating a  
 1568 commercial motor vehicle for a period of 60 days if such  
 1569 convictions result in the suspension, revocation, or  
 1570 cancellation of the licenseholder's driving privilege:

1571 (a) A violation of any state or local law relating to  
 1572 motor vehicle traffic control, other than a parking violation,  
 1573 arising in connection with a crash resulting in death;

1574 (b) Reckless driving, as defined in s. 316.192;

1575 (c) Unlawful speed of 15 miles per hour or more above the

1576 | posted speed limit;

1577 |       (d) Improper lane change, as defined in s. 316.085;

1578 |       (e) Following too closely, as defined in s. 316.0895;

1579 |       (f) Texting while driving a commercial motor vehicle, as

1580 | prohibited by 49 C.F.R. s. 392.80;

1581 |       (g) Using a handheld mobile telephone while driving a

1582 | commercial motor vehicle, as prohibited by 49 C.F.R. s. 392.82;

1583 |       ~~(h)-(f)~~ Driving a commercial vehicle without obtaining a

1584 | commercial driver license;

1585 |       ~~(i)-(g)~~ Driving a commercial vehicle without the proper

1586 | class of commercial driver license or commercial learner's

1587 | permit or without the proper endorsement; or

1588 |       ~~(j)-(h)~~ Driving a commercial vehicle without a commercial

1589 | driver license or commercial learner's permit in possession, as

1590 | required by s. 322.03.

1591 |       (2) (a) Any person who, for offenses occurring within a 3-

1592 | year period, is convicted of three serious traffic violations

1593 | specified in subsection (1) or any combination thereof, arising

1594 | in separate incidents committed in a commercial motor vehicle

1595 | shall, in addition to any other applicable penalties, including

1596 | but not limited to the penalty provided in subsection (1), be

1597 | disqualified from operating a commercial motor vehicle for a

1598 | period of 120 days.

1599 |       (b) A holder of a commercial driver license or commercial

1600 | learner's permit who, for offenses occurring within a 3-year

1601 period, is convicted of three serious traffic violations  
 1602 specified in subsection (1) or any combination thereof arising  
 1603 in separate incidents committed in a noncommercial motor vehicle  
 1604 shall, in addition to any other applicable penalties, including,  
 1605 but not limited to, the penalty provided in subsection (1), be  
 1606 disqualified from operating a commercial motor vehicle for a  
 1607 period of 120 days if such convictions result in the suspension,  
 1608 revocation, or cancellation of the licenseholder's driving  
 1609 privilege.

1610 Section 32. Section 324.031, Florida Statutes, is amended  
 1611 to read:

1612 324.031 Manner of proving financial responsibility.—The  
 1613 owner or operator of a taxicab, limousine, jitney, or any other  
 1614 for-hire passenger transportation vehicle may prove financial  
 1615 responsibility by providing satisfactory evidence of holding a  
 1616 motor vehicle liability policy as defined in s. 324.021(8) or s.  
 1617 324.151, which policy is provided by an insurer authorized to do  
 1618 business in this state ~~issued~~ by an insurance carrier which is a  
 1619 member of the Florida Insurance Guaranty Association or an  
 1620 eligible nonadmitted insurer that has a superior, excellent,  
 1621 exceptional, or equivalent financial strength rating by a rating  
 1622 agency acceptable to the Office of Insurance Regulation of the  
 1623 Financial Services Commission. The operator or owner of any  
 1624 other vehicle may prove his or her financial responsibility by:

1625 (1) Furnishing satisfactory evidence of holding a motor

1626 vehicle liability policy as defined in ss. 324.021(8) and  
 1627 324.151;

1628 (2) Furnishing a certificate of self-insurance showing a  
 1629 deposit of cash in accordance with s. 324.161; or

1630 (3) Furnishing a certificate of self-insurance issued by  
 1631 the department in accordance with s. 324.171.

1632  
 1633 Any person, including any firm, partnership, association,  
 1634 corporation, or other person, other than a natural person,  
 1635 electing to use the method of proof specified in subsection (2)  
 1636 shall furnish a certificate of deposit equal to the number of  
 1637 vehicles owned times \$30,000, to a maximum of \$120,000; in  
 1638 addition, any such person, other than a natural person, shall  
 1639 maintain insurance providing coverage in excess of limits of  
 1640 \$10,000/20,000/10,000 or \$30,000 combined single limits, and  
 1641 such excess insurance shall provide minimum limits of  
 1642 \$125,000/250,000/50,000 or \$300,000 combined single limits.  
 1643 These increased limits shall not affect the requirements for  
 1644 proving financial responsibility under s. 324.032(1).

1645 Section 33. Paragraph (a) of subsection (2) of section  
 1646 715.07, Florida Statutes, is amended, and paragraph (b) of  
 1647 subsection (5) of that section is republished, to read:

1648 715.07 Vehicles or vessels parked on private property;  
 1649 towing.—

1650 (2) The owner or lessee of real property, or any person

1651 authorized by the owner or lessee, which person may be the  
1652 designated representative of the condominium association if the  
1653 real property is a condominium, may cause any vehicle or vessel  
1654 parked on such property without her or his permission to be  
1655 removed by a person regularly engaged in the business of towing  
1656 vehicles or vessels, without liability for the costs of removal,  
1657 transportation, or storage or damages caused by such removal,  
1658 transportation, or storage, under any of the following  
1659 circumstances:

1660 (a) The towing or removal of any vehicle or vessel from  
1661 private property without the consent of the registered owner or  
1662 other legally authorized person in control of that vehicle or  
1663 vessel is subject to strict compliance with the following  
1664 conditions and restrictions:

1665 1.a. Any towed or removed vehicle or vessel must be stored  
1666 at a site within a 10-mile radius of the point of removal in any  
1667 county of 500,000 population or more, and within a 15-mile  
1668 radius of the point of removal in any county of less than  
1669 500,000 population. That site must be open for the purpose of  
1670 redemption of vehicles on any day that the person or firm towing  
1671 such vehicle or vessel is open for towing purposes, from 8:00  
1672 a.m. to 6:00 p.m., and, when closed, shall have prominently  
1673 posted a sign indicating a telephone number where the operator  
1674 of the site can be reached at all times. Upon receipt of a  
1675 telephoned request to open the site to redeem a vehicle or

1676 vessel, the operator shall return to the site within 1 hour or  
1677 she or he will be in violation of this section.

1678       b. If no towing business providing such service is located  
1679 within the area of towing limitations set forth in sub-  
1680 subparagraph a., the following limitations apply: any towed or  
1681 removed vehicle or vessel must be stored at a site within a 20-  
1682 mile radius of the point of removal in any county of 500,000  
1683 population or more, and within a 30-mile radius of the point of  
1684 removal in any county of less than 500,000 population.

1685       2. The person or firm towing or removing the vehicle or  
1686 vessel shall, within 30 minutes after completion of such towing  
1687 or removal, notify the municipal police department or, in an  
1688 unincorporated area, the sheriff, of such towing or removal, the  
1689 storage site, the time the vehicle or vessel was towed or  
1690 removed, and the make, model, color, and license plate number of  
1691 the vehicle or description and registration number of the vessel  
1692 and shall obtain the name of the person at that department to  
1693 whom such information was reported and note that name on the  
1694 trip record.

1695       3. A person in the process of towing or removing a vehicle  
1696 or vessel from the premises or parking lot in which the vehicle  
1697 or vessel is not lawfully parked must stop when a person seeks  
1698 the return of the vehicle or vessel. The vehicle or vessel must  
1699 be returned upon the payment of a reasonable service fee of not  
1700 more than one-half of the posted rate for the towing or removal

1701 service as provided in subparagraph 6. The vehicle or vessel may  
1702 be towed or removed if, after a reasonable opportunity, the  
1703 owner or legally authorized person in control of the vehicle or  
1704 vessel is unable to pay the service fee. If the vehicle or  
1705 vessel is redeemed, a detailed signed receipt must be given to  
1706 the person redeeming the vehicle or vessel.

1707 4. A person may not pay or accept money or other valuable  
1708 consideration for the privilege of towing or removing vehicles  
1709 or vessels from a particular location.

1710 5. Except for property appurtenant to and obviously a part  
1711 of a single-family residence, and except for instances when  
1712 notice is personally given to the owner or other legally  
1713 authorized person in control of the vehicle or vessel that the  
1714 area in which that vehicle or vessel is parked is reserved or  
1715 otherwise unavailable for unauthorized vehicles or vessels and  
1716 that the vehicle or vessel is subject to being removed at the  
1717 owner's or operator's expense, any property owner or lessee, or  
1718 person authorized by the property owner or lessee, prior to  
1719 towing or removing any vehicle or vessel from private property  
1720 without the consent of the owner or other legally authorized  
1721 person in control of that vehicle or vessel, must post a notice  
1722 meeting the following requirements:

1723 a. The notice must be prominently placed at each driveway  
1724 access or curb cut allowing vehicular access to the property,  
1725 within 5 feet from the public right-of-way line. If there are no

1726 curbs or access barriers, the signs must be posted not less than  
1727 one sign for each 25 feet of lot frontage.

1728       b. The notice must clearly indicate, in not less than 2-  
1729 inch high, light-reflective letters on a contrasting background,  
1730 that unauthorized vehicles will be towed away at the owner's  
1731 expense. The words "tow-away zone" must be included on the sign  
1732 in not less than 4-inch high letters.

1733       c. The notice must also provide the name and current  
1734 telephone number of the person or firm towing or removing the  
1735 vehicles or vessels.

1736       d. The sign structure containing the required notices must  
1737 be permanently installed with the words "tow-away zone" not less  
1738 than 3 feet and not more than 6 feet above ground level and must  
1739 be continuously maintained on the property for not less than 24  
1740 hours prior to the towing or removal of any vehicles or vessels.

1741       e. The local government may require permitting and  
1742 inspection of these signs prior to any towing or removal of  
1743 vehicles or vessels being authorized.

1744       f. A business with 20 or fewer parking spaces satisfies  
1745 the notice requirements of this subparagraph by prominently  
1746 displaying a sign stating "Reserved Parking for Customers Only  
1747 Unauthorized Vehicles or Vessels Will be Towed Away At the  
1748 Owner's Expense" in not less than 4-inch high, light-reflective  
1749 letters on a contrasting background.

1750       g. A property owner towing or removing vessels from real

1751 property must post notice, consistent with the requirements in  
1752 sub-subparagraphs a.-f., which apply to vehicles, that  
1753 unauthorized vehicles or vessels will be towed away at the  
1754 owner's expense.

1755

1756 A business owner or lessee may authorize the removal of a  
1757 vehicle or vessel by a towing company when the vehicle or vessel  
1758 is parked in such a manner that restricts the normal operation  
1759 of business; and if a vehicle or vessel parked on a public  
1760 right-of-way obstructs access to a private driveway the owner,  
1761 lessee, or agent may have the vehicle or vessel removed by a  
1762 towing company upon signing an order that the vehicle or vessel  
1763 be removed without a posted tow-away zone sign.

1764 6. Any person or firm that tows or removes vehicles or  
1765 vessels and proposes to require an owner, operator, or person in  
1766 control of a vehicle or vessel to pay the costs of towing and  
1767 storage prior to redemption of the vehicle or vessel must file  
1768 and keep on record with the local law enforcement agency a  
1769 complete copy of the current rates to be charged for such  
1770 services and post at the storage site an identical rate schedule  
1771 and any written contracts with property owners, lessees, or  
1772 persons in control of property which authorize such person or  
1773 firm to remove vehicles or vessels as provided in this section.

1774 7. Any person or firm towing or removing any vehicles or  
1775 vessels from private property without the consent of the owner

1776 or other legally authorized person in control of the vehicles or  
1777 vessels shall, on any trucks, wreckers as defined in s.  
1778 713.78(1)(c), or other vehicles used in the towing or removal,  
1779 have the name, address, and telephone number of the company  
1780 performing such service clearly printed in contrasting colors on  
1781 the driver and passenger sides of the vehicle. The name shall be  
1782 in at least 3-inch permanently affixed letters, and the address  
1783 and telephone number shall be in at least 1-inch permanently  
1784 affixed letters.

1785 8. Vehicle entry for the purpose of removing the vehicle  
1786 or vessel shall be allowed with reasonable care on the part of  
1787 the person or firm towing the vehicle or vessel. Such person or  
1788 firm shall be liable for any damage occasioned to the vehicle or  
1789 vessel if such entry is not in accordance with the standard of  
1790 reasonable care.

1791 9. When a vehicle or vessel has been towed or removed  
1792 pursuant to this section, it must be released to its owner or a  
1793 person in custody or control of the vehicle or vessel, which  
1794 includes, but is not limited to, a person in possession of the  
1795 keys to the vehicle or vessel or a person in possession of a  
1796 signed letter from the owner, ~~custodian~~ within 1 ~~one~~ hour after  
1797 requested. The release of the vehicle does not require an  
1798 original signed letter. Facsimiles, e-mails, or other electronic  
1799 transmissions must be accepted as forms of authorization to  
1800 release a vehicle or vessel. Proof of ownership is not required

1801 as a means to release a vehicle or vessel. A ~~Any~~ vehicle or  
 1802 vessel owner or a person in custody or control of the vehicle or  
 1803 vessel ~~agent~~ shall have the right to inspect the vehicle or  
 1804 vessel before accepting its return, and no release or waiver of  
 1805 any kind which would release the person or firm towing the  
 1806 vehicle or vessel from liability for damages noted by the owner  
 1807 or other legally authorized person at the time of the redemption  
 1808 may be required from any vehicle or vessel owner, ~~custodian,~~ or  
 1809 person in custody or control of the vehicle or vessel ~~agent~~ as a  
 1810 condition of release of the vehicle or vessel to its owner or  
 1811 person in custody or control of the vehicle or vessel. A  
 1812 detailed, signed receipt showing the legal name of the company  
 1813 or person towing or removing the vehicle or vessel must be given  
 1814 to the person paying towing or storage charges at the time of  
 1815 payment, whether requested or not.

1816 (5)

1817 (b) Any person who violates subparagraph (2) (a)1.,  
 1818 subparagraph (2) (a)3., subparagraph (2) (a)4., subparagraph  
 1819 (2) (a)7., or subparagraph (2) (a)9. commits a felony of the third  
 1820 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
 1821 775.084.

1822 Section 34. Paragraph (a) of subsection (2) of section  
 1823 812.014, Florida Statutes, is amended to read:

1824 812.014 Theft.—

1825 (2) (a)1. If the property stolen is valued at \$100,000 or

1826 | more or is a semitrailer that was deployed by a law enforcement  
 1827 | officer; or

1828 |         2. If the property stolen is cargo valued at \$50,000 or  
 1829 | more that has entered the stream of interstate or intrastate  
 1830 | commerce from the shipper's loading platform to the consignee's  
 1831 | receiving dock; or

1832 |         3. If the offender commits any grand theft and:

1833 |             a. In the course of committing the offense the offender  
 1834 | uses a motor vehicle as an instrumentality, other than merely as  
 1835 | a getaway vehicle, to assist in committing the offense and  
 1836 | thereby damages the real property of another; ~~or~~

1837 |             b. In the course of committing the offense the offender  
 1838 | causes damage to the real or personal property of another in  
 1839 | excess of \$1,000; or

1840 |             c. In the course of committing the offense the offender  
 1841 | uses any type of device to defeat, block, disable, jam, or  
 1842 | interfere with a global positioning system or similar system  
 1843 | designed to identify the location of the cargo or the vehicle or  
 1844 | trailer carrying the cargo,

1845 |  
 1846 | the offender commits grand theft in the first degree, punishable  
 1847 | as a felony of the first degree, as provided in s. 775.082, s.  
 1848 | 775.083, or s. 775.084.

1849 |         Section 35. Paragraph (c) of subsection (1) of section  
 1850 | 212.05, Florida Statutes, is amended to read:

1851           212.05 Sales, storage, use tax.—It is hereby declared to  
1852 be the legislative intent that every person is exercising a  
1853 taxable privilege who engages in the business of selling  
1854 tangible personal property at retail in this state, including  
1855 the business of making mail order sales, or who rents or  
1856 furnishes any of the things or services taxable under this  
1857 chapter, or who stores for use or consumption in this state any  
1858 item or article of tangible personal property as defined herein  
1859 and who leases or rents such property within the state.

1860           (1) For the exercise of such privilege, a tax is levied on  
1861 each taxable transaction or incident, which tax is due and  
1862 payable as follows:

1863           (c) At the rate of 6 percent of the gross proceeds derived  
1864 from the lease or rental of tangible personal property, as  
1865 defined herein; however, the following special provisions apply  
1866 to the lease or rental of motor vehicles:

1867           1. When a motor vehicle is leased or rented for a period  
1868 of less than 12 months:

1869           a. If the motor vehicle is rented in Florida, the entire  
1870 amount of such rental is taxable, even if the vehicle is dropped  
1871 off in another state.

1872           b. If the motor vehicle is rented in another state and  
1873 dropped off in Florida, the rental is exempt from Florida tax.

1874           2. Except as provided in subparagraph 3., for the lease or  
1875 rental of a motor vehicle for a period of not less than 12

1876 months, sales tax is due on the lease or rental payments if the  
1877 vehicle is registered in this state; provided, however, that no  
1878 tax shall be due if the taxpayer documents use of the motor  
1879 vehicle outside this state and tax is being paid on the lease or  
1880 rental payments in another state.

1881 3. The tax imposed by this chapter does not apply to the  
1882 lease or rental of a commercial motor vehicle as defined in s.  
1883 316.003(13)(a) ~~316.003(12)(a)~~ to one lessee or rentee for a  
1884 period of not less than 12 months when tax was paid on the  
1885 purchase price of such vehicle by the lessor. To the extent tax  
1886 was paid with respect to the purchase of such vehicle in another  
1887 state, territory of the United States, or the District of  
1888 Columbia, the Florida tax payable shall be reduced in accordance  
1889 with the provisions of s. 212.06(7). This subparagraph shall  
1890 only be available when the lease or rental of such property is  
1891 an established business or part of an established business or  
1892 the same is incidental or germane to such business.

1893 Section 36. Subsections (1) and (3) of section 316.303,  
1894 Florida Statutes, are amended to read:

1895 316.303 Television receivers.—

1896 (1) No motor vehicle may be operated on the highways of  
1897 this state if the vehicle is actively displaying moving  
1898 television broadcast or pre-recorded video entertainment content  
1899 that is visible from the driver's seat while the vehicle is in  
1900 motion, unless the vehicle is equipped with autonomous

1901 technology, as defined in s. 316.003(3) ~~316.003(2)~~, and is being  
 1902 operated in autonomous mode, as provided in s. 316.85(2).

1903 (3) This section does not prohibit the use of an  
 1904 electronic display used in conjunction with a vehicle navigation  
 1905 system; an electronic display used by an operator of a vehicle  
 1906 equipped with autonomous technology, as defined in s. 316.003(3)  
 1907 ~~316.003~~; or an electronic display used by an operator of a  
 1908 vehicle equipped and operating with driver-assistive truck  
 1909 platooning technology, as defined in s. 316.003.

1910 Section 37. Paragraph (b) of subsection (2) of section  
 1911 316.545, Florida Statutes, is amended to read:

1912 316.545 Weight and load unlawful; special fuel and motor  
 1913 fuel tax enforcement; inspection; penalty; review.—

1914 (2)

1915 (b) The officer or inspector shall inspect the license  
 1916 plate or registration certificate of the commercial vehicle to  
 1917 determine whether its gross weight is in compliance with the  
 1918 declared gross vehicle weight. If its gross weight exceeds the  
 1919 declared weight, the penalty shall be 5 cents per pound on the  
 1920 difference between such weights. In those cases when the  
 1921 commercial vehicle is being operated over the highways of the  
 1922 state with an expired registration or with no registration from  
 1923 this or any other jurisdiction or is not registered under the  
 1924 applicable provisions of chapter 320, the penalty herein shall  
 1925 apply on the basis of 5 cents per pound on that scaled weight

1926 | which exceeds 35,000 pounds on laden truck tractor-semitrailer  
 1927 | combinations or tandem trailer truck combinations, 10,000 pounds  
 1928 | on laden straight trucks or straight truck-trailer combinations,  
 1929 | or 10,000 pounds on any unladen commercial motor vehicle. A  
 1930 | driver of a commercial motor vehicle entering the state at a  
 1931 | designated port-of-entry location, as defined in s. 316.003  
 1932 | ~~316.003(54)~~, or operating on designated routes to a port-of-  
 1933 | entry location, who obtains a temporary registration permit  
 1934 | shall be assessed a penalty limited to the difference between  
 1935 | its gross weight and the declared gross vehicle weight at 5  
 1936 | cents per pound. If the license plate or registration has not  
 1937 | been expired for more than 90 days, the penalty imposed under  
 1938 | this paragraph may not exceed \$1,000. In the case of special  
 1939 | mobile equipment, which qualifies for the license tax provided  
 1940 | for in s. 320.08(5)(b), being operated on the highways of the  
 1941 | state with an expired registration or otherwise not properly  
 1942 | registered under the applicable provisions of chapter 320, a  
 1943 | penalty of \$75 shall apply in addition to any other penalty  
 1944 | which may apply in accordance with this chapter. A vehicle found  
 1945 | in violation of this section may be detained until the owner or  
 1946 | operator produces evidence that the vehicle has been properly  
 1947 | registered. Any costs incurred by the retention of the vehicle  
 1948 | shall be the sole responsibility of the owner. A person who has  
 1949 | been assessed a penalty pursuant to this paragraph for failure  
 1950 | to have a valid vehicle registration certificate pursuant to the

1951 provisions of chapter 320 is not subject to the delinquent fee  
 1952 authorized in s. 320.07 if such person obtains a valid  
 1953 registration certificate within 10 working days after such  
 1954 penalty was assessed.

1955 Section 38. Paragraph (a) of subsection (2) of section  
 1956 316.613, Florida Statutes, is amended to read:

1957 316.613 Child restraint requirements.—

1958 (2) As used in this section, the term "motor vehicle"  
 1959 means a motor vehicle as defined in s. 316.003 that is operated  
 1960 on the roadways, streets, and highways of the state. The term  
 1961 does not include:

1962 (a) A school bus as defined in s. 316.003 ~~316.003(68)~~.

1963 Section 39. Subsection (1) of section 655.960, Florida  
 1964 Statutes, is amended to read:

1965 655.960 Definitions; ss. 655.960-655.965.—As used in this  
 1966 section and ss. 655.961-655.965, unless the context otherwise  
 1967 requires:

1968 (1) "Access area" means any paved walkway or sidewalk  
 1969 which is within 50 feet of any automated teller machine. The  
 1970 term does not include any street or highway open to the use of  
 1971 the public, as defined in s. 316.003(78)(a) ~~316.003(77)(a)~~ or  
 1972 (b), including any adjacent sidewalk, as defined in s. 316.003.

1973 Section 40. The amendment made by this act to s. 318.18,  
 1974 Florida Statutes, shall apply upon the creation of a new  
 1975 inventory of uniform traffic citation forms.

1976           Section 41. Except as otherwise expressly provided in this  
1977 act, this act shall take effect October 1, 2017.