

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

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1 A bill to be entitled
2 An act relating to transportation; amending s. 20.23,
3 F.S.; requiring the Department of Transportation to
4 consist of a central office that establishes policies
5 and procedures and districts that carry out projects
6 as authorized or required under the policies and
7 procedures of the central office; deleting the
8 requirement that the Secretary of Transportation be
9 appointed from among three persons nominated by the
10 Florida Transportation Commission; amending s.
11 316.003, F.S.; adding, deleting, and revising
12 definitions; amending s. 316.008, F.S.; authorizing a
13 mobile carrier to be operated on sidewalks and
14 crosswalks within a county or municipality when such
15 use is permissible under federal law; providing
16 construction; amending s. 316.0895, F.S.; providing
17 construction; deleting a provision relating to
18 prohibitions on certain vehicles following other
19 vehicles within 300 feet; repealing s. 316.0896, F.S.,
20 relating to the assistive truck platooning technology
21 pilot project; creating s. 316.0897, F.S.; authorizing
22 a platoon to be operated on a roadway in this state
23 after an operator takes specified actions; requiring
24 the Department of Transportation to adopt rules for
25 the issuance of permits for the operation of platoons,
26 subject to certain requirements; providing for the
27 future repeal of this section; amending s. 316.2071,
28 F.S.; authorizing a mobile carrier to operate on
29 sidewalks and crosswalks; providing that a mobile

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30 carrier operating on a sidewalk or crosswalk has all
31 the rights and duties applicable to a pedestrian under
32 the same circumstances, except that the mobile carrier
33 must not unreasonably interfere with pedestrians or
34 traffic and must yield the right-of-way to pedestrians
35 on the sidewalk or crosswalk; specifying requirements
36 for a mobile carrier; prohibiting a mobile carrier
37 from taking specified actions; amending s. 316.302,
38 F.S.; revising regulations to which owners and drivers
39 of commercial motor vehicles are subject; delaying the
40 requirement for electronic logging devices and support
41 documents for certain intrastate motor carriers;
42 deleting a limitation on a civil penalty for
43 falsification of certain time records; deleting a
44 requirement that a motor carrier maintain certain
45 documentation of driving times; providing an exemption
46 from specified provisions for a person who operates a
47 commercial motor vehicle having a certain gross
48 vehicle weight, gross vehicle weight rating, and gross
49 combined weight rating; deleting the exemption from
50 such provisions for a person transporting petroleum
51 products; amending s. 316.303, F.S.; conforming a
52 provision to changes made by the act; amending s.
53 316.85, F.S.; authorizing the Florida Turnpike
54 Enterprise to fund, construct, and operate test
55 facilities for the advancement of autonomous and
56 connected innovative transportation technology
57 solutions for specified purposes; amending s. 319.141,
58 F.S.; redefining the term "rebuilt inspection

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59 services"; deleting obsolete language; requiring the
60 Department of Highway Safety and Motor Vehicles to
61 ensure that an applicant of the pilot rebuilt motor
62 vehicle inspection program meets basic criteria
63 designed to protect the public before the applicant is
64 renewed; revising requirements for the applicant;
65 requiring the operator of a facility to annually make
66 certain attestations; prohibiting a program
67 participant from conducting an inspection of a vehicle
68 rebuilt before its purchase by the current applicant;
69 requiring that such vehicles be inspected by the
70 department; requiring any applicant that fails an
71 initial rebuilt inspection to have that vehicle
72 reinspected only by the department or the facility
73 that conducted the original inspection; prohibiting
74 any person or business authorized by the department to
75 train, certify, or recertify operators and inspectors
76 of private rebuilt motor vehicle inspection facilities
77 from certifying or recertifying themselves or any of
78 their employees; requiring the department to conduct
79 an onsite facility inspection at least twice a year;
80 requiring a current operator to give the department
81 certain notice of a transfer before any transfer of a
82 rebuilt inspection facility; requiring a transferee to
83 meet certain eligibility requirements and execute a
84 new memorandum of understanding with the department
85 before operating the facility; extending the date for
86 future repeal of this section; requiring the
87 department to submit a certain written report to the

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88 Legislature on or before a specified date; amending s.
89 319.32, F.S.; prohibiting the department and the tax
90 collector from charging any fee or service charge,
91 except for the expedited title fee, if applicable, for
92 a certificate of title issued for a motor vehicle to
93 transfer the title from a deceased owner to a
94 surviving parent or any surviving child, if the parent
95 or child is a resident of this state, the vehicle is
96 titled in this state before the transfer, and the
97 parent or child applies for the title transfer within
98 a specified period after the death of the owner;
99 amending s. 320.01, F.S.; revising definitions;
100 amending s. 320.02, F.S.; requiring the application
101 form for motor vehicle registration and renewal of
102 registration to include language permitting a
103 voluntary contribution of a specified amount per
104 applicant to aid in Alzheimer's and other related
105 dementia research; requiring such contributions to be
106 distributed to the Alzheimer's Association, Inc., for
107 the purpose of supporting research conducted in this
108 state; providing that a mobile carrier is not required
109 to satisfy specified registration and insurance
110 requirements; amending s. 320.03, F.S.; preempting to
111 the state jurisdiction over the electronic filing
112 system for use by authorized electronic filing system
113 agents to process title transactions, derelict motor
114 vehicle certificates, and certain certificates of
115 destruction for derelict and salvage motor vehicles;
116 authorizing an entity that, in the normal course of

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117 its business, processes title transactions, derelict
118 motor vehicle certificates, or certain certificates of
119 destruction for derelict or salvage motor vehicles and
120 meets all established requirements, to be an
121 authorized electronic filing system agent; prohibiting
122 such an entity from being precluded from participating
123 in the electronic filing system in any county;
124 deleting provisions requiring the department to adopt
125 certain rules to replace specified program standards;
126 authorizing the department to adopt certain rules;
127 amending s. 320.06, F.S.; requiring a vehicle that has
128 an apportioned registration to be issued, before a
129 specified date, an annual license plate and a cab card
130 denoting the declared gross vehicle weight; providing
131 requirements, beginning on a specified date, for
132 license plates, cab cards, and validation stickers for
133 vehicles registered in accordance with the
134 International Registration Plan; providing a specified
135 fee for initial and renewed validation stickers;
136 requiring the fee to be deposited into the Highway
137 Safety Operating Trust Fund; authorizing a damaged or
138 worn license plate to be replaced at no charge under
139 certain circumstances; providing an exception to the
140 design of dealer license plates for specialty license
141 plates; amending s. 320.0605, F.S.; requiring that the
142 department-authorized paper or electronic registration
143 certificate or an official copy and a true copy or an
144 electronic copy of rental or lease documentation
145 issued for a motor vehicle or issued for a replacement

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146 vehicle in the same registration period be in the
147 possession of the operator thereof or be carried in
148 the vehicle for which issued and be exhibited upon
149 demand of any authorized law enforcement officer or
150 any agent of the department; specifying that the act
151 of presenting to a law enforcement officer or agent of
152 the department an electronic device displaying an
153 electronic copy of rental or lease documentation does
154 not constitute consent for the officer or agent to
155 access any information on the device other than the
156 displayed rental or lease documentation; requiring the
157 person who presents the device to the officer or agent
158 to assume the liability for any resulting damage to
159 the device; providing that rental or lease
160 documentation that includes the date and time of
161 rental is sufficient to satisfy a specified
162 requirement; amending s. 320.0607, F.S.; providing an
163 exemption, beginning on a specified date, from a
164 certain fee for vehicles registered under the
165 International Registration Plan; amending s. 320.0657,
166 F.S.; providing an exception to the design of fleet
167 license plates for specialty license plates;
168 authorizing fleet companies to purchase specialty
169 license plates in lieu of the standard fleet license
170 plates for additional specified fees; requiring fleet
171 companies to be responsible for all costs associated
172 with the specialty license plate; amending s. 320.08,
173 F.S.; authorizing dealers to purchase specialty
174 license plates in lieu of the standard graphic dealer

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175 license plates for additional specified fees;
176 requiring dealers to be responsible for all costs
177 associated with the specialty license plate; amending
178 s. 320.08056, F.S.; allowing the department to
179 authorize dealer and fleet specialty license plates;
180 authorizing a dealer or fleet company to purchase
181 specialty license plates to be used on dealer and
182 fleet vehicles with the permission of the sponsoring
183 specialty license plate organization; requiring a
184 dealer or fleet specialty license plate to include
185 specified letters on the right side of the license
186 plate; requiring dealer and fleet specialty license
187 plates to be ordered directly through the department;
188 amending s. 320.131, F.S.; authorizing, beginning on a
189 specified date, the department to partner with a
190 county tax collector to conduct a Fleet Vehicle
191 Temporary Tag pilot program, subject to certain
192 requirements; providing for future repeal; amending s.
193 320.95, F.S.; authorizing the department to authorize
194 the format of an electronic certificate of
195 registration in addition to printing a paper
196 registration certificate; authorizing the operator to
197 present for inspection an electronic device displaying
198 a department-issued electronic certificate or
199 registration issued under certain circumstances;
200 providing that such presentation does not constitute
201 consent for inspection of any information on the
202 device other than the displayed certificate of
203 registration; providing that the person who presents

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204 the device to the officer assumes the liability for
205 any resulting damage to the device; amending s.
206 322.01, F.S.; providing definitions; amending s.
207 322.032, F.S.; directing the department to implement
208 protocols for issuing an optional electronic
209 credential and procure a related technology solution;
210 providing requirements for qualified entities;
211 requiring the department to maintain certain protocols
212 and national standards; requiring the department to
213 timely review and approve all electronic credential
214 provider requests for authorized access to certain
215 interfaces that meet the agency's requirements;
216 providing requirements for an electronic credential
217 provider and the electronic credential and
218 verification solution; requiring the department to
219 procure electronic credential providers and a
220 credential service provider; requiring the department
221 to enter into specified agreements with electronic
222 credential providers; requiring a report to the
223 Legislature and the Governor; requiring that the
224 department provide electronic credential providers
225 access to a standardized digital transaction process
226 that has specified capabilities; requiring that
227 certain revenue be deposited into the Motor Vehicle
228 License Clearing Trust Fund for distribution;
229 authorizing the department to assess a competitive
230 market rate fee structure; prohibiting certain fees;
231 requiring that an electronic credential be in a format
232 that allows certain entities to verify the

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233 authenticity of such electronic credential and to
234 validate certain privileges; providing that presenting
235 an electronic device displaying an electronic
236 credential does not constitute consent for a law
237 enforcement officer to access any other information on
238 such device; providing for the assumption of
239 liability; amending s. 322.059, F.S.; conforming a
240 provision to changes made by the act; amending s.
241 322.09, F.S.; providing that a caregiver of a minor
242 who is under a specified age and is in foster care
243 does not assume any obligation or become liable for
244 any damages caused by the negligence or willful
245 misconduct of the minor by reason of having signed the
246 minor's application for a learner's driver license;
247 requiring a caseworker to notify the caregiver of his
248 or her intent to sign and verify such application
249 before signing the application; amending s. 322.143,
250 F.S.; revising a definition; amending s. 322.15, F.S.;
251 conforming a provision to changes made by the act;
252 amending s. 322.38, F.S.; prohibiting a person from
253 renting a motor vehicle to another until he or she has
254 verified that the driver license of the person to whom
255 the vehicle is rented is unexpired; deleting the
256 requirement that a person renting a motor vehicle to
257 another keep a record of the date when the license of
258 the person to whom the vehicle is rented was issued;
259 specifying that a rental car company is deemed to have
260 met specified requirements when the rental car company
261 requires the renter to verify that he or she is duly

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262 licensed and that the license is unexpired if the
263 rental car company rents a motor vehicle to a person
264 through certain digital, electronic, or other means;
265 specifying when such verification may occur; amending
266 s. 322.61, F.S.; conforming a cross-reference;
267 amending s. 324.021, F.S.; revising the definition of
268 the term "motor vehicle"; amending s. 324.031, F.S.;
269 authorizing the owner or operator of a taxicab,
270 limousine, jitney, or any other for-hire passenger
271 transportation vehicle to prove financial
272 responsibility by providing satisfactory evidence of
273 holding a motor vehicle liability policy that is
274 provided by an insurer that is authorized to do
275 business in this state and a member of the Florida
276 Insurance Guaranty Association or an eligible
277 nonadmitted insurer that has a certain financial
278 strength rating by a rating agency acceptable to the
279 Office of Insurance Regulation of the Financial
280 Services Commission; amending s. 324.032, F.S.;
281 decreasing the minimum amount of taxicabs, limousines,
282 jitneys, or any other for-hire passenger
283 transportation vehicles that an owner or a lessee
284 operates in order to be able to provide financial
285 responsibility by complying with specified provisions,
286 subject to certain requirements; amending s. 338.166,
287 F.S.; revising provisions relating to express lane
288 toll amounts charged according to average travel
289 speed; providing that an express lane segment is the
290 distance between the customer's point of entry to the

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291 first available exit; providing that additional
292 segments are defined by the distance between
293 subsequent exits; amending s. 338.2216, F.S.; revising
294 provisions relating to express lane toll amounts
295 charged according to level of service; providing that
296 an express lane segment is the distance between the
297 customer's point of entry to the first available exit;
298 providing that additional segments are defined by the
299 distance between subsequent exits; deleting a
300 provision requiring a customer to be charged the
301 general toll lane toll amount plus an amount set by
302 department rule under certain circumstances; creating
303 s. 334.352, F.S.; prohibiting a local governmental
304 entity from preventing motor vehicle access to a
305 transportation facility or transportation corridor
306 under certain circumstances; amending s. 655.960,
307 F.S.; conforming a cross-reference; amending s.
308 812.014, F.S.; providing a criminal penalty for an
309 offender committing grand theft who uses a device to
310 interfere with a global positioning or similar system;
311 providing effective dates.

312

313 Be It Enacted by the Legislature of the State of Florida:

314

315 Section 1. Subsection (1) of section 20.23, Florida
316 Statutes, is amended to read:

317 20.23 Department of Transportation.—There is created a
318 Department of Transportation which shall be a decentralized
319 agency.

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320 (1) (a) The Department of Transportation shall consist of:

321 1. A central office, which establishes policies and
322 procedures; and

323 2. Districts, which carry out projects as authorized or
324 required under the policies and procedures of the central office
325 established pursuant to paragraph (3) (a).

326 (b) ~~(a)~~ The head of the Department of Transportation is the
327 Secretary of Transportation. The secretary shall be appointed by
328 the Governor, ~~from among three persons nominated by the Florida~~
329 ~~Transportation Commission and shall be~~ subject to confirmation
330 by the Senate. The secretary shall serve at the pleasure of the
331 Governor.

332 (c) ~~(b)~~ The secretary shall be a proven, effective
333 administrator who, by a combination of education and experience,
334 clearly possesses ~~shall clearly possess~~ a broad knowledge of the
335 administrative, financial, and technical aspects of the
336 development, operation, and regulation of transportation systems
337 and facilities or comparable systems and facilities.

338 (d) ~~(e)~~ The secretary shall provide to the Florida
339 Transportation Commission or its staff, ~~such assistance,~~
340 information, and documents as are requested by the commission or
341 its staff to enable the commission to fulfill its duties and
342 responsibilities.

343 (e) ~~(d)~~ The secretary may appoint up to three assistant
344 secretaries who shall be directly responsible to the secretary
345 and who shall perform such duties as are assigned by the
346 secretary. The secretary shall designate to an assistant
347 secretary the duties related to enhancing economic prosperity,
348 including, but not limited to, the responsibility of liaison

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349 with the head of economic development in the Executive Office of
350 the Governor. Such assistant secretary shall be directly
351 responsible for providing the Executive Office of the Governor
352 with investment opportunities and transportation projects that
353 expand the state's role as a global hub for trade and investment
354 and enhance the supply chain system in the state to process,
355 assemble, and ship goods to markets throughout the eastern
356 United States, Canada, the Caribbean, and Latin America. The
357 secretary may delegate to any assistant secretary the authority
358 to act in the absence of the secretary.

359 (f)~~(e)~~ Any secretary appointed after July 5, 1989, and the
360 assistant secretaries shall be exempt from the provisions of
361 part III of chapter 110 and shall receive compensation
362 commensurate with their qualifications and competitive with
363 compensation for comparable responsibility in the private
364 sector.

365 Section 2. Subsection (20) of section 316.003, Florida
366 Statutes, is amended, present subsections (21) through (37) of
367 that section are redesignated as subsections (20) through (36),
368 respectively, new subsections (37) and (52) are added to that
369 section, present subsections (52) through (99) of that section
370 are redesignated as subsections (53) through (100),
371 respectively, and subsections (40) and (51) and present
372 subsections (57) and (97) of that section are amended, to read:

373 316.003 Definitions.—The following words and phrases, when
374 used in this chapter, shall have the meanings respectively
375 ascribed to them in this section, except where the context
376 otherwise requires:

377 ~~(20) DRIVER ASSISTIVE TRUCK PLATOONING TECHNOLOGY. Vehicle~~

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378 ~~automation and safety technology that integrates sensor array,~~
379 ~~wireless vehicle-to-vehicle communications, active safety~~
380 ~~systems, and specialized software to link safety systems and~~
381 ~~synchronize acceleration and braking between two vehicles while~~
382 ~~leaving each vehicle's steering control and systems command in~~
383 ~~the control of the vehicle's driver in compliance with the~~
384 ~~National Highway Traffic Safety Administration rules regarding~~
385 ~~vehicle-to-vehicle communications.~~

386 (37) MOBILE CARRIER.—An electrically powered device that:

387 (a) Is operated on sidewalks and crosswalks and is intended
388 primarily for transporting property;

389 (b) Weighs less than 80 pounds, excluding cargo;

390 (c) Has a maximum speed of 12.5 mph; and

391 (d) Is equipped with a technology to transport personal
392 property with the active monitoring of a property owner, and
393 primarily designed to remain within 25 feet of the property
394 owner.

395
396 A mobile carrier is not considered a vehicle or personal
397 delivery device unless expressly defined by law as a vehicle or
398 personal delivery device.

399 (40) MOTOR VEHICLE.—Except when used in s. 316.1001, a
400 self-propelled vehicle not operated upon rails or guideway, but
401 not including any bicycle, motorized scooter, electric personal
402 assistive mobility device, mobile carrier, personal delivery
403 device, swamp buggy, or moped. For purposes of s. 316.1001,
404 "motor vehicle" has the same meaning as provided in s.
405 320.01(1)(a).

406 (51) PERSONAL DELIVERY DEVICE.—An electrically powered

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407 device that:

408 (a) Is operated on sidewalks and crosswalks and intended
409 primarily for transporting property;

410 (b) Weighs less than 100 ~~80~~ pounds, excluding cargo;

411 (c) Has a maximum speed of 10 miles per hour; and

412 (d) Is equipped with technology to allow for operation of
413 the device with or without the active control or monitoring of a
414 natural person.

415

416 A personal delivery device is not considered a vehicle unless
417 expressly defined by law as a vehicle. A mobile carrier is not
418 considered a personal delivery device.

419 (52) PLATOON.—A group of individual truck-tractor semi-
420 trailer combinations which do not require placards traveling in
421 a unified manner via wireless communications at electronically
422 coordinated speeds and following distances.

423 (58) ~~(57)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
424 provided in paragraph (80) (b) ~~(79) (b)~~, any privately owned way
425 or place used for vehicular travel by the owner and those having
426 express or implied permission from the owner, but not by other
427 persons.

428 (98) ~~(97)~~ VEHICLE.—Every device in, upon, or by which any
429 person or property is or may be transported or drawn upon a
430 highway, except personal delivery devices, mobile carriers, and
431 devices used exclusively upon stationary rails or tracks.

432 Section 3. Paragraph (b) of subsection (7) of section
433 316.008, Florida Statutes, is amended to read:

434 316.008 Powers of local authorities.—

435 (7)

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436 (b)1. Except as provided in subparagraph 2., a personal
437 delivery device and a mobile carrier may be operated on
438 sidewalks and crosswalks within a county or municipality when
439 such use is permissible under federal law. This paragraph does
440 not restrict a county or municipality from otherwise adopting
441 regulations for the safe operation of personal delivery devices
442 and mobile carriers.

443 2. A personal delivery device may not be operated on the
444 Florida Shared-Use Nonmotorized Trail Network created under s.
445 339.81 or components of the Florida Greenways and Trails System
446 created under chapter 260.

447 Section 4. Section 316.0895, Florida Statutes, is amended
448 to read:

449 316.0895 Following too closely.—

450 (1) The driver of a motor vehicle shall not follow another
451 vehicle more closely than is reasonable and prudent, having due
452 regard for the speed of such vehicles and the traffic upon, and
453 the condition of, the highway. This subsection may not be
454 construed to prevent overtaking and passing.

455 ~~(2) It is unlawful for the driver of any motor truck, motor~~
456 ~~truck drawing another vehicle, or vehicle towing another vehicle~~
457 ~~or trailer, when traveling upon a roadway outside of a business~~
458 ~~or residence district, to follow within 300 feet of another~~
459 ~~motor truck, motor truck drawing another vehicle, or vehicle~~
460 ~~towing another vehicle or trailer. The provisions of this~~
461 ~~subsection shall not be construed to prevent overtaking and~~
462 ~~passing nor shall the same apply upon any lane specially~~
463 ~~designated for use by motor trucks or other slow-moving~~
464 ~~vehicles.~~

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465 (2)~~(3)~~ Motor vehicles being driven upon any roadway outside
466 of a business or residence district in a caravan or motorcade,
467 whether or not towing other vehicles, shall be so operated as to
468 allow sufficient space between each such vehicle or combination
469 of vehicles as to enable any other vehicle to enter and occupy
470 such space without danger. This provision shall not apply to
471 funeral processions.

472 (3)~~(4)~~ A violation of this section is a noncriminal traffic
473 infraction, punishable as a moving violation as provided in
474 chapter 318.

475 Section 5. Section 316.0896, Florida Statutes, is repealed.

476 Section 6. Section 316.0897, Florida Statutes, is created
477 to read:

478 316.0897 Platoons.-

479 (1) A platoon may be operated on a roadway in this state
480 after an operator does all of the following:

481 (a) Provides notification to the Department of Highway
482 Safety and Motor Vehicles.

483 (b) Obtains a permit for such operation from the Department
484 of Transportation.

485 (2) The Department of Transportation shall adopt rules for
486 the issuance of permits for the operation of platoons. Such
487 rules shall be adopted in consultation with all interested
488 parties and must address all of the following:

489 (a) The safety of the traveling public.

490 (b) The preservation of infrastructure.

491 (c) Platooning technology.

492 (3) This section is repealed effective October 1, 2023,
493 unless reviewed and saved from repeal by the Legislature.

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494 Section 7. Section 316.2071, Florida Statutes, is amended
495 to read:

496 316.2071 Personal delivery devices and mobile carriers.—

497 (1) Notwithstanding any provision of law to the contrary, a
498 personal delivery device or mobile carrier may operate on
499 sidewalks and crosswalks, subject to s. 316.008(7)(b). A
500 personal delivery device or mobile carrier operating on a
501 sidewalk or crosswalk has all the rights and duties applicable
502 to a pedestrian under the same circumstances, except that the
503 personal delivery device or mobile carrier must not unreasonably
504 interfere with pedestrians or traffic and must yield the right-
505 of-way to pedestrians on the sidewalk or crosswalk.

506 (2) A personal delivery device and a mobile carrier must:

507 (a) Obey all official traffic and pedestrian control
508 signals and devices.

509 (b) For personal delivery devices, include a plate or
510 marker that has a unique identifying device number and
511 identifies the name and contact information of the personal
512 delivery device operator.

513 (c) Be equipped with a braking system that, when active or
514 engaged, enables the personal delivery device or mobile carrier
515 to come to a controlled stop.

516 (3) A personal delivery device and a mobile carrier may
517 not:

518 (a) Operate on a public highway except to the extent
519 necessary to cross a crosswalk.

520 (b) Operate on a sidewalk or crosswalk unless the personal
521 delivery device operator is actively controlling or monitoring
522 the navigation and operation of the personal delivery device or

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523 a property owner remains within 25 feet of the mobile carrier.

524 (c) Transport hazardous materials as defined in s. 316.003.

525 (4) A person who owns and operates a personal delivery
526 device in this state must maintain an insurance policy, on
527 behalf of himself or herself and his or her agents, which
528 provides general liability coverage of at least \$100,000 for
529 damages arising from the combined operations of personal
530 delivery devices under the entity's or agent's control.

531 Section 8. Subsection (1) and paragraphs (a), (c), (d), and
532 (f) of subsection (2) of section 316.302, Florida Statutes, are
533 amended to read:

534 316.302 Commercial motor vehicles; safety regulations;
535 transporters and shippers of hazardous materials; enforcement.—

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

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

541 (b) Except as otherwise provided in this section, all
542 owners or drivers of commercial motor vehicles that are engaged
543 in intrastate commerce are subject to the rules and regulations
544 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~
545 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~
546 ~~definition of bus,~~ as such rules and regulations existed on
547 December 31, 2017 ~~2012~~.

548 (c) The emergency exceptions provided by 49 C.F.R. s.
549 392.82 also apply to communications by utility drivers and
550 utility contractor drivers during a Level 1 activation of the
551 State Emergency Operations Center, as provided in the Florida

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552 Comprehensive Emergency Management plan, or during a state of
553 emergency declared by executive order or proclamation of the
554 Governor.

555 (d) Except as provided in ~~s. 316.215(5)~~, and ~~except as~~
556 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
557 requirements for intrastate operations, the requirements of this
558 section supersede all other safety requirements of this chapter
559 for commercial motor vehicles.

560 (e) For motor carriers engaged in intrastate commerce who
561 are not carrying hazardous materials in amounts that require
562 placards, the requirement for electronic logging devices and
563 hours of service support documents shall take effect December
564 31, 2018.

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

570 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
571 operates a commercial motor vehicle solely in intrastate
572 commerce not transporting any hazardous material in amounts that
573 require placarding pursuant to 49 C.F.R. part 172 may not drive
574 after having been on duty more than 70 hours in any period of 7
575 consecutive days or more than 80 hours in any period of 8
576 consecutive days if the motor carrier operates every day of the
577 week. Thirty-four consecutive hours off duty shall constitute
578 the end of any such period of 7 or 8 consecutive days. This
579 weekly limit does not apply to a person who operates a
580 commercial motor vehicle solely within this state while

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581 transporting, during harvest periods, any unprocessed
582 agricultural products or unprocessed food or fiber that is
583 subject to seasonal harvesting from place of harvest to the
584 first place of processing or storage or from place of harvest
585 directly to market or while transporting livestock, livestock
586 feed, or farm supplies directly related to growing or harvesting
587 agricultural products. Upon request of the Department of Highway
588 Safety and Motor Vehicles, motor carriers shall furnish time
589 records or other written verification to that department so that
590 the Department of Highway Safety and Motor Vehicles can
591 determine compliance with this subsection. These time records
592 must be furnished to the Department of Highway Safety and Motor
593 Vehicles within 2 days after receipt of that department's
594 request. Falsification of such information is subject to a civil
595 penalty ~~not to exceed \$100. The provisions of This paragraph~~
596 does ~~de~~ not apply to operators of farm labor vehicles operated
597 during a state of emergency declared by the Governor or operated
598 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of
599 utility service vehicles as defined in 49 C.F.R. s. 395.2.

600 (d) A person who operates a commercial motor vehicle solely
601 in intrastate commerce not transporting any hazardous material
602 in amounts that require placarding pursuant to 49 C.F.R. part
603 172 within a 150 air-mile radius of the location where the
604 vehicle is based need not comply with 49 C.F.R. s. 395.8~~7~~ if the
605 requirements of 49 C.F.R. s. 395.1(e)(1)(ii), (iii)(A) and (C),
606 ~~395.1(e)(1)(iii) and (v) are met. If a driver is not released~~
607 ~~from duty within 12 hours after the driver arrives for duty, the~~
608 ~~motor carrier must maintain documentation of the driver's~~
609 ~~driving times throughout the duty period.~~

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610 (f) A person who operates a commercial motor vehicle having
611 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,
612 and gross combined weight rating of less than 26,001 pounds
613 solely in intrastate commerce and who is not transporting
614 hazardous materials in amounts that require placarding pursuant
615 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
616 ~~as defined in s. 376.301,~~ is exempt from subsection (1).
617 However, such person must comply with 49 C.F.R. parts 382, 392,
618 and 393, ~~and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.~~

619 Section 9. Subsection (3) of section 316.303, Florida
620 Statutes, is amended to read:

621 316.303 Television receivers.—

622 (3) This section does not prohibit the use of an electronic
623 display used in conjunction with a vehicle navigation system; an
624 electronic display used by an operator of a vehicle equipped
625 with autonomous technology, as defined in s. 316.003; or an
626 electronic display used by an operator of a platoon vehicle
627 ~~equipped and operating with driver assistive truck platooning~~
628 ~~technology,~~ as defined in s. 316.003.

629 Section 10. Subsection (3) is added to section 316.85,
630 Florida Statutes, to read:

631 316.85 Autonomous vehicles; operation.—

632 (3) The Florida Turnpike Enterprise may fund, construct,
633 and operate test facilities for the advancement of autonomous
634 and connected innovative transportation technology solutions for
635 the purposes of improving safety and decreasing congestion for
636 the traveling public and to otherwise advance the enterprise's
637 objectives as set forth under the Florida Transportation Code.

638 Section 11. Section 319.141, Florida Statutes, is amended

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639 to read:

640 319.141 Pilot rebuilt motor vehicle inspection program.—

641 (1) As used in this section, the term:

642 (a) "Facility" means a rebuilt motor vehicle inspection
643 facility authorized and operating under this section.

644 (b) "Rebuilt inspection services" means an examination of a
645 rebuilt vehicle and a properly endorsed certificate of title,
646 salvage certificate of title, or manufacturer's statement of
647 origin and an application for a rebuilt certificate of title, a
648 rebuilder's affidavit, a photograph of the junk or salvage
649 vehicle taken before repairs began, a photograph of the interior
650 driver and passenger sides of the vehicle if airbags were
651 previously deployed and replaced, receipts or invoices for all
652 major component parts, as defined in s. 319.30, and repairs
653 which were changed, and proof that notice of rebuilding of the
654 vehicle has been reported to the National Motor Vehicle Title
655 Information System.

656 (2) ~~By July 1, 2015,~~ The department shall oversee a pilot
657 program in Miami-Dade County to evaluate alternatives for
658 rebuilt inspection services offered by existing private sector
659 operators, including the continued use of private facilities,
660 the cost impact to consumers, and the potential savings to the
661 department.

662 (3) The department shall establish a memorandum of
663 understanding that allows private parties participating in the
664 pilot program to conduct rebuilt motor vehicle inspections and
665 specifies requirements for oversight, bonding and insurance,
666 procedures, and forms and requires the electronic transmission
667 of documents.

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668 (4) Before an applicant is approved or renewed, the
669 department shall ensure that the applicant meets basic criteria
670 designed to protect the public. At a minimum, the applicant
671 shall meet all of the following requirements:

672 (a) Have and maintain a surety bond or irrevocable letter
673 of credit in the amount of \$100,000 executed by the applicant.

674 (b) Secure and maintain a facility at a permanent fixed
675 structure which has ~~at~~ an address identified by a county-issued
676 tax folio number and recognized by the United States Postal
677 Service where the only services provided on such property are
678 rebuilt inspection services. The operator of a facility shall
679 annually attest that:

680 1. He or she is not employed by or does not have an
681 ownership interest in or other financial arrangement with the
682 owner, operator, manager, or employee of a motor vehicle repair
683 shop as defined in s. 559.903, a motor vehicle dealer as defined
684 in s. 320.27(1)(c), a towing company, a vehicle storage company,
685 a vehicle auction, an insurance company, a salvage yard, a metal
686 retailer, or a metal rebuilder, from which he or she receives
687 remuneration, directly or indirectly, for the referral of
688 customers for rebuilt inspection services;

689 2. There have been no changes to the ownership structure of
690 the approved facility; and

691 3. The only services being provided by the operator of the
692 facility at the property are rebuilt vehicle inspection services
693 approved by the department.

694 (c) Have and maintain garage liability and other insurance
695 required by the department.

696 (d) Have completed criminal background checks of the

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697 owners, partners, and corporate officers and the inspectors
698 employed by the facility.

699 (e) Have a designated office and customer waiting area that
700 is separate from and not within view of the vehicle inspection
701 area. The vehicle inspection area must be capable of
702 accommodating all vehicle types and must be equipped with
703 cameras allowing the department to view and monitor every
704 inspection.

705 (f)~~(e)~~ Meet any additional criteria the department
706 determines necessary to conduct proper inspections.

707 (5) A participant in the program shall access vehicle and
708 title information and enter inspection results through an
709 electronic filing system authorized by the department and shall
710 maintain records of each rebuilt vehicle inspection processed at
711 such facility for at least 5 years.

712 (6) A participant in the program may not conduct an
713 inspection of a vehicle rebuilt before its purchase by the
714 current applicant. Such vehicles must be inspected by the
715 department.

716 (7) Any applicant for a rebuilt title that fails an initial
717 rebuilt inspection may have that vehicle reinspected only by the
718 department or the facility that conducted the original
719 inspection.

720 (8) Any person or business authorized by the department to
721 train, certify, or recertify operators and inspectors of private
722 rebuilt motor vehicle inspection facilities may not certify or
723 recertify themselves or any of their employees.

724 (9)~~(6)~~ The department shall conduct an onsite facility
725 inspection at least twice a year and shall immediately terminate

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726 any operator from the program who fails to meet the minimum
727 eligibility requirements specified in subsection (4). Before any
728 a change in ownership or transfer of a rebuilt inspection
729 facility, the current operator must give the department 45 days'
730 written notice of the intended sale or transfer. The prospective
731 owner or transferee must meet the eligibility requirements of
732 this section and execute a new memorandum of understanding with
733 the department before operating the facility.

734 (10)(7) This section is repealed on July 1, 2020 ~~2018~~,
735 unless saved from repeal through reenactment by the Legislature.
736 On or before January 1, 2019, the department shall submit a
737 written report to President of the Senate and Speaker of the
738 House of Representatives evaluating the current program and the
739 benefits to the consumer and the department.

740 Section 12. Subsection (7) of section 319.32, Florida
741 Statutes, is amended to read:

742 319.32 Fees; service charges; disposition.-

743 (7) Notwithstanding any other provision of this section,
744 the department and tax collector may not charge any fee or
745 service charge, except for the expedited title fee, if
746 applicable, for a certificate of title issued for a motor
747 vehicle ~~solely~~ to:

748 (a) Remove a deceased coowner from a title registered in
749 the names of two persons if the other coowner is the surviving
750 spouse; or

751 (b) Transfer the title from a deceased owner to a surviving
752 parent or any surviving child, if the parent or child is a
753 resident of this state, the vehicle is titled in this state
754 before the transfer, and the parent or child applies for the

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755 title transfer within 30 days after the death of the owner.

756 Section 13. Paragraph (a) of subsection (1) and subsection
757 (24) of section 320.01, Florida Statutes, are amended to read:

758 320.01 Definitions, general.—As used in the Florida
759 Statutes, except as otherwise provided, the term:

760 (1) "Motor vehicle" means:

761 (a) An automobile, motorcycle, truck, trailer, semitrailer,
762 truck tractor and semitrailer combination, or any other vehicle
763 operated on the roads of this state, used to transport persons
764 or property, and propelled by power other than muscular power,
765 but the term does not include traction engines, road rollers,
766 personal delivery devices and mobile carriers as defined in s.
767 316.003, special mobile equipment as defined in s. 316.003,
768 vehicles that run only upon a track, bicycles, swamp buggies, or
769 mopeds.

770 (24) "Apportionable vehicle" means any vehicle, except
771 recreational vehicles, vehicles displaying restricted plates,
772 city pickup and delivery vehicles, ~~buses used in transportation~~
773 ~~of chartered parties,~~ and government-owned vehicles, which is
774 used or intended for use in two or more member jurisdictions
775 that allocate or proportionally register vehicles and which is
776 used for the transportation of persons for hire or is designed,
777 used, or maintained primarily for the transportation of property
778 and:

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

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

783 (c) Is used in combination, when the weight of such

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784 combination exceeds 26,000 pounds gross vehicle weight.

785

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

789 Section 14. Paragraph (v) is added to subsection (15) of
790 section 320.02, Florida Statutes, and subsection (19) of that
791 section is amended, to read:

792 320.02 Registration required; application for registration;
793 forms.—

794 (15)

795 (v) Notwithstanding s. 320.023, the application form for
796 motor vehicle registration and renewal of registration must
797 include language permitting a voluntary contribution of \$1 per
798 applicant to aid in Alzheimer's and other related dementia
799 research. Contributions made pursuant to this paragraph shall be
800 distributed to the Alzheimer's Association, Inc., for the
801 purpose of supporting research conducted in this state.

802

803 For the purpose of applying the service charge provided in s.
804 215.20, contributions received under this subsection are not
805 income of a revenue nature.

806 (19) A personal delivery device and a mobile carrier as
807 defined in s. 316.003 are ~~is~~ not required to satisfy the
808 registration and insurance requirements of this section.

809 Section 15. Effective January 1, 2019, subsection (10) of
810 section 320.03, Florida Statutes, is amended to read:

811 320.03 Registration; duties of tax collectors;
812 International Registration Plan.—

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813 (10) Jurisdiction over the electronic filing system for use
814 by authorized electronic filing system agents to electronically
815 title or register motor vehicles, vessels, mobile homes, or off-
816 highway vehicles; process title transactions, derelict motor
817 vehicle certificates, and certificates of destruction for
818 derelict and salvage motor vehicles pursuant to s. 319.30(2),
819 (3), (7), and (8); issue or transfer registration license plates
820 or decals; electronically transfer fees due for the title and
821 registration process; and perform inquiries for title,
822 registration, and lienholder verification and certification of
823 service providers is expressly preempted to the state, and the
824 department shall have regulatory authority over the system. The
825 electronic filing system shall be available for use statewide
826 and applied uniformly throughout the state. An entity that, in
827 the normal course of its business, sells products that must be
828 titled or registered; ~~7~~ provides title and registration services
829 on behalf of its consumers; or processes title transactions,
830 derelict motor vehicle certificates, or certificates of
831 destruction for derelict or salvage motor vehicles pursuant to
832 s. 319.30(2), (3), (7), or (8); and meets all established
833 requirements may be an authorized electronic filing system agent
834 and shall not be precluded from participating in the electronic
835 filing system in any county. Upon request from a qualified
836 entity, the tax collector shall appoint the entity as an
837 authorized electronic filing system agent for that county. ~~The~~
838 ~~department shall adopt rules in accordance with chapter 120 to~~
839 ~~replace the December 10, 2009, program standards and to~~
840 ~~administer the provisions of this section, including, but not~~
841 ~~limited to, establishing participation requirements,~~

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842 ~~certification of service providers, electronic filing system~~
843 ~~requirements, and enforcement authority for noncompliance. The~~
844 ~~December 10, 2009, program standards, excluding any standards~~
845 ~~which conflict with this subsection, shall remain in effect~~
846 ~~until the rules are adopted.~~ An authorized electronic filing
847 system agent may charge a fee to the customer for use of the
848 electronic filing system. The department may adopt rules to
849 administer this subsection, including, but not limited to, rules
850 establishing participation requirements, certification of
851 service providers, electronic filing system requirements,
852 disclosures, and enforcement authority for noncompliance.

853 Section 16. Paragraph (b) of subsection (1) and paragraph
854 (a) of subsection (3) of section 320.06, Florida Statutes, are
855 amended to read:

856 320.06 Registration certificates, license plates, and
857 validation stickers generally.—

858 (1)

859 (b)1. Registration license plates bearing a graphic symbol
860 and the alphanumeric system of identification shall be issued
861 for a 10-year period. At the end of the 10-year period, upon
862 renewal, the plate shall be replaced. The department shall
863 extend the scheduled license plate replacement date from a 6-
864 year period to a 10-year period. The fee for such replacement is
865 \$28, \$2.80 of which shall be paid each year before the plate is
866 replaced, to be credited toward the next \$28 replacement fee.
867 The fees shall be deposited into the Highway Safety Operating
868 Trust Fund. A credit or refund may not be given for any prior
869 years' payments of the prorated replacement fee if the plate is
870 replaced or surrendered before the end of the 10-year period,

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871 except that a credit may be given if a registrant is required by
872 the department to replace a license plate under s.
873 320.08056(8)(a). With each license plate, a validation sticker
874 shall be issued showing the owner's birth month, license plate
875 number, and the year of expiration or the appropriate renewal
876 period if the owner is not a natural person. The validation
877 sticker shall be placed on the upper right corner of the license
878 plate. The license plate and validation sticker shall be issued
879 based on the applicant's appropriate renewal period. The
880 registration period is 12 months, the extended registration
881 period is 24 months, and all expirations occur based on the
882 applicant's appropriate registration period.

883 2. Before October 1, 2019, a vehicle that has an
884 apportioned registration shall be issued an annual license plate
885 and a cab card denoting that denote the declared gross vehicle
886 weight for each apportioned jurisdiction in which the vehicle is
887 authorized to operate.

888 3. Beginning October 1, 2019, a vehicle registered in
889 accordance with the International Registration Plan shall be
890 issued a license plate for a 5-year period, an annual cab card
891 denoting the declared gross vehicle weight, and an annual
892 validation sticker showing the month and year of expiration. The
893 validation sticker shall be placed in the center of the license
894 plate. The license plate and validation sticker shall be issued
895 based on the applicant's appropriate renewal period. The fee for
896 the initial validation sticker and any renewed validation
897 sticker is \$28. This fee shall be deposited into the Highway
898 Safety Operating Trust Fund. A damaged or worn license plate may
899 be replaced at no charge by applying to the department and

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900 surrendering the current license plate.

901 ~~4.2.~~ In order to retain the efficient administration of the
902 taxes and fees imposed by this chapter, the 80-cent fee increase
903 in the replacement fee imposed by chapter 2009-71, Laws of
904 Florida, is negated as provided in s. 320.0804.

905 (3) (a) Registration license plates must be made of metal
906 specially treated with a retroreflection material, as specified
907 by the department. The registration license plate is designed to
908 increase nighttime visibility and legibility and must be at
909 least 6 inches wide and not less than 12 inches in length,
910 unless a plate with reduced dimensions is deemed necessary by
911 the department to accommodate motorcycles, mopeds, or similar
912 smaller vehicles. Validation stickers must also be treated with
913 a retroreflection material, must be of such size as specified by
914 the department, and must adhere to the license plate. The
915 registration license plate must be imprinted with a combination
916 of bold letters and numerals or numerals, not to exceed seven
917 digits, to identify the registration license plate number. The
918 license plate must be imprinted with the word "Florida" at the
919 top and the name of the county in which it is sold, the state
920 motto, or the words "Sunshine State" at the bottom. Apportioned
921 license plates must have the word "Apportioned" at the bottom
922 and license plates issued for vehicles taxed under s.
923 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
924 the word "Restricted" at the bottom. License plates issued for
925 vehicles taxed under s. 320.08(12) must be imprinted with the
926 word "Florida" at the top and the word "Dealer" at the bottom
927 unless the license plate is a specialty license plate as
928 authorized in s. 320.08056. Manufacturer license plates issued

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929 for vehicles taxed under s. 320.08(12) must be imprinted with
930 the word "Florida" at the top and the word "Manufacturer" at the
931 bottom. License plates issued for vehicles taxed under s.
932 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at
933 the bottom. Any county may, upon majority vote of the county
934 commission, elect to have the county name removed from the
935 license plates sold in that county. The state motto or the words
936 "Sunshine State" shall be printed in lieu thereof. A license
937 plate issued for a vehicle taxed under s. 320.08(6) may not be
938 assigned a registration license number, or be issued with any
939 other distinctive character or designation, that distinguishes
940 the motor vehicle as a for-hire motor vehicle.

941 Section 17. Section 320.0605, Florida Statutes, is amended
942 to read:

943 320.0605 Certificate of registration; possession required;
944 exception.—

945 (1) (a) The department-authorized paper or electronic
946 registration certificate or an official copy thereof, a true
947 copy or an electronic copy of rental or lease documentation
948 issued for a motor vehicle or issued for a replacement vehicle
949 in the same registration period, a temporary receipt printed
950 upon self-initiated electronic renewal of a registration via the
951 Internet, or a cab card issued for a vehicle registered under
952 the International Registration Plan shall, at all times while
953 the vehicle is being used or operated on the roads of this
954 state, be in the possession of the operator thereof or be
955 carried in the vehicle for which issued and shall be exhibited
956 upon demand of any authorized law enforcement officer or any
957 agent of the department, except for a vehicle registered under

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958 s. 320.0657. ~~The provisions of~~ This section does ~~de~~ not apply
959 during the first 30 days after purchase of a replacement
960 vehicle. A violation of this section is a noncriminal traffic
961 infraction, punishable as a nonmoving violation as provided in
962 chapter 318.

963 (b)1. The act of presenting to a law enforcement officer or
964 agent of the department an electronic device displaying an
965 electronic copy of the registration certificate or the rental or
966 lease documentation does not constitute consent for the officer
967 or agent to access any information on the device other than the
968 displayed rental or lease documentation.

969 2. The person who presents the device to the officer or
970 agent assumes the liability for any resulting damage to the
971 device.

972 (2) Rental or lease documentation that is sufficient to
973 satisfy the requirement in subsection (1) includes the
974 following:

- 975 (a) ~~Date of rental~~ and time of ~~exit from rental facility~~;
- 976 (b) Rental station identification;
- 977 (c) Rental agreement number;
- 978 (d) Rental vehicle identification number;
- 979 (e) Rental vehicle license plate number and state of
980 registration;
- 981 (f) Vehicle's make, model, and color;
- 982 (g) Vehicle's mileage; and
- 983 (h) Authorized renter's name.

984 Section 18. Subsection (5) of section 320.0607, Florida
985 Statutes, is amended to read:

986 320.0607 Replacement license plates, validation decal, or

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987 mobile home sticker.-

988 (5) Upon the issuance of an original license plate, the
989 applicant shall pay a fee of \$28 to be deposited in the Highway
990 Safety Operating Trust Fund. Beginning October 1, 2019, this
991 subsection does not apply to a vehicle registered under the
992 International Registration Plan.

993 Section 19. Paragraph (b) of subsection (2) of section
994 320.0657, Florida Statutes, is amended to read:

995 320.0657 Permanent registration; fleet license plates.-

996 (2)

997 (b) The plates, which shall be of a distinctive color,
998 shall have the word "Fleet" appearing at the bottom and the word
999 "Florida" appearing at the top unless the license plate is a
1000 specialty license plate as authorized in s. 320.08056. The
1001 plates shall conform in all respects to the provisions of this
1002 chapter, except as specified herein. For additional fees as set
1003 forth in s. 320.08056, fleet companies may purchase specialty
1004 license plates in lieu of the standard fleet license plates.
1005 Fleet companies shall be responsible for all costs associated
1006 with the specialty license plate, including all annual use fees,
1007 processing fees, fees associated with switching license plate
1008 types, and any other applicable fees.

1009 Section 20. Subsection (12) of section 320.08, Florida
1010 Statutes, is amended to read:

1011 320.08 License taxes.-Except as otherwise provided herein,
1012 there are hereby levied and imposed annual license taxes for the
1013 operation of motor vehicles, mopeds, motorized bicycles as
1014 defined in s. 316.003(3), tri-vehicles as defined in s. 316.003,
1015 and mobile homes as defined in s. 320.01, which shall be paid to

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1016 and collected by the department or its agent upon the
1017 registration or renewal of registration of the following:

1018 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
1019 motor vehicle dealer, independent motor vehicle dealer, marine
1020 boat trailer dealer, or mobile home dealer and manufacturer
1021 license plate: \$17 flat, of which \$4.50 shall be deposited into
1022 the General Revenue Fund. For additional fees as set forth in s.
1023 320.08056, dealers may purchase specialty license plates in lieu
1024 of the standard graphic dealer license plates. Dealers shall be
1025 responsible for all costs associated with the specialty license
1026 plate, including all annual use fees, processing fees, fees
1027 associated with switching license plate types, and any other
1028 applicable fees.

1029 Section 21. Subsection (2) of section 320.08056, Florida
1030 Statutes, is amended to read:

1031 320.08056 Specialty license plates.—

1032 (2) (a) The department shall issue a specialty license plate
1033 to the owner or lessee of any motor vehicle, except a vehicle
1034 registered under the International Registration Plan, a
1035 commercial truck required to display two license plates pursuant
1036 to s. 320.0706, or a truck tractor, upon request and payment of
1037 the appropriate license tax and fees.

1038 (b) The department may authorize dealer and fleet specialty
1039 license plates. With the permission of the sponsoring specialty
1040 license plate organization, a dealer or fleet company may
1041 purchase specialty license plates to be used on dealer and fleet
1042 vehicles.

1043 (c) Notwithstanding s. 320.08058, a dealer or fleet
1044 specialty license plate must include the letters "DLR" or "FLT"

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1045 on the right side of the license plate. Dealer and fleet
1046 specialty license plates must be ordered directly through the
1047 department.

1048 Section 22. Subsection (10) is added to section 320.131,
1049 Florida Statutes, to read:

1050 320.131 Temporary tags.—

1051 (10) Beginning October 1, 2018, the department may partner
1052 with a county tax collector to conduct a Fleet Vehicle Temporary
1053 Tag pilot program to provide temporary tags to fleet companies
1054 to allow them to operate fleet vehicles awaiting a permanent
1055 registration and title.

1056 (a) The department shall establish a memorandum of
1057 understanding that allows a maximum of three companies to
1058 participate in the pilot program and receive multiple temporary
1059 tags for company fleet vehicles.

1060 (b) To participate in the program, a fleet company must
1061 have a minimum of 3,500 fleet vehicles registered in this state
1062 which qualify to be registered as fleet vehicles pursuant to s.
1063 320.0657.

1064 (c) The department may issue up to 50 temporary tags at a
1065 time to an eligible fleet company, if requested by such company.

1066 (d) The temporary tags are for exclusive use on a vehicle
1067 purchased for the company's fleet, and may not be used on any
1068 other vehicle.

1069 (e) Each temporary plate may be used on only one vehicle
1070 and each vehicle may only use one temporary plate.

1071 (f) Upon issuance of the vehicle's permanent license plate
1072 and registration, the temporary tag becomes invalid and must be
1073 removed from the vehicle and destroyed.

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1074 (g) Upon a finding by the department that a temporary tag
1075 has been misused by a fleet company under this program, the
1076 department may terminate the memorandum of understanding with
1077 the company, invalidate all temporary tags issued to the company
1078 under the program, and require such company to return any unused
1079 temporary tags.

1080 (h) This subsection is repealed on October 1, 2021, unless
1081 saved from repeal through reenactment by the Legislature.

1082 Section 23. Subsection (3) is added to section 320.95,
1083 Florida Statutes, to read:

1084 320.95 Transactions by electronic or telephonic means.—

1085 (3) The department may authorize the format of an
1086 electronic certificate of registration in addition to printing a
1087 paper registration certificate. If the paper certificate of
1088 registration is not available for inspection or is damaged or
1089 otherwise illegible, the operator may present for inspection an
1090 electronic device displaying a department-issued electronic
1091 certificate or registration issued pursuant to this section.
1092 Such presentation does not constitute consent for inspection of
1093 any information on the device other than the displayed
1094 certificate of registration. The person who presents the device
1095 to the officer assumes the liability for any resulting damage to
1096 the device.

1097 Section 24. Section 322.01, Florida Statutes, is amended to
1098 read:

1099 322.01 Definitions.—As used in this chapter:

1100 (1) "Actual weight" means the weight of a motor vehicle or
1101 motor vehicle combination plus the weight of the load carried on
1102 it, as determined at a fixed scale operated by the state or as

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1103 determined by use of a portable scale operated by a law
1104 enforcement officer.

1105 (2) "Alcohol" means any substance containing any form of
1106 alcohol including, but not limited to, ethanol, methanol,
1107 propanol, and isopropanol.

1108 (3) "Alcohol concentration" means:

1109 (a) The number of grams of alcohol per 100 milliliters of
1110 blood;

1111 (b) The number of grams of alcohol per 210 liters of
1112 breath; or

1113 (c) The number of grams of alcohol per 67 milliliters of
1114 urine.

1115 (4) "Authorized emergency vehicle" means a vehicle that is
1116 equipped with extraordinary audible and visual warning devices,
1117 that is authorized by s. 316.2397 to display red or blue lights,
1118 and that is on call to respond to emergencies. The term
1119 includes, but is not limited to, ambulances, law enforcement
1120 vehicles, fire trucks, and other rescue vehicles. The term does
1121 not include wreckers, utility trucks, or other vehicles that are
1122 used only incidentally for emergency purposes.

1123 (5) "Cancellation" means the act of declaring a driver
1124 license void and terminated.

1125 (6) "Color photographic driver license" means a color
1126 photograph of a completed driver license form meeting the
1127 requirements prescribed in s. 322.14.

1128 (7) "Commercial driver license" means a Class A, Class B,
1129 or Class C driver license issued in accordance with the
1130 requirements of this chapter.

1131 (8) "Commercial motor vehicle" means any motor vehicle or

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1132 motor vehicle combination used on the streets or highways,
1133 which:

1134 (a) Has a gross vehicle weight rating of 26,001 pounds or
1135 more;

1136 (b) Is designed to transport more than 15 persons,
1137 including the driver; or

1138 (c) Is transporting hazardous materials and is required to
1139 be placarded in accordance with 49 C.F.R. part 172, subpart F.

1140

1141 A vehicle that occasionally transports personal property to and
1142 from a closed-course motorsport facility, as defined in s.
1143 549.09(1)(a), is not a commercial motor vehicle if the use is
1144 not for profit and corporate sponsorship is not involved. As
1145 used in this subsection, the term "corporate sponsorship" means
1146 a payment, donation, gratuity, in-kind service, or other benefit
1147 provided to or derived by a person in relation to the underlying
1148 activity, other than the display of product or corporate names,
1149 logos, or other graphic information on the property being
1150 transported.

1151 (9) "Controlled substance" means any substance classified
1152 as such under 21 U.S.C. s. 802(6), Schedules I-V of 21 C.F.R.
1153 part 1308, or chapter 893.

1154 (10) "Convenience service" means any means whereby an
1155 individual conducts a transaction with the department other than
1156 in person.

1157 (11)(a) "Conviction" means a conviction of an offense
1158 relating to the operation of motor vehicles on highways which is
1159 a violation of this chapter or any other such law of this state
1160 or any other state, including an admission or determination of a

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1161 noncriminal traffic infraction pursuant to s. 318.14, or a
1162 judicial disposition of an offense committed under any federal
1163 law substantially conforming to the aforesaid state statutory
1164 provisions.

1165 (b) Notwithstanding any other provisions of this chapter,
1166 the definition of "conviction" provided in 49 C.F.R. s. 383.5
1167 applies to offenses committed in a commercial motor vehicle or
1168 by a person holding a commercial driver license.

1169 (12) "Court" means any tribunal in this state or any other
1170 state, or any federal tribunal, which has jurisdiction over any
1171 civil, criminal, traffic, or administrative action.

1172 (13) "Credential service provider" means an electronic
1173 credential provider competitively procured by the department to
1174 supply secure credential services based on open standards for
1175 identity management and verification to qualified entities.

1176 (14) "Declared weight" means the maximum loaded weight
1177 declared for purposes of registration, pursuant to chapter 320.

1178 (15)~~(14)~~ "Department" means the Department of Highway
1179 Safety and Motor Vehicles acting directly or through its duly
1180 authorized representatives.

1181 (16) "Digital identity verifier" means a public or private
1182 entity that consumes the identity management services provided
1183 by the credential service provider.

1184 (17)~~(15)~~ "Disqualification" means a prohibition, other than
1185 an out-of-service order, that precludes a person from driving a
1186 commercial motor vehicle.

1187 (18)~~(16)~~ "Drive" means to operate or be in actual physical
1188 control of a motor vehicle in any place open to the general
1189 public for purposes of vehicular traffic.

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1190 (19)~~(17)~~ "Driver license" means a certificate that, subject
1191 to all other requirements of law, authorizes an individual to
1192 drive a motor vehicle and denotes an operator's license as
1193 defined in 49 U.S.C. s. 30301.

1194 (20) "Electronic" means relating to technology having
1195 electrical, digital, magnetic, wireless, optical,
1196 electromagnetic, or similar capabilities.

1197 (21) "Electronic credential" means an electronic
1198 representation of a physical driver license or identification
1199 card which is viewable on an electronic credential system and
1200 capable of being verified and authenticated.

1201 (22) "Electronic credential holder" means a person to whom
1202 an electronic credential has been issued.

1203 (23) "Electronic credential provider" means a qualified
1204 entity contracted with the department to provide electronic
1205 credentials to electronic credential holders.

1206 (24) "Electronic credential system" means a computer system
1207 used to display or transmit electronic credentials to a person
1208 or verification system and that may be accessed using an
1209 electronic device.

1210 (25) "Electronic device" means a device or a portion of a
1211 device that is designed for and capable of communicating across
1212 a computer network with other computers or devices for the
1213 purpose of transmitting, receiving, or storing data, including,
1214 but not limited to, a cellular telephone, tablet, or other
1215 portable device designed for and capable of communicating with
1216 or across a computer network, and is used to render an
1217 electronic credential.

1218 (26) "Electronic ID" means a technology solution by which a

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1219 qualified entity authenticates the identity of an individual
1220 receiving goods or services.

1221 (27)~~(18)~~ "Endorsement" means a special authorization which
1222 permits a driver to drive certain types of vehicles or to
1223 transport certain types of property or a certain number of
1224 passengers.

1225 (28)~~(19)~~ "Farmer" means a person who grows agricultural
1226 products, including aquacultural, horticultural, and forestry
1227 products, and, except as provided herein, employees of such
1228 persons. The term does not include employees whose primary
1229 purpose of employment is the operation of motor vehicles.

1230 (29)~~(20)~~ "Farm tractor" means a motor vehicle that is:

1231 (a) Operated principally on a farm, grove, or orchard in
1232 agricultural or horticultural pursuits and that is operated on
1233 the roads of this state only incidentally for transportation
1234 between the owner's or operator's headquarters and the farm,
1235 grove, or orchard or between one farm, grove, or orchard and
1236 another; or

1237 (b) Designed and used primarily as a farm implement for
1238 drawing plows, mowing machines, and other implements of
1239 husbandry.

1240 (30)~~(21)~~ "Felony" means any offense under state or federal
1241 law that is punishable by death or by a term of imprisonment
1242 exceeding 1 year.

1243 (31)~~(22)~~ "Foreign jurisdiction" means any jurisdiction
1244 other than a state of the United States.

1245 (32)~~(23)~~ "Gross vehicle weight rating" means the value
1246 specified by the manufacturer as the maximum loaded weight of a
1247 single, combination, or articulated vehicle.

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1248 (33)~~(24)~~ "Hazardous materials" means any material that has
1249 been designated as hazardous under 49 U.S.C. s. 5103 and is
1250 required to be placarded under subpart F of 49 C.F.R. part 172
1251 or any quantity of a material listed as a select agent or toxin
1252 in 42 C.F.R. part 73.

1253 (34)~~(25)~~ "Medical examiner's certificate" means a document
1254 substantially in accordance with the requirements of 49 C.F.R.
1255 s. 391.43.

1256 (35)~~(26)~~ "Motorcycle" means a motor vehicle powered by a
1257 motor with a displacement of more than 50 cubic centimeters,
1258 having a seat or saddle for the use of the rider, and designed
1259 to travel on not more than three wheels in contact with the
1260 ground, but excluding a tractor, tri-vehicle, or moped.

1261 (36)~~(27)~~ "Motor vehicle" means any self-propelled vehicle,
1262 including a motor vehicle combination, not operated upon rails
1263 or guideway, excluding vehicles moved solely by human power,
1264 motorized wheelchairs, and motorized bicycles as defined in s.
1265 316.003.

1266 (37)~~(28)~~ "Motor vehicle combination" means a motor vehicle
1267 operated in conjunction with one or more other vehicles.

1268 (38)~~(29)~~ "Narcotic drugs" means coca leaves, opium,
1269 isonipecaine, cannabis, and every substance neither chemically
1270 nor physically distinguishable from them, and any and all
1271 derivatives of same, and any other drug to which the narcotics
1272 laws of the United States apply, and includes all drugs and
1273 derivatives thereof known as barbiturates.

1274 (39)~~(30)~~ "Out-of-service order" means a prohibition issued
1275 by an authorized local, state, or Federal Government official
1276 which precludes a person from driving a commercial motor

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1277 vehicle.

1278 (40)~~(31)~~ "Owner" means the person who holds the legal title
1279 to a vehicle. However, if a vehicle is the subject of an
1280 agreement for the conditional sale or lease thereof with the
1281 right of purchase upon performance of the conditions stated in
1282 the agreement and with an immediate right of possession vested
1283 in the conditional vendee or lessee, or if a mortgagor of a
1284 vehicle is entitled to possession, such conditional vendee,
1285 lessee, or mortgagor is the owner for the purpose of this
1286 chapter.

1287 (41)~~(32)~~ "Passenger vehicle" means a motor vehicle designed
1288 to transport more than 15 persons, including the driver, or a
1289 school bus designed to transport more than 15 persons, including
1290 the driver.

1291 (42)~~(33)~~ "Permit" means a document authorizing the
1292 temporary operation of a motor vehicle within this state subject
1293 to conditions established in this chapter.

1294 (43) "Qualified entity" means a public or private entity
1295 which enters into a contract with the department, meets usage
1296 criteria, agrees to terms and conditions, and is authorized by
1297 the department to use the credential service provider for
1298 authentication and identification verification services.

1299 (44)~~(34)~~ "Resident" means a person who has his or her
1300 principal place of domicile in this state for a period of more
1301 than 6 consecutive months, has registered to vote, has made a
1302 statement of domicile pursuant to s. 222.17, or has filed for
1303 homestead tax exemption on property in this state.

1304 (45)~~(35)~~ "Restriction" means a prohibition against
1305 operating certain types of motor vehicles or a requirement that

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1306 a driver comply with certain conditions when driving a motor
1307 vehicle.

1308 (46)~~(36)~~ "Revocation" means the termination of a licensee's
1309 privilege to drive.

1310 (47)~~(37)~~ "School bus" means a motor vehicle that is
1311 designed to transport more than 15 persons, including the
1312 driver, and that is used to transport students to and from a
1313 public or private school or in connection with school
1314 activities, but does not include a bus operated by a common
1315 carrier in the urban transportation of school children. The term
1316 "school" includes all preelementary, elementary, secondary, and
1317 postsecondary schools.

1318 (48)~~(38)~~ "State" means a state or possession of the United
1319 States, and, for the purposes of this chapter, includes the
1320 District of Columbia.

1321 (49)~~(39)~~ "Street or highway" means the entire width between
1322 the boundary lines of a way or place if any part of that way or
1323 place is open to public use for purposes of vehicular traffic.

1324 (50)~~(40)~~ "Suspension" means the temporary withdrawal of a
1325 licensee's privilege to drive a motor vehicle.

1326 (51)~~(41)~~ "Tank vehicle" means a vehicle that is designed to
1327 transport any liquid or gaseous material within a tank either
1328 permanently or temporarily attached to the vehicle, if such tank
1329 has a designed capacity of 1,000 gallons or more.

1330 (52)~~(42)~~ "United States" means the 50 states and the
1331 District of Columbia.

1332 (53)~~(43)~~ "Vehicle" means every device in, upon, or by which
1333 any person or property is or may be transported or drawn upon a
1334 public highway or operated upon rails or guideway, except a

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1335 bicycle, motorized wheelchair, or motorized bicycle.

1336 (54)~~(44)~~ "Identification card" means a personal
1337 identification card issued by the department which conforms to
1338 the definition in 18 U.S.C. s. 1028(d).

1339 (55)~~(45)~~ "Temporary driver license" or "temporary
1340 identification card" means a certificate issued by the
1341 department which, subject to all other requirements of law,
1342 authorizes an individual to drive a motor vehicle and denotes an
1343 operator's license, as defined in 49 U.S.C. s. 30301, or a
1344 personal identification card issued by the department which
1345 conforms to the definition in 18 U.S.C. s. 1028(d) and denotes
1346 that the holder is permitted to stay for a short duration of
1347 time, as specified on the temporary identification card, and is
1348 not a permanent resident of the United States.

1349 (56)~~(46)~~ "Tri-vehicle" means an enclosed three-wheeled
1350 passenger vehicle that:

1351 (a) Is designed to operate with three wheels in contact
1352 with the ground;

1353 (b) Has a minimum unladen weight of 900 pounds;

1354 (c) Has a single, completely enclosed, occupant
1355 compartment;

1356 (d) Is produced in a minimum quantity of 300 in any
1357 calendar year;

1358 (e) Is capable of a speed greater than 60 miles per hour on
1359 level ground; and

1360 (f) Is equipped with:

1361 1. Seats that are certified by the vehicle manufacturer to
1362 meet the requirements of Federal Motor Vehicle Safety Standard
1363 No. 207, "Seating systems" (49 C.F.R. s. 571.207);

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1364 2. A steering wheel used to maneuver the vehicle;

1365 3. A propulsion unit located forward or aft of the enclosed
1366 occupant compartment;

1367 4. A seat belt for each vehicle occupant certified to meet
1368 the requirements of Federal Motor Vehicle Safety Standard No.
1369 209, "Seat belt assemblies" (49 C.F.R. s. 571.209);

1370 5. A windshield and an appropriate windshield wiper and
1371 washer system that are certified by the vehicle manufacturer to
1372 meet the requirements of Federal Motor Vehicle Safety Standard
1373 No. 205, "Glazing Materials" (49 C.F.R. s. 571.205) and Federal
1374 Motor Vehicle Safety Standard No. 104, "Windshield Wiping and
1375 Washing Systems" (49 C.F.R. s. 571.104); and

1376 6. A vehicle structure certified by the vehicle
1377 manufacturer to meet the requirements of Federal Motor Vehicle
1378 Safety Standard No. 216, "Rollover crush resistance" (49 C.F.R.
1379 s. 571.216).

1380 Section 25. Section 322.032, Florida Statutes, is amended
1381 to read:

1382 322.032 Electronic credential ~~Digital proof of driver~~
1383 ~~license.~~

1384 (1)(a) The department shall develop and implement ~~begin to~~
1385 ~~review and prepare for the development of a secure and uniform~~
1386 protocols which comply with national standards ~~system~~ for
1387 issuing an optional electronic credential. The department shall
1388 procure the related technology solution from the credential
1389 service provider that uses a revenue sharing model through a
1390 competitive solicitation process pursuant to s. 287.057 ~~digital~~
1391 ~~proof of driver license~~. The department may issue electronic
1392 credentials to persons who hold a Florida driver license or

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1393 identification card.

1394 (b) Qualified entities must have the technological
1395 capabilities necessary to integrate with the credential service
1396 provider. The department shall maintain the protocols and
1397 national standards necessary for a digital verifier or an
1398 electronic credential provider to request authorized access to
1399 an application programming interface, or appropriate
1400 technological tool of at least the same capabilities, necessary
1401 for such qualified entity to consume an electronic ID. The
1402 department shall timely review requests for authorized access
1403 and approve all requests by digital identity verifiers that meet
1404 the department's requirements.

1405 (c) The electronic credential provider must have the
1406 necessary technological capabilities to execute the
1407 authentication of an electronic credential across all states,
1408 jurisdictions, federal and state agencies, and municipalities.
1409 The electronic credential and verification solution must provide
1410 the standardized system integration necessary:

1411 1. For qualified entities to securely consume an electronic
1412 credential.

1413 2. For the production of a fully compliant electronic
1414 credential by electronic credential providers.

1415 3. To successfully ensure secure authentication and
1416 validation of data from disparate sources.

1417 (d) The department shall competitively procure at least two
1418 but no more than five ~~contract with one or more~~ electronic
1419 credential providers ~~private entities~~ to develop and implement
1420 an initial phase to provide a secure electronic credential a
1421 digital proof of driver license system. The department shall

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1422 enter into agreements with electronic credential providers that
1423 provide the permitted uses, terms and conditions, privacy
1424 policy, and uniform remittance terms relating to the consumption
1425 of an electronic credential. The department must competitively
1426 procure the credential service provider before the initial phase
1427 may begin. Upon completion of the initial phase, the department
1428 shall submit a report to the Governor, the President of the
1429 Senate, and the Speaker of the House of Representatives
1430 regarding the continued implementation and tools necessary to
1431 scale future phases.

1432 (2) (a) The department shall provide electronic credential
1433 providers access to a standardized digital transaction process
1434 that provides the proceeds of a completed financial transaction
1435 to the department at the point of sale. The standardized digital
1436 transaction process must enable electronic credential providers
1437 to direct through their electronic commerce workflow to a
1438 standardized checkout process and enable documentation of the
1439 electronic credential providers participating in a transaction.
1440 Revenue generated from use of the electronic credential system
1441 shall be deposited into the Motor Vehicle License Clearing Trust
1442 Fund for distribution pursuant to a legislative appropriation
1443 and department agreements with electronic credential providers.
1444 Electronic credential revenue shall be shared between the state
1445 and electronic credential providers.

1446 (b) The department may assess a competitive market rate fee
1447 structure for use of the credential service provider for any
1448 qualified entity to obtain an electronic ID. Revenue generated
1449 from use of the credential service provider by digital identity
1450 verifiers shall be shared between the state and the credential

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1451 service provider. Revenues shall be deposited into the Motor
1452 Vehicle License Clearing Trust Fund for distribution pursuant to
1453 department agreements with digital identity verifiers. Fees may
1454 not be charged to any state court, state governmental entity, or
1455 law enforcement agency.

1456 (3) (a) ~~(2)~~ The electronic credential ~~digital proof of driver~~
1457 license developed by the department or by an electronic
1458 credential provider ~~an entity~~ contracted by the department must
1459 be in such a format as to allow law enforcement or an authorized
1460 consumer to verify the authenticity of the electronic credential
1461 and the identity of the credential holder and to validate the
1462 status of any driving privileges associated with the electronic
1463 credential ~~digital proof of driver license~~. The department shall
1464 adhere to protocols and national standards ~~may adopt rules~~ to
1465 ensure valid authentication of electronic credentials ~~digital~~
1466 ~~driver licenses~~ by law enforcement.

1467 (b) The act of presenting to a law enforcement officer an
1468 electronic device displaying an electronic credential does not
1469 constitute consent for the officer to access any information on
1470 the device other than the electronic credential.

1471 (c) The person who presents the device to the officer
1472 assumes liability for any resulting damage to the device.

1473 (4) ~~(3)~~ A person may not be issued an electronic credential
1474 ~~a digital proof of driver license~~ until he or she has satisfied
1475 all of the requirements of this chapter for issuance of a
1476 physical driver license or identification card as provided in
1477 this chapter.

1478 (5) ~~(4)~~ A person who:

1479 (a) Manufactures a false electronic credential ~~digital~~

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1480 ~~proof of driver license~~ commits a felony of the third degree,
1481 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1482 (b) Possesses a false electronic credential ~~digital proof~~
1483 ~~of driver license~~ commits a misdemeanor of the second degree,
1484 punishable as provided in s. 775.082.

1485 Section 26. Section 322.059, Florida Statutes, is amended
1486 to read:

1487 322.059 Mandatory surrender of suspended driver license and
1488 registration.—A person whose driver license or registration has
1489 been suspended as provided in s. 322.058 must immediately return
1490 his or her driver license and registration to the Department of
1491 Highway Safety and Motor Vehicles. The department shall
1492 invalidate the electronic credential ~~digital proof of driver~~
1493 ~~license~~ issued pursuant to s. 322.032 for such person. If such
1494 person fails to return his or her driver license or
1495 registration, a law enforcement agent may seize the license or
1496 registration while the driver license or registration is
1497 suspended.

1498 Section 27. Subsection (4) of section 322.09, Florida
1499 Statutes, is amended to read:

1500 322.09 Application of minors; responsibility for negligence
1501 or misconduct of minor.—

1502 (4) Notwithstanding subsections (1) and (2), if a foster
1503 parent or caregiver of a minor who is under the age of 18 years
1504 and is in foster care as defined in s. 39.01, an authorized
1505 representative of a residential group home at which such a minor
1506 resides, the caseworker at the agency at which the state has
1507 placed the minor, or a guardian ad litem specifically authorized
1508 by the minor's caregiver to sign for a learner's driver license

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1509 signs the minor's application for a learner's driver license,
1510 that foster parent, caregiver, group home representative,
1511 caseworker, or guardian ad litem does not assume any obligation
1512 or become liable for any damages caused by the negligence or
1513 willful misconduct of the minor by reason of having signed the
1514 application. Before signing the application, the caseworker
1515 shall notify the foster parent, caregiver, or other responsible
1516 party of his or her intent to sign and verify the application.

1517 Section 28. Paragraph (c) of subsection (1) of section
1518 322.143, Florida Statutes, is amended to read:

1519 322.143 Use of a driver license or identification card.—

1520 (1) As used in this section, the term:

1521 (c) "Swipe" means the act of passing a driver license or
1522 identification card through a device that is capable of
1523 deciphering, in an electronically readable format, the
1524 information electronically encoded in a magnetic strip or bar
1525 code on the driver license or identification card or consuming
1526 an electronic credential.

1527 Section 29. Subsection (1) of section 322.15, Florida
1528 Statutes, is amended to read:

1529 322.15 License to be carried and exhibited on demand;
1530 fingerprint to be imprinted upon a citation.—

1531 (1) Every licensee shall have his or her driver license,
1532 which must be fully legible with no portion of such license
1533 faded, altered, mutilated, or defaced, in his or her immediate
1534 possession at all times when operating a motor vehicle and shall
1535 present or submit the same upon the demand of a law enforcement
1536 officer or an authorized representative of the department. A
1537 licensee may present or submit an electronic credential ~~a~~

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1538 ~~digital proof of driver license~~ as provided in s. 322.032 in
1539 lieu of a physical driver license.

1540 Section 30. Section 322.38, Florida Statutes, is amended to
1541 read:

1542 322.38 Renting motor vehicle to another.—

1543 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any
1544 other person unless the other ~~latter~~ person is ~~then~~ duly
1545 licensed~~7~~ or, if a nonresident, ~~he or she shall be licensed~~
1546 under the laws of the state or country of his or her residence,
1547 except a nonresident whose home state or country does not
1548 require that an operator be licensed.

1549 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to
1550 another until he or she has inspected the driver license of the
1551 person to whom the vehicle is to be rented~~7~~ and has ~~compared and~~
1552 verified that the driver license is unexpired ~~signature thereon~~
1553 ~~with the signature of such person written in his or her~~
1554 presence.

1555 (3) Every person renting a motor vehicle to another shall
1556 keep a record of the registration number of the motor vehicle so
1557 rented, the name, and address, and license number of the person
1558 to whom the vehicle is rented, ~~the number of the license of said~~
1559 ~~latter person,~~ and the ~~date and place when and where the said~~
1560 license was issued. Such record shall be open to inspection by
1561 any police officer~~7~~ or officer or employee of the department.

1562 (4) If a rental car company rents a motor vehicle to a
1563 person through digital, electronic, or other means that allows
1564 the renter to obtain possession of the motor vehicle without
1565 direct contact with an agent or employee of the rental car
1566 company, or if through use of such means the renter does not

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1567 execute a rental contract at the time he or she takes possession
1568 of the vehicle, the rental car company is deemed to have met the
1569 requirements of subsections (1) and (2) when the rental car
1570 company requires the renter to verify that he or she is duly
1571 licensed and that the license is unexpired. Such verification
1572 may occur at the time the renter enrolls in a membership
1573 program, master agreement, or other means of establishing use of
1574 the rental car company's services or at any time thereafter.

1575 Section 31. Subsection (4) of section 322.61, Florida
1576 Statutes, is amended to read:

1577 322.61 Disqualification from operating a commercial motor
1578 vehicle.—

1579 (4) Any person who is transporting hazardous materials as
1580 defined in s. 322.01(33) ~~s. 322.01(24)~~ shall, upon conviction of
1581 an offense specified in subsection (3), be disqualified from
1582 operating a commercial motor vehicle for a period of 3 years.
1583 The penalty provided in this subsection shall be in addition to
1584 any other applicable penalty.

1585 Section 32. Subsection (1) of section 324.021, Florida
1586 Statutes, is amended to read:

1587 324.021 Definitions; minimum insurance required.—The
1588 following words and phrases when used in this chapter shall, for
1589 the purpose of this chapter, have the meanings respectively
1590 ascribed to them in this section, except in those instances
1591 where the context clearly indicates a different meaning:

1592 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is
1593 designed and required to be licensed for use upon a highway,
1594 including trailers and semitrailers designed for use with such
1595 vehicles, except traction engines, road rollers, farm tractors,

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1596 power shovels, and well drillers, and every vehicle that is
1597 propelled by electric power obtained from overhead wires but not
1598 operated upon rails, but not including any personal delivery
1599 device or mobile carrier as defined in s. 316.003, bicycle, or
1600 moped. However, the term "motor vehicle" does not include a
1601 motor vehicle as defined in s. 627.732(3) when the owner of such
1602 vehicle has complied with the requirements of ss. 627.730-
1603 627.7405, inclusive, unless the provisions of s. 324.051 apply;
1604 and, in such case, the applicable proof of insurance provisions
1605 of s. 320.02 apply.

1606 Section 33. Section 324.031, Florida Statutes, is amended
1607 to read:

1608 324.031 Manner of proving financial responsibility.—The
1609 owner or operator of a taxicab, limousine, jitney, or any other
1610 for-hire passenger transportation vehicle may prove financial
1611 responsibility by providing satisfactory evidence of holding a
1612 motor vehicle liability policy as defined in s. 324.021(8) or s.
1613 324.151, which policy is provided by an insurer authorized to do
1614 business in this state ~~issued by an insurance carrier~~ which is a
1615 member of the Florida Insurance Guaranty Association or an
1616 eligible nonadmitted insurer that has a superior, excellent,
1617 exceptional, or equivalent financial strength rating by a rating
1618 agency acceptable to the Office of Insurance Regulation of the
1619 Financial Services Commission. The operator or owner of any
1620 other vehicle may prove his or her financial responsibility by:

1621 (1) Furnishing satisfactory evidence of holding a motor
1622 vehicle liability policy as defined in ss. 324.021(8) and
1623 324.151;

1624 (2) Furnishing a certificate of self-insurance showing a

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1625 deposit of cash in accordance with s. 324.161; or

1626 (3) Furnishing a certificate of self-insurance issued by
1627 the department in accordance with s. 324.171.

1628
1629 Any person, including any firm, partnership, association,
1630 corporation, or other person, other than a natural person,
1631 electing to use the method of proof specified in subsection (2)
1632 shall furnish a certificate of deposit equal to the number of
1633 vehicles owned times \$30,000, to a maximum of \$120,000; in
1634 addition, any such person, other than a natural person, shall
1635 maintain insurance providing coverage in excess of limits of
1636 \$10,000/20,000/10,000 or \$30,000 combined single limits, and
1637 such excess insurance shall provide minimum limits of
1638 \$125,000/250,000/50,000 or \$300,000 combined single limits.
1639 These increased limits shall not affect the requirements for
1640 proving financial responsibility under s. 324.032(1).

1641 Section 34. Subsection (2) of section 324.032, Florida
1642 Statutes, is amended to read:

1643 324.032 Manner of proving financial responsibility; for-
1644 hire passenger transportation vehicles.—Notwithstanding the
1645 provisions of s. 324.031:

1646 (2) An owner or a lessee who is required to maintain
1647 insurance under s. 324.021(9)(b) and who operates at least 150
1648 ~~300~~ taxicabs, limousines, jitneys, or any other for-hire
1649 passenger transportation vehicles may provide financial
1650 responsibility by complying with the provisions of s. 324.171,
1651 such compliance to be demonstrated by maintaining at its
1652 principal place of business an audited financial statement,
1653 prepared in accordance with generally accepted accounting

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1654 principles, and providing to the department a certification
 1655 issued by a certified public accountant that the applicant's net
 1656 worth is at least equal to the requirements of s. 324.171 as
 1657 determined by the Office of Insurance Regulation of the
 1658 Financial Services Commission, including claims liabilities in
 1659 an amount certified as adequate by a Fellow of the Casualty
 1660 Actuarial Society.

1661
 1662 Upon request by the department, the applicant must provide the
 1663 department at the applicant's principal place of business in
 1664 this state access to the applicant's underlying financial
 1665 information and financial statements that provide the basis of
 1666 the certified public accountant's certification. The applicant
 1667 shall reimburse the requesting department for all reasonable
 1668 costs incurred by it in reviewing the supporting information.
 1669 The maximum amount of self-insurance permissible under this
 1670 subsection is \$300,000 and must be stated on a per-occurrence
 1671 basis, and the applicant shall maintain adequate excess
 1672 insurance issued by an authorized or eligible insurer licensed
 1673 or approved by the Office of Insurance Regulation. All risks
 1674 self-insured shall remain with the owner or lessee providing it,
 1675 and the risks are not transferable to any other person, unless a
 1676 policy complying with subsection (1) is obtained.

1677 Section 35. Subsection (5) of section 338.166, Florida
 1678 Statutes, is amended to read:

1679 338.166 High-occupancy toll lanes or express lanes.—

1680 (5) ~~Effective July 1, 2018,~~ If the ~~a customer's~~ average
 1681 travel speed for a segment of trip ~~in~~ an express lane falls
 1682 below 40 miles per hour, the toll ~~customer must be~~ charged shall

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1683 be the segment's minimum ~~express lane~~ toll amount. An express
1684 lane segment is the distance between the customer's point of
1685 entry to the first available exit. Additional segments are
1686 defined by the distance between subsequent exits. A customer's
1687 ~~express lane average travel speed is his or her average travel~~
1688 ~~speed from the customer's entry point to the customer's exit~~
1689 ~~point.~~

1690 Section 36. Paragraphs (d) and (e) of subsection (1) of
1691 section 338.2216, Florida Statutes, are amended to read:

1692 338.2216 Florida Turnpike Enterprise; powers and
1693 authority.—

1694 (1)

1695 (d) The Florida Turnpike Enterprise shall pursue and
1696 implement new technologies and processes in its operations and
1697 collection of tolls and the collection of other amounts
1698 associated with road and infrastructure usage. Such technologies
1699 and processes must include, without limitation, video billing
1700 and variable pricing. The Florida Turnpike Enterprise may
1701 require the use of an electronic transponder interoperable with
1702 the department's electronic toll collection system for the use
1703 of express lanes on the turnpike system. Variable pricing may
1704 not be implemented in express lanes when the level of service in
1705 the express lane, determined in accordance with the criteria
1706 established by the Transportation Research Board Highway
1707 Capacity Manual (5th Edition, HCM 2010), as amended from time to
1708 time, is equal to level of service A. Variable pricing in
1709 express lanes when the level of service in the express lane is
1710 level of service B may only be implemented by charging the
1711 segment's general ~~toll lane~~ toll amount plus the segment's

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1712 ~~minimum toll~~ an amount set by department rule. An express lane
1713 segment is the distance between the customer's point of entry to
1714 the first available exit. Additional segments are defined by the
1715 distance between subsequent exits. Except as otherwise provided
1716 in this subsection, pricing in express lanes when the level of
1717 service is other than level of service A or level of service B
1718 may vary in the manner established by the Florida Turnpike
1719 Enterprise to manage congestion in the express lanes.

1720 ~~(e) Effective July 1, 2018, if a customer's average travel~~
1721 ~~speed for a trip in an express lane falls below 40 miles per~~
1722 ~~hour, the customer must be charged the general toll lane toll~~
1723 ~~amount plus an amount set by department rule. A customer's~~
1724 ~~express lane average travel speed is his or her average travel~~
1725 ~~speed from the customer's entry point to the customer's exit~~
1726 ~~point.~~

1727 Section 37. Section 334.352, Florida Statutes, is created
1728 to read:

1729 334.352 State university ingress and egress.—A local
1730 governmental entity may not prevent public motor vehicle use on
1731 or access to an existing transportation facility or
1732 transportation corridor as defined in s. 334.03 if that
1733 transportation facility or transportation corridor is the only
1734 point, or one of only two points, of ingress to and egress from
1735 a state university as defined in s. 1000.21 and regulated by the
1736 Board of Governors of the State University System as provided in
1737 s. 20.155.

1738 Section 38. Subsection (1) of section 655.960, Florida
1739 Statutes, is amended to read:

1740 655.960 Definitions; ss. 655.960-655.965.—As used in this

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1741 section and ss. 655.961-655.965, unless the context otherwise
1742 requires:

1743 (1) "Access area" means any paved walkway or sidewalk which
1744 is within 50 feet of any automated teller machine. The term does
1745 not include any street or highway open to the use of the public,
1746 as defined in s. 316.003(80)(a) or (b) ~~s. 316.003(79)(a) or (b)~~,
1747 including any adjacent sidewalk, as defined in s. 316.003.

1748 Section 39. Paragraph (a) of subsection (2) of section
1749 812.014, Florida Statutes, is amended to read:

1750 812.014 Theft.—

1751 (2)(a)1. If the property stolen is valued at \$100,000 or
1752 more or is a semitrailer that was deployed by a law enforcement
1753 officer; or

1754 2. If the property stolen is cargo valued at \$50,000 or
1755 more that has entered the stream of interstate or intrastate
1756 commerce from the shipper's loading platform to the consignee's
1757 receiving dock; or

1758 3. If the offender commits any grand theft and:

1759 a. In the course of committing the offense the offender
1760 uses a motor vehicle as an instrumentality, other than merely as
1761 a getaway vehicle, to assist in committing the offense and
1762 thereby damages the real property of another; or

1763 b. In the course of committing the offense the offender
1764 causes damage to the real or personal property of another in
1765 excess of \$1,000; or

1766 4. If the property stolen is cargo and in the course of
1767 committing the offense the offender uses any type of device to
1768 defeat, block, disable, jam, or interfere with a global
1769 positioning system or similar system designed to identify the

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1770 location of the cargo or the vehicle or trailer carrying the
1771 cargo,
1772
1773 the offender commits grand theft in the first degree, punishable
1774 as a felony of the first degree, as provided in s. 775.082, s.
1775 775.083, or s. 775.084.
1776 Section 40. Except as otherwise expressly provided in this
1777 act, this act shall take effect October 1, 2018.