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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

A bill to be entitled

An act relating to motor vehicles; amending s.
316.003, F.S.; defining the term "autocycle";
redefining the term "motorcycle"; conforming a cross-
reference; amending ss. 316.2397 and 316.2398, F.S.;
prohibiting vehicles or equipment from showing or
displaying red and white lights while being driven or
moved; authorizing firefighters to use or display red
and white lights under certain circumstances;
authorizing active volunteer firefighters to display
red and white warning signals under certain
circumstances; amending s. 316.302, F.S.; revising
provisions relating to federal regulations to which
owners and drivers of commercial motor vehicles are
subject; delaying the requirement for electronic
logging devices for intrastate motor carriers;
terminating the maximum amount of a civil penalty for
falsification of information on certain time records;
deleting the requirement that a motor carrier maintain
documentation of a driver's driving times throughout a
duty period if the driver is not released from duty
within a specified period; providing an exemption from
specified rules and regulations for a person who
operates a commercial motor vehicle with a declared
gross vehicle weight, gross vehicle weight rating, and
gross combined weight rating of less than a specified



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27 amount under certain circumstances; amending s.
28 316.3025, F.S.; conforming provisions to changes made
29 by the act; amending s. 316.614, F.S.; redefining the
30 term "motor vehicle"; prohibiting a person from
31 operating an autocyte unless certain safety belt or
32 child restraint device requirements are met; amending
33 s. 316.85, F.S.; authorizing a person who possesses a
34 valid driver license to engage autonomous technology
35 to operate an autonomous vehicle under a specified
36 circumstance; authorizing a person who does not
37 possess a valid driver license to engage autonomous
38 technology to operate an autonomous vehicle in
39 autonomous mode under certain circumstances; creating
40 s. 316.851, F.S.; requiring an autonomous vehicle used
41 by a transportation network company to be covered by
42 automobile insurance, subject to certain requirements;
43 requiring an autonomous vehicle used to provide a
44 transportation service to carry in the vehicle proof
45 of coverage satisfying certain requirements at all
46 times while operating in autonomous mode; amending s.
47 318.1215, F.S.; authorizing a board of county
48 commissioners to require, by ordinance, that the clerk
49 of the court collect an additional specified fee with
50 each criminal, rather than each civil, traffic
51 penalty; amending s. 318.18, F.S.; changing the term
52 "construction zone" to "work zone" as it relates to
53 enhanced penalties for unlawful speed; amending s.
54 320.01, F.S.; redefining the terms "apportionable
55 vehicle" and "motorcycle"; amending s. 320.02, F.S.;



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56 requiring an application form for motor vehicle
57 registration to include language authorizing a
58 voluntary contribution to be distributed to Preserve
59 Vision Florida, rather than to Prevent Blindness
60 Florida; amending s. 320.03, F.S.; requiring tax
61 collectors to provide motor vehicle registration
62 services to residents of other counties; providing
63 that jurisdiction over the electronic filing system
64 for use by authorized electronic filing system agents
65 to process title transactions, derelict motor vehicle
66 certificates, and certificates of destruction for
67 derelict and salvage motor vehicles is preempted to
68 the state; authorizing an entity that, in the normal
69 course of its business, processes title transactions,
70 derelict motor vehicle certificates, or certificates
71 of destruction for derelict or salvage motor vehicles
72 to be an authorized electronic filing system agent;
73 authorizing the department to adopt rules to
74 administer specified provisions; amending s. 320.06,
75 F.S.; providing for future repeal of issuance of a
76 certain annual license plate and cab card to a vehicle
77 that has an apportioned registration; providing
78 requirements, beginning on a specified date, for
79 license plates, cab cards, and validation stickers for
80 vehicles registered in accordance with the
81 International Registration Plan; authorizing a worn or
82 damaged license plate to be replaced at no charge
83 under certain circumstances; amending s. 320.0605,
84 F.S.; authorizing presentation of electronic



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85 documentation of certain information to a law
86 enforcement officer or agent of the department;
87 providing construction; providing liability; revising
88 information required in such documentation; amending
89 s. 320.0607, F.S.; providing an exemption, beginning
90 on a specified date, of a certain fee for vehicles
91 registered under the International Registration Plan;
92 amending s. 320.08, F.S.; requiring a truck tractor
93 used within this state to be eligible for a license
94 plate for a specified fee under certain circumstances;
95 requiring a truck tractor or heavy truck, not operated
96 as a for-hire vehicle, which is engaged exclusively in
97 transporting raw, unprocessed, and nonmanufactured
98 agricultural or horticultural products within this
99 state to be eligible for a restricted license for a
100 certain fee; conforming cross-references; amending s.
101 320.08056, F.S.; deleting the American Red Cross,
102 Donate Organs-Pass It On, St. Johns River, and
103 Hispanic Achievers license plates; conforming cross-
104 references; repealing s. 320.08058(31), (57), (69),
105 and (70), F.S., relating to the American Red Cross,
106 Donate Organs-Pass It On, St. Johns River, and
107 Hispanic Achievers license plates, respectively;
108 amending s. 320.08068, F.S.; requiring The Able Trust
109 to distribute a specified percentage of annual use
110 fees from motorcycle specialty license plates to
111 Preserve Vision Florida, rather than to Prevent
112 Blindness Florida; amending s. 320.086, F.S.;
113 providing that, for purposes of this section, a



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114 trailer is considered a motor vehicle; creating s.
115 320.0875, F.S.; providing for a motorcycle special
116 license plate to be issued to a recipient of the
117 Purple Heart; providing requirements for the plate;
118 amending s. 320.089, F.S.; providing for a special
119 license plate to be issued to a recipient of the
120 Bronze Star; making technical changes; amending s.
121 320.133, F.S.; defining the term "transporter license
122 plate eligible business"; providing that a person is
123 not eligible to purchase or renew a transporter
124 license plate unless he or she provides certain proof
125 that his or her business is a transporter license
126 plate eligible business; providing application and
127 insurance requirements for qualification as a
128 transporter license plate eligible business;
129 authorizing the department to issue a transporter
130 license plate to an applicant who is not a licensed
131 dealer and is qualified as a transporter license plate
132 eligible business, under certain circumstances;
133 providing that a transporter license plate is valid
134 only for use on an unregistered motor vehicle in the
135 possession of the transporter, subject to certain
136 requirements; providing a criminal penalty for a
137 person who sells or unlawfully possesses, distributes,
138 or brokers a transporter license plate to be attached
139 to any vehicle; providing that transporter license
140 plates are subject to cancellation by the department;
141 providing a criminal penalty and disqualification from
142 transporter license plate usage for a person who



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143 knowingly and willfully sells or unlawfully possesses,
144 distributes, or brokers a transporter license plate to
145 avoid registering a vehicle requiring registration,
146 subject to certain requirements; providing
147 recordkeeping requirements for a transporter license
148 plate eligible business; providing a criminal penalty,
149 cancellation of transporter license plates, and
150 disqualification from future issuance of the plates
151 for a violation of such recordkeeping requirements;
152 requiring a transporter license plate issued under
153 this section to be accompanied by registration and
154 proof of insurance when attached to a motor vehicle;
155 providing a criminal penalty and removal of the
156 license plate for a person who fails to provide such
157 documentation; providing an exemption to persons who
158 contract with dealers and auctions to transport motor
159 vehicles; conforming provisions to changes made by the
160 act; providing that an initial registration or renewal
161 issued under this section is valid for a specified
162 period; requiring a license plate attached to a motor
163 vehicle in violation of specified provision to be
164 removed by a law enforcement officer and surrendered
165 to the department by the law enforcement agency for
166 cancellation; amending s. 320.27, F.S.; revising the
167 definitions of "motor vehicle dealer" and "motor
168 vehicle broker"; requiring any person acting in
169 violation of specified licensing requirements to be
170 deemed to have committed an unfair and deceptive trade
171 practice in violation of specified provisions; making



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172 technical changes; amending s. 321.25, F.S.; providing
173 for reimbursement to the department of tuition and
174 other course expenses for certain training under
175 certain circumstances; defining the term "other course
176 expenses"; authorizing the department to institute a
177 civil action under certain circumstances; authorizing
178 the department to waive a person's requirement of
179 reimbursement when the person terminates employment
180 due to hardship or extenuating circumstances; amending
181 s. 322.01, F.S.; conforming provisions to changes made
182 by the act; amending s. 322.03, F.S.; authorizing a
183 person to operate an autocycle without a motorcycle
184 endorsement; amending s. 322.032, F.S.; requiring the
185 department, in collaboration with the Agency for State
186 Technology, to establish and implement certain
187 protocols and standards related to digital proofs of
188 driver licenses and to procure an application
189 programming interface for a specified purpose;
190 conforming a provision to changes made by the act;
191 providing construction relating to a person's
192 presentation of an electronic device displaying a
193 digital proof of driver license to a law enforcement
194 officer; amending s. 322.051, F.S.; revising
195 eligibility for a "D" designation on an identification
196 card to include posttraumatic stress disorder or
197 traumatic brain injury; amending s. 322.08, F.S.;
198 requiring an application form for an original,
199 renewal, or replacement driver license or
200 identification card to include language authorizing a



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201 voluntary contribution to Preserve Vision Florida,
202 rather than to Prevent Blindness Florida; amending s.
203 322.091, F.S.; requiring the department to make
204 available, upon request, a report to each school
205 district of certain information for each student whose
206 driving privileges have been suspended under this
207 section; amending s. 322.12, F.S.; requiring the tax
208 collector to retain specified fees if a subsequent
209 knowledge or skills test is administered by the tax
210 collector; exempting the operation of an autocycle
211 from certain examination requirements for licenses to
212 operate motorcycles; amending s. 322.135, F.S.;
213 requiring tax collectors to provide driver license
214 services to residents of all counties; amending s.
215 322.17, F.S.; providing for replacement of a stolen
216 identification card at no charge, subject to certain
217 requirements; amending s. 322.21, F.S.; deleting
218 obsolete provisions; deleting a fee for certain
219 specialty driver licenses or identification cards;
220 providing disposition of specified fees for
221 reinstatement of a driver license following a
222 suspension, revocation, or disqualification when the
223 reinstatement is processed by the department or the
224 tax collector; requiring an applicant who submits an
225 application for a renewal or replacement driver
226 license or identification card to the department using
227 a convenience service to be provided with an option
228 for expedited shipping, subject to certain
229 requirements; requiring a fee to be charged for the



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230 expedited shipping option, subject to certain
231 requirements; providing for disposition of such fee;
232 amending s. 322.61, F.S.; adding violations for
233 texting or using a handheld mobile telephone while
234 driving a commercial motor vehicle as specified
235 offenses that, in certain circumstances, result in
236 disqualification from operating a commercial motor
237 vehicle for a specified period; amending s. 324.031,
238 F.S.; revising insurer requirements for a motor
239 vehicle liability policy held by the owner or operator
240 of a taxicab, limousine, jitney, or any other for-hire
241 passenger transportation vehicle; revising certain
242 excess insurance minimum limits for an operator or
243 owner of any other vehicle proving his or her
244 financial responsibility by furnishing a certain
245 certificate of self-insurance showing a deposit of
246 cash; amending s. 877.27, F.S.; prohibiting a person
247 from using a device prohibited by the Federal
248 Communications Commission which would cause
249 interference with the legal use of a global
250 positioning system to track vehicles; amending ss.
251 212.05, 316.303, 316.545, 316.613, and 655.960, F.S.;
252 conforming cross-references; providing applicability
253 of certain changes made by the act; providing
254 effective dates, one of which is contingent.

255
256 Be It Enacted by the Legislature of the State of Florida:

257
258 Section 1. Present subsections (2) through (97) of section



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259 316.003, Florida Statutes, are redesignated as subsections (3)
260 through (98), respectively, a new subsection (2) is added to
261 that section, and present subsections (41) and (55) of that
262 section are amended, to read:

263 316.003 Definitions.—The following words and phrases, when
264 used in this chapter, shall have the meanings respectively
265 ascribed to them in this section, except where the context
266 otherwise requires:

267 (2) AUTOCYCLE.—A three-wheel motorcycle that has two wheels
268 in the front and one wheel in the back, is equipped with a roll
269 cage or roll hoops, safety belts for each occupant, antilock
270 brakes, a steering wheel, and seating that does not require the
271 operator to straddle or sit astride it and is manufactured by a
272 National Highway Traffic Safety Administration registered
273 manufacturer in accordance with the applicable federal
274 motorcycle safety standards under 49 C.F.R. part 571.

275 (42) ~~(41)~~ MOTORCYCLE.—Any motor vehicle that has ~~having~~ a
276 seat or saddle for the use of the rider which is ~~and~~ designed to
277 travel on not more than three wheels in contact with the ground,
278 including an autocycle. The term does not include a tractor, a
279 moped, or a vehicle in which the operator is enclosed by a cabin
280 unless the vehicle meets the requirements set forth by the
281 National Highway Traffic Safety Administration for a motorcycle
282 but ~~excluding a tractor or a moped.~~

283 (56) ~~(55)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
284 provided in paragraph (78) (b) ~~(77) (b)~~, any privately owned way
285 or place used for vehicular travel by the owner and those having
286 express or implied permission from the owner, but not by other
287 persons.



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

290 316.2397 Certain lights prohibited; exceptions.—

291 (1) A No person may not shall drive or move or cause to be
292 moved any vehicle or equipment upon any highway within this
293 state with a any lamp or device thereon showing or displaying a
294 red, red and white, or blue light visible from directly in front
295 thereof except for certain vehicles ~~hereinafter~~ provided in this
296 section.

297 (3) Vehicles of the fire department and fire patrol,
298 including vehicles of volunteer firefighters as permitted under
299 s. 316.2398, may show or display red, or red and white, lights.
300 Vehicles of medical staff physicians or technicians of medical
301 facilities licensed by the state as authorized under s.
302 316.2398, ambulances as authorized under this chapter, and buses
303 and taxicabs as authorized under s. 316.2399 may show or display
304 red lights. Vehicles of the fire department, fire patrol, police
305 vehicles, and such ambulances and emergency vehicles of
306 municipal and county departments, public service corporations
307 operated by private corporations, the Fish and Wildlife
308 Conservation Commission, the Department of Environmental
309 Protection, the Department of Transportation, the Department of
310 Agriculture and Consumer Services, and the Department of
311 Corrections as are designated or authorized by their respective
312 department or the chief of police of an incorporated city or any
313 sheriff of any county may operate emergency lights and sirens in
314 an emergency. Wreckers, mosquito control fog and spray vehicles,
315 and emergency vehicles of governmental departments or public
316 service corporations may show or display amber lights when in



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317 actual operation or when a hazard exists provided they are not
318 used going to and from the scene of operation or hazard without
319 specific authorization of a law enforcement officer or law
320 enforcement agency. Wreckers, flatbed, car carriers, or
321 rollbacks registered as wreckers pursuant to s. 320.08(5)(d) or
322 (e) must use amber rotating or flashing lights while performing
323 recoveries and loading on the roadside day or night, and may use
324 such lights while towing a vehicle on wheel lifts, slings, or
325 under reach, flatbeds, car carriers, or rollbacks if the
326 operator of the wrecker deems such lights necessary. ~~A flatbed,~~
327 ~~car carrier, or rollback may not use amber rotating or flashing~~
328 ~~lights when hauling a vehicle on the bed unless it creates a~~
329 ~~hazard to other motorists because of protruding objects.~~
330 Further, escort vehicles may show or display amber lights when
331 in the actual process of escorting overdimensioned equipment,
332 material, or buildings as authorized by law. Vehicles owned or
333 leased by private security agencies may show or display green
334 and amber lights, with either color being no greater than 50
335 percent of the lights displayed, while the security personnel
336 are engaged in security duties on private or public property.

337 Section 3. Section 316.2398, Florida Statutes, is amended
338 to read:

339 316.2398 Display or use of red, or red and white, warning
340 signals; motor vehicles of volunteer firefighters or medical
341 staff.-

342 (1) A privately owned vehicle belonging to an active
343 firefighter member of a regularly organized volunteer
344 firefighting company or association, while en route to the fire
345 station for the purpose of proceeding to the scene of a fire or



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346 other emergency or while en route to the scene of a fire or
347 other emergency in the line of duty as an active firefighter
348 member of a regularly organized firefighting company or
349 association, may display or use red, or red and white, warning
350 signals. ~~or~~ A privately owned vehicle belonging to a medical
351 staff physician or technician of a medical facility licensed by
352 the state, while responding to an emergency in the line of duty,
353 may display or use red warning signals. Warning signals must be
354 visible from the front and from the rear of such vehicle,
355 subject to the following restrictions and conditions:

356 (a) Red, or red and white, ~~No more than two red~~ warning
357 signals may be displayed as determined by the responding agency
358 in order to maintain public safety and the safety of the
359 responding vehicle occupants.

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

362 (c) In order for an active volunteer firefighter to display
363 such red, or red and white, warning signals on his or her
364 vehicle, the volunteer firefighter must first secure a written
365 permit from the chief executive officers of the firefighting
366 organization to use the red, or red and white, warning signals,
367 and this permit must be carried by the volunteer firefighter at
368 all times while the red, or red and white, warning signals are
369 displayed.

370 (2) ~~A It is unlawful for any person who is not an active~~
371 firefighter member of a regularly organized volunteer
372 firefighting company or association or a physician or technician
373 of the medical staff of a medical facility licensed by the state
374 may not ~~to~~ display on any motor vehicle owned by him or her, at



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375 any time, any red, or red and white, warning signals as
376 described in subsection (1).

377 (3) ~~It is unlawful for~~ An active volunteer firefighter may
378 not ~~to~~ operate any red, or red and white, warning signals as
379 authorized in subsection (1), except while en route to the fire
380 station for the purpose of proceeding to the scene of a fire or
381 other emergency, or while at or en route to the scene of a fire
382 or other emergency, in the line of duty.

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

387 (5) A violation of this section is a nonmoving violation,
388 punishable as provided in chapter 318. In addition, a any
389 volunteer firefighter who violates this section shall be
390 dismissed from membership in the firefighting organization by
391 the chief executive officers thereof.

392 Section 4. Subsection (1) and paragraphs (a), (c), (d), and
393 (f) of subsection (2) of section 316.302, Florida Statutes, are
394 amended to read:

395 316.302 Commercial motor vehicles; safety regulations;
396 transporters and shippers of hazardous materials; enforcement.-

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

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

402 (b) Except as otherwise provided in this section, all
403 owners or drivers of commercial motor vehicles that are engaged



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404 in intrastate commerce are subject to the rules and regulations
405 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~
406 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~
407 ~~definition of bus,~~ as such rules and regulations existed on
408 December 31, 2016 ~~2012~~.

409 (c) The emergency exceptions provided by 49 C.F.R. s.
410 392.82 also apply to communications by utility drivers and
411 utility contractor drivers during a Level 1 activation of the
412 State Emergency Operations Center, as provided in the Florida
413 Comprehensive Emergency Management plan, or during a state of
414 emergency declared by executive order or proclamation of the
415 Governor.

416 (d) Except as provided in ~~s. 316.215(5), and except as~~
417 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
418 requirements for intrastate operations, the requirements of this
419 section supersede all other safety requirements of this chapter
420 for commercial motor vehicles.

421 (e) The requirement for electronic logging devices and
422 hours of service support documents will not go into effect for
423 motor carriers engaged in intrastate commerce, not carrying
424 hazardous materials in amounts that require placards, until
425 December 31, 2018.

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

431 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
432 operates a commercial motor vehicle solely in intrastate



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433 commerce not transporting any hazardous material in amounts that
434 require placarding pursuant to 49 C.F.R. part 172 may not drive
435 after having been on duty more than 70 hours in any period of 7
436 consecutive days or more than 80 hours in any period of 8
437 consecutive days if the motor carrier operates every day of the
438 week. Thirty-four consecutive hours off duty shall constitute
439 the end of any such period of 7 or 8 consecutive days. This
440 weekly limit does not apply to a person who operates a
441 commercial motor vehicle solely within this state while
442 transporting, during harvest periods, any unprocessed
443 agricultural products or unprocessed food or fiber that is
444 subject to seasonal harvesting from place of harvest to the
445 first place of processing or storage or from place of harvest
446 directly to market or while transporting livestock, livestock
447 feed, or farm supplies directly related to growing or harvesting
448 agricultural products. Upon request of the Department of Highway
449 Safety and Motor Vehicles, motor carriers shall furnish time
450 records or other written verification to that department so that
451 the Department of Highway Safety and Motor Vehicles can
452 determine compliance with this subsection. These time records
453 must be furnished to the Department of Highway Safety and Motor
454 Vehicles within 2 days after receipt of that department's
455 request. Falsification of such information is subject to a civil
456 penalty ~~not to exceed \$100. The provisions of~~ This paragraph
457 does ~~de~~ not apply to operators of farm labor vehicles operated
458 during a state of emergency declared by the Governor or operated
459 pursuant to s. 570.07(21), and does ~~de~~ not apply to drivers of
460 utility service vehicles as defined in 49 C.F.R. s. 395.2.

461 (d) A person who operates a commercial motor vehicle solely



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462 in intrastate commerce not transporting any hazardous material
463 in amounts that require placarding pursuant to 49 C.F.R. part
464 172 within a 150 air-mile radius of the location where the
465 vehicle is based need not comply with 49 C.F.R. s. 395.8~~7~~ if the
466 requirements of 49 C.F.R. s. 395.1(e)(1)(ii), (e)(1)(iii)(A) and
467 (C), 395.1(e)(1)(iii) and (e)(1)(v) are met. ~~If a driver is not~~
468 ~~released from duty within 12 hours after the driver arrives for~~
469 ~~duty, the motor carrier must maintain documentation of the~~
470 ~~driver's driving times throughout the duty period.~~

471 (f) A person who operates a commercial motor vehicle having
472 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,
473 and gross combined weight rating of less than 26,001 pounds
474 solely in intrastate commerce and who is not transporting
475 hazardous materials in amounts that require placarding pursuant
476 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
477 ~~as defined in s. 376.301,~~ is exempt from subsection (1).
478 However, such person must comply with 49 C.F.R. parts 382, 392,
479 and 393~~7~~ and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

480 Section 5. Paragraph (a) of subsection (6) of section
481 316.3025, Florida Statutes, is amended to read:

482 316.3025 Penalties.—

483 (6) (a) A driver who violates 49 C.F.R. s. 392.80, which
484 prohibits texting while operating a commercial motor vehicle, or
485 49 C.F.R. s. 392.82, which prohibits using a handheld mobile
486 telephone while operating a commercial motor vehicle, may be
487 assessed a civil penalty ~~and commercial driver license~~
488 ~~disqualification~~ as follows:

- 489 1. First violation: \$500.
- 490 2. Second violation: \$1,000 ~~and a 60-day commercial driver~~



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491 ~~license disqualification pursuant to 49 C.F.R. part 383.~~

492 3. Third and subsequent violations: \$2,750 ~~and a 120-day~~
493 ~~commercial driver license disqualification pursuant to 49 C.F.R.~~
494 ~~part 383.~~

495 Section 6. Paragraph (a) of subsection (3) and subsections
496 (4) and (5) of section 316.614, Florida Statutes, are amended to
497 read:

498 316.614 Safety belt usage.—

499 (3) As used in this section:

500 (a) "Motor vehicle" means a motor vehicle as defined in s.
501 316.003 which is operated on the roadways, streets, and highways
502 of this state. The term does not include:

503 1. A school bus.

504 2. A bus used for the transportation of persons for
505 compensation.

506 3. A farm tractor or implement of husbandry.

507 4. A truck having a gross vehicle weight rating of more
508 than 26,000 pounds.

509 5. A motorcycle, excluding an autocycle for purposes of
510 subsections (4) and (5), moped, or bicycle.

511 (4) It is unlawful for any person:

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

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

519 (5) It is unlawful for any person 18 years of age or older



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520 to be a passenger in the front seat of a motor vehicle or an
521 autocycle unless such person is restrained by a safety belt when
522 the vehicle is in motion.

523 Section 7. Subsection (1) of section 316.85, Florida
524 Statutes, is amended to read:

525 316.85 Autonomous vehicles; operation.—

526 (1) A person who possesses a valid driver license may
527 operate an autonomous vehicle, or may engage autonomous
528 technology to operate an autonomous vehicle, in autonomous mode
529 on roads in this state if the vehicle is equipped with
530 autonomous technology, as defined in s. 316.003. A person who
531 does not possess a valid driver license may engage autonomous
532 technology to operate an autonomous vehicle in autonomous mode
533 only if the vehicle is equipped with autonomous technology, as
534 defined in s. 316.003, and if the vehicle has no capability or
535 means by which the person inside the vehicle is able to take
536 control of the vehicle's operation or to disengage the
537 autonomous technology, regardless of where the person is seated
538 within the vehicle.

539 Section 8. Effective upon the same date that SB 340 or
540 similar legislation takes effect, if such legislation is adopted
541 in the 2017 Regular Session or any extension thereof and becomes
542 a law, section 316.851, Florida Statutes, is created to read:

543 316.851 Autonomous vehicles; providing prearranged rides.—

544 (1) An autonomous vehicle used by a transportation network
545 company to provide a prearranged ride must be covered by
546 automobile insurance as required by s. 627.748, regardless of
547 whether a human operator is physically present within the
548 vehicle when the ride occurs. When an autonomous vehicle is



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549 logged on to a digital network but is not engaged in a
550 prearranged ride, the autonomous vehicle must maintain insurance
551 coverage as defined in s. 627.748(7)(b).

552 (2) An autonomous vehicle used to provide a transportation
553 service shall carry in the vehicle proof of coverage satisfying
554 the requirements of this section at all times while operating in
555 autonomous mode.

556 Section 9. Section 318.1215, Florida Statutes, is amended
557 to read:

558 318.1215 Dori Slosberg Driver Education Safety Act.—
559 Notwithstanding the provisions of s. 318.121, a board of county
560 commissioners may require, by ordinance, that the clerk of the
561 court collect an additional \$5 with each criminal ~~civil~~ traffic
562 penalty, which shall be used to fund driver education programs
563 in public and nonpublic schools. The ordinance shall provide for
564 the board of county commissioners to administer the funds, which
565 shall be used for enhancement, and not replacement, of driver
566 education program funds. The funds shall be used for direct
567 educational expenses and shall not be used for administration.
568 Each driver education program receiving funds pursuant to this
569 section shall require that a minimum of 30 percent of a
570 student's time in the program be behind-the-wheel training. This
571 section may be cited as the "Dori Slosberg Driver Education
572 Safety Act."

573 Section 10. Paragraph (d) of subsection (3) of section
574 318.18, Florida Statutes, is amended to read:

575 318.18 Amount of penalties.—The penalties required for a
576 noncriminal disposition pursuant to s. 318.14 or a criminal
577 offense listed in s. 318.17 are as follows:



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578 (3)

579 (d) Notwithstanding paragraph (b), a person cited for
580 exceeding the speed limit in a posted work ~~construction~~ zone,
581 which posting must include notification of the speed limit and
582 the doubling of fines, shall pay a fine double the amount listed
583 in paragraph (b). The fine shall be doubled for work
584 ~~construction~~ zone violations only if work ~~construction~~ personnel
585 are present or operating equipment on the road or immediately
586 adjacent to the road ~~under construction~~.

587 Section 11. Subsections (24) and (26) of section 320.01,
588 Florida Statutes, are amended to read:

589 320.01 Definitions, general.—As used in the Florida
590 Statutes, except as otherwise provided, the term:

591 (24) "Apportionable vehicle" means any vehicle, except
592 recreational vehicles, vehicles displaying restricted plates,
593 city pickup and delivery vehicles, ~~buses used in transportation~~
594 ~~of chartered parties,~~ and government-owned vehicles, which is
595 used or intended for use in two or more member jurisdictions
596 that allocate or proportionally register vehicles and which is
597 used for the transportation of persons for hire or is designed,
598 used, or maintained primarily for the transportation of property
599 and:

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

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

604 (c) Is used in combination, when the weight of such
605 combination exceeds 26,000 pounds gross vehicle weight.
606



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

610 (26) "Motorcycle" means any motor vehicle having a seat or
611 saddle for the use of the rider and designed to travel on not
612 more than three wheels in contact with the ground, including an
613 autocycle. The term does not include a tractor, a moped, or
614 ~~excluding~~ a vehicle in which the operator is enclosed by a cabin
615 unless the vehicle ~~it~~ meets the requirements set forth by the
616 National Highway Traffic Safety Administration for a motorcycle.
617 ~~The term "motorcycle" does not include a tractor or a moped.~~

618 Section 12. Paragraph (a) of subsection (15) of section
619 320.02, Florida Statutes, is amended to read:

620 320.02 Registration required; application for registration;
621 forms.—

622 (15) (a) The application form for motor vehicle registration
623 must ~~shall~~ include language permitting the voluntary
624 contribution of \$1 per applicant, to be quarterly distributed by
625 the department to Preserve Vision ~~Prevent Blindness~~ Florida, a
626 not-for-profit organization, to prevent blindness and preserve
627 the sight of the residents of this state. A statement providing
628 an explanation of the purpose of the funds shall be included
629 with the application form. Prior to the department distributing
630 the funds collected pursuant to this paragraph, Preserve Vision
631 ~~Prevent Blindness~~ Florida must submit a report to the department
632 that identifies how such funds were used during the preceding
633 year.

634
635 For the purpose of applying the service charge provided in s.



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636 215.20, contributions received under this subsection are not
637 income of a revenue nature.

638 Section 13. Subsection (1) of section 320.03, Florida
639 Statutes, is amended to read:

640 320.03 Registration; duties of tax collectors;
641 International Registration Plan.—

642 (1) (a) The tax collectors in the several counties of the
643 state, as authorized agents of the department, shall issue
644 registration certificates, registration license plates,
645 validation stickers, and mobile home stickers to applicants, and
646 shall provide to applicants for each the option to register
647 emergency contact information and the option to be contacted
648 with information about state and federal benefits available as a
649 result of military service, subject to the requirements of law,
650 in accordance with rules of the department. Each tax collector
651 shall provide the same motor vehicle registration services in
652 office to residents of other counties that it provides for
653 residents of its home county.

654 (b) Any person, firm, or corporation representing itself,
655 through advertising or naming of the business, to be an
656 authorized agent of the department shall be deemed guilty of an
657 unfair and deceptive trade practice as defined in part II of
658 chapter 501. No such person, firm, or corporation shall use
659 either the state or county name as a part of their business name
660 when such use can reasonably be interpreted as an official state
661 or county office.

662 Section 14. Effective July 1, 2018, subsection (10) of
663 section 320.03, Florida Statutes, is amended to read:

664 320.03 Registration; duties of tax collectors;



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665 International Registration Plan.-
666 (10) (a) Jurisdiction over the electronic filing system for
667 use by authorized electronic filing system agents to
668 electronically title or register motor vehicles, vessels, mobile
669 homes, or off-highway vehicles; process title transactions,
670 derelict motor vehicle certificates, and certificates of
671 destruction for derelict and salvage motor vehicles pursuant to
672 s. 319.30(2), (3), (7), and (8); issue or transfer registration
673 license plates or decals; electronically transfer fees due for
674 the title and registration process; and perform inquiries for
675 title, registration, and lienholder verification and
676 certification of service providers is expressly preempted to the
677 state, and the department shall have regulatory authority over
678 the system. The electronic filing system shall be available for
679 use statewide and applied uniformly throughout the state. An
680 entity that, in the normal course of its business, sells
681 products that must be titled or registered; 7 provides title and
682 registration services on behalf of its consumers; or processes
683 title transactions, derelict motor vehicle certificates, or
684 certificates of destruction for derelict or salvage motor
685 vehicles pursuant to s. 319.30(2), (3), (7), and (8); and meets
686 all established requirements may be an authorized electronic
687 filing system agent and shall not be precluded from
688 participating in the electronic filing system in any county.
689 Upon request from a qualified entity, the tax collector shall
690 appoint the entity as an authorized electronic filing system
691 agent for that county. ~~The department shall adopt rules in~~
692 ~~accordance with chapter 120 to replace the December 10, 2009,~~
693 ~~program standards and to administer the provisions of this~~



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694 ~~section, including, but not limited to, establishing~~
695 ~~participation requirements, certification of service providers,~~
696 ~~electronic filing system requirements, and enforcement authority~~
697 ~~for noncompliance. The December 10, 2009, program standards,~~
698 ~~excluding any standards which conflict with this subsection,~~
699 ~~shall remain in effect until the rules are adopted. An~~
700 authorized electronic filing system agent may charge a fee to
701 the customer for use of the electronic filing system.

702 (b) The department shall adopt rules to administer this
703 subsection, including, but not limited to, rules establishing
704 participation requirements, certification of service providers,
705 electronic filing system requirements, disclosures, and
706 enforcement authority for noncompliance.

707 Section 15. Paragraph (b) of subsection (1) of section
708 320.06, Florida Statutes, is amended to read:

709 320.06 Registration certificates, license plates, and
710 validation stickers generally.—

711 (1)

712 (b)1. Registration license plates bearing a graphic symbol
713 and the alphanumeric system of identification shall be issued
714 for a 10-year period. At the end of the 10-year period, upon
715 renewal, the plate shall be replaced. The department shall
716 extend the scheduled license plate replacement date from a 6-
717 year period to a 10-year period. The fee for such replacement is
718 \$28, \$2.80 of which shall be paid each year before the plate is
719 replaced, to be credited toward the next \$28 replacement fee.
720 The fees shall be deposited into the Highway Safety Operating
721 Trust Fund. A credit or refund may not be given for any prior
722 years' payments of the prorated replacement fee if the plate is



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723 replaced or surrendered before the end of the 10-year period,
724 except that a credit may be given if a registrant is required by
725 the department to replace a license plate under s.
726 320.08056(8)(a). With each license plate, a validation sticker
727 shall be issued showing the owner's birth month, license plate
728 number, and the year of expiration or the appropriate renewal
729 period if the owner is not a natural person. The validation
730 sticker shall be placed on the upper right corner of the license
731 plate. The license plate and validation sticker shall be issued
732 based on the applicant's appropriate renewal period. The
733 registration period is 12 months, the extended registration
734 period is 24 months, and all expirations occur based on the
735 applicant's appropriate registration period.

736 2. A vehicle that has an apportioned registration shall be
737 issued an annual license plate and a cab card denoting that
738 ~~denote~~ the declared gross vehicle weight ~~for each apportioned~~
739 ~~jurisdiction in which the vehicle is authorized to operate.~~ This
740 subparagraph expires October 1, 2018.

741 3. Beginning October 1, 2018, a vehicle registered in
742 accordance with the International Registration Plan which has an
743 apportioned registration shall be issued a license plate for a
744 5-year period, an annual cab card denoting the declared gross
745 vehicle weight, and an annual validation sticker showing the
746 month and year of expiration. The validation sticker shall be
747 placed in the center of the license plate. The license plate and
748 validation sticker shall be issued based on the applicant's
749 appropriate renewal period. The registration period is 12
750 months. The fee for an original and a renewed validation sticker
751 is \$28. This fee shall be deposited into the Highway Safety



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752 Operating Trust Fund. If the license plate is damaged or worn,
753 it may be replaced at no charge by applying to the department
754 and surrendering the current license plate.

755 ~~4.2.~~ In order to retain the efficient administration of the
756 taxes and fees imposed by this chapter, the 80-cent fee increase
757 in the replacement fee imposed by chapter 2009-71, Laws of
758 Florida, is negated as provided in s. 320.0804.

759 Section 16. Section 320.0605, Florida Statutes, is amended
760 to read:

761 320.0605 Certificate of registration; possession required;
762 exception.—

763 (1) (a) The registration certificate or an official copy
764 thereof, a true copy or electronic copy of rental or lease
765 documentation issued for a motor vehicle or issued for a
766 replacement vehicle in the same registration period, a temporary
767 receipt printed upon self-initiated electronic renewal of a
768 registration via the Internet, or a cab card issued for a
769 vehicle registered under the International Registration Plan
770 shall, at all times while the vehicle is being used or operated
771 on the roads of this state, be in the possession of the operator
772 thereof or be carried in the vehicle for which issued and shall
773 be exhibited upon demand of any authorized law enforcement
774 officer or any agent of the department, except for a vehicle
775 registered under s. 320.0657. ~~The provisions of~~ This section
776 does ~~do~~ not apply during the first 30 days after purchase of a
777 replacement vehicle. A violation of this section is a
778 noncriminal traffic infraction, punishable as a nonmoving
779 violation as provided in chapter 318.

780 (b)1. The act of presenting to a law enforcement officer or



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781 agent of the department an electronic device displaying an
782 electronic copy of rental or lease documentation does not
783 constitute consent for the officer or agent to access any
784 information on the device other than the displayed rental or
785 lease documentation.

786 2. The person who presents the device to the officer or
787 agent assumes the liability for any resulting damage to the
788 device.

789 (2) Rental or lease documentation that is sufficient to
790 satisfy the requirement in subsection (1) includes the
791 following:

- 792 (a) ~~Date of rental~~ and time of ~~exit from rental facility~~;
- 793 (b) Rental station identification;
- 794 (c) Rental agreement number;
- 795 (d) Rental vehicle identification number;
- 796 (e) Rental vehicle license plate number and state of
797 registration;
- 798 (f) Vehicle's make, model, and color;
- 799 (g) Vehicle's mileage; and
- 800 (h) Authorized renter's name.

801 Section 17. Subsection (5) of section 320.0607, Florida
802 Statutes, is amended to read:

803 320.0607 Replacement license plates, validation decal, or
804 mobile home sticker.—

805 (5) Upon the issuance of an original license plate, the
806 applicant shall pay a fee of \$28 to be deposited in the Highway
807 Safety Operating Trust Fund. Beginning October 1, 2018, this
808 subsection does not apply to a vehicle registered under the
809 International Registration Plan.



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810 Section 18. Section 320.08, Florida Statutes, is amended to
811 read:

812 320.08 License taxes.—Except as otherwise provided herein,
813 there are hereby levied and imposed annual license taxes for the
814 operation of motor vehicles, mopeds, motorized bicycles as
815 defined in s. 316.003(4) ~~s. 316.003(2)~~, tri-vehicles as defined
816 in s. 316.003, and mobile homes as defined in s. 320.01, which
817 shall be paid to and collected by the department or its agent
818 upon the registration or renewal of registration of the
819 following:

820 (1) MOTORCYCLES AND MOPEDS.—

821 (a) Any motorcycle: \$10 flat.

822 (b) Any moped: \$5 flat.

823 (c) Upon registration of a motorcycle, motor-driven cycle,
824 or moped, in addition to the license taxes specified in this
825 subsection, a nonrefundable motorcycle safety education fee in
826 the amount of \$2.50 shall be paid. The proceeds of such
827 additional fee shall be deposited in the Highway Safety
828 Operating Trust Fund to fund a motorcycle driver improvement
829 program implemented pursuant to s. 322.025, the Florida
830 Motorcycle Safety Education Program established in s. 322.0255,
831 or the general operations of the department.

832 (d) An ancient or antique motorcycle: \$7.50 flat, of which
833 \$2.50 shall be deposited into the General Revenue Fund.

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

835 (a) An ancient or antique automobile, as defined in s.
836 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

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

838 (c) Net weight of 2,500 pounds or more, but less than 3,500



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839 pounds: \$22.50 flat.

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

841 (3) TRUCKS.—

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

843 (b) Net weight of 2,000 pounds or more, but not more than
844 3,000 pounds: \$22.50 flat.

845 (c) Net weight more than 3,000 pounds, but not more than
846 5,000 pounds: \$32.50 flat.

847 (d) A truck defined as a "goat," or other vehicle if used
848 in the field by a farmer or in the woods for the purpose of
849 harvesting a crop, including naval stores, during such
850 harvesting operations, and which is not principally operated
851 upon the roads of the state: \$7.50 flat. The term "goat" means a
852 motor vehicle designed, constructed, and used principally for
853 the transportation of citrus fruit within citrus groves or for
854 the transportation of crops on farms, and which can also be used
855 for hauling associated equipment or supplies, including required
856 sanitary equipment, and the towing of farm trailers.

857 (e) An ancient or antique truck, as defined in s. 320.086:
858 \$7.50 flat.

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

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

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

867 (c) Gross vehicle weight of 8,000 pounds or more, but less



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868 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited
869 into the General Revenue Fund.

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

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

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

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

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

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

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

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

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



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897 (m) Notwithstanding the declared gross vehicle weight, a
898 truck tractor used within this state ~~a 150-mile radius of its~~
899 ~~home address~~ is eligible for a license plate for a fee of \$324
900 flat if:

901 1. The truck tractor is used exclusively for hauling
902 forestry products; or

903 2. The truck tractor is used primarily for the hauling of
904 forestry products, and is also used for the hauling of
905 associated forestry harvesting equipment used by the owner of
906 the truck tractor.

907
908 Of the fee imposed by this paragraph, \$84 shall be deposited
909 into the General Revenue Fund.

910 (n) A truck tractor or heavy truck, not operated as a for-
911 hire vehicle, which is engaged exclusively in transporting raw,
912 unprocessed, and nonmanufactured agricultural or horticultural
913 products within this state ~~a 150-mile radius of its home~~
914 ~~address~~, is eligible for a restricted license plate for a fee
915 of:

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

919 2. If such vehicle's declared gross vehicle weight is
920 44,000 pounds or more and such vehicle only transports from the
921 point of production to the point of primary manufacture; to the
922 point of assembling the same; or to a shipping point of a rail,
923 water, or motor transportation company, \$324 flat, of which \$84
924 shall be deposited into the General Revenue Fund.

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926 Such not-for-hire truck tractors and heavy trucks used
927 exclusively in transporting raw, unprocessed, and
928 nonmanufactured agricultural or horticultural products may be
929 incidentally used to haul farm implements and fertilizers
930 delivered direct to the growers. The department may require any
931 documentation deemed necessary to determine eligibility prior to
932 issuance of this license plate. For the purpose of this
933 paragraph, "not-for-hire" means the owner of the motor vehicle
934 must also be the owner of the raw, unprocessed, and
935 nonmanufactured agricultural or horticultural product, or the
936 user of the farm implements and fertilizer being delivered.

937 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
938 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

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

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

946 (b) A motor vehicle equipped with machinery and designed
947 for the exclusive purpose of well drilling, excavation,
948 construction, spraying, or similar activity, and which is not
949 designed or used to transport loads other than the machinery
950 described above over public roads: \$44 flat, of which \$11.50
951 shall be deposited into the General Revenue Fund.

952 (c) A school bus used exclusively to transport pupils to
953 and from school or school or church activities or functions
954 within their own county: \$41 flat, of which \$11 shall be



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955 deposited into the General Revenue Fund.

956 (d) A wrecker, as defined in s. 320.01, which is used to
957 tow a vessel as defined in s. 327.02, a disabled, abandoned,
958 stolen-recovered, or impounded motor vehicle as defined in s.
959 320.01, or a replacement motor vehicle as defined in s. 320.01:
960 \$41 flat, of which \$11 shall be deposited into the General
961 Revenue Fund.

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

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

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

971 3. Gross vehicle weight of 20,000 pounds or more, but less
972 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
973 into the General Revenue Fund.

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

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

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

983 7. Gross vehicle weight of 55,000 pounds or more, but less



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984 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
985 into the General Revenue Fund.

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

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

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

994 (6) MOTOR VEHICLES FOR HIRE.—

995 (a) Under nine passengers: \$17 flat, of which \$4.50 shall
996 be deposited into the General Revenue Fund; plus \$1.50 per cwt,
997 of which 50 cents shall be deposited into the General Revenue
998 Fund.

999 (b) Nine passengers and over: \$17 flat, of which \$4.50
1000 shall be deposited into the General Revenue Fund; plus \$2 per
1001 cwt, of which 50 cents shall be deposited into the General
1002 Revenue Fund.

1003 (7) TRAILERS FOR PRIVATE USE.—

1004 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per
1005 year or any part thereof, of which \$1.75 shall be deposited into
1006 the General Revenue Fund.

1007 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1
1008 shall be deposited into the General Revenue Fund; plus \$1 per
1009 cwt, of which 25 cents shall be deposited into the General
1010 Revenue Fund.

1011 (8) TRAILERS FOR HIRE.—

1012 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1



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1013 shall be deposited into the General Revenue Fund; plus \$1.50 per
1014 cwt, of which 50 cents shall be deposited into the General
1015 Revenue Fund.

1016 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which
1017 \$3.50 shall be deposited into the General Revenue Fund; plus
1018 \$1.50 per cwt, of which 50 cents shall be deposited into the
1019 General Revenue Fund.

1020 (9) RECREATIONAL VEHICLE-TYPE UNITS.—

1021 (a) A travel trailer or fifth-wheel trailer, as defined by
1022 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
1023 flat, of which \$7 shall be deposited into the General Revenue
1024 Fund.

1025 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
1026 \$13.50 flat, of which \$3.50 shall be deposited into the General
1027 Revenue Fund.

1028 (c) A motor home, as defined by s. 320.01(1)(b)4.:

1029 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1030 \$7 shall be deposited into the General Revenue Fund.

1031 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1032 which \$12.25 shall be deposited into the General Revenue Fund.

1033 (d) A truck camper as defined by s. 320.01(1)(b)3.:

1034 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1035 \$7 shall be deposited into the General Revenue Fund.

1036 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1037 which \$12.25 shall be deposited into the General Revenue Fund.

1038 (e) A private motor coach as defined by s. 320.01(1)(b)5.:

1039 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1040 \$7 shall be deposited into the General Revenue Fund.

1041 2. Net weight of 4,500 pounds or more: \$47.25 flat, of



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1042 which \$12.25 shall be deposited into the General Revenue Fund.

1043 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
1044 35 FEET TO 40 FEET.—

1045 (a) Park trailers.—Any park trailer, as defined in s.
1046 320.01(1)(b)7.: \$25 flat.

1047 (b) A travel trailer or fifth-wheel trailer, as defined in
1048 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.

1049 (11) MOBILE HOMES.—

1050 (a) A mobile home not exceeding 35 feet in length: \$20
1051 flat.

1052 (b) A mobile home over 35 feet in length, but not exceeding
1053 40 feet: \$25 flat.

1054 (c) A mobile home over 40 feet in length, but not exceeding
1055 45 feet: \$30 flat.

1056 (d) A mobile home over 45 feet in length, but not exceeding
1057 50 feet: \$35 flat.

1058 (e) A mobile home over 50 feet in length, but not exceeding
1059 55 feet: \$40 flat.

1060 (f) A mobile home over 55 feet in length, but not exceeding
1061 60 feet: \$45 flat.

1062 (g) A mobile home over 60 feet in length, but not exceeding
1063 65 feet: \$50 flat.

1064 (h) A mobile home over 65 feet in length: \$80 flat.

1065 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
1066 motor vehicle dealer, independent motor vehicle dealer, marine
1067 boat trailer dealer, or mobile home dealer and manufacturer
1068 license plate: \$17 flat, of which \$4.50 shall be deposited into
1069 the General Revenue Fund.

1070 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or



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1071 official license plate: \$4 flat, of which \$1 shall be deposited
1072 into the General Revenue Fund.

1073 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
1074 vehicle for hire operated wholly within a city or within 25
1075 miles thereof: \$17 flat, of which \$4.50 shall be deposited into
1076 the General Revenue Fund; plus \$2 per cwt, of which 50 cents
1077 shall be deposited into the General Revenue Fund.

1078 (15) TRANSPORTER.—Any transporter license plate issued to a
1079 transporter pursuant to s. 320.133: \$101.25 flat, of which
1080 \$26.25 shall be deposited into the General Revenue Fund.

1081 Section 19. Paragraphs (ee), (eee), (qqq), and (rrr) of
1082 subsection (4) and paragraph (a) of subsection (10) of section
1083 320.08056, Florida Statutes, are amended to read:

1084 320.08056 Specialty license plates.—

1085 (4) The following license plate annual use fees shall be
1086 collected for the appropriate specialty license plates:

1087 ~~(ee) American Red Cross license plate, \$25.~~

1088 ~~(eee) Donate Organs—Pass It On license plate, \$25.~~

1089 ~~(qqq) St. Johns River license plate, \$25.~~

1090 ~~(rrr) Hispanic Achievers license plate, \$25.~~

1091 (10) (a) A specialty license plate annual use fee collected
1092 and distributed under this chapter, or any interest earned from
1093 those fees, may not be used for commercial or for-profit
1094 activities nor for general or administrative expenses, except as
1095 authorized by s. 320.08058 or to pay the cost of the audit or
1096 report required by s. 320.08062(1). The fees and any interest
1097 earned from the fees may be expended only for use in this state
1098 unless the annual use fee is derived from the sale of United
1099 States Armed Forces and veterans-related specialty license



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1100 plates pursuant to paragraphs (4) (d), (bb), (kk), (iii), and
1101 (uuu) ~~(ll), (kkk), and (yyy)~~ and s. 320.0891.

1102 Section 20. Subsections (31), (57), (69), and (70) of
1103 section 320.08058, Florida Statutes, are repealed.

1104 Section 21. Paragraph (b) of subsection (4) of section
1105 320.08068, Florida Statutes, is amended to read:

1106 320.08068 Motorcycle specialty license plates.—

1107 (4) A license plate annual use fee of \$20 shall be
1108 collected for each motorcycle specialty license plate. Annual
1109 use fees shall be distributed to The Able Trust as custodial
1110 agent. The Able Trust may retain a maximum of 10 percent of the
1111 proceeds from the sale of the license plate for administrative
1112 costs. The Able Trust shall distribute the remaining funds as
1113 follows:

1114 (b) Twenty percent to Preserve Vision ~~Prevent Blindness~~
1115 Florida.

1116 Section 22. Subsection (7) is added to section 320.086,
1117 Florida Statutes, to read:

1118 320.086 Ancient or antique motor vehicles; horseless
1119 carriage, antique, or historical license plates; former military
1120 vehicles.—

1121 (7) For purposes of this section, a trailer is considered a
1122 motor vehicle.

1123 Section 23. Section 320.0875, Florida Statutes, is created
1124 to read:

1125 320.0875 Purple Heart motorcycle special license plate.—

1126 (1) Upon application to the department and payment of the
1127 license tax for the motorcycle as provided in s. 320.08, a
1128 resident of this state who owns or leases a motorcycle that is



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1129 not used for hire or commercial use shall be issued a Purple
1130 Heart motorcycle special license plate if he or she provides
1131 documentation acceptable to the department that he or she is a
1132 recipient of the Purple Heart medal.

1133 (2) The Purple Heart motorcycle special license plate shall
1134 be stamped with the words "Combat-wounded Veteran" followed by
1135 the serial number of the license plate. The Purple Heart
1136 motorcycle special license plate may have the term "Purple
1137 Heart" stamped on the plate and the likeness of the Purple Heart
1138 medal appearing on the plate.

1139 Section 24. Paragraph (a) of subsection (1) of section
1140 320.089, Florida Statutes, is amended to read:

1141 ~~320.089 Veterans of the United States Armed Forces; members~~
1142 ~~of National Guard; survivors of Pearl Harbor; Purple Heart medal~~
1143 ~~recipients; active or retired United States Armed Forces~~
1144 ~~reservists; Combat Infantry Badge, Combat Medical Badge, or~~
1145 ~~Combat Action Badge recipients; Combat Action Ribbon recipients;~~
1146 ~~Air Force Combat Action Medal recipients; Distinguished Flying~~
1147 ~~Cross recipients; former prisoners of war; Korean War Veterans;~~
1148 ~~Vietnam War Veterans; Operation Desert Shield Veterans;~~
1149 ~~Operation Desert Storm Veterans; Operation Enduring Freedom~~
1150 ~~Veterans; Operation Iraqi Freedom Veterans; Women Veterans;~~
1151 ~~World War II Veterans; and Navy Submariners; Special license~~
1152 ~~plates for military servicemembers, veterans, and Pearl Harbor~~
1153 ~~survivors; fee.-~~

1154 (1) (a) Upon application to the department and payment of
1155 the license tax for the vehicle as provided in s. 320.08, a
1156 resident of this state who owns or leases ~~Each owner or lessee~~
1157 ~~of~~ an automobile or truck for private use or recreational



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1158 vehicle as specified in s. 320.08(9)(c) or (d), which is not
1159 used for hire or commercial use, shall be issued a license plate
1160 pursuant to the following if the applicant provides the
1161 department with proof he or she meets the qualifications listed
1162 in this section for the applicable license plate:

1163 1. A person released or discharged from any branch ~~who is a~~
1164 ~~resident of the state and a veteran~~ of the United States Armed
1165 Forces shall be issued a license plate stamped with the words
1166 "Veteran" or "Woman Veteran" followed by the serial number of
1167 the license plate.~~, a Woman Veteran,~~

1168 2. A World War II Veteran shall be issued a license plate
1169 stamped with the words "WWII Veteran" followed by the serial
1170 number of the license plate.

1171 3. A Navy Submariner shall be issued a license plate
1172 stamped with the words "Navy Submariner" followed by the serial
1173 number of the license plate.

1174 4. An active or retired member of the Florida National
1175 Guard shall be issued a license plate stamped with the words
1176 "National Guard" followed by the serial number of the license
1177 plate.

1178 5. A member of the Pearl Harbor Survivors Association or
1179 other person on active military duty in Pearl Harbor on December
1180 7, 1941, shall be issued a license plate stamped with the words
1181 "Pearl Harbor Survivor" followed by the serial number of the
1182 license plate.~~, a survivor of the attack on Pearl Harbor,~~

1183 6. A recipient of the Purple Heart medal shall be issued a
1184 license plate stamped with the words "Combat-wounded Veteran"
1185 followed by the serial number of the license plate. The Purple
1186 Heart plate may have the words "Purple Heart" stamped on the



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1187 plate and the likeness of the Purple Heart medal appearing on
1188 the plate.

1189 7. An active or retired member of any branch of the United
1190 States Armed Forces Reserve shall be issued a license plate
1191 stamped with the words "U.S. Reserve" followed by the serial
1192 number of the license plate.

1193 8. A member of the Combat Infantrymen's Association, Inc.,
1194 or a recipient of the Combat Infantry Badge, Combat Medical
1195 Badge, Combat Action Badge, Combat Action Ribbon, or Air Force
1196 Combat Action Medal shall be issued a license plate stamped with
1197 the words "Combat Infantry Badge," "Combat Medical Badge,"
1198 "Combat Action Badge," "Combat Action Ribbon," or "Air Force
1199 Combat Action Medal," as appropriate, and a likeness of the
1200 related campaign badge, ribbon, or medal, followed by the serial
1201 number of the license plate.

1202 9. A recipient of the, ~~or~~ Distinguished Flying Cross shall
1203 be issued a license plate stamped with the words "Distinguished
1204 Flying Cross" and a likeness of the Distinguished Flying Cross
1205 followed by the serial number of the license plate.

1206 10. A recipient of the Bronze Star shall be issued a
1207 license plate stamped with the words "Bronze Star" and a
1208 likeness of the Bronze Star followed by the serial number of the
1209 license plate, ~~upon application to the department, accompanied~~
1210 ~~by proof of release or discharge from any branch of the United~~
1211 ~~States Armed Forces, proof of active membership or retired~~
1212 ~~status in the Florida National Guard, proof of membership in the~~
1213 ~~Pearl Harbor Survivors Association or proof of active military~~
1214 ~~duty in Pearl Harbor on December 7, 1941, proof of being a~~
1215 ~~Purple Heart medal recipient, proof of active or retired~~



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1216 ~~membership in any branch of the United States Armed Forces~~
1217 ~~Reserve, or proof of membership in the Combat Infantrymen's~~
1218 ~~Association, Inc., proof of being a recipient of the Combat~~
1219 ~~Infantry Badge, Combat Medical Badge, Combat Action Badge,~~
1220 ~~Combat Action Ribbon, Air Force Combat Action Medal, or~~
1221 ~~Distinguished Flying Cross, and upon payment of the license tax~~
1222 ~~for the vehicle as provided in s. 320.08, shall be issued a~~
1223 ~~license plate as provided by s. 320.06 which, in lieu of the~~
1224 ~~serial numbers prescribed by s. 320.06, is stamped with the~~
1225 ~~words "Veteran," "Woman Veteran," "WWII Veteran," "Navy~~
1226 ~~Submariner," "National Guard," "Pearl Harbor Survivor," "Combat-~~
1227 ~~wounded veteran," "U.S. Reserve," "Combat Infantry Badge,"~~
1228 ~~"Combat Medical Badge," "Combat Action Badge," "Combat Action~~
1229 ~~Ribbon," "Air Force Combat Action Medal," or "Distinguished~~
1230 ~~Flying Cross," as appropriate, and a likeness of the related~~
1231 ~~campaign medal or badge, followed by the serial number of the~~
1232 ~~license plate. Additionally, the Purple Heart plate may have the~~
1233 ~~words "Purple Heart" stamped on the plate and the likeness of~~
1234 ~~the Purple Heart medal appearing on the plate.~~

1235 Section 25. Section 320.133, Florida Statutes, is amended
1236 to read:

1237 320.133 Transporter license plates.—

1238 (1) As used in this section, the term "transporter license
1239 plate eligible business" means a business that is engaged in the
1240 limited operation of an unregistered motor vehicle, or a
1241 repossessor that contracts with lending institutions to
1242 repossess or recover motor vehicles or mobile homes.

1243 (2) A person is not eligible to purchase or renew a
1244 transporter license plate unless he or she provides proof



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1245 satisfactory to the department that his or her business is a
1246 transporter license plate eligible business.

1247 (3) The application for qualification as a transporter
1248 license plate eligible business must be in such form as is
1249 prescribed by the department and must contain the legal name of
1250 the person or persons applying for the license plate, the name
1251 of the business, and the principal or principals of the
1252 business. The application must describe the exact physical
1253 location of the place of business within the state. This
1254 location must be available at all reasonable hours for
1255 inspection of the transporter license plate records by the
1256 department or any law enforcement agency. The application must
1257 contain proof of a garage liability insurance policy, or a
1258 business automobile policy, in the amount of at least \$100,000.
1259 The certificate of insurance must indicate the number of
1260 transporter license plates reported to the insurance company.
1261 Such coverage shall be maintained for the entire registration
1262 period. Upon seeking initial qualification, the applicant must
1263 provide documentation proving that the business is registered
1264 with the Division of Corporations of the Department of State to
1265 conduct business in this state. The business must indicate how
1266 it meets the qualification as a transporter license plate
1267 eligible business by describing in detail the business processes
1268 that require the use of a transporter license plate.

1269 (4) (a) ~~(1)~~ The department may ~~is authorized to~~ issue a
1270 transporter license plate to ~~an any~~ applicant who ~~is not a~~
1271 licensed dealer and who is qualified as a transporter license
1272 plate eligible business, ~~incidental to the conduct of his or her~~
1273 business, ~~engages in the transporting of motor vehicles which~~



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1274 ~~are not currently registered to any owner and which do not have~~
1275 ~~license plates,~~ upon payment of the license tax imposed by s.
1276 320.08(15) for each transporter ~~such~~ license plate and upon
1277 proof of ~~liability~~ insurance as described in subsection (3)
1278 ~~coverage in the amount of \$100,000 or more.~~ The proof of
1279 insurance must indicate the number of transporter license plates
1280 reported to the insurance company, which shall be the maximum
1281 number of transporter license plates issued to the applicant.
1282 ~~Such~~ A transporter license plate is valid only for use on an
1283 unregistered ~~any~~ motor vehicle in the possession of the
1284 transporter while the motor vehicle is being transported in the
1285 course of the transporter's business and must not be attached to
1286 any vehicle owned by the transporter or his or her business for
1287 which registration would otherwise be required. A person who
1288 sells or unlawfully possesses, distributes, or brokers a
1289 transporter license plate to be attached to any vehicle commits
1290 a misdemeanor of the second degree, punishable as provided in s.
1291 775.082 or s. 775.083. Any and all transporter license plates
1292 issued are subject to cancellation by the department.

1293 (b) A person who knowingly and willfully sells or
1294 unlawfully possesses, distributes, or brokers a transporter
1295 license plate to avoid registering a vehicle requiring
1296 registration pursuant to this chapter or chapter 319 commits a
1297 misdemeanor of the first degree, punishable as provided in s.
1298 775.082 or s. 775.083, and is disqualified from transporter
1299 license plate usage. All transporter license plates issued to
1300 the person's business shall be canceled and must be returned to
1301 the department immediately upon disqualification. The
1302 transporter license plate is subject to removal as provided in



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1303 subsection (9), and any and all transporter plates issued are
1304 subject to cancellation by the department.

1305 (5) A transporter license plate eligible business issued a
1306 transporter license plate must maintain for 2 years, at its
1307 location, records of each use of each transporter license plate
1308 and evidence that the plate was used as required by this
1309 chapter. Such records must be open to inspection by the
1310 department or its agents or any law enforcement officer during
1311 reasonable business hours. A person who fails to maintain true
1312 and accurate records of any transporter license plate usage or
1313 comply with this subsection commits a misdemeanor of the second
1314 degree, punishable as provided in s. 775.082 or s. 775.083, may
1315 be subject to cancellation of any and all transporter license
1316 plates issued, and is automatically disqualified from future
1317 transporter license plate issuance.

1318 (6) When attached to a motor vehicle, a transporter license
1319 plate issued under this section must be accompanied by the
1320 registration issued for the transporter license plate by the
1321 department and proof of insurance as described in subsection
1322 (3). A person who operates a motor vehicle with a transporter
1323 license plate attached who fails to provide the documentation
1324 listed in this subsection commits a misdemeanor of the second
1325 degree, punishable as provided in s. 775.082 or s. 775.083, and
1326 the transporter license plate is subject to removal as provided
1327 in subsection (9). This subsection does not apply to a person
1328 who contracts with dealers and auctions to transport motor
1329 vehicles.

1330 (7)~~(2)~~ A transporter license plate issued pursuant to
1331 subsection ~~(4)~~ ~~(1)~~ must be in a distinctive color approved by



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1332 the department, and the word "transporter" must appear on the
1333 face of the license plate in place of the county name.

1334 (8)(3) An initial registration or renewal A license plate
1335 issued under this section is valid for ~~a period of~~ 12 months,
1336 beginning January 1 and ending December 31. A ~~No~~ refund of the
1337 license tax imposed may not be provided for any unexpired
1338 portion of a license period.

1339 (9) A transporter license plate attached to a motor vehicle
1340 in violation of subsection (4) or subsection (6) must be
1341 immediately removed by a law enforcement officer from the motor
1342 vehicle to which it was attached and surrendered to the
1343 department by the law enforcement agency for cancellation.

1344 Section 26. Subsections (1) and (2) of section 320.27,
1345 Florida Statutes, are amended to read:

1346 320.27 Motor vehicle dealers.—

1347 (1) DEFINITIONS.—The following words, terms, and phrases
1348 when used in this section have the meanings respectively
1349 ascribed to them in this subsection, except where the context
1350 clearly indicates a different meaning:

1351 (a) "Department" means the Department of Highway Safety and
1352 Motor Vehicles.

1353 (b) "Motor vehicle" means any motor vehicle of the type and
1354 kind required to be registered and titled under chapter 319 and
1355 this chapter, except a recreational vehicle, moped, motorcycle
1356 powered by a motor with a displacement of 50 cubic centimeters
1357 or less, or mobile home.

1358 (c) "Motor vehicle dealer" means any person engaged in the
1359 business of buying, selling, or dealing in motor vehicles or
1360 offering or displaying motor vehicles for sale at wholesale or



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1361 retail, or who may service and repair motor vehicles pursuant to
1362 an agreement as defined in s. 320.60(1). Any person who buys,
1363 sells, or deals in three or more motor vehicles in any 12-month
1364 period or who offers or displays for sale three or more motor
1365 vehicles in any 12-month period shall be prima facie presumed to
1366 be a motor vehicle dealer. Any person who engages in possessing,
1367 storing, or displaying motor vehicles for retail sale;
1368 advertising motor vehicles for retail sale; negotiating with
1369 consumers regarding the terms of sale for a motor vehicle;
1370 providing test drives of motor vehicles offered for sale; or
1371 delivering or arranging for the delivery of a motor vehicle in
1372 conjunction with the sale of such motor vehicle is deemed to be
1373 dealing in motor vehicles engaged in such business. The terms
1374 "selling" and "sale" include lease-purchase transactions. A
1375 motor vehicle dealer may, at retail or wholesale, sell a
1376 recreational vehicle as described in s. 320.01(1)(b)1.-6. and
1377 8., acquired in exchange for the sale of a motor vehicle,
1378 provided such acquisition is incidental to the principal
1379 business of being a motor vehicle dealer. However, a motor
1380 vehicle dealer may not buy a recreational vehicle for the
1381 purpose of resale unless licensed as a recreational vehicle
1382 dealer pursuant to s. 320.771. A motor vehicle dealer may apply
1383 for a certificate of title to a motor vehicle required to be
1384 registered under s. 320.08(2)(b), (c), and (d), using a
1385 manufacturer's statement of origin as permitted by s. 319.23(1),
1386 only if such dealer is authorized by a franchised agreement as
1387 defined in s. 320.60(1), to buy, sell, or deal in such vehicle
1388 and is authorized by such agreement to perform delivery and
1389 preparation obligations and warranty defect adjustments on the



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1390 motor vehicle; provided this limitation shall not apply to
1391 recreational vehicles, van conversions, or any other motor
1392 vehicle manufactured on a truck chassis. The transfer of a motor
1393 vehicle by a dealer not meeting these qualifications shall be
1394 titled as a used vehicle. The classifications of motor vehicle
1395 dealers are defined as follows:

1396 1. "Franchised motor vehicle dealer" means any person who
1397 engages in the business of repairing, servicing, buying,
1398 selling, or dealing in motor vehicles pursuant to an agreement
1399 as defined in s. 320.60(1).

1400 2. "Independent motor vehicle dealer" means any person
1401 other than a franchised or wholesale motor vehicle dealer who
1402 engages in the business of buying, selling, or dealing in motor
1403 vehicles, and who may service and repair motor vehicles.

1404 3. "Wholesale motor vehicle dealer" means any person who
1405 engages exclusively in the business of buying, selling, or
1406 dealing in motor vehicles at wholesale or with motor vehicle
1407 auctions. Such person shall be licensed to do business in this
1408 state, shall not sell or auction a vehicle to any person who is
1409 not a licensed dealer, and shall not have the privilege of the
1410 use of dealer license plates. Any person who buys, sells, or
1411 deals in motor vehicles at wholesale or with motor vehicle
1412 auctions on behalf of a licensed motor vehicle dealer and as a
1413 bona fide employee of such licensed motor vehicle dealer is not
1414 required to be licensed as a wholesale motor vehicle dealer. In
1415 such cases it shall be prima facie presumed that a bona fide
1416 employer-employee relationship exists. A wholesale motor vehicle
1417 dealer shall be exempt from the display provisions of this
1418 section but shall maintain an office wherein records are kept in



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1419 order that those records may be inspected.

1420 4. "Motor vehicle auction" means any person offering motor
1421 vehicles or recreational vehicles for sale to the highest bidder
1422 where buyers are licensed motor vehicle dealers. Such person
1423 shall not sell a vehicle to anyone other than a licensed motor
1424 vehicle dealer.

1425 5. "Salvage motor vehicle dealer" means any person who
1426 engages in the business of acquiring salvaged or wrecked motor
1427 vehicles for the purpose of reselling them and their parts.

1428

1429 Notwithstanding anything in this subsection to the contrary, the
1430 term "motor vehicle dealer" does not include persons not engaged
1431 in the purchase or sale of motor vehicles as a business who are
1432 disposing of vehicles acquired for their own use or for use in
1433 their business or acquired by foreclosure or by operation of
1434 law, provided such vehicles are acquired and sold in good faith
1435 and not for the purpose of avoiding the provisions of this law;
1436 persons engaged in the business of manufacturing, selling, or
1437 offering or displaying for sale at wholesale or retail no more
1438 than 25 trailers in a 12-month period; public officers while
1439 performing their official duties; receivers; trustees,
1440 administrators, executors, guardians, or other persons appointed
1441 by, or acting under the judgment or order of, any court; banks,
1442 finance companies, or other loan agencies that acquire motor
1443 vehicles as an incident to their regular business; motor vehicle
1444 brokers; persons whose sole dealing in motor vehicles is owning
1445 a publication in which, or hosting a website on which, licensed
1446 motor vehicle dealers display vehicles for sale; and motor
1447 vehicle rental and leasing companies that sell motor vehicles to



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1448 motor vehicle dealers licensed under this section. Vehicles
1449 owned under circumstances described in this paragraph may be
1450 disposed of at retail, wholesale, or auction, unless otherwise
1451 restricted. A manufacturer of fire trucks, ambulances, or school
1452 buses may sell such vehicles directly to governmental agencies
1453 or to persons who contract to perform or provide firefighting,
1454 ambulance, or school transportation services exclusively to
1455 governmental agencies without processing such sales through
1456 dealers if such fire trucks, ambulances, school buses, or
1457 similar vehicles are not presently available through motor
1458 vehicle dealers licensed by the department.

1459 (d) "Motor vehicle broker" means any person engaged in the
1460 business of, or who holds himself or herself out through
1461 solicitation, advertisement, or who otherwise holds himself or
1462 herself out as being in the business of, ~~offering to procure or~~
1463 ~~procuring motor vehicles for~~ assisting the general public in
1464 purchasing or leasing a motor vehicle from a licensed motor
1465 vehicle dealer, ~~or who holds himself or herself out through~~
1466 ~~solicitation, advertisement, or otherwise as one who offers to~~
1467 ~~procure or procures motor vehicles for the general public, and~~
1468 who does not deal in motor vehicles as provided in paragraph
1469 (1)(c) ~~store, display, or take ownership of any vehicles for the~~
1470 ~~purpose of selling such vehicles. Any advertisement or~~
1471 solicitation by a motor vehicle broker must include a statement
1472 that the broker is receiving a fee and must clearly state that
1473 the person is not a licensed motor vehicle dealer.

1474 (e) "Person" means any natural person, firm, partnership,
1475 association, or corporation.

1476 (f) "Bona fide employee" means a person who is employed by



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1477 a licensed motor vehicle dealer and receives annually an
1478 Internal Revenue Service Form W-2, or an independent contractor
1479 who has a written contract with a licensed motor vehicle dealer
1480 and receives annually an Internal Revenue Service Form 1099, for
1481 the purpose of acting in the capacity of or conducting motor
1482 vehicle sales transactions as a motor vehicle dealer.

1483 (2) LICENSE REQUIRED.—No person shall engage in business
1484 as, serve in the capacity of, or act as a motor vehicle dealer
1485 in this state without first obtaining a license therefor in the
1486 appropriate classification as provided in this section. With the
1487 exception of transactions with motor vehicle auctions, no person
1488 other than a licensed motor vehicle dealer may advertise for
1489 sale any motor vehicle belonging to another party unless as a
1490 direct result of a bona fide legal proceeding, court order,
1491 settlement of an estate, or by operation of law. However, owners
1492 of motor vehicles titled in their names may advertise and offer
1493 vehicles for sale on their own behalf. It shall be unlawful for
1494 a licensed motor vehicle dealer to allow any person other than a
1495 bona fide employee to use the motor vehicle dealer license for
1496 the purpose of acting in the capacity of or conducting motor
1497 vehicle sales transactions as a motor vehicle dealer. Any person
1498 acting selling or offering a motor vehicle for sale in violation
1499 of the licensing requirements of this subsection, or who
1500 misrepresents to any person its relationship with any
1501 manufacturer, importer, or distributor, in addition to the
1502 penalties provided herein, is shall be deemed to have committed
1503 guilty of an unfair and deceptive trade practice in violation of
1504 as defined in part II of chapter 501 and is shall be subject to
1505 the provisions of subsections (8) and (9).



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1506 Section 27. Section 321.25, Florida Statutes, is amended to
1507 read:

1508 321.25 Training provided at patrol schools; reimbursement
1509 of tuition and other course expenses.-

1510 (1) The Department of Highway Safety and Motor Vehicles may
1511 ~~is authorized to~~ provide for the training of law enforcement
1512 officials and individuals in matters relating to the duties,
1513 functions, and powers of the Florida Highway Patrol in the
1514 schools established by the department for the training of
1515 highway patrol candidates and officers. The Department of
1516 Highway Safety and Motor Vehicles may ~~is authorized to~~ charge a
1517 fee for providing the training authorized by this section. The
1518 fee shall be charged to persons attending the training. The fee
1519 shall be based on the Department of Highway Safety and Motor
1520 Vehicles' costs for providing the training, and such costs may
1521 include, but are not limited to, tuition, lodging, and meals.
1522 Revenues from the fees shall be used to offset the Department of
1523 Highway Safety and Motor Vehicles' costs for providing the
1524 training. The cost of training local enforcement officers shall
1525 be paid for by their respective offices, counties, or
1526 municipalities, as the case may be. Such cost shall be deemed a
1527 proper county or municipal expense or a proper expenditure of
1528 the office of sheriff.

1529 (2) Notwithstanding s. 943.16, a person who attends
1530 training under subsection (1) at the expense of the Department
1531 of Highway Safety and Motor Vehicles must remain in the
1532 employment or appointment of the Florida Highway Patrol for at
1533 least 3 years. Once employed, if the person fails to remain
1534 employed by the Florida Highway Patrol for at least 3 years from



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1535 the first date of employment, the person must pay the cost of
1536 tuition and other course expenses to the Department of Highway
1537 Safety and Motor Vehicles. As used in this section, the term
1538 "other course expenses" may include the cost of meals and
1539 lodging.

1540 (3) The Department of Highway Safety and Motor Vehicles may
1541 institute a civil action to collect the cost of tuition and
1542 other course expenses if it is not reimbursed pursuant to
1543 subsection (2), provided that the Florida Highway Patrol gave
1544 written notification to the person of the 3-year employment
1545 commitment during the employment screening process and the
1546 person returned signed acknowledgment of receipt of such
1547 notification.

1548 (4) Notwithstanding any other provision of this section,
1549 the Department of Highway Safety and Motor Vehicles may waive a
1550 person's requirement of reimbursement in part or in full when
1551 the person terminates employment due to hardship or extenuating
1552 circumstances.

1553 Section 28. Subsection (4) of section 322.01, Florida
1554 Statutes, is amended to read:

1555 322.01 Definitions.—As used in this chapter:

1556 (4) "Authorized emergency vehicle" means a vehicle that is
1557 equipped with extraordinary audible and visual warning devices,
1558 that is authorized by s. 316.2397 to display red, red and white,
1559 or blue lights, and that is on call to respond to emergencies.
1560 The term includes, but is not limited to, ambulances, law
1561 enforcement vehicles, fire trucks, and other rescue vehicles.
1562 The term does not include wreckers, utility trucks, or other
1563 vehicles that are used only incidentally for emergency purposes.



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1564 Section 29. Subsection (4) of section 322.03, Florida
1565 Statutes, is amended to read:

1566 322.03 Drivers must be licensed; penalties.—

1567 (4) A person may not operate a motorcycle unless he or she
1568 holds a driver license that authorizes such operation, subject
1569 to the appropriate restrictions and endorsements. A person may
1570 operate an autocycle without a motorcycle endorsement.

1571 Section 30. Subsections (1) and (2) of section 322.032,
1572 Florida Statutes, are amended to read

1573 322.032 Digital proof of driver license.—

1574 (1) The department, in collaboration with the Agency for
1575 State Technology, shall establish and implement ~~begin to review~~
1576 ~~and prepare for the development of a secure and uniform~~
1577 protocols and standards system for issuing an optional digital
1578 proof of driver license and shall procure any application
1579 programming interface necessary to enable a private entity to
1580 securely manufacture a digital proof of driver license. The
1581 department may contract with one or more private entities to
1582 develop a digital proof of driver license system.

1583 (2) (a) ~~A The digital proof of driver license developed by~~
1584 ~~the department or by an entity contracted by the department~~ must
1585 be in such a format as to allow law enforcement to verify the
1586 authenticity of the digital proof of driver license. The
1587 department may adopt rules to ensure valid authentication of a
1588 digital proof of driver license licenses by law enforcement.

1589 (b) The act of presenting to a law enforcement officer an
1590 electronic device displaying a digital proof of driver license
1591 does not constitute consent for the officer to access any
1592 information on the device other than the digital proof of driver



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1593 license.

1594 (c) A person who presents such device to the officer
1595 assumes liability for any resulting damage to the device.

1596 Section 31. Paragraph (e) of subsection (8) of section
1597 322.051, Florida Statutes, is amended to read:

1598 322.051 Identification cards.—

1599 (8)

1600 (e)1. Upon request by a person who has posttraumatic stress
1601 disorder, a traumatic brain injury, or a developmental
1602 disability, or by a parent or guardian of a child or ward who
1603 has posttraumatic stress disorder, a traumatic brain injury, or
1604 a developmental disability, the department shall issue an
1605 identification card exhibiting a capital "D" for the person,
1606 child, or ward if the person or the parent or guardian of the
1607 child or ward submits:

1608 a. Payment of an additional \$1 fee; and

1609 b. Proof acceptable to the department of a diagnosis by a
1610 licensed physician of a developmental disability as defined in
1611 s. 393.063, posttraumatic stress disorder, or traumatic brain
1612 injury.

1613 2. The department shall deposit the additional \$1 fee into
1614 the Agency for Persons with Disabilities Operations and
1615 Maintenance Trust Fund under s. 20.1971(2).

1616 3. A replacement identification card that includes the
1617 designation may be issued without payment of the fee required
1618 under s. 322.21(1)(f).

1619 4. The department shall develop rules to facilitate the
1620 issuance, requirements, and oversight of posttraumatic stress
1621 disorder, traumatic brain injury, and developmental disability



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1622 identification cards under this section.

1623 Section 32. Paragraph (m) of subsection (8) of section
1624 322.08, Florida Statutes, is amended to read:

1625 322.08 Application for license; requirements for license
1626 and identification card forms.—

1627 (8) The application form for an original, renewal, or
1628 replacement driver license or identification card must include
1629 language permitting the following:

1630 (m) A voluntary contribution of \$1 per applicant, which
1631 shall be distributed to Preserve Vision ~~Prevent Blindness~~
1632 Florida, a not-for-profit organization, to prevent blindness and
1633 preserve the sight of the residents of this state.

1634
1635 A statement providing an explanation of the purpose of the trust
1636 funds shall also be included. For the purpose of applying the
1637 service charge provided under s. 215.20, contributions received
1638 under paragraphs (b)-(t) are not income of a revenue nature.

1639 Section 33. Subsection (5) of section 322.091, Florida
1640 Statutes, is amended to read:

1641 322.091 Attendance requirements.—

1642 (5) REPORTING AND ACCOUNTABILITY.—The department shall make
1643 available, upon request, a report ~~quarterly~~ to each school
1644 district of the legal name, sex, date of birth, and social
1645 security number of each student whose driving privileges have
1646 been suspended under this section.

1647 Section 34. Subsections (1) and (5) of section 322.12,
1648 Florida Statutes, are amended to read:

1649 322.12 Examination of applicants.—

1650 (1) It is the intent of the Legislature that every



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1651 applicant for an original driver license in this state be
1652 required to pass an examination pursuant to this section.
1653 However, the department may waive the knowledge, endorsement,
1654 and skills tests for an applicant who is otherwise qualified and
1655 who surrenders a valid driver license from another state or a
1656 province of Canada, or a valid driver license issued by the
1657 United States Armed Forces, if the driver applies for a Florida
1658 license of an equal or lesser classification. An ~~Any~~ applicant
1659 who fails to pass the initial knowledge test incurs a \$10 fee
1660 for each subsequent test, to be deposited into the Highway
1661 Safety Operating Trust Fund; however, if a subsequent test is
1662 administered by the tax collector, the tax collector shall
1663 retain the \$10 fee, less the General Revenue Service Charge set
1664 forth in s. 215.20(1). An ~~Any~~ applicant who fails to pass the
1665 initial skills test incurs a \$20 fee for each subsequent test,
1666 to be deposited into the Highway Safety Operating Trust Fund;
1667 however, if a subsequent test is administered by the tax
1668 collector, the tax collector shall retain the \$20 fee, less the
1669 General Revenue Service Charge set forth in s. 215.20(1). A
1670 person who seeks to retain a hazardous-materials endorsement,
1671 pursuant to s. 322.57(1)(e), must pass the hazardous-materials
1672 test, upon surrendering his or her commercial driver license, if
1673 the person has not taken and passed the hazardous-materials test
1674 within 2 years before applying for a commercial driver license
1675 in this state.

1676 (5)(a) The department shall formulate a separate
1677 examination for applicants for licenses to operate motorcycles.
1678 Any applicant for a driver license who wishes to operate a
1679 motorcycle, and who is otherwise qualified, must successfully



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1680 complete such an examination, which is in addition to the
1681 examination administered under subsection (3). The examination
1682 must test the applicant's knowledge of the operation of a
1683 motorcycle and of any traffic laws specifically relating thereto
1684 and must include an actual demonstration of his or her ability
1685 to exercise ordinary and reasonable control in the operation of
1686 a motorcycle. Any applicant who fails to pass the initial
1687 knowledge examination will incur a \$5 fee for each subsequent
1688 examination, to be deposited into the Highway Safety Operating
1689 Trust Fund. Any applicant who fails to pass the initial skills
1690 examination will incur a \$10 fee for each subsequent
1691 examination, to be deposited into the Highway Safety Operating
1692 Trust Fund. In the formulation of the examination, the
1693 department shall consider the use of the Motorcycle Operator
1694 Skills Test and the Motorcycle in Traffic Test offered by the
1695 Motorcycle Safety Foundation. The department shall indicate on
1696 the license of any person who successfully completes the
1697 examination that the licensee is authorized to operate a
1698 motorcycle. If the applicant wishes to be licensed to operate a
1699 motorcycle only, he or she need not take the skill or road test
1700 required under subsection (3) for the operation of a motor
1701 vehicle, and the department shall indicate such a limitation on
1702 his or her license as a restriction. Every first-time applicant
1703 for licensure to operate a motorcycle must provide proof of
1704 completion of a motorcycle safety course, as provided for in s.
1705 322.0255, before the applicant may be licensed to operate a
1706 motorcycle.

1707 (b) The department may exempt any applicant from the
1708 examination provided in this subsection if the applicant



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1709 presents a certificate showing successful completion of a course
1710 approved by the department, which course includes a similar
1711 examination of the knowledge and skill of the applicant in the
1712 operation of a motorcycle.

1713 (c) This subsection does not apply to the operation of an
1714 autocycle.

1715 Section 35. Paragraph (d) is added to subsection (1) of
1716 section 322.135, Florida Statutes, to read:

1717 322.135 Driver license agents.—

1718 (1) The department shall, upon application, authorize by
1719 interagency agreement any or all of the tax collectors who are
1720 constitutional officers under s. 1(d), Art. VIII of the State
1721 Constitution in the several counties of the state, subject to
1722 the requirements of law, in accordance with rules of the
1723 department, to serve as its agent for the provision of specified
1724 driver license services.

1725 (d) Each tax collector shall provide the same driver
1726 license services in office to residents of other counties that
1727 it provides for residents of its home county.

1728 Section 36. Paragraph (b) of subsection (1) of section
1729 322.17, Florida Statutes, is amended to read:

1730 322.17 Replacement licenses, identification cards, and
1731 permits.—

1732 (1)

1733 (b) In the event that an instruction permit, ~~or~~ driver
1734 license, or identification card issued under ~~the provisions of~~
1735 this chapter is stolen, the person to whom the same was issued
1736 may, at no charge, obtain a replacement upon furnishing proof
1737 satisfactory to the department that such permit, ~~or~~ license, or



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1738 identification card was stolen and further furnishing the
1739 person's full name, date of birth, sex, residence and mailing
1740 address, proof of birth satisfactory to the department, and
1741 proof of identity satisfactory to the department.

1742 Section 37. Paragraphs (e) and (i) of subsection (1) and
1743 subsection (8) of section 322.21, Florida Statutes, are amended,
1744 and subsection (10) is added to that section, to read:

1745 322.21 License fees; procedure for handling and collecting
1746 fees.—

1747 (1) Except as otherwise provided herein, the fee for:

1748 (e) A replacement driver license issued pursuant to s.
1749 322.17 is \$25. Of this amount, \$7 shall be deposited into the
1750 Highway Safety Operating Trust Fund and \$18 shall be deposited
1751 into the General Revenue Fund. ~~Beginning July 1, 2015, or upon~~
1752 ~~completion of the transition of driver license issuance~~
1753 ~~services,~~ If the replacement driver license is issued by the tax
1754 collector, the tax collector shall retain the \$7 that would
1755 otherwise be deposited into the Highway Safety Operating Trust
1756 Fund and the remaining revenues shall be deposited into the
1757 General Revenue Fund.

1758 ~~(i) The specialty driver license or identification card~~
1759 ~~issued pursuant to s. 322.1415 is \$25, which is in addition to~~
1760 ~~other fees required in this section. The fee shall be~~
1761 ~~distributed as follows:~~

1762 ~~1. Fifty percent shall be distributed as provided in s.~~
1763 ~~320.08058 to the appropriate state or independent university,~~
1764 ~~professional sports team, or branch of the United States Armed~~
1765 ~~Forces.~~

1766 ~~2. Fifty percent shall be distributed to the department for~~



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1767 ~~costs directly related to the specialty driver license and~~
1768 ~~identification card program and to defray the costs associated~~
1769 ~~with production enhancements and distribution.~~

1770 (8) A ~~Any~~ person who applies for reinstatement following
1771 the suspension or revocation of the person's driver license must
1772 pay a service fee of \$45 following a suspension, and \$75
1773 following a revocation, which is in addition to the fee for a
1774 license. A ~~Any~~ person who applies for reinstatement of a
1775 commercial driver license following the disqualification of the
1776 person's privilege to operate a commercial motor vehicle shall
1777 pay a service fee of \$75, which is in addition to the fee for a
1778 license. The department shall collect all of these fees at the
1779 time of reinstatement. The department shall issue proper
1780 receipts for such fees and shall promptly transmit all funds
1781 received by it as follows:

1782 (a) Of the \$45 fee received from a licensee for
1783 reinstatement following a suspension:

1784 1. If the reinstatement is processed by the department, the
1785 department shall deposit \$15 in the General Revenue Fund and \$30
1786 in the Highway Safety Operating Trust Fund.

1787 2. If the reinstatement is processed by the tax collector,
1788 \$15, less the General Revenue Service Charge set forth in s.
1789 215.20(1), shall be retained by the tax collector, \$15 shall be
1790 deposited into the Highway Safety Operating Trust Fund, and \$15
1791 shall be deposited into the General Revenue Fund.

1792 (b) Of the \$75 fee received from a licensee for
1793 reinstatement following a revocation or disqualification:

1794 1. If the reinstatement is processed by the department, the
1795 department shall deposit \$35 in the General Revenue Fund and \$40



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1796 in the Highway Safety Operating Trust Fund.

1797 2. If the reinstatement is processed by the tax collector,
1798 \$20, less the General Revenue Service Charge set forth in s.
1799 215.20(1), shall be retained by the tax collector, \$20 shall be
1800 deposited into the Highway Safety Operating Trust Fund, and \$35
1801 shall be deposited into the General Revenue Fund.

1802

1803 If the revocation or suspension of the driver license was for a
1804 violation of s. 316.193, or for refusal to submit to a lawful
1805 breath, blood, or urine test, an additional fee of \$130 must be
1806 charged. However, only one \$130 fee may be collected from one
1807 person convicted of violations arising out of the same incident.
1808 The department shall collect the \$130 fee and deposit the fee
1809 into the Highway Safety Operating Trust Fund at the time of
1810 reinstatement of the person's driver license, but the fee may
1811 not be collected if the suspension or revocation is overturned.
1812 If the revocation or suspension of the driver license was for a
1813 conviction for a violation of s. 817.234(8) or (9) or s.
1814 817.505, an additional fee of \$180 is imposed for each offense.
1815 The department shall collect and deposit the additional fee into
1816 the Highway Safety Operating Trust Fund at the time of
1817 reinstatement of the person's driver license.

1818 (10) An applicant who submits an application for a renewal
1819 or replacement driver license or identification card to the
1820 department using a convenience service shall be provided with an
1821 option for expedited shipping whereby the department, at the
1822 applicant's request, shall issue the license or identification
1823 card within 5 working days after receipt of the application and
1824 ship the license or card using an expedited mail service. A fee



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1825 shall be charged for the expedited shipping option, not to
1826 exceed the cost of the expedited mail service, which is in
1827 addition to fees imposed by s. 322.051, this section, or the
1828 convenience service. Fees collected for the expedited shipping
1829 option shall be deposited into the Highway Safety Operating
1830 Trust Fund.

1831 Section 38. Subsection (1) of section 322.61, Florida
1832 Statutes, is amended, and subsection (2) of that section is
1833 reenacted, to read:

1834 322.61 Disqualification from operating a commercial motor
1835 vehicle.—

1836 (1) A person who, for offenses occurring within a 3-year
1837 period, is convicted of two of the following serious traffic
1838 violations, or any combination thereof, arising in separate
1839 incidents committed in a commercial motor vehicle shall, in
1840 addition to any other applicable penalties, be disqualified from
1841 operating a commercial motor vehicle for a period of 60 days. A
1842 holder of a commercial driver license or commercial learner's
1843 permit who, for offenses occurring within a 3-year period, is
1844 convicted of two of the following serious traffic violations, or
1845 any combination thereof, arising in separate incidents committed
1846 in a noncommercial motor vehicle shall, in addition to any other
1847 applicable penalties, be disqualified from operating a
1848 commercial motor vehicle for a period of 60 days if such
1849 convictions result in the suspension, revocation, or
1850 cancellation of the licenseholder's driving privilege:

1851 (a) A violation of any state or local law relating to motor
1852 vehicle traffic control, other than a parking violation, arising
1853 in connection with a crash resulting in death;



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- 1854 (b) Reckless driving, as defined in s. 316.192;
- 1855 (c) Unlawful speed of 15 miles per hour or more above the
1856 posted speed limit;
- 1857 (d) Improper lane change, as defined in s. 316.085;
- 1858 (e) Following too closely, as defined in s. 316.0895;
- 1859 (f) Texting while driving a commercial motor vehicle, as
1860 prohibited by 49 C.F.R. 392.80;
- 1861 (g) Using a handheld mobile telephone while driving a
1862 commercial motor vehicle, as prohibited by 49 C.F.R. 392.82;
- 1863 (h)~~(f)~~ Driving a commercial vehicle without obtaining a
1864 commercial driver license;
- 1865 (i)~~(g)~~ Driving a commercial vehicle without the proper
1866 class of commercial driver license or commercial learner's
1867 permit or without the proper endorsement; or
- 1868 (j)~~(h)~~ Driving a commercial vehicle without a commercial
1869 driver license or commercial learner's permit in possession, as
1870 required by s. 322.03.
- 1871 (2) (a) Any person who, for offenses occurring within a 3-
1872 year period, is convicted of three serious traffic violations
1873 specified in subsection (1) or any combination thereof, arising
1874 in separate incidents committed in a commercial motor vehicle
1875 shall, in addition to any other applicable penalties, including
1876 but not limited to the penalty provided in subsection (1), be
1877 disqualified from operating a commercial motor vehicle for a
1878 period of 120 days.
- 1879 (b) A holder of a commercial driver license or commercial
1880 learner's permit who, for offenses occurring within a 3-year
1881 period, is convicted of three serious traffic violations
1882 specified in subsection (1) or any combination thereof arising



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1883 in separate incidents committed in a noncommercial motor vehicle
1884 shall, in addition to any other applicable penalties, including,
1885 but not limited to, the penalty provided in subsection (1), be
1886 disqualified from operating a commercial motor vehicle for a
1887 period of 120 days if such convictions result in the suspension,
1888 revocation, or cancellation of the licenseholder's driving
1889 privilege.

1890 Section 39. Section 324.031, Florida Statutes, is amended
1891 to read:

1892 324.031 Manner of proving financial responsibility.—The
1893 owner or operator of a taxicab, limousine, jitney, or any other
1894 for-hire passenger transportation vehicle may prove financial
1895 responsibility by providing satisfactory evidence of holding a
1896 motor vehicle liability policy as defined in s. 324.021(8) or s.
1897 324.151, which policy is provided by an insurer authorized to do
1898 business in this state ~~issued by an insurance carrier~~ which is a
1899 member of the Florida Insurance Guaranty Association or is an
1900 eligible surplus lines insurer that has a superior, excellent,
1901 exceptional, or equivalent financial strength rating by a rating
1902 agency acceptable to the Office of Insurance Regulation of the
1903 Financial Services Commission. The operator or owner of any
1904 other vehicle may prove his or her financial responsibility by:

1905 (1) Furnishing satisfactory evidence of holding a motor
1906 vehicle liability policy as defined in ss. 324.021(8) and
1907 324.151;

1908 (2) Furnishing a certificate of self-insurance showing a
1909 deposit of cash in accordance with s. 324.161; or

1910 (3) Furnishing a certificate of self-insurance issued by
1911 the department in accordance with s. 324.171.



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Any person, including any firm, partnership, association, corporation, or other person, other than a natural person, electing to use the method of proof specified in subsection (2) shall furnish a certificate of deposit equal to the number of vehicles owned times \$30,000, to a maximum of \$120,000; in addition, any such person, other than a natural person, shall maintain insurance providing coverage in excess of limits of \$10,000/20,000/10,000 or \$30,000 combined single limits, and such excess insurance shall provide minimum limits of \$100,000/\$300,000 ~~\$125,000/250,000~~ /50,000 or \$300,000 combined single limits. These increased limits shall not affect the requirements for proving financial responsibility under s. 324.032(1).

Section 40. Section 877.27, Florida Statutes, is amended to read:

877.27 Unauthorized transmissions to, or interference with, a public or commercial radio station licensed by the Federal Communications Commission or global positioning system prohibited; penalties.—

(1) A person may not:

(a) Make, or cause to be made, a radio transmission in this state unless the person obtains a license or an exemption from licensure from the Federal Communications Commission under 47 U.S.C. s. 301, or other applicable federal law or regulation; or

(b) Do any act, whether direct or indirect, to cause an unlicensed radio transmission to, or interference with, a public or commercial radio station licensed by the Federal Communications Commission or to enable the radio transmission or



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1941 interference to occur.

1942 (c) Use a device prohibited by the Federal Communications
1943 Commission which would cause interference with the legal use of
1944 a global positioning system (GPS) to track vehicles.

1945 (2) A person who violates this section commits a felony of
1946 the third degree, punishable as provided in s. 775.082, s.
1947 775.083, or s. 775.084.

1948 Section 41. Paragraph (c) of subsection (1) of section
1949 212.05, Florida Statutes, is amended to read:

1950 212.05 Sales, storage, use tax.—It is hereby declared to be
1951 the legislative intent that every person is exercising a taxable
1952 privilege who engages in the business of selling tangible
1953 personal property at retail in this state, including the
1954 business of making mail order sales, or who rents or furnishes
1955 any of the things or services taxable under this chapter, or who
1956 stores for use or consumption in this state any item or article
1957 of tangible personal property as defined herein and who leases
1958 or rents such property within the state.

1959 (1) For the exercise of such privilege, a tax is levied on
1960 each taxable transaction or incident, which tax is due and
1961 payable as follows:

1962 (c) At the rate of 6 percent of the gross proceeds derived
1963 from the lease or rental of tangible personal property, as
1964 defined herein; however, the following special provisions apply
1965 to the lease or rental of motor vehicles:

1966 1. When a motor vehicle is leased or rented for a period of
1967 less than 12 months:

1968 a. If the motor vehicle is rented in Florida, the entire
1969 amount of such rental is taxable, even if the vehicle is dropped



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1970 off in another state.

1971 b. If the motor vehicle is rented in another state and
1972 dropped off in Florida, the rental is exempt from Florida tax.

1973 2. Except as provided in subparagraph 3., for the lease or
1974 rental of a motor vehicle for a period of not less than 12
1975 months, sales tax is due on the lease or rental payments if the
1976 vehicle is registered in this state; provided, however, that no
1977 tax shall be due if the taxpayer documents use of the motor
1978 vehicle outside this state and tax is being paid on the lease or
1979 rental payments in another state.

1980 3. The tax imposed by this chapter does not apply to the
1981 lease or rental of a commercial motor vehicle as defined in s.
1982 316.003(13)(a) ~~s. 316.003(12)(a)~~ to one lessee or rentee for a
1983 period of not less than 12 months when tax was paid on the
1984 purchase price of such vehicle by the lessor. To the extent tax
1985 was paid with respect to the purchase of such vehicle in another
1986 state, territory of the United States, or the District of
1987 Columbia, the Florida tax payable shall be reduced in accordance
1988 with the provisions of s. 212.06(7). This subparagraph shall
1989 only be available when the lease or rental of such property is
1990 an established business or part of an established business or
1991 the same is incidental or germane to such business.

1992 Section 42. Subsection (1) of section 316.303, Florida
1993 Statutes, is amended to read:

1994 316.303 Television receivers.—

1995 (1) No motor vehicle may be operated on the highways of
1996 this state if the vehicle is actively displaying moving
1997 television broadcast or pre-recorded video entertainment content
1998 that is visible from the driver's seat while the vehicle is in



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1999 motion, unless the vehicle is equipped with autonomous
2000 technology, as defined in s. 316.003(3) ~~s. 316.003(2)~~, and is
2001 being operated in autonomous mode, as provided in s. 316.85(2).

2002 Section 43. Paragraph (b) of subsection (2) of section
2003 316.545, Florida Statutes, is amended to read:

2004 316.545 Weight and load unlawful; special fuel and motor
2005 fuel tax enforcement; inspection; penalty; review.—

2006 (2)

2007 (b) The officer or inspector shall inspect the license
2008 plate or registration certificate of the commercial vehicle to
2009 determine whether its gross weight is in compliance with the
2010 declared gross vehicle weight. If its gross weight exceeds the
2011 declared weight, the penalty shall be 5 cents per pound on the
2012 difference between such weights. In those cases when the
2013 commercial vehicle is being operated over the highways of the
2014 state with an expired registration or with no registration from
2015 this or any other jurisdiction or is not registered under the
2016 applicable provisions of chapter 320, the penalty herein shall
2017 apply on the basis of 5 cents per pound on that scaled weight
2018 which exceeds 35,000 pounds on laden truck tractor-semitrailer
2019 combinations or tandem trailer truck combinations, 10,000 pounds
2020 on laden straight trucks or straight truck-trailer combinations,
2021 or 10,000 pounds on any unladen commercial motor vehicle. A
2022 driver of a commercial motor vehicle entering the state at a
2023 designated port-of-entry location, as defined in s. 316.003 ~~s.~~
2024 ~~316.003(54)~~, or operating on designated routes to a port-of-
2025 entry location, who obtains a temporary registration permit
2026 shall be assessed a penalty limited to the difference between
2027 its gross weight and the declared gross vehicle weight at 5



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2028 cents per pound. If the license plate or registration has not
2029 been expired for more than 90 days, the penalty imposed under
2030 this paragraph may not exceed \$1,000. In the case of special
2031 mobile equipment, which qualifies for the license tax provided
2032 for in s. 320.08(5)(b), being operated on the highways of the
2033 state with an expired registration or otherwise not properly
2034 registered under the applicable provisions of chapter 320, a
2035 penalty of \$75 shall apply in addition to any other penalty
2036 which may apply in accordance with this chapter. A vehicle found
2037 in violation of this section may be detained until the owner or
2038 operator produces evidence that the vehicle has been properly
2039 registered. Any costs incurred by the retention of the vehicle
2040 shall be the sole responsibility of the owner. A person who has
2041 been assessed a penalty pursuant to this paragraph for failure
2042 to have a valid vehicle registration certificate pursuant to the
2043 provisions of chapter 320 is not subject to the delinquent fee
2044 authorized in s. 320.07 if such person obtains a valid
2045 registration certificate within 10 working days after such
2046 penalty was assessed.

2047 Section 44. Paragraph (a) of subsection (2) of section
2048 316.613, Florida Statutes, is amended to read:

2049 316.613 Child restraint requirements.—

2050 (2) As used in this section, the term "motor vehicle" means
2051 a motor vehicle as defined in s. 316.003 that is operated on the
2052 roadways, streets, and highways of the state. The term does not
2053 include:

2054 (a) A school bus as defined in s. 316.003 ~~s. 316.003(68)~~.

2055 Section 45. Subsection (1) of section 655.960, Florida
2056 Statutes, is amended to read:



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2057 655.960 Definitions; ss. 655.960-655.965.—As used in this
2058 section and ss. 655.961-655.965, unless the context otherwise
2059 requires:

2060 (1) "Access area" means any paved walkway or sidewalk which
2061 is within 50 feet of any automated teller machine. The term does
2062 not include any street or highway open to the use of the public,
2063 as defined in s. 316.003(78) (a) or (b) ~~s. 316.003(77) (a) or (b)~~,
2064 including any adjacent sidewalk, as defined in s. 316.003.

2065 Section 46. The amendments made by this act to s. 318.18,
2066 Florida Statutes, shall apply upon the adoption by rule of
2067 uniform traffic citation forms. The Department of Highway Safety
2068 and Motor Vehicles shall notify the Division of Law Revision and
2069 Information upon the adoption of such forms.

2070 Section 47. Except as otherwise provided in this act, this
2071 act shall take effect October 1, 2017.