



499186

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/18/2017	.	
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	.	

Appropriations Subcommittee on Transportation, Tourism, and
Economic Development (Gainer) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsections (2) through (97) of section
316.003, Florida Statutes, are redesignated as subsections (3)
through (98), respectively, a new subsection (2) is added to
that section, and present subsections (41) and (55) of that
section are amended, to read:

316.003 Definitions.—The following words and phrases, when



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11 used in this chapter, shall have the meanings respectively
12 ascribed to them in this section, except where the context
13 otherwise requires:

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

22 (42) ~~(41)~~ MOTORCYCLE.—Any motor vehicle that has ~~having~~ a
23 seat or saddle for the use of the rider which is ~~and~~ designed to
24 travel on not more than three wheels in contact with the ground,
25 including an autocycle. The term does not include a tractor, a
26 moped, or a vehicle in which the operator is enclosed by a cabin
27 unless the vehicle meets the requirements set forth by the
28 National Highway Traffic Safety Administration for a motorcycle
29 but ~~excluding a tractor or a moped.~~

30 (56) ~~(55)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
31 provided in paragraph (78) (b) ~~(77) (b)~~, any privately owned way
32 or place used for vehicular travel by the owner and those having
33 express or implied permission from the owner, but not by other
34 persons.

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

37 316.2397 Certain lights prohibited; exceptions.—

38 (1) A ~~No~~ person may not ~~shall~~ drive or move or cause to be
39 moved any vehicle or equipment upon any highway within this



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40 state with a ~~any~~ lamp or device thereon showing or displaying a
41 red, red and white, or blue light visible from directly in front
42 thereof except for certain vehicles ~~hereinafter~~ provided in this
43 section.

44 (3) Vehicles of the fire department and fire patrol,
45 including vehicles of volunteer firefighters as permitted under
46 s. 316.2398, may show or display red, or red and white, lights.
47 Vehicles of medical staff physicians or technicians of medical
48 facilities licensed by the state as authorized under s.
49 316.2398, ambulances as authorized under this chapter, and buses
50 and taxicabs as authorized under s. 316.2399 may show or display
51 red lights. Vehicles of the fire department, fire patrol, police
52 vehicles, and such ambulances and emergency vehicles of
53 municipal and county departments, public service corporations
54 operated by private corporations, the Fish and Wildlife
55 Conservation Commission, the Department of Environmental
56 Protection, the Department of Transportation, the Department of
57 Agriculture and Consumer Services, and the Department of
58 Corrections as are designated or authorized by their respective
59 department or the chief of police of an incorporated city or any
60 sheriff of any county may operate emergency lights and sirens in
61 an emergency. Wreckers, mosquito control fog and spray vehicles,
62 and emergency vehicles of governmental departments or public
63 service corporations may show or display amber lights when in
64 actual operation or when a hazard exists provided they are not
65 used going to and from the scene of operation or hazard without
66 specific authorization of a law enforcement officer or law
67 enforcement agency. Wreckers, flatbed, car carriers, or
68 rollbacks registered as wreckers pursuant to s. 320.08(5)(d) or



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69 (e) must use amber rotating or flashing lights while performing
70 recoveries and loading on the roadside day or night, and may use
71 such lights while towing a vehicle on wheel lifts, slings, ~~or~~
72 under reach, flatbeds, car carriers, or rollbacks if the
73 operator of the wrecker deems such lights necessary. ~~A flatbed,~~
74 ~~car carrier, or rollback may not use amber rotating or flashing~~
75 ~~lights when hauling a vehicle on the bed unless it creates a~~
76 ~~hazard to other motorists because of protruding objects.~~

77 Further, escort vehicles may show or display amber lights when
78 in the actual process of escorting overdimensioned equipment,
79 material, or buildings as authorized by law. Vehicles owned or
80 leased by private security agencies may show or display green
81 and amber lights, with either color being no greater than 50
82 percent of the lights displayed, while the security personnel
83 are engaged in security duties on private or public property.

84 Section 3. Section 316.2398, Florida Statutes, is amended
85 to read:

86 316.2398 Display or use of red, or red and white, warning
87 signals; motor vehicles of volunteer firefighters or medical
88 staff.—

89 (1) A privately owned vehicle belonging to an active
90 firefighter member of a regularly organized volunteer
91 firefighting company or association, while en route to the fire
92 station for the purpose of proceeding to the scene of a fire or
93 other emergency or while en route to the scene of a fire or
94 other emergency in the line of duty as an active firefighter
95 member of a regularly organized firefighting company or
96 association, may display or use red, or red and white, warning
97 signals. ~~or~~ A privately owned vehicle belonging to a medical



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98 staff physician or technician of a medical facility licensed by
99 the state, while responding to an emergency in the line of duty,
100 may display or use red warning signals. Warning signals must be
101 visible from the front and from the rear of such vehicle,
102 subject to the following restrictions and conditions:

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

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

109 (c) In order for an active volunteer firefighter to display
110 such red, or red and white, warning signals on his or her
111 vehicle, the volunteer firefighter must first secure a written
112 permit from the chief executive officers of the firefighting
113 organization to use the red, or red and white, warning signals,
114 and this permit must be carried by the volunteer firefighter at
115 all times while the red, or red and white, warning signals are
116 displayed.

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

124 (3) ~~It is unlawful for~~ An active volunteer firefighter may
125 not ~~to~~ operate any red, or red and white, warning signals as
126 authorized in subsection (1), except while en route to the fire



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127 station for the purpose of proceeding to the scene of a fire or
128 other emergency, or while at or en route to the scene of a fire
129 or other emergency, in the line of duty.

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

134 (5) A violation of this section is a nonmoving violation,
135 punishable as provided in chapter 318. In addition, a any
136 volunteer firefighter who violates this section shall be
137 dismissed from membership in the firefighting organization by
138 the chief executive officers thereof.

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

142 316.302 Commercial motor vehicles; safety regulations;
143 transporters and shippers of hazardous materials; enforcement.-

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

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

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



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156 (c) The emergency exceptions provided by 49 C.F.R. s.
157 392.82 also apply to communications by utility drivers and
158 utility contractor drivers during a Level 1 activation of the
159 State Emergency Operations Center, as provided in the Florida
160 Comprehensive Emergency Management plan, or during a state of
161 emergency declared by executive order or proclamation of the
162 Governor.

163 (d) Except as provided in ~~s. 316.215(5)~~, and ~~except as~~
164 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
165 requirements for intrastate operations, the requirements of this
166 section supersede all other safety requirements of this chapter
167 for commercial motor vehicles.

168 (e) The requirement for electronic logging devices and
169 hours of service support documents will not go into effect for
170 motor carriers engaged in intrastate commerce, not carrying
171 hazardous materials in amounts that require placards, until
172 December 31, 2018.

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

178 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
179 operates a commercial motor vehicle solely in intrastate
180 commerce not transporting any hazardous material in amounts that
181 require placarding pursuant to 49 C.F.R. part 172 may not drive
182 after having been on duty more than 70 hours in any period of 7
183 consecutive days or more than 80 hours in any period of 8
184 consecutive days if the motor carrier operates every day of the



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185 week. Thirty-four consecutive hours off duty shall constitute
186 the end of any such period of 7 or 8 consecutive days. This
187 weekly limit does not apply to a person who operates a
188 commercial motor vehicle solely within this state while
189 transporting, during harvest periods, any unprocessed
190 agricultural products or unprocessed food or fiber that is
191 subject to seasonal harvesting from place of harvest to the
192 first place of processing or storage or from place of harvest
193 directly to market or while transporting livestock, livestock
194 feed, or farm supplies directly related to growing or harvesting
195 agricultural products. Upon request of the Department of Highway
196 Safety and Motor Vehicles, motor carriers shall furnish time
197 records or other written verification to that department so that
198 the Department of Highway Safety and Motor Vehicles can
199 determine compliance with this subsection. These time records
200 must be furnished to the Department of Highway Safety and Motor
201 Vehicles within 2 days after receipt of that department's
202 request. Falsification of such information is subject to a civil
203 penalty ~~not to exceed \$100. The provisions of This paragraph~~
204 does ~~de~~ not apply to operators of farm labor vehicles operated
205 during a state of emergency declared by the Governor or operated
206 pursuant to s. 570.07(21), and does ~~de~~ not apply to drivers of
207 utility service vehicles as defined in 49 C.F.R. s. 395.2.

208 (d) A person who operates a commercial motor vehicle solely
209 in intrastate commerce not transporting any hazardous material
210 in amounts that require placarding pursuant to 49 C.F.R. part
211 172 within a 150 air-mile radius of the location where the
212 vehicle is based need not comply with 49 C.F.R. s. 395.8, if the
213 requirements of 49 C.F.R. s. 395.1(e)(1)(ii), (e)(1)(iii)(A) and



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214 ~~(C), 395.1(e)(1)(iii) and (e)(1)(v) are met. If a driver is not~~
215 ~~released from duty within 12 hours after the driver arrives for~~
216 ~~duty, the motor carrier must maintain documentation of the~~
217 ~~driver's driving times throughout the duty period.~~

218 (f) A person who operates a commercial motor vehicle having
219 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,
220 and gross combined weight rating of less than 26,001 pounds
221 solely in intrastate commerce and who is not transporting
222 hazardous materials in amounts that require placarding pursuant
223 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
224 ~~as defined in s. 376.301,~~ is exempt from subsection (1).
225 However, such person must comply with 49 C.F.R. parts 382, 392,
226 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

227 Section 5. Paragraph (a) of subsection (6) of section
228 316.3025, Florida Statutes, is amended to read:

229 316.3025 Penalties.—

230 (6) (a) A driver who violates 49 C.F.R. s. 392.80, which
231 prohibits texting while operating a commercial motor vehicle, or
232 49 C.F.R. s. 392.82, which prohibits using a handheld mobile
233 telephone while operating a commercial motor vehicle, may be
234 assessed a civil penalty and ~~commercial driver license~~
235 ~~disqualification~~ as follows:

236 1. First violation: \$500.

237 2. Second violation: \$1,000 ~~and a 60-day commercial driver~~
238 ~~license disqualification pursuant to 49 C.F.R. part 383.~~

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

242 Section 6. Paragraph (a) of subsection (3) and subsections



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243 (4) and (5) of section 316.614, Florida Statutes, are amended to
244 read:

245 316.614 Safety belt usage.—

246 (3) As used in this section:

247 (a) "Motor vehicle" means a motor vehicle as defined in s.
248 316.003 which is operated on the roadways, streets, and highways
249 of this state. The term does not include:

250 1. A school bus.

251 2. A bus used for the transportation of persons for
252 compensation.

253 3. A farm tractor or implement of husbandry.

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

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

258 (4) It is unlawful for any person:

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

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

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

270 Section 7. Paragraph (d) of subsection (3) of section
271 318.18, Florida Statutes, is amended to read:



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272 318.18 Amount of penalties.—The penalties required for a
273 noncriminal disposition pursuant to s. 318.14 or a criminal
274 offense listed in s. 318.17 are as follows:

275 (3)

276 (d) Notwithstanding paragraph (b), a person cited for
277 exceeding the speed limit in a posted work ~~construction~~ zone,
278 which posting must include notification of the speed limit and
279 the doubling of fines, shall pay a fine double the amount listed
280 in paragraph (b). The fine shall be doubled for work
281 ~~construction~~ zone violations only if work ~~construction~~ personnel
282 are present or operating equipment on the road or immediately
283 adjacent to the road ~~under construction~~.

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

286 320.01 Definitions, general.—As used in the Florida
287 Statutes, except as otherwise provided, the term:

288 (24) "Apportionable vehicle" means any vehicle, except
289 recreational vehicles, vehicles displaying restricted plates,
290 city pickup and delivery vehicles, ~~buses used in transportation~~
291 ~~of chartered parties~~, and government-owned vehicles, which is
292 used or intended for use in two or more member jurisdictions
293 that allocate or proportionally register vehicles and which is
294 used for the transportation of persons for hire or is designed,
295 used, or maintained primarily for the transportation of property
296 and:

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

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



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

303
304 Vehicles, or combinations thereof, having a gross vehicle weight
305 of 26,000 pounds or less and two-axle vehicles may be
306 proportionally registered.

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

315 Section 9. Paragraph (a) of subsection (15) of section
316 320.02, Florida Statutes, is amended to read:

317 320.02 Registration required; application for registration;
318 forms.-

319 (15) (a) The application form for motor vehicle registration
320 must ~~shall~~ include language permitting the voluntary
321 contribution of \$1 per applicant, to be quarterly distributed by
322 the department to Preserve Vision ~~Prevent Blindness~~ Florida, a
323 not-for-profit organization, to prevent blindness and preserve
324 the sight of the residents of this state. A statement providing
325 an explanation of the purpose of the funds shall be included
326 with the application form. Prior to the department distributing
327 the funds collected pursuant to this paragraph, Preserve Vision
328 ~~Prevent Blindness~~ Florida must submit a report to the department
329 that identifies how such funds were used during the preceding



330 year.

331

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

335 Section 10. Subsection (1) of section 320.03, Florida
336 Statutes, is amended to read:

337 320.03 Registration; duties of tax collectors;
338 International Registration Plan.—

339 (1) (a) The tax collectors in the several counties of the
340 state, as authorized agents of the department, shall issue
341 registration certificates, registration license plates,
342 validation stickers, and mobile home stickers to applicants, and
343 shall provide to applicants for each the option to register
344 emergency contact information and the option to be contacted
345 with information about state and federal benefits available as a
346 result of military service, subject to the requirements of law,
347 in accordance with rules of the department. Each tax collector
348 shall provide the same motor vehicle registration services in
349 office to residents of other counties that it provides for
350 residents of its home county.

351 (b) Any person, firm, or corporation representing itself,
352 through advertising or naming of the business, to be an
353 authorized agent of the department shall be deemed guilty of an
354 unfair and deceptive trade practice as defined in part II of
355 chapter 501. No such person, firm, or corporation shall use
356 either the state or county name as a part of their business name
357 when such use can reasonably be interpreted as an official state
358 or county office.



359 Section 11. Paragraph (b) of subsection (1) of section
360 320.06, Florida Statutes, is amended to read:

361 320.06 Registration certificates, license plates, and
362 validation stickers generally.—

363 (1)

364 (b)1. Registration license plates bearing a graphic symbol
365 and the alphanumeric system of identification shall be issued
366 for a 10-year period. At the end of the 10-year period, upon
367 renewal, the plate shall be replaced. The department shall
368 extend the scheduled license plate replacement date from a 6-
369 year period to a 10-year period. The fee for such replacement is
370 \$28, \$2.80 of which shall be paid each year before the plate is
371 replaced, to be credited toward the next \$28 replacement fee.
372 The fees shall be deposited into the Highway Safety Operating
373 Trust Fund. A credit or refund may not be given for any prior
374 years' payments of the prorated replacement fee if the plate is
375 replaced or surrendered before the end of the 10-year period,
376 except that a credit may be given if a registrant is required by
377 the department to replace a license plate under s.

378 320.08056(8) (a). With each license plate, a validation sticker
379 shall be issued showing the owner's birth month, license plate
380 number, and the year of expiration or the appropriate renewal
381 period if the owner is not a natural person. The validation
382 sticker shall be placed on the upper right corner of the license
383 plate. The license plate and validation sticker shall be issued
384 based on the applicant's appropriate renewal period. The
385 registration period is 12 months, the extended registration
386 period is 24 months, and all expirations occur based on the
387 applicant's appropriate registration period.



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388 2. A vehicle that has an apportioned registration shall be
389 issued an annual license plate and a cab card denoting that
390 denote the declared gross vehicle weight for each apportioned
391 jurisdiction in which the vehicle is authorized to operate. This
392 subparagraph expires October 1, 2018.

393 3. Beginning October 1, 2018, a vehicle registered in
394 accordance with the International Registration Plan which has an
395 apportioned registration shall be issued a license plate for a
396 5-year period, an annual cab card denoting the declared gross
397 vehicle weight, and an annual validation sticker showing the
398 month and year of expiration. The validation sticker shall be
399 placed in the center of the license plate. The license plate and
400 validation sticker shall be issued based on the applicant's
401 appropriate renewal period. The registration period is 12
402 months. The fee for an original and a renewed validation sticker
403 is \$28. This fee shall be deposited into the Highway Safety
404 Operating Trust Fund. If the license plate is damaged or worn,
405 it may be replaced at no charge by applying to the department
406 and surrendering the current license plate.

407 4.2. In order to retain the efficient administration of the
408 taxes and fees imposed by this chapter, the 80-cent fee increase
409 in the replacement fee imposed by chapter 2009-71, Laws of
410 Florida, is negated as provided in s. 320.0804.

411 Section 12. Section 320.0605, Florida Statutes, is amended
412 to read:

413 320.0605 Certificate of registration; possession required;
414 exception.—

415 (1) (a) The registration certificate or an official copy
416 thereof, a true copy or electronic copy of rental or lease



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417 documentation issued for a motor vehicle or issued for a
418 replacement vehicle in the same registration period, a temporary
419 receipt printed upon self-initiated electronic renewal of a
420 registration via the Internet, or a cab card issued for a
421 vehicle registered under the International Registration Plan
422 shall, at all times while the vehicle is being used or operated
423 on the roads of this state, be in the possession of the operator
424 thereof or be carried in the vehicle for which issued and shall
425 be exhibited upon demand of any authorized law enforcement
426 officer or any agent of the department, except for a vehicle
427 registered under s. 320.0657. ~~The provisions of~~ This section
428 does ~~de~~ not apply during the first 30 days after purchase of a
429 replacement vehicle. A violation of this section is a
430 noncriminal traffic infraction, punishable as a nonmoving
431 violation as provided in chapter 318.

432 (b)1. The act of presenting to a law enforcement officer or
433 agent of the department an electronic device displaying an
434 electronic copy of rental or lease documentation does not
435 constitute consent for the officer or agent to access any
436 information on the device other than the displayed rental or
437 lease documentation.

438 2. The person who presents the device to the officer or
439 agent assumes the liability for any resulting damage to the
440 device.

441 (2) Rental or lease documentation that is sufficient to
442 satisfy the requirement in subsection (1) includes the
443 following:

- 444 (a) ~~Date of rental~~ and time of ~~exit from~~ rental facility;
- 445 (b) Rental station identification;



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- 446 (c) Rental agreement number;
- 447 (d) Rental vehicle identification number;
- 448 (e) Rental vehicle license plate number and state of
- 449 registration;
- 450 (f) Vehicle's make, model, and color;
- 451 (g) Vehicle's mileage; and
- 452 (h) Authorized renter's name.

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

455 320.0607 Replacement license plates, validation decal, or
456 mobile home sticker.—

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

462 Section 14. Paragraphs (ee), (eee), (qqq), and (rrr) of
463 subsection (4) and paragraph (a) of subsection (10) of section
464 320.08056, Florida Statutes, are amended to read:

465 320.08056 Specialty license plates.—

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

- 468 ~~(ee) American Red Cross license plate, \$25.~~
- 469 ~~(eee) Donate Organs—Pass It On license plate, \$25.~~
- 470 ~~(qqq) St. Johns River license plate, \$25.~~
- 471 ~~(rrr) Hispanic Achievers license plate, \$25.~~

472 (10) (a) A specialty license plate annual use fee collected
473 and distributed under this chapter, or any interest earned from
474 those fees, may not be used for commercial or for-profit



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475 activities nor for general or administrative expenses, except as
476 authorized by s. 320.08058 or to pay the cost of the audit or
477 report required by s. 320.08062(1). The fees and any interest
478 earned from the fees may be expended only for use in this state
479 unless the annual use fee is derived from the sale of United
480 States Armed Forces and veterans-related specialty license
481 plates pursuant to paragraphs (4) (d), (bb), (kk), (iii), and
482 (uuu) ~~(ll)~~, ~~(kkk)~~, and ~~(yyy)~~ and s. 320.0891.

483 Section 15. Subsections (31), (57), (69), and (70) of
484 section 320.08058, Florida Statutes, are repealed.

485 Section 16. Paragraph (b) of subsection (4) of section
486 320.08068, Florida Statutes, is amended to read:

487 320.08068 Motorcycle specialty license plates.—

488 (4) A license plate annual use fee of \$20 shall be
489 collected for each motorcycle specialty license plate. Annual
490 use fees shall be distributed to The Able Trust as custodial
491 agent. The Able Trust may retain a maximum of 10 percent of the
492 proceeds from the sale of the license plate for administrative
493 costs. The Able Trust shall distribute the remaining funds as
494 follows:

495 (b) Twenty percent to Preserve Vision ~~Prevent Blindness~~
496 Florida.

497 Section 17. Section 320.0875, Florida Statutes, is created
498 to read:

499 320.0875 Purple Heart motorcycle special license plate.—

500 (1) Upon application to the department and payment of the
501 license tax for the motorcycle as provided in s. 320.08, a
502 resident of this state who owns or leases a motorcycle that is
503 not used for hire or commercial use shall be issued a Purple



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504 Heart motorcycle special license plate if he or she provides
505 documentation acceptable to the department that he or she is a
506 recipient of the Purple Heart medal.

507 (2) The Purple Heart motorcycle special license plate shall
508 be stamped with the words "Combat-wounded Veteran" followed by
509 the serial number of the license plate. The Purple Heart
510 motorcycle special license plate may have the term "Purple
511 Heart" stamped on the plate and the likeness of the Purple Heart
512 medal appearing on the plate.

513 Section 18. Paragraph (a) of subsection (1) of section
514 320.089, Florida Statutes, is amended to read:

515 ~~320.089 Veterans of the United States Armed Forces; members~~
516 ~~of National Guard; survivors of Pearl Harbor; Purple Heart medal~~
517 ~~recipients; active or retired United States Armed Forces~~
518 ~~reservists; Combat Infantry Badge, Combat Medical Badge, or~~
519 ~~Combat Action Badge recipients; Combat Action Ribbon recipients;~~
520 ~~Air Force Combat Action Medal recipients; Distinguished Flying~~
521 ~~Cross recipients; former prisoners of war; Korean War Veterans;~~
522 ~~Vietnam War Veterans; Operation Desert Shield Veterans;~~
523 ~~Operation Desert Storm Veterans; Operation Enduring Freedom~~
524 ~~Veterans; Operation Iraqi Freedom Veterans; Women Veterans;~~
525 ~~World War II Veterans; and Navy Submariners; Special license~~
526 ~~plates for military servicemembers, veterans, and Pearl Harbor~~
527 ~~survivors; fee.-~~

528 (1) (a) Upon application to the department and payment of
529 the license tax for the vehicle as provided in s. 320.08, a
530 resident of this state who owns or leases ~~Each owner or lessee~~
531 ~~of~~ an automobile or truck for private use or recreational
532 vehicle as specified in s. 320.08(9)(c) or (d), which is not



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533 used for hire or commercial use, shall be issued a license plate
534 pursuant to the following if the applicant provides the
535 department with proof he or she meets the qualifications listed
536 in this section for the applicable license plate:

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

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

545 3. A Navy Submariner shall be issued a license plate
546 stamped with the words "Navy Submariner" followed by the serial
547 number of the license plate.

548 4. An active or retired member of the Florida National
549 Guard shall be issued a license plate stamped with the words
550 "National Guard" followed by the serial number of the license
551 plate.

552 5. A member of the Pearl Harbor Survivors Association or
553 other person on active military duty in Pearl Harbor on December
554 7, 1941, shall be issued a license plate stamped with the words
555 "Pearl Harbor Survivor" followed by the serial number of the
556 license plate. ~~a survivor of the attack on Pearl Harbor,~~

557 6. A recipient of the Purple Heart medal shall be issued a
558 license plate stamped with the words "Combat-wounded Veteran"
559 followed by the serial number of the license plate. The Purple
560 Heart plate may have the words "Purple Heart" stamped on the
561 plate and the likeness of the Purple Heart medal appearing on



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562 the plate.

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

567 8. A member of the Combat Infantrymen's Association, Inc.,
568 or a recipient of the Combat Infantry Badge, Combat Medical
569 Badge, Combat Action Badge, Combat Action Ribbon, or Air Force
570 Combat Action Medal shall be issued a license plate stamped with
571 the words "Combat Infantry Badge," "Combat Medical Badge,"
572 "Combat Action Badge," "Combat Action Ribbon," or "Air Force
573 Combat Action Medal," as appropriate, and a likeness of the
574 related campaign badge, ribbon, or medal, followed by the serial
575 number of the license plate.

576 9. A recipient of the, ~~or~~ Distinguished Flying Cross shall
577 be issued a license plate stamped with the words "Distinguished
578 Flying Cross" and a likeness of the Distinguished Flying Cross
579 followed by the serial number of the license plate.

580 10. A recipient of the Bronze Star shall be issued a
581 license plate stamped with the words "Bronze Star" and a
582 likeness of the Bronze Star followed by the serial number of the
583 license plate, ~~upon application to the department, accompanied~~
584 ~~by proof of release or discharge from any branch of the United~~
585 ~~States Armed Forces, proof of active membership or retired~~
586 ~~status in the Florida National Guard, proof of membership in the~~
587 ~~Pearl Harbor Survivors Association or proof of active military~~
588 ~~duty in Pearl Harbor on December 7, 1941, proof of being a~~
589 ~~Purple Heart medal recipient, proof of active or retired~~
590 ~~membership in any branch of the United States Armed Forces~~



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591 ~~Reserve, or proof of membership in the Combat Infantrymen's~~
592 ~~Association, Inc., proof of being a recipient of the Combat~~
593 ~~Infantry Badge, Combat Medical Badge, Combat Action Badge,~~
594 ~~Combat Action Ribbon, Air Force Combat Action Medal, or~~
595 ~~Distinguished Flying Cross, and upon payment of the license tax~~
596 ~~for the vehicle as provided in s. 320.08, shall be issued a~~
597 ~~license plate as provided by s. 320.06 which, in lieu of the~~
598 ~~serial numbers prescribed by s. 320.06, is stamped with the~~
599 ~~words "Veteran," "Woman Veteran," "WWII Veteran," "Navy~~
600 ~~Submariner," "National Guard," "Pearl Harbor Survivor," "Combat-~~
601 ~~wounded veteran," "U.S. Reserve," "Combat Infantry Badge,"~~
602 ~~"Combat Medical Badge," "Combat Action Badge," "Combat Action~~
603 ~~Ribbon," "Air Force Combat Action Medal," or "Distinguished~~
604 ~~Flying Cross," as appropriate, and a likeness of the related~~
605 ~~campaign medal or badge, followed by the serial number of the~~
606 ~~license plate. Additionally, the Purple Heart plate may have the~~
607 ~~words "Purple Heart" stamped on the plate and the likeness of~~
608 ~~the Purple Heart medal appearing on the plate.~~

609 Section 19. Section 320.133, Florida Statutes, is amended
610 to read:

611 320.133 Transporter license plates.—

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

617 (2) A person is not eligible to purchase or renew a
618 transporter license plate unless he or she provides proof
619 satisfactory to the department that his or her business is a



620 transporter license plate eligible business.

621 (3) The application for qualification as a transporter
622 license plate eligible business must be in such form as is
623 prescribed by the department and must contain the legal name of
624 the person or persons applying for the license plate, the name
625 of the business, and the principal or principals of the
626 business. The application must describe the exact physical
627 location of the place of business within the state. This
628 location must be available at all reasonable hours for
629 inspection of the transporter license plate records by the
630 department or any law enforcement agency. The application must
631 contain proof of a garage liability insurance policy, or a
632 business automobile policy, in the amount of at least \$100,000.
633 The certificate of insurance must indicate the number of
634 transporter license plates reported to the insurance company.
635 Such coverage shall be maintained for the entire registration
636 period. Upon seeking initial qualification, the applicant must
637 provide documentation proving that the business is registered
638 with the Division of Corporations of the Department of State to
639 conduct business in this state. The business must indicate how
640 it meets the qualification as a transporter license plate
641 eligible business by describing in detail the business processes
642 that require the use of a transporter license plate.

643 (4) (a) ~~(1)~~ The department may ~~is authorized to~~ issue a
644 transporter license plate to ~~an~~ any applicant who is not a
645 licensed dealer and who is qualified as a transporter license
646 plate eligible business, ~~incidental to the conduct of his or her~~
647 business, ~~engages in the transporting of motor vehicles which~~
648 are not currently registered to any owner and which do not have



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649 ~~license plates,~~ upon payment of the license tax imposed by s.
650 320.08(15) for each transporter ~~such~~ license plate and upon
651 proof of ~~liability~~ insurance as described in subsection (3)
652 ~~coverage in the amount of \$100,000 or more.~~ The proof of
653 insurance must indicate the number of transporter license plates
654 reported to the insurance company, which shall be the maximum
655 number of transporter license plates issued to the applicant.
656 ~~Such~~ A transporter license plate is valid only for use on an
657 unregistered ~~any~~ motor vehicle in the possession of the
658 transporter while the motor vehicle is being transported in the
659 course of the transporter's business and must not be attached to
660 any vehicle owned by the transporter or his or her business for
661 which registration would otherwise be required. A person who
662 sells or unlawfully possesses, distributes, or brokers a
663 transporter license plate to be attached to any vehicle commits
664 a misdemeanor of the second degree, punishable as provided in s.
665 775.082 or s. 775.083. Any and all transporter license plates
666 issued are subject to cancellation by the department.

667 (b) A person who knowingly and willfully sells or
668 unlawfully possesses, distributes, or brokers a transporter
669 license plate to avoid registering a vehicle requiring
670 registration pursuant to this chapter or chapter 319 commits a
671 misdemeanor of the first degree, punishable as provided in s.
672 775.082 or s. 775.083, and is disqualified from transporter
673 license plate usage. All transporter license plates issued to
674 the person's business shall be canceled and must be returned to
675 the department immediately upon disqualification. The
676 transporter license plate is subject to removal as provided in
677 subsection (9), and any and all transporter plates issued are



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678 subject to cancellation by the department.

679 (5) A transporter license plate eligible business issued a
680 transporter license plate must maintain for 2 years, at its
681 location, records of each use of each transporter license plate
682 and evidence that the plate was used as required by this
683 chapter. Such records must be open to inspection by the
684 department or its agents or any law enforcement officer during
685 reasonable business hours. A person who fails to maintain true
686 and accurate records of any transporter license plate usage or
687 comply with this subsection commits a misdemeanor of the second
688 degree, punishable as provided in s. 775.082 or s. 775.083, may
689 be subject to cancellation of any and all transporter license
690 plates issued, and is automatically disqualified from future
691 transporter license plate issuance.

692 (6) When attached to a motor vehicle, a transporter license
693 plate issued under this section must be accompanied by the
694 registration issued for the transporter license plate by the
695 department and proof of insurance as described in subsection
696 (3). A person who operates a motor vehicle with a transporter
697 license plate attached who fails to provide the documentation
698 listed in this subsection commits a misdemeanor of the second
699 degree, punishable as provided in s. 775.082 or s. 775.083, and
700 the transporter license plate is subject to removal as provided
701 in subsection (9). This subsection does not apply to a person
702 who contracts with dealers and auctions to transport motor
703 vehicles.

704 (7)~~(2)~~ A transporter license plate issued pursuant to
705 subsection ~~(4)~~ ~~(1)~~ must be in a distinctive color approved by
706 the department, and the word "transporter" must appear on the



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707 face of the license plate in place of the county name.

708 ~~(8)(3)~~ An initial registration or renewal A license plate
709 issued under this section is valid for a ~~period of~~ 12 months,
710 beginning January 1 and ending December 31. A ~~No~~ refund of the
711 license tax imposed may not be provided for any unexpired
712 portion of a license period.

713 (9) A transporter license plate attached to a motor vehicle
714 in violation of subsection (4) or subsection (6) must be
715 immediately removed by a law enforcement officer from the motor
716 vehicle to which it was attached and surrendered to the
717 department by the law enforcement agency for cancellation.

718 Section 20. Subsection (1) of section 320.27, Florida
719 Statutes, are amended to read:

720 320.27 Motor vehicle dealers.—

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

725 (a) "Department" means the Department of Highway Safety and
726 Motor Vehicles.

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

732 (c) "Motor vehicle dealer" means any person engaged in the
733 business of buying, selling, or dealing in motor vehicles or
734 offering or displaying motor vehicles for sale at wholesale or
735 retail, or who may service and repair motor vehicles pursuant to



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736 an agreement as defined in s. 320.60(1). Any person who buys,
737 sells, or deals in three or more motor vehicles in any 12-month
738 period or who offers or displays for sale three or more motor
739 vehicles in any 12-month period shall be prima facie presumed to
740 be a motor vehicle dealer engaged in such business. Any motor
741 vehicle broker who possesses, stores, displays, provides test
742 drives, delivers, or takes ownership of any vehicles for the
743 purpose of selling, leasing, or exchanging such vehicles shall
744 be deemed to be a "motor vehicle dealer." The terms "selling"
745 and "sale" include lease-purchase transactions. A motor vehicle
746 dealer may, at retail or wholesale, sell a recreational vehicle
747 as described in s. 320.01(1)(b)1.-6. and 8., acquired in
748 exchange for the sale of a motor vehicle, provided such
749 acquisition is incidental to the principal business of being a
750 motor vehicle dealer. However, a motor vehicle dealer may not
751 buy a recreational vehicle for the purpose of resale unless
752 licensed as a recreational vehicle dealer pursuant to s.
753 320.771. A motor vehicle dealer may apply for a certificate of
754 title to a motor vehicle required to be registered under s.
755 320.08(2)(b), (c), and (d), using a manufacturer's statement of
756 origin as permitted by s. 319.23(1), only if such dealer is
757 authorized by a franchised agreement as defined in s. 320.60(1),
758 to buy, sell, or deal in such vehicle and is authorized by such
759 agreement to perform delivery and preparation obligations and
760 warranty defect adjustments on the motor vehicle; provided this
761 limitation shall not apply to recreational vehicles, van
762 conversions, or any other motor vehicle manufactured on a truck
763 chassis. The transfer of a motor vehicle by a dealer not meeting
764 these qualifications shall be titled as a used vehicle. The



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765 classifications of motor vehicle dealers are defined as follows:

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

770 2. "Independent motor vehicle dealer" means any person
771 other than a franchised or wholesale motor vehicle dealer who
772 engages in the business of buying, selling, or dealing in motor
773 vehicles, and who may service and repair motor vehicles.

774 3. "Wholesale motor vehicle dealer" means any person who
775 engages exclusively in the business of buying, selling, or
776 dealing in motor vehicles at wholesale or with motor vehicle
777 auctions. Such person shall be licensed to do business in this
778 state, shall not sell or auction a vehicle to any person who is
779 not a licensed dealer, and shall not have the privilege of the
780 use of dealer license plates. Any person who buys, sells, or
781 deals in motor vehicles at wholesale or with motor vehicle
782 auctions on behalf of a licensed motor vehicle dealer and as a
783 bona fide employee of such licensed motor vehicle dealer is not
784 required to be licensed as a wholesale motor vehicle dealer. In
785 such cases it shall be prima facie presumed that a bona fide
786 employer-employee relationship exists. A wholesale motor vehicle
787 dealer shall be exempt from the display provisions of this
788 section but shall maintain an office wherein records are kept in
789 order that those records may be inspected.

790 4. "Motor vehicle auction" means any person offering motor
791 vehicles or recreational vehicles for sale to the highest bidder
792 where buyers are licensed motor vehicle dealers. Such person
793 shall not sell a vehicle to anyone other than a licensed motor



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794 vehicle dealer.

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

798

799 The term "motor vehicle dealer" does not include persons not
800 engaged in the purchase or sale of motor vehicles as a business
801 who are disposing of vehicles acquired for their own use or for
802 use in their business or acquired by foreclosure or by operation
803 of law, provided such vehicles are acquired and sold in good
804 faith and not for the purpose of avoiding the provisions of this
805 law; persons engaged in the business of manufacturing, selling,
806 or offering or displaying for sale at wholesale or retail no
807 more than 25 trailers in a 12-month period; public officers
808 while performing their official duties; receivers; trustees,
809 administrators, executors, guardians, or other persons appointed
810 by, or acting under the judgment or order of, any court; banks,
811 finance companies, or other loan agencies that acquire motor
812 vehicles as an incident to their regular business; motor vehicle
813 brokers; and motor vehicle rental and leasing companies that
814 sell motor vehicles to motor vehicle dealers licensed under this
815 section. Vehicles owned under circumstances described in this
816 paragraph may be disposed of at retail, wholesale, or auction,
817 unless otherwise restricted. A manufacturer of fire trucks,
818 ambulances, or school buses may sell such vehicles directly to
819 governmental agencies or to persons who contract to perform or
820 provide firefighting, ambulance, or school transportation
821 services exclusively to governmental agencies without processing
822 such sales through dealers if such fire trucks, ambulances,



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823 school buses, or similar vehicles are not presently available
824 through motor vehicle dealers licensed by the department.

825 (d) "Motor vehicle broker" means any person engaged in the
826 business of offering to procure or procuring motor vehicles for
827 the general public for compensation, or who holds himself or
828 herself out through solicitation, advertisement, or otherwise as
829 one who offers to procure or procures motor vehicles for the
830 general public, and who does not store, display, or take
831 ownership of any vehicles for the purpose of selling, leasing,
832 or exchanging such vehicles.

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

835 (f) "Bona fide employee" means a person who is employed by
836 a licensed motor vehicle dealer and receives annually an
837 Internal Revenue Service Form W-2, or an independent contractor
838 who has a written contract with a licensed motor vehicle dealer
839 and receives annually an Internal Revenue Service Form 1099, for
840 the purpose of acting in the capacity of or conducting motor
841 vehicle sales transactions as a motor vehicle dealer.

842 Section 21. Section 321.25, Florida Statutes, is amended to
843 read:

844 321.25 Training provided at patrol schools; reimbursement
845 of tuition and other course expenses.-

846 (1) The Department of Highway Safety and Motor Vehicles may
847 ~~is authorized to~~ provide for the training of law enforcement
848 officials and individuals in matters relating to the duties,
849 functions, and powers of the Florida Highway Patrol in the
850 schools established by the department for the training of
851 highway patrol candidates and officers. The Department of



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852 Highway Safety and Motor Vehicles may ~~is authorized to~~ charge a
853 fee for providing the training authorized by this section. The
854 fee shall be charged to persons attending the training. The fee
855 shall be based on the Department of Highway Safety and Motor
856 Vehicles' costs for providing the training, and such costs may
857 include, but are not limited to, tuition, lodging, and meals.
858 Revenues from the fees shall be used to offset the Department of
859 Highway Safety and Motor Vehicles' costs for providing the
860 training. The cost of training local enforcement officers shall
861 be paid for by their respective offices, counties, or
862 municipalities, as the case may be. Such cost shall be deemed a
863 proper county or municipal expense or a proper expenditure of
864 the office of sheriff.

865 (2) Notwithstanding s. 943.16, a person who attends
866 training under subsection (1) at the expense of the Department
867 of Highway Safety and Motor Vehicles must remain in the
868 employment or appointment of the Florida Highway Patrol for at
869 least 3 years. Once employed, if the person fails to remain
870 employed by the Florida Highway Patrol for at least 3 years from
871 the first date of employment, the person must pay the cost of
872 tuition and other course expenses to the Department of Highway
873 Safety and Motor Vehicles. As used in this section, the term
874 "other course expenses" may include the cost of meals and
875 lodging.

876 (3) The Department of Highway Safety and Motor Vehicles may
877 institute a civil action to collect the cost of tuition and
878 other course expenses if it is not reimbursed pursuant to
879 subsection (2), provided that the Florida Highway Patrol gave
880 written notification to the person of the 3-year employment



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881 commitment during the employment screening process and the
882 person returned signed acknowledgment of receipt of such
883 notification.

884 (4) Notwithstanding any other provision of this section,
885 the Department of Highway Safety and Motor Vehicles may waive a
886 person's requirement of reimbursement in part or in full when
887 the person terminates employment due to hardship or extenuating
888 circumstances.

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

891 322.01 Definitions.—As used in this chapter:

892 (4) "Authorized emergency vehicle" means a vehicle that is
893 equipped with extraordinary audible and visual warning devices,
894 that is authorized by s. 316.2397 to display red, red and white,
895 or blue lights, and that is on call to respond to emergencies.
896 The term includes, but is not limited to, ambulances, law
897 enforcement vehicles, fire trucks, and other rescue vehicles.
898 The term does not include wreckers, utility trucks, or other
899 vehicles that are used only incidentally for emergency purposes.

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

902 322.03 Drivers must be licensed; penalties.—

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

907 Section 24. Paragraph (e) of subsection (8) of section
908 322.051, Florida Statutes, is amended to read:

909 322.051 Identification cards.—



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910 (8)
911 (e)1. Upon request by a person who has posttraumatic stress
912 disorder, a traumatic brain injury, or a developmental
913 disability, or by a parent or guardian of a child or ward who
914 has posttraumatic stress disorder, a traumatic brain injury, or
915 a developmental disability, the department shall issue an
916 identification card exhibiting a capital "D" for the person,
917 child, or ward if the person or the parent or guardian of the
918 child or ward submits:
919 a. Payment of an additional \$1 fee; and
920 b. Proof acceptable to the department of a diagnosis by a
921 licensed physician of a developmental disability as defined in
922 s. 393.063, posttraumatic stress disorder, or traumatic brain
923 injury.
924 2. The department shall deposit the additional \$1 fee into
925 the Agency for Persons with Disabilities Operations and
926 Maintenance Trust Fund under s. 20.1971(2).
927 3. A replacement identification card that includes the
928 designation may be issued without payment of the fee required
929 under s. 322.21(1)(f).
930 4. The department shall develop rules to facilitate the
931 issuance, requirements, and oversight of posttraumatic stress
932 disorder, traumatic brain injury, and developmental disability
933 identification cards under this section.
934 Section 25. Paragraph (m) of subsection (8) of section
935 322.08, Florida Statutes, is amended to read:
936 322.08 Application for license; requirements for license
937 and identification card forms.—
938 (8) The application form for an original, renewal, or



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939 replacement driver license or identification card must include
940 language permitting the following:

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

945
946 A statement providing an explanation of the purpose of the
947 trust funds shall also be included. For the purpose of applying
948 the service charge provided under s. 215.20, contributions
949 received under paragraphs (b)-(t) are not income of a revenue
950 nature.

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

953 322.091 Attendance requirements.—

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

959 Section 27. Subsections (1) and (5) of section 322.12,
960 Florida Statutes, are amended to read:

961 322.12 Examination of applicants.—

962 (1) It is the intent of the Legislature that every
963 applicant for an original driver license in this state be
964 required to pass an examination pursuant to this section.
965 However, the department may waive the knowledge, endorsement,
966 and skills tests for an applicant who is otherwise qualified and
967 who surrenders a valid driver license from another state or a



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968 province of Canada, or a valid driver license issued by the
969 United States Armed Forces, if the driver applies for a Florida
970 license of an equal or lesser classification. An ~~Any~~ applicant
971 who fails to pass the initial knowledge test incurs a \$10 fee
972 for each subsequent test, to be deposited into the Highway
973 Safety Operating Trust Fund; however, if a subsequent test is
974 administered by the tax collector, the tax collector shall
975 retain the \$10 fee, less the General Revenue Service Charge set
976 forth in s. 215.20(1). An ~~Any~~ applicant who fails to pass the
977 initial skills test incurs a \$20 fee for each subsequent test,
978 to be deposited into the Highway Safety Operating Trust Fund;
979 however, if a subsequent test is administered by the tax
980 collector, the tax collector shall retain the \$20 fee, less the
981 General Revenue Service Charge set forth in s. 215.20(1). A
982 person who seeks to retain a hazardous-materials endorsement,
983 pursuant to s. 322.57(1)(e), must pass the hazardous-materials
984 test, upon surrendering his or her commercial driver license, if
985 the person has not taken and passed the hazardous-materials test
986 within 2 years before applying for a commercial driver license
987 in this state.

988 (5)(a) The department shall formulate a separate
989 examination for applicants for licenses to operate motorcycles.
990 Any applicant for a driver license who wishes to operate a
991 motorcycle, and who is otherwise qualified, must successfully
992 complete such an examination, which is in addition to the
993 examination administered under subsection (3). The examination
994 must test the applicant's knowledge of the operation of a
995 motorcycle and of any traffic laws specifically relating thereto
996 and must include an actual demonstration of his or her ability



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997 to exercise ordinary and reasonable control in the operation of
998 a motorcycle. Any applicant who fails to pass the initial
999 knowledge examination will incur a \$5 fee for each subsequent
1000 examination, to be deposited into the Highway Safety Operating
1001 Trust Fund. Any applicant who fails to pass the initial skills
1002 examination will incur a \$10 fee for each subsequent
1003 examination, to be deposited into the Highway Safety Operating
1004 Trust Fund. In the formulation of the examination, the
1005 department shall consider the use of the Motorcycle Operator
1006 Skills Test and the Motorcycle in Traffic Test offered by the
1007 Motorcycle Safety Foundation. The department shall indicate on
1008 the license of any person who successfully completes the
1009 examination that the licensee is authorized to operate a
1010 motorcycle. If the applicant wishes to be licensed to operate a
1011 motorcycle only, he or she need not take the skill or road test
1012 required under subsection (3) for the operation of a motor
1013 vehicle, and the department shall indicate such a limitation on
1014 his or her license as a restriction. Every first-time applicant
1015 for licensure to operate a motorcycle must provide proof of
1016 completion of a motorcycle safety course, as provided for in s.
1017 322.0255, before the applicant may be licensed to operate a
1018 motorcycle.

1019 (b) The department may exempt any applicant from the
1020 examination provided in this subsection if the applicant
1021 presents a certificate showing successful completion of a course
1022 approved by the department, which course includes a similar
1023 examination of the knowledge and skill of the applicant in the
1024 operation of a motorcycle.

1025 (c) This subsection does not apply to the operation of an



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1026 autocycle.

1027 Section 28. Paragraph (d) is added to subsection (1) of
1028 section 322.135, Florida Statutes, to read:

1029 322.135 Driver license agents.—

1030 (1) The department shall, upon application, authorize by
1031 interagency agreement any or all of the tax collectors who are
1032 constitutional officers under s. 1(d), Art. VIII of the State
1033 Constitution in the several counties of the state, subject to
1034 the requirements of law, in accordance with rules of the
1035 department, to serve as its agent for the provision of specified
1036 driver license services.

1037 (d) Each tax collector shall provide the same driver
1038 license services in office to residents of other counties that
1039 it provides for residents of its home county.

1040 Section 29. Paragraph (b) of subsection (1) of section
1041 322.17, Florida Statutes, is amended to read:

1042 322.17 Replacement licenses, identification cards, and
1043 permits.—

1044 (1)

1045 (b) In the event that an instruction permit, ~~or~~ driver
1046 license, or identification card issued under ~~the provisions of~~
1047 this chapter is stolen, the person to whom the same was issued
1048 may, at no charge, obtain a replacement upon furnishing proof
1049 satisfactory to the department that such permit, ~~or~~ license, or
1050 identification card was stolen and further furnishing the
1051 person's full name, date of birth, sex, residence and mailing
1052 address, proof of birth satisfactory to the department, and
1053 proof of identity satisfactory to the department.

1054 Section 30. Paragraphs (e) and (i) of subsection (1) and



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1055 subsection (8) of section 322.21, Florida Statutes, are amended,
1056 and subsection (10) is added to that section, to read:

1057 322.21 License fees; procedure for handling and collecting
1058 fees.—

1059 (1) Except as otherwise provided herein, the fee for:

1060 (e) A replacement driver license issued pursuant to s.
1061 322.17 is \$25. Of this amount, \$7 shall be deposited into the
1062 Highway Safety Operating Trust Fund and \$18 shall be deposited
1063 into the General Revenue Fund. ~~Beginning July 1, 2015, or upon~~
1064 ~~completion of the transition of driver license issuance~~
1065 ~~services,~~ If the replacement driver license is issued by the tax
1066 collector, the tax collector shall retain the \$7 that would
1067 otherwise be deposited into the Highway Safety Operating Trust
1068 Fund and the remaining revenues shall be deposited into the
1069 General Revenue Fund.

1070 ~~(i) The specialty driver license or identification card~~
1071 ~~issued pursuant to s. 322.1415 is \$25, which is in addition to~~
1072 ~~other fees required in this section. The fee shall be~~
1073 ~~distributed as follows:~~

1074 ~~1. Fifty percent shall be distributed as provided in s.~~
1075 ~~320.08058 to the appropriate state or independent university,~~
1076 ~~professional sports team, or branch of the United States Armed~~
1077 ~~Forces.~~

1078 ~~2. Fifty percent shall be distributed to the department for~~
1079 ~~costs directly related to the specialty driver license and~~
1080 ~~identification card program and to defray the costs associated~~
1081 ~~with production enhancements and distribution.~~

1082 (8) A Any person who applies for reinstatement following
1083 the suspension or revocation of the person's driver license must



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1084 pay a service fee of \$45 following a suspension, and \$75
1085 following a revocation, which is in addition to the fee for a
1086 license. A ~~Any~~ person who applies for reinstatement of a
1087 commercial driver license following the disqualification of the
1088 person's privilege to operate a commercial motor vehicle shall
1089 pay a service fee of \$75, which is in addition to the fee for a
1090 license. The department shall collect all of these fees at the
1091 time of reinstatement. The department shall issue proper
1092 receipts for such fees and shall promptly transmit all funds
1093 received by it as follows:

1094 (a) Of the \$45 fee received from a licensee for
1095 reinstatement following a suspension:

1096 1. If the reinstatement is processed by the department, the
1097 department shall deposit \$15 in the General Revenue Fund and \$30
1098 in the Highway Safety Operating Trust Fund.

1099 2. If the reinstatement is processed by the tax collector,
1100 \$15, less the General Revenue Service Charge set forth in s.
1101 215.20(1), shall be retained by the tax collector, \$15 shall be
1102 deposited into the Highway Safety Operating Trust Fund, and \$15
1103 shall be deposited into the General Revenue Fund.

1104 (b) Of the \$75 fee received from a licensee for
1105 reinstatement following a revocation or disqualification:

1106 1. If the reinstatement is processed by the department, the
1107 department shall deposit \$35 in the General Revenue Fund and \$40
1108 in the Highway Safety Operating Trust Fund.

1109 2. If the reinstatement is processed by the tax collector,
1110 \$20, less the General Revenue Service Charge set forth in s.
1111 215.20(1), shall be retained by the tax collector, \$20 shall be
1112 deposited into the Highway Safety Operating Trust Fund, and \$35



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1113 shall be deposited into the General Revenue Fund.

1114
1115 If the revocation or suspension of the driver license was for a
1116 violation of s. 316.193, or for refusal to submit to a lawful
1117 breath, blood, or urine test, an additional fee of \$130 must be
1118 charged. However, only one \$130 fee may be collected from one
1119 person convicted of violations arising out of the same incident.
1120 The department shall collect the \$130 fee and deposit the fee
1121 into the Highway Safety Operating Trust Fund at the time of
1122 reinstatement of the person's driver license, but the fee may
1123 not be collected if the suspension or revocation is overturned.
1124 If the revocation or suspension of the driver license was for a
1125 conviction for a violation of s. 817.234(8) or (9) or s.
1126 817.505, an additional fee of \$180 is imposed for each offense.
1127 The department shall collect and deposit the additional fee into
1128 the Highway Safety Operating Trust Fund at the time of
1129 reinstatement of the person's driver license.

1130 (10) An applicant who submits an application for a renewal
1131 or replacement driver license or identification card to the
1132 department using a convenience service shall be provided with an
1133 option for expedited shipping whereby the department, at the
1134 applicant's request, shall issue the license or identification
1135 card within 5 working days after receipt of the application and
1136 ship the license or card using an expedited mail service. A fee
1137 shall be charged for the expedited shipping option, not to
1138 exceed the cost of the expedited mail service, which is in
1139 addition to fees imposed by s. 322.051, this section, or the
1140 convenience service. Fees collected for the expedited shipping
1141 option shall be deposited into the Highway Safety Operating



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1142 Trust Fund.

1143 Section 31. Subsection (1) of section 322.61, Florida
1144 Statutes, is amended, and subsection (2) of that section is
1145 reenacted, to read:

1146 322.61 Disqualification from operating a commercial motor
1147 vehicle.—

1148 (1) A person who, for offenses occurring within a 3-year
1149 period, is convicted of two of the following serious traffic
1150 violations, or any combination thereof, arising in separate
1151 incidents committed in a commercial motor vehicle shall, in
1152 addition to any other applicable penalties, be disqualified from
1153 operating a commercial motor vehicle for a period of 60 days. A
1154 holder of a commercial driver license or commercial learner's
1155 permit who, for offenses occurring within a 3-year period, is
1156 convicted of two of the following serious traffic violations, or
1157 any combination thereof, arising in separate incidents committed
1158 in a noncommercial motor vehicle shall, in addition to any other
1159 applicable penalties, be disqualified from operating a
1160 commercial motor vehicle for a period of 60 days if such
1161 convictions result in the suspension, revocation, or
1162 cancellation of the licenseholder's driving privilege:

1163 (a) A violation of any state or local law relating to motor
1164 vehicle traffic control, other than a parking violation, arising
1165 in connection with a crash resulting in death;

1166 (b) Reckless driving, as defined in s. 316.192;

1167 (c) Unlawful speed of 15 miles per hour or more above the
1168 posted speed limit;

1169 (d) Improper lane change, as defined in s. 316.085;

1170 (e) Following too closely, as defined in s. 316.0895;



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1171 (f) Texting while driving a commercial motor vehicle, as
1172 prohibited by 49 C.F.R. 392.80;

1173 (g) Using a handheld mobile telephone while driving a
1174 commercial motor vehicle, as prohibited by 49 C.F.R. 392.82;

1175 (h)~~(f)~~ Driving a commercial vehicle without obtaining a
1176 commercial driver license;

1177 (i)~~(g)~~ Driving a commercial vehicle without the proper
1178 class of commercial driver license or commercial learner's
1179 permit or without the proper endorsement; or

1180 (j)~~(h)~~ Driving a commercial vehicle without a commercial
1181 driver license or commercial learner's permit in possession, as
1182 required by s. 322.03.

1183 (2) (a) Any person who, for offenses occurring within a 3-
1184 year period, is convicted of three serious traffic violations
1185 specified in subsection (1) or any combination thereof, arising
1186 in separate incidents committed in a commercial motor vehicle
1187 shall, in addition to any other applicable penalties, including
1188 but not limited to the penalty provided in subsection (1), be
1189 disqualified from operating a commercial motor vehicle for a
1190 period of 120 days.

1191 (b) A holder of a commercial driver license or commercial
1192 learner's permit who, for offenses occurring within a 3-year
1193 period, is convicted of three serious traffic violations
1194 specified in subsection (1) or any combination thereof arising
1195 in separate incidents committed in a noncommercial motor vehicle
1196 shall, in addition to any other applicable penalties, including,
1197 but not limited to, the penalty provided in subsection (1), be
1198 disqualified from operating a commercial motor vehicle for a
1199 period of 120 days if such convictions result in the suspension,



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1200 revocation, or cancellation of the licenseholder's driving
1201 privilege.

1202 Section 32. The amendment made by this act to s. 318.18,
1203 Florida Statutes, shall apply upon the creation of a new
1204 inventory of uniform traffic citation forms.

1205 Section 33. Paragraph (c) of subsection (1) of section
1206 212.05, Florida Statutes, is amended to read:

1207 212.05 Sales, storage, use tax.—It is hereby declared to be
1208 the legislative intent that every person is exercising a taxable
1209 privilege who engages in the business of selling tangible
1210 personal property at retail in this state, including the
1211 business of making mail order sales, or who rents or furnishes
1212 any of the things or services taxable under this chapter, or who
1213 stores for use or consumption in this state any item or article
1214 of tangible personal property as defined herein and who leases
1215 or rents such property within the state.

1216 (1) For the exercise of such privilege, a tax is levied on
1217 each taxable transaction or incident, which tax is due and
1218 payable as follows:

1219 (c) At the rate of 6 percent of the gross proceeds derived
1220 from the lease or rental of tangible personal property, as
1221 defined herein; however, the following special provisions apply
1222 to the lease or rental of motor vehicles:

1223 1. When a motor vehicle is leased or rented for a period of
1224 less than 12 months:

1225 a. If the motor vehicle is rented in Florida, the entire
1226 amount of such rental is taxable, even if the vehicle is dropped
1227 off in another state.

1228 b. If the motor vehicle is rented in another state and



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1229 dropped off in Florida, the rental is exempt from Florida tax.

1230 2. Except as provided in subparagraph 3., for the lease or
1231 rental of a motor vehicle for a period of not less than 12
1232 months, sales tax is due on the lease or rental payments if the
1233 vehicle is registered in this state; provided, however, that no
1234 tax shall be due if the taxpayer documents use of the motor
1235 vehicle outside this state and tax is being paid on the lease or
1236 rental payments in another state.

1237 3. The tax imposed by this chapter does not apply to the
1238 lease or rental of a commercial motor vehicle as defined in s.
1239 316.003(13)(a) ~~316.003(12)(a)~~ to one lessee or rentee for a
1240 period of not less than 12 months when tax was paid on the
1241 purchase price of such vehicle by the lessor. To the extent tax
1242 was paid with respect to the purchase of such vehicle in another
1243 state, territory of the United States, or the District of
1244 Columbia, the Florida tax payable shall be reduced in accordance
1245 with the provisions of s. 212.06(7). This subparagraph shall
1246 only be available when the lease or rental of such property is
1247 an established business or part of an established business or
1248 the same is incidental or germane to such business.

1249 Section 34. Subsection (1) of section 316.303, Florida
1250 Statutes, is amended to read:

1251 316.303 Television receivers.—

1252 (1) No motor vehicle may be operated on the highways of
1253 this state if the vehicle is actively displaying moving
1254 television broadcast or pre-recorded video entertainment content
1255 that is visible from the driver's seat while the vehicle is in
1256 motion, unless the vehicle is equipped with autonomous
1257 technology, as defined in s. 316.003(3) ~~316.003(2)~~, and is being



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1258 operated in autonomous mode, as provided in s. 316.85(2).
1259 Section 35. Paragraph (b) of subsection (2) of section
1260 316.545, Florida Statutes, is amended to read:
1261 316.545 Weight and load unlawful; special fuel and motor
1262 fuel tax enforcement; inspection; penalty; review.—
1263 (2)
1264 (b) The officer or inspector shall inspect the license
1265 plate or registration certificate of the commercial vehicle to
1266 determine whether its gross weight is in compliance with the
1267 declared gross vehicle weight. If its gross weight exceeds the
1268 declared weight, the penalty shall be 5 cents per pound on the
1269 difference between such weights. In those cases when the
1270 commercial vehicle is being operated over the highways of the
1271 state with an expired registration or with no registration from
1272 this or any other jurisdiction or is not registered under the
1273 applicable provisions of chapter 320, the penalty herein shall
1274 apply on the basis of 5 cents per pound on that scaled weight
1275 which exceeds 35,000 pounds on laden truck tractor-semitrailer
1276 combinations or tandem trailer truck combinations, 10,000 pounds
1277 on laden straight trucks or straight truck-trailer combinations,
1278 or 10,000 pounds on any unladen commercial motor vehicle. A
1279 driver of a commercial motor vehicle entering the state at a
1280 designated port-of-entry location, as defined in s. 316.003 ~~s.~~
1281 ~~316.003(54)~~, or operating on designated routes to a port-of-
1282 entry location, who obtains a temporary registration permit
1283 shall be assessed a penalty limited to the difference between
1284 its gross weight and the declared gross vehicle weight at 5
1285 cents per pound. If the license plate or registration has not
1286 been expired for more than 90 days, the penalty imposed under



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1287 this paragraph may not exceed \$1,000. In the case of special
1288 mobile equipment, which qualifies for the license tax provided
1289 for in s. 320.08(5)(b), being operated on the highways of the
1290 state with an expired registration or otherwise not properly
1291 registered under the applicable provisions of chapter 320, a
1292 penalty of \$75 shall apply in addition to any other penalty
1293 which may apply in accordance with this chapter. A vehicle found
1294 in violation of this section may be detained until the owner or
1295 operator produces evidence that the vehicle has been properly
1296 registered. Any costs incurred by the retention of the vehicle
1297 shall be the sole responsibility of the owner. A person who has
1298 been assessed a penalty pursuant to this paragraph for failure
1299 to have a valid vehicle registration certificate pursuant to the
1300 provisions of chapter 320 is not subject to the delinquent fee
1301 authorized in s. 320.07 if such person obtains a valid
1302 registration certificate within 10 working days after such
1303 penalty was assessed.

1304 Section 36. Paragraph (a) of subsection (2) of section
1305 316.613, Florida Statutes, is amended to read:

1306 316.613 Child restraint requirements.—

1307 (2) As used in this section, the term "motor vehicle" means
1308 a motor vehicle as defined in s. 316.003 that is operated on the
1309 roadways, streets, and highways of the state. The term does not
1310 include:

1311 (a) A school bus as defined in s. 316.003 ~~s. 316.003(68)~~.

1312 Section 37. Section 320.08, Florida Statutes, is amended to
1313 read:

1314 320.08 License taxes.—Except as otherwise provided herein,
1315 there are hereby levied and imposed annual license taxes for the



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1316 operation of motor vehicles, mopeds, motorized bicycles as
1317 defined in s. 316.003(4) ~~s. 316.003(2)~~, tri-vehicles as defined
1318 in s. 316.003, and mobile homes as defined in s. 320.01, which
1319 shall be paid to and collected by the department or its agent
1320 upon the registration or renewal of registration of the
1321 following:

1322 (1) MOTORCYCLES AND MOPEDS.—

1323 (a) Any motorcycle: \$10 flat.

1324 (b) Any moped: \$5 flat.

1325 (c) Upon registration of a motorcycle, motor-driven cycle,
1326 or moped, in addition to the license taxes specified in this
1327 subsection, a nonrefundable motorcycle safety education fee in
1328 the amount of \$2.50 shall be paid. The proceeds of such
1329 additional fee shall be deposited in the Highway Safety
1330 Operating Trust Fund to fund a motorcycle driver improvement
1331 program implemented pursuant to s. 322.025, the Florida
1332 Motorcycle Safety Education Program established in s. 322.0255,
1333 or the general operations of the department.

1334 (d) An ancient or antique motorcycle: \$7.50 flat, of which
1335 \$2.50 shall be deposited into the General Revenue Fund.

1336 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

1337 (a) An ancient or antique automobile, as defined in s.
1338 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

1339 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

1340 (c) Net weight of 2,500 pounds or more, but less than 3,500
1341 pounds: \$22.50 flat.

1342 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

1343 (3) TRUCKS.—

1344 (a) Net weight of less than 2,000 pounds: \$14.50 flat.



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1345 (b) Net weight of 2,000 pounds or more, but not more than
1346 3,000 pounds: \$22.50 flat.

1347 (c) Net weight more than 3,000 pounds, but not more than
1348 5,000 pounds: \$32.50 flat.

1349 (d) A truck defined as a "goat," or other vehicle if used
1350 in the field by a farmer or in the woods for the purpose of
1351 harvesting a crop, including naval stores, during such
1352 harvesting operations, and which is not principally operated
1353 upon the roads of the state: \$7.50 flat. The term "goat" means a
1354 motor vehicle designed, constructed, and used principally for
1355 the transportation of citrus fruit within citrus groves or for
1356 the transportation of crops on farms, and which can also be used
1357 for hauling associated equipment or supplies, including required
1358 sanitary equipment, and the towing of farm trailers.

1359 (e) An ancient or antique truck, as defined in s. 320.086:
1360 \$7.50 flat.

1361 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
1362 VEHICLE WEIGHT.—

1363 (a) Gross vehicle weight of 5,001 pounds or more, but less
1364 than 6,000 pounds: \$60.75 flat, of which \$15.75 shall be
1365 deposited into the General Revenue Fund.

1366 (b) Gross vehicle weight of 6,000 pounds or more, but less
1367 than 8,000 pounds: \$87.75 flat, of which \$22.75 shall be
1368 deposited into the General Revenue Fund.

1369 (c) Gross vehicle weight of 8,000 pounds or more, but less
1370 than 10,000 pounds: \$103 flat, of which \$27 shall be deposited
1371 into the General Revenue Fund.

1372 (d) Gross vehicle weight of 10,000 pounds or more, but less
1373 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited



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1374 into the General Revenue Fund.

1375 (e) Gross vehicle weight of 15,000 pounds or more, but less
1376 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
1377 into the General Revenue Fund.

1378 (f) Gross vehicle weight of 20,000 pounds or more, but less
1379 than 26,001 pounds: \$251 flat, of which \$65 shall be deposited
1380 into the General Revenue Fund.

1381 (g) Gross vehicle weight of 26,001 pounds or more, but less
1382 than 35,000: \$324 flat, of which \$84 shall be deposited into the
1383 General Revenue Fund.

1384 (h) Gross vehicle weight of 35,000 pounds or more, but less
1385 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
1386 into the General Revenue Fund.

1387 (i) Gross vehicle weight of 44,000 pounds or more, but less
1388 than 55,000 pounds: \$773 flat, of which \$201 shall be deposited
1389 into the General Revenue Fund.

1390 (j) Gross vehicle weight of 55,000 pounds or more, but less
1391 than 62,000 pounds: \$916 flat, of which \$238 shall be deposited
1392 into the General Revenue Fund.

1393 (k) Gross vehicle weight of 62,000 pounds or more, but less
1394 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
1395 deposited into the General Revenue Fund.

1396 (l) Gross vehicle weight of 72,000 pounds or more: \$1,322
1397 flat, of which \$343 shall be deposited into the General Revenue
1398 Fund.

1399 (m) Notwithstanding the declared gross vehicle weight, a
1400 truck tractor used within a 150-mile radius of its home address
1401 is eligible for a license plate for a fee of \$324 flat if:

1402 1. The truck tractor is used exclusively for hauling



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1403 forestry products; or

1404 2. The truck tractor is used primarily for the hauling of
1405 forestry products, and is also used for the hauling of
1406 associated forestry harvesting equipment used by the owner of
1407 the truck tractor.

1408
1409 Of the fee imposed by this paragraph, \$84 shall be deposited
1410 into the General Revenue Fund.

1411 (n) A truck tractor or heavy truck, not operated as a for-
1412 hire vehicle, which is engaged exclusively in transporting raw,
1413 unprocessed, and nonmanufactured agricultural or horticultural
1414 products within a 150-mile radius of its home address, is
1415 eligible for a restricted license plate for a fee of:

1416 1. If such vehicle's declared gross vehicle weight is less
1417 than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be
1418 deposited into the General Revenue Fund.

1419 2. If such vehicle's declared gross vehicle weight is
1420 44,000 pounds or more and such vehicle only transports from the
1421 point of production to the point of primary manufacture; to the
1422 point of assembling the same; or to a shipping point of a rail,
1423 water, or motor transportation company, \$324 flat, of which \$84
1424 shall be deposited into the General Revenue Fund.

1425
1426 Such not-for-hire truck tractors and heavy trucks used
1427 exclusively in transporting raw, unprocessed, and
1428 nonmanufactured agricultural or horticultural products may be
1429 incidentally used to haul farm implements and fertilizers
1430 delivered direct to the growers. The department may require any
1431 documentation deemed necessary to determine eligibility prior to



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1432 issuance of this license plate. For the purpose of this
1433 paragraph, "not-for-hire" means the owner of the motor vehicle
1434 must also be the owner of the raw, unprocessed, and
1435 nonmanufactured agricultural or horticultural product, or the
1436 user of the farm implements and fertilizer being delivered.

1437 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
1438 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

1439 (a)1. A semitrailer drawn by a GVW truck tractor by means
1440 of a fifth-wheel arrangement: \$13.50 flat per registration year
1441 or any part thereof, of which \$3.50 shall be deposited into the
1442 General Revenue Fund.

1443 2. A semitrailer drawn by a GVW truck tractor by means of a
1444 fifth-wheel arrangement: \$68 flat per permanent registration, of
1445 which \$18 shall be deposited into the General Revenue Fund.

1446 (b) A motor vehicle equipped with machinery and designed
1447 for the exclusive purpose of well drilling, excavation,
1448 construction, spraying, or similar activity, and which is not
1449 designed or used to transport loads other than the machinery
1450 described above over public roads: \$44 flat, of which \$11.50
1451 shall be deposited into the General Revenue Fund.

1452 (c) A school bus used exclusively to transport pupils to
1453 and from school or school or church activities or functions
1454 within their own county: \$41 flat, of which \$11 shall be
1455 deposited into the General Revenue Fund.

1456 (d) A wrecker, as defined in s. 320.01, which is used to
1457 tow a vessel as defined in s. 327.02, a disabled, abandoned,
1458 stolen-recovered, or impounded motor vehicle as defined in s.
1459 320.01, or a replacement motor vehicle as defined in s. 320.01:
1460 \$41 flat, of which \$11 shall be deposited into the General



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1461 Revenue Fund.

1462 (e) A wrecker that is used to tow any nondisabled motor
1463 vehicle, a vessel, or any other cargo unless used as defined in
1464 paragraph (d), as follows:

1465 1. Gross vehicle weight of 10,000 pounds or more, but less
1466 than 15,000 pounds: \$118 flat, of which \$31 shall be deposited
1467 into the General Revenue Fund.

1468 2. Gross vehicle weight of 15,000 pounds or more, but less
1469 than 20,000 pounds: \$177 flat, of which \$46 shall be deposited
1470 into the General Revenue Fund.

1471 3. Gross vehicle weight of 20,000 pounds or more, but less
1472 than 26,000 pounds: \$251 flat, of which \$65 shall be deposited
1473 into the General Revenue Fund.

1474 4. Gross vehicle weight of 26,000 pounds or more, but less
1475 than 35,000 pounds: \$324 flat, of which \$84 shall be deposited
1476 into the General Revenue Fund.

1477 5. Gross vehicle weight of 35,000 pounds or more, but less
1478 than 44,000 pounds: \$405 flat, of which \$105 shall be deposited
1479 into the General Revenue Fund.

1480 6. Gross vehicle weight of 44,000 pounds or more, but less
1481 than 55,000 pounds: \$772 flat, of which \$200 shall be deposited
1482 into the General Revenue Fund.

1483 7. Gross vehicle weight of 55,000 pounds or more, but less
1484 than 62,000 pounds: \$915 flat, of which \$237 shall be deposited
1485 into the General Revenue Fund.

1486 8. Gross vehicle weight of 62,000 pounds or more, but less
1487 than 72,000 pounds: \$1,080 flat, of which \$280 shall be
1488 deposited into the General Revenue Fund.

1489 9. Gross vehicle weight of 72,000 pounds or more: \$1,322



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1490 flat, of which \$343 shall be deposited into the General Revenue
1491 Fund.

1492 (f) A hearse or ambulance: \$40.50 flat, of which \$10.50
1493 shall be deposited into the General Revenue Fund.

1494 (6) MOTOR VEHICLES FOR HIRE.—

1495 (a) Under nine passengers: \$17 flat, of which \$4.50 shall
1496 be deposited into the General Revenue Fund; plus \$1.50 per cwt,
1497 of which 50 cents shall be deposited into the General Revenue
1498 Fund.

1499 (b) Nine passengers and over: \$17 flat, of which \$4.50
1500 shall be deposited into the General Revenue Fund; plus \$2 per
1501 cwt, of which 50 cents shall be deposited into the General
1502 Revenue Fund.

1503 (7) TRAILERS FOR PRIVATE USE.—

1504 (a) Any trailer weighing 500 pounds or less: \$6.75 flat per
1505 year or any part thereof, of which \$1.75 shall be deposited into
1506 the General Revenue Fund.

1507 (b) Net weight over 500 pounds: \$3.50 flat, of which \$1
1508 shall be deposited into the General Revenue Fund; plus \$1 per
1509 cwt, of which 25 cents shall be deposited into the General
1510 Revenue Fund.

1511 (8) TRAILERS FOR HIRE.—

1512 (a) Net weight under 2,000 pounds: \$3.50 flat, of which \$1
1513 shall be deposited into the General Revenue Fund; plus \$1.50 per
1514 cwt, of which 50 cents shall be deposited into the General
1515 Revenue Fund.

1516 (b) Net weight 2,000 pounds or more: \$13.50 flat, of which
1517 \$3.50 shall be deposited into the General Revenue Fund; plus
1518 \$1.50 per cwt, of which 50 cents shall be deposited into the



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1519 General Revenue Fund.
1520 (9) RECREATIONAL VEHICLE-TYPE UNITS.—
1521 (a) A travel trailer or fifth-wheel trailer, as defined by
1522 s. 320.01(1)(b), that does not exceed 35 feet in length: \$27
1523 flat, of which \$7 shall be deposited into the General Revenue
1524 Fund.
1525 (b) A camping trailer, as defined by s. 320.01(1)(b)2.:
1526 \$13.50 flat, of which \$3.50 shall be deposited into the General
1527 Revenue Fund.
1528 (c) A motor home, as defined by s. 320.01(1)(b)4.:
1529 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1530 \$7 shall be deposited into the General Revenue Fund.
1531 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1532 which \$12.25 shall be deposited into the General Revenue Fund.
1533 (d) A truck camper as defined by s. 320.01(1)(b)3.:
1534 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1535 \$7 shall be deposited into the General Revenue Fund.
1536 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1537 which \$12.25 shall be deposited into the General Revenue Fund.
1538 (e) A private motor coach as defined by s. 320.01(1)(b)5.:
1539 1. Net weight of less than 4,500 pounds: \$27 flat, of which
1540 \$7 shall be deposited into the General Revenue Fund.
1541 2. Net weight of 4,500 pounds or more: \$47.25 flat, of
1542 which \$12.25 shall be deposited into the General Revenue Fund.
1543 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
1544 35 FEET TO 40 FEET.—
1545 (a) Park trailers.—Any park trailer, as defined in s.
1546 320.01(1)(b)7.: \$25 flat.
1547 (b) A travel trailer or fifth-wheel trailer, as defined in



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1548 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.
1549 (11) MOBILE HOMES.—
1550 (a) A mobile home not exceeding 35 feet in length: \$20
1551 flat.
1552 (b) A mobile home over 35 feet in length, but not exceeding
1553 40 feet: \$25 flat.
1554 (c) A mobile home over 40 feet in length, but not exceeding
1555 45 feet: \$30 flat.
1556 (d) A mobile home over 45 feet in length, but not exceeding
1557 50 feet: \$35 flat.
1558 (e) A mobile home over 50 feet in length, but not exceeding
1559 55 feet: \$40 flat.
1560 (f) A mobile home over 55 feet in length, but not exceeding
1561 60 feet: \$45 flat.
1562 (g) A mobile home over 60 feet in length, but not exceeding
1563 65 feet: \$50 flat.
1564 (h) A mobile home over 65 feet in length: \$80 flat.
1565 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
1566 motor vehicle dealer, independent motor vehicle dealer, marine
1567 boat trailer dealer, or mobile home dealer and manufacturer
1568 license plate: \$17 flat, of which \$4.50 shall be deposited into
1569 the General Revenue Fund.
1570 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
1571 official license plate: \$4 flat, of which \$1 shall be deposited
1572 into the General Revenue Fund.
1573 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
1574 vehicle for hire operated wholly within a city or within 25
1575 miles thereof: \$17 flat, of which \$4.50 shall be deposited into
1576 the General Revenue Fund; plus \$2 per cwt, of which 50 cents



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1577 shall be deposited into the General Revenue Fund.

1578 (15) TRANSPORTER.—Any transporter license plate issued to a
1579 transporter pursuant to s. 320.133: \$101.25 flat, of which
1580 \$26.25 shall be deposited into the General Revenue Fund.

1581 Section 38. Subsection (1) of section 655.960, Florida
1582 Statutes, is amended to read:

1583 655.960 Definitions; ss. 655.960-655.965.—As used in this
1584 section and ss. 655.961-655.965, unless the context otherwise
1585 requires:

1586 (1) "Access area" means any paved walkway or sidewalk which
1587 is within 50 feet of any automated teller machine. The term does
1588 not include any street or highway open to the use of the public,
1589 as defined in s. 316.003(78) (a) or (b) ~~s. 316.003(77) (a) or (b)~~,
1590 including any adjacent sidewalk, as defined in s. 316.003.

1591 Section 39. This act shall take effect October 1, 2017.

1592
1593 ===== T I T L E A M E N D M E N T =====

1594 And the title is amended as follows:

1595 Delete everything before the enacting clause
1596 and insert:

1597 A bill to be entitled

1598 An act relating to the Department of Highway Safety
1599 and Motor Vehicles; amending s. 316.003, F.S.;
1600 defining the term "autocycle"; redefining the term
1601 "motorcycle"; conforming a cross-reference; amending
1602 ss. 316.2397 and 316.2398, F.S.; prohibiting vehicles
1603 or equipment from showing or displaying red and white
1604 lights while being driven or moved; authorizing
1605 firefighters to use or display red and white lights



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1606 under certain circumstances; authorizing active
1607 volunteer firefighters to display red and white
1608 warning signals under certain circumstances; amending
1609 s. 316.302, F.S.; revising provisions relating to
1610 federal regulations to which owners and drivers of
1611 commercial motor vehicles are subject; delaying the
1612 requirement for electronic logging devices for
1613 intrastate motor carriers; terminating the maximum
1614 amount of a civil penalty for falsification of
1615 information on certain time records; deleting the
1616 requirement that a motor carrier maintain
1617 documentation of a driver's driving times throughout a
1618 duty period if the driver is not released from duty
1619 within a specified period; providing an exemption from
1620 specified rules and regulations for a person who
1621 operates a commercial motor vehicle with a declared
1622 gross vehicle weight, gross vehicle weight rating, and
1623 gross combined weight rating of less than a specified
1624 amount under certain circumstances; amending s.
1625 316.3025, F.S.; conforming provisions to changes made
1626 by the act; amending s. 316.614, F.S.; redefining the
1627 term "motor vehicle"; prohibiting a person from
1628 operating an autocycle unless certain safety belt or
1629 child restraint device requirements are met; amending
1630 s. 318.18, F.S.; changing the term "construction zone"
1631 to "work zone" as it relates to enhanced penalties for
1632 unlawful speed; amending s. 320.01, F.S.; redefining
1633 the term "apportionable vehicle"; redefining the term
1634 "motorcycle"; amending s. 320.02, F.S.; requiring an



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1635 application form for motor vehicle registration to
1636 include language authorizing a voluntary contribution
1637 to be distributed to Preserve Vision Florida, rather
1638 than to Prevent Blindness Florida; amending s. 320.03,
1639 F.S.; requiring tax collectors to provide motor
1640 vehicle registration services to residents of other
1641 counties; amending s. 320.06, F.S.; providing for
1642 future repeal of issuance of a certain annual license
1643 plate and cab card to a vehicle that has an
1644 apportioned registration; providing requirements,
1645 beginning on a specified date, for license plates, cab
1646 cards, and validation stickers for vehicles registered
1647 in accordance with the International Registration
1648 Plan; authorizing a worn or damaged license plate to
1649 be replaced at no charge under certain circumstances;
1650 amending s. 320.0605, F.S.; authorizing presentation
1651 of electronic documentation of certain information to
1652 a law enforcement officer or agent of the department;
1653 providing construction; providing liability; revising
1654 information required in such documentation; amending
1655 s. 320.0607, F.S.; providing an exemption, beginning
1656 on a specified date, of a certain fee for vehicles
1657 registered under the International Registration Plan;
1658 amending s. 320.08056, F.S.; deleting the American Red
1659 Cross, Donate Organs-Pass It On, St. Johns River, and
1660 Hispanic Achievers license plates; conforming cross-
1661 references; repealing s. 320.08058(31), (57), (69),
1662 and (70), F.S., relating to the American Red Cross,
1663 Donate Organs-Pass It On, St. Johns River, and



1664 Hispanic Achievers license plates, respectively;
1665 amending s. 320.08068, F.S.; requiring The Able Trust
1666 to distribute a specified percentage of annual use
1667 fees from motorcycle specialty license plates to
1668 Preserve Vision Florida, rather than to Prevent
1669 Blindness Florida; creating s. 320.0875, F.S.;
1670 providing for a motorcycle special license plate to be
1671 issued to a recipient of the Purple Heart; providing
1672 requirements for the plate; amending s. 320.089, F.S.;
1673 providing for a special license plate to be issued to
1674 a recipient of the Bronze Star; making technical
1675 changes; amending s. 320.133, F.S.; defining the term
1676 "transporter license plate eligible business";
1677 providing that a person is not eligible to purchase or
1678 renew a transporter license plate unless he or she
1679 provides certain proof that his or her business is a
1680 transporter license plate eligible business; providing
1681 application and insurance requirements for
1682 qualification as a transporter license plate eligible
1683 business; authorizing the department to issue a
1684 transporter license plate to an applicant who is not a
1685 licensed dealer and is qualified as a transporter
1686 license plate eligible business, under certain
1687 circumstances; providing that a transporter license
1688 plate is valid only for use on an unregistered motor
1689 vehicle in the possession of the transporter, subject
1690 to certain requirements; providing a criminal penalty
1691 for a person who sells or unlawfully possesses,
1692 distributes, or brokers a transporter license plate to



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1693 be attached to any vehicle; providing that transporter
1694 license plates are subject to cancellation by the
1695 department; providing a criminal penalty and
1696 disqualification from transporter license plate usage
1697 for a person who knowingly and willfully sells or
1698 unlawfully possesses, distributes, or brokers a
1699 transporter license plate to avoid registering a
1700 vehicle requiring registration, subject to certain
1701 requirements; providing recordkeeping requirements for
1702 a transporter license plate eligible business;
1703 providing a criminal penalty, cancellation of
1704 transporter license plates, and disqualification from
1705 future issuance of the plates for a violation of such
1706 recordkeeping requirements; requiring a transporter
1707 license plate issued under this section to be
1708 accompanied by registration and proof of insurance
1709 when attached to a motor vehicle; providing a criminal
1710 penalty and removal of the license plate for a person
1711 who fails to provide such documentation; providing an
1712 exemption to persons who contract with dealers and
1713 auctions to transport motor vehicles; conforming
1714 provisions to changes made by the act; providing that
1715 an initial registration or renewal issued under this
1716 section is valid for a specified period; requiring a
1717 license plate attached to a motor vehicle in violation
1718 of specified provision to be removed by a law
1719 enforcement officer and surrendered to the department
1720 by the law enforcement agency for cancellation;
1721 amending s. 320.27, F.S.; revising the definitions of



1722 "motor vehicle dealer" and "motor vehicle broker";
1723 making technical changes; amending s. 321.25, F.S.;
1724 providing for reimbursement to the department of
1725 tuition and other course expenses for certain training
1726 under certain circumstances; defining the term "other
1727 course expenses"; authorizing the department to
1728 institute a civil action under certain circumstances;
1729 authorizing the department to waive a person's
1730 requirement of reimbursement when the person
1731 terminates employment due to hardship or extenuating
1732 circumstances; amending s. 322.01, F.S.; conforming
1733 provisions to changes made by the act; amending s.
1734 322.03, F.S.; authorizing a person to operate an
1735 autocycle without a motorcycle endorsement; amending
1736 s. 322.051, F.S.; revising eligibility for a "D"
1737 designation on an identification card to include
1738 posttraumatic stress disorder or traumatic brain
1739 injury; amending s. 322.08, F.S.; requiring an
1740 application form for an original, renewal, or
1741 replacement driver license or identification card to
1742 include language authorizing a voluntary contribution
1743 to Preserve Vision Florida, rather than to Prevent
1744 Blindness Florida; amending s. 322.091, F.S.;
1745 requiring the department to make available, upon
1746 request, a report to each school district of certain
1747 information for each student whose driving privileges
1748 have been suspended under this section; amending s.
1749 322.12, F.S.; requiring the tax collector to retain
1750 specified fees if a subsequent knowledge or skills



1751 test is administered by the tax collector; exempting
1752 the operation of an autocycle from certain examination
1753 requirements for licenses to operate motorcycles;
1754 amending 322.135, F.S.; requiring tax collectors to
1755 provide driver license services to residents of all
1756 counties; amending s. 322.17, F.S.; providing for
1757 replacement of a stolen identification card at no
1758 charge, subject to certain requirements; amending s.
1759 322.21, F.S.; deleting obsolete provisions; deleting a
1760 fee for certain specialty driver licenses or
1761 identification cards; providing disposition of
1762 specified fees for reinstatement of a driver license
1763 following a suspension, revocation, or
1764 disqualification when the reinstatement is processed
1765 by the department or the tax collector; requiring an
1766 applicant who submits an application for a renewal or
1767 replacement driver license or identification card to
1768 the department using a convenience service to be
1769 provided with an option for expedited shipping,
1770 subject to certain requirements; requiring a fee to be
1771 charged for the expedited shipping option, subject to
1772 certain requirements; providing for disposition of
1773 such fee; amending s. 322.61, F.S.; adding violations
1774 for texting or using a handheld mobile telephone while
1775 driving a commercial motor vehicle as specified
1776 offenses that, in certain circumstances, result in
1777 disqualification from operating a commercial motor
1778 vehicle for a specified period; providing
1779 applicability of certain changes made by the act;



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1780 amending ss. 212.05, 316.303, 316.545, 316.613,
1781 320.08, and 655.960, F.S.; conforming cross-
1782 references; providing an effective date.