

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Government Accountability  
 2 Committee

3 Representative Drake offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. New subsections (38) and (53) are added to  
 8 section 316.003, Florida Statutes, and present subsections (52)  
 9 through (99) of that section are redesignated as subsections  
 10 (54) through (101), respectively, and subsections (40) and (51)  
 11 and present subsections (57) and (97) of that section are  
 12 amended, to read:

13 316.003 Definitions.—The following words and phrases, when  
 14 used in this chapter, shall have the meanings respectively  
 15 ascribed to them in this section, except where the context  
 16 otherwise requires:

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17 (38) MOBILE CARRIER.—An electrically powered device that:

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

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

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

22 (d) Is equipped with a technology to transport personal  
23 property with the active monitoring of a property owner, and  
24 primarily designed to remain within 25 feet of the property  
25 owner.

26  
27 A mobile carrier is not considered a vehicle or personal  
28 delivery device unless expressly defined by law as a vehicle or  
29 personal delivery device.

30 (40) MOTOR VEHICLE.—Except when used in s. 316.1001, a  
31 self-propelled vehicle not operated upon rails or guideway, but  
32 not including any bicycle, motorized scooter, electric personal  
33 assistive mobility device, mobile carrier, personal delivery  
34 device, swamp buggy, or moped. For purposes of s. 316.1001,  
35 "motor vehicle" has the same meaning as provided in s.  
36 320.01(1)(a).

37 (51) PERSONAL DELIVERY DEVICE.—An electrically powered  
38 device that:

39 (a) Is operated on sidewalks and crosswalks and intended  
40 primarily for transporting property;

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

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

43 (d) Is equipped with technology to allow for operation of  
44 the device with or without the active control or monitoring of a  
45 natural person.

46  
47 A personal delivery device is not considered a vehicle unless  
48 expressly defined by law as a vehicle. A mobile carrier is not  
49 considered a personal delivery device.

50 (53) PLATOON.—A group of two individual truck tractor  
51 semi-trailer combinations, transporting property in quantities  
52 that do not require placards, traveling in a unified manner at  
53 electronically coordinated speeds at following distances that  
54 are closer than provided in s. 316.0895(2).

55 (59) ~~(57)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
56 provided in paragraph (80) (b) ~~(79) (b)~~, any privately owned way  
57 or place used for vehicular travel by the owner and those having  
58 express or implied permission from the owner, but not by other  
59 persons.

60 (99) ~~(97)~~ VEHICLE.—Every device in, upon, or by which any  
61 person or property is or may be transported or drawn upon a  
62 highway, except personal delivery devices, mobile carriers, and  
63 devices used exclusively upon stationary rails or tracks.

64 Section 2. Paragraph (b) of subsection (7) of section  
65 316.008, Florida Statutes, is amended to read:

66 316.008 Powers of local authorities.—

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67 (7)

68 (b)1. Except as provided in subparagraph 2., a personal  
69 delivery device and a mobile carrier may be operated on  
70 sidewalks and crosswalks within a county or municipality when  
71 such use is permissible under federal law. This paragraph does  
72 not restrict a county or municipality from otherwise adopting  
73 regulations for the safe operation of personal delivery devices  
74 and mobile carriers.

75 2. A personal delivery device may not be operated on the  
76 Florida Shared-Use Nonmotorized Trail Network created under s.  
77 339.81 or components of the Florida Greenways and Trails System  
78 created under chapter 260.

79 Section 3. Section 316.0896, Florida Statutes, is  
80 repealed.

81 Section 4. Section 316.0897, Florida Statutes, is created  
82 to read:

83 316.0897 Platoons.—

84 (1) Section 316.0895 does not apply to the operator of a  
85 nonlead vehicle in a platoon, as defined in s. 316.003.

86 (2) A platoon may be operated on a roadway in this state  
87 after an operator provides notification to the Department of  
88 Transportation and the Department of Highway Safety and Motor  
89 Vehicles.

90 Section 5. Section 316.2071, Florida Statutes, is amended  
91 to read:

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92 316.2071 Personal delivery devices and mobile carriers.-

93 (1) Notwithstanding any provision of law to the contrary,  
94 a personal delivery device or mobile carrier may operate on  
95 sidewalks and crosswalks, subject to s. 316.008(7)(b). A  
96 personal delivery device or mobile carrier operating on a  
97 sidewalk or crosswalk has all the rights and duties applicable  
98 to a pedestrian under the same circumstances, except that the  
99 personal delivery device or mobile carrier must not unreasonably  
100 interfere with pedestrians or traffic and must yield the right-  
101 of-way to pedestrians on the sidewalk or crosswalk.

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

103 (a) Obey all official traffic and pedestrian control  
104 signals and devices.

105 (b) For personal delivery devices, include a plate or  
106 marker that has a unique identifying device number and  
107 identifies the name and contact information of the personal  
108 delivery device operator.

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

112 (3) A personal delivery device and a mobile carrier may  
113 not:

114 (a) Operate on a public highway except to the extent  
115 necessary to cross a crosswalk.

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116 (b) Operate on a sidewalk or crosswalk unless the personal  
117 delivery device operator is actively controlling or monitoring  
118 the navigation and operation of the personal delivery device or  
119 a property owner remains within 25 feet of the mobile carrier.

120 (c) Transport hazardous materials as defined in s.  
121 316.003.

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

128 Section 6. Subsections (1) and (3) of section 316.2397,  
129 Florida Statutes, are amended to read:

130 316.2397 Certain lights prohibited; exceptions.—

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

137 (3) Vehicles of the fire department and fire patrol,  
138 including vehicles of volunteer firefighters as permitted under  
139 s. 316.2398, may show or display red or red and white lights.  
140 Vehicles of medical staff physicians or technicians of medical

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Bill No. CS/HB 1287 (2018)

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141 facilities licensed by the state as authorized under s.  
142 316.2398, ambulances as authorized under this chapter, and buses  
143 and taxicabs as authorized under s. 316.2399 may show or display  
144 red lights. Vehicles of the fire department, fire patrol, police  
145 vehicles, and such ambulances and emergency vehicles of  
146 municipal and county departments, public service corporations  
147 operated by private corporations, the Fish and Wildlife  
148 Conservation Commission, the Department of Environmental  
149 Protection, the Department of Transportation, the Department of  
150 Agriculture and Consumer Services, and the Department of  
151 Corrections as are designated or authorized by their respective  
152 department or the chief of police of an incorporated city or any  
153 sheriff of any county may operate emergency lights and sirens in  
154 an emergency. Wreckers, mosquito control fog and spray vehicles,  
155 and emergency vehicles of governmental departments or public  
156 service corporations may show or display amber lights when in  
157 actual operation or when a hazard exists provided they are not  
158 used going to and from the scene of operation or hazard without  
159 specific authorization of a law enforcement officer or law  
160 enforcement agency. Wreckers must use amber rotating or flashing  
161 lights while performing recoveries and loading on the roadside  
162 day or night, and may use such lights while towing a vehicle on  
163 wheel lifts, slings, or under reach if the operator of the  
164 wrecker deems such lights necessary. A flatbed, car carrier, or  
165 rollback may not use amber rotating or flashing lights when

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166 hauling a vehicle on the bed unless it creates a hazard to other  
167 motorists because of protruding objects. Further, escort  
168 vehicles may show or display amber lights when in the actual  
169 process of escorting oversized equipment, material, or  
170 buildings as authorized by law. Vehicles owned or leased by  
171 private security agencies may show or display green and amber  
172 lights, with either color being no greater than 50 percent of  
173 the lights displayed, while the security personnel are engaged  
174 in security duties on private or public property.

175 Section 7. Section 316.2398, Florida Statutes, is amended  
176 to read:

177 316.2398 Display or use of red or red and white warning  
178 signals; motor vehicles of volunteer firefighters or medical  
179 staff.—

180 (1) A privately owned vehicle belonging to an active  
181 firefighter member of a regularly organized volunteer  
182 firefighting company or association, while en route to the fire  
183 station for the purpose of proceeding to the scene of a fire or  
184 other emergency or while en route to the scene of a fire or  
185 other emergency in the line of duty as an active firefighter  
186 member of a regularly organized firefighting company or  
187 association, may display or use red or red and white warning  
188 signals. ~~or~~ A privately owned vehicle belonging to a medical  
189 staff physician or technician of a medical facility licensed by  
190 the state, while responding to an emergency in the line of duty,

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191 may display or use red warning signals. Warning signals must be  
192 visible from the front and from the rear of such vehicle,  
193 subject to the following restrictions and conditions:

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

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

198 (c) In order for an active volunteer firefighter to  
199 display such red or red and white warning signals on his or her  
200 vehicle, the volunteer firefighter must first secure a written  
201 permit from the chief executive officers of the firefighting  
202 organization to use the red or red and white warning signals,  
203 and this permit must be carried by the volunteer firefighter at  
204 all times while the red or red and white warning signals are  
205 displayed.

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

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

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216 station for the purpose of proceeding to the scene of a fire or  
217 other emergency, or while at or en route to the scene of a fire  
218 or other emergency, in the line of duty.

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

223 (5) A violation of this section is a nonmoving violation,  
224 punishable as provided in chapter 318. In addition, a any  
225 volunteer firefighter who violates this section shall be  
226 dismissed from membership in the firefighting organization by  
227 the chief executive officers thereof.

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

231 316.302 Commercial motor vehicles; safety regulations;  
232 transporters and shippers of hazardous materials; enforcement.-

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

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

238 (b) Except as otherwise provided in this section, all  
239 owners or drivers of commercial motor vehicles that are engaged  
240 in intrastate commerce are subject to the rules and regulations

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241 contained in 49 C.F.R. parts 382, 383, 385, and 390-397, ~~with~~  
242 ~~the exception of 49 C.F.R. s. 390.5 as it relates to the~~  
243 ~~definition of bus,~~ as such rules and regulations existed on  
244 December 31, 2017 ~~2012~~.

245 (c) The emergency exceptions provided by 49 C.F.R. s.  
246 392.82 also apply to communications by utility drivers and  
247 utility contractor drivers during a Level 1 activation of the  
248 State Emergency Operations Center, as provided in the Florida  
249 Comprehensive Emergency Management plan, or during a state of  
250 emergency declared by executive order or proclamation of the  
251 Governor.

252 (d) Except as provided in ~~s. 316.215(5), and except as~~  
253 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging  
254 requirements for intrastate operations, the requirements of this  
255 section supersede all other safety requirements of this chapter  
256 for commercial motor vehicles.

257 (e) For motor carriers engaged in intrastate commerce who  
258 are not carrying hazardous materials in amounts that require  
259 placards, the requirement for electronic logging devices and  
260 hours of service support documents shall take effect December  
261 31, 2018.

262 (2) (a) A person who operates a commercial motor vehicle  
263 solely in intrastate commerce not transporting any hazardous  
264 material in amounts that require placarding pursuant to 49

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265 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)  
266 and 395.3 ~~395.3(a) and (b)~~.

267 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
268 operates a commercial motor vehicle solely in intrastate  
269 commerce not transporting any hazardous material in amounts that  
270 require placarding pursuant to 49 C.F.R. part 172 may not drive  
271 after having been on duty more than 70 hours in any period of 7  
272 consecutive days or more than 80 hours in any period of 8  
273 consecutive days if the motor carrier operates every day of the  
274 week. Thirty-four consecutive hours off duty shall constitute  
275 the end of any such period of 7 or 8 consecutive days. This  
276 weekly limit does not apply to a person who operates a  
277 commercial motor vehicle solely within this state while  
278 transporting, during harvest periods, any unprocessed  
279 agricultural products or unprocessed food or fiber that is  
280 subject to seasonal harvesting from place of harvest to the  
281 first place of processing or storage or from place of harvest  
282 directly to market or while transporting livestock, livestock  
283 feed, or farm supplies directly related to growing or harvesting  
284 agricultural products. Upon request of the Department of Highway  
285 Safety and Motor Vehicles, motor carriers shall furnish time  
286 records or other written verification to that department so that  
287 the Department of Highway Safety and Motor Vehicles can  
288 determine compliance with this subsection. These time records  
289 must be furnished to the Department of Highway Safety and Motor

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290 Vehicles within 2 days after receipt of that department's  
291 request. Falsification of such information is subject to a civil  
292 penalty ~~not to exceed \$100. The provisions of~~ This paragraph  
293 does ~~de~~ not apply to operators of farm labor vehicles operated  
294 during a state of emergency declared by the Governor or operated  
295 pursuant to s. 570.07(21)~~7~~ and does ~~de~~ not apply to drivers of  
296 utility service vehicles as defined in 49 C.F.R. s. 395.2.

297 (d) A person who operates a commercial motor vehicle  
298 solely in intrastate commerce not transporting any hazardous  
299 material in amounts that require placarding pursuant to 49  
300 C.F.R. part 172 within a 150 air-mile radius of the location  
301 where the vehicle is based need not comply with 49 C.F.R. s.  
302 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),  
303 (iii)(A) and (C), 395.1(e)(1)(iii) and (v) are met. ~~If a driver~~  
304 ~~is not released from duty within 12 hours after the driver~~  
305 ~~arrives for duty, the motor carrier must maintain documentation~~  
306 ~~of the driver's driving times throughout the duty period.~~

307 (f) A person who operates a commercial motor vehicle  
308 having a ~~declared~~ gross vehicle weight, gross vehicle weight  
309 rating, and gross combined weight rating of less than 26,001  
310 pounds solely in intrastate commerce and who is not transporting  
311 hazardous materials in amounts that require placarding pursuant  
312 to 49 C.F.R. part 172~~7~~, ~~or who is transporting petroleum products~~  
313 ~~as defined in s. 376.3017~~, is exempt from subsection (1).

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314 However, such person must comply with 49 C.F.R. parts 382, 392,  
315 and 393~~7~~, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

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

318 316.303 Television receivers.—

319 (3) This section does not prohibit the use of an  
320 electronic display used in conjunction with a vehicle navigation  
321 system; an electronic display used by an operator of a vehicle  
322 equipped with autonomous technology, as defined in s. 316.003;  
323 or an electronic display used by an operator of a platoon or a  
324 vehicle equipped and operating with driver-assistive truck  
325 platooning technology, as defined in s. 316.003.

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

328 316.85 Autonomous vehicles; operation.—

329 (3) The Florida Turnpike Enterprise may fund, construct,  
330 and operate test facilities for the advancement of autonomous  
331 and connected innovative transportation technology solutions for  
332 the purposes of improving safety and decreasing congestion for  
333 the traveling public and to otherwise advance the enterprise's  
334 objectives as set forth under the Florida Transportation Code.

335 Section 11. Effective October 1, 2018, subsection (9) of  
336 section 318.14, Florida Statutes, is amended to read:

337 318.14 Noncriminal traffic infractions; exception;  
338 procedures.—

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339 (9) Any person who does not hold a commercial driver  
340 license or commercial learner's permit and who is cited while  
341 driving a noncommercial motor vehicle for an infraction under  
342 this section other than a violation of s. 316.183(2), s.  
343 316.187, or s. 316.189 when the driver exceeds the posted limit  
344 by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or  
345 (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in  
346 lieu of a court appearance, elect to attend in the location of  
347 his or her choice within this state a basic driver improvement  
348 course approved by the Department of Highway Safety and Motor  
349 Vehicles. In such a case, adjudication must be withheld and  
350 points, as provided by s. 322.27, may not be assessed. However,  
351 a person may not make an election under this subsection if the  
352 person has made an election under this subsection in the  
353 preceding 12 months. A person may not make more than five  
354 elections within his or her lifetime under this subsection.  
355 Except that a person who is 30 years of age or older, who has  
356 previously made five elections, may make an election under this  
357 subsection if the person has not made an election in the  
358 preceding 36 months. The requirement for community service under  
359 s. 318.18(8) is not waived by a plea of nolo contendere or by  
360 the withholding of adjudication of guilt by a court. If a person  
361 makes an election to attend a basic driver improvement course  
362 under this subsection, 18 percent of the civil penalty imposed  
363 under s. 318.18(3) shall be deposited in the State Courts

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364 Revenue Trust Fund; however, that portion is not revenue for  
365 purposes of s. 28.36 and may not be used in establishing the  
366 budget of the clerk of the court under that section or s. 28.35.

367 Section 12. Section 319.141, Florida Statutes, is amended  
368 to read:

369 319.141 Pilot rebuilt motor vehicle inspection program.—

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

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

373 (b) "Rebuilt inspection services" means an examination of  
374 a rebuilt vehicle and a properly endorsed certificate of title,  
375 salvage certificate of title, or manufacturer's statement of  
376 origin and an application for a rebuilt certificate of title, a  
377 rebuilders' affidavit, a photograph of the junk or salvage  
378 vehicle taken before repairs began, a photograph of the interior  
379 driver and passenger sides of the vehicle if airbags were  
380 previously deployed and replaced, receipts or invoices for all  
381 major component parts, as defined in s. 319.30, and repairs  
382 which were changed, and proof that notice of rebuilding of the  
383 vehicle has been reported to the National Motor Vehicle Title  
384 Information System.

385 (2) ~~By July 1, 2015,~~ The department shall oversee a pilot  
386 program in Miami-Dade County to evaluate alternatives for  
387 rebuilt inspection services offered by existing private sector  
388 operators, including the continued use of private facilities,

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389 the cost impact to consumers, and the potential savings to the  
390 department.

391 (3) The department shall establish a memorandum of  
392 understanding that allows private parties participating in the  
393 pilot program to conduct rebuilt motor vehicle inspections and  
394 specifies requirements for oversight, bonding and insurance,  
395 procedures, and forms and requires the electronic transmission  
396 of documents.

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

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

403 (b) Secure and maintain a facility at a permanent fixed  
404 structure which has at an address identified by a county-issued  
405 tax folio number and recognized by the United States Postal  
406 Service where the only services provided on such property are  
407 rebuilt inspection services. The operator of a facility shall  
408 annually attest that:

409 1. He or she is not employed by or does not have an  
410 ownership interest in or other financial arrangement with the  
411 owner, operator, manager, or employee of a motor vehicle repair  
412 shop as defined in s. 559.903, a motor vehicle dealer as defined  
413 in s. 320.27(1)(c), a towing company, a vehicle storage company,

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414 a vehicle auction, an insurance company, a salvage yard, a metal  
415 retailer, or a metal rebuilder, from which he or she receives  
416 remuneration, directly or indirectly, for the referral of  
417 customers for rebuilt inspection services;

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

420 3. The only services being provided by the operator of the  
421 facility at the property are rebuilt vehicle inspection services  
422 approved by the department.

423 (c) Have and maintain garage liability and other insurance  
424 required by the department.

425 (d) Have completed criminal background checks of the  
426 owners, partners, and corporate officers and the inspectors  
427 employed by the facility.

428 (e) Have a designated office and customer waiting area  
429 that is separate from and not within view of the vehicle  
430 inspection area. The vehicle inspection area must be capable of  
431 accommodating all vehicle types and must be equipped with  
432 cameras allowing the department to view and monitor every  
433 inspection.

434 (f)-(e) Meet any additional criteria the department  
435 determines necessary to conduct proper inspections.

436 (5) A participant in the program shall access vehicle and  
437 title information and enter inspection results through an  
438 electronic filing system authorized by the department and shall

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439 maintain records of each rebuilt vehicle inspection processed at  
440 such facility for at least 5 years.

441 (6) A participant in the program may not conduct an  
442 inspection of a vehicle rebuilt before its purchase by the  
443 current applicant. Such vehicles must be inspected by the  
444 department.

445 (7) Any applicant for a rebuilt title that fails an  
446 initial rebuilt inspection may have that vehicle reinspected  
447 only by the department or the facility that conducted the  
448 original inspection.

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

453 (9)~~(6)~~ The department shall conduct an onsite facility  
454 inspection at least twice a year and shall immediately terminate  
455 any operator from the program who fails to meet the minimum  
456 eligibility requirements specified in subsection (4). Before any  
457 a change in ownership or transfer of a rebuilt inspection  
458 facility, the current operator must give the department 45 days'  
459 written notice of the intended sale or transfer. The prospective  
460 owner or transferee must meet the eligibility requirements of  
461 this section and execute a new memorandum of understanding with  
462 the department before operating the facility.

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463        (10)(7) This section is repealed on July 1, 2020 ~~2018~~,  
464 unless saved from repeal through reenactment by the Legislature.  
465 On or before January 1, 2019, the department shall submit a  
466 written report to the Governor, the President of the Senate, and  
467 the Speaker of the House of Representatives evaluating the  
468 current program and the benefits to the consumer and the  
469 department.

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

472        320.01 Definitions, general.—As used in the Florida  
473 Statutes, except as otherwise provided, the term:

474        (1) "Motor vehicle" means:

475        (a) An automobile, motorcycle, truck, trailer,  
476 semitrailer, truck tractor and semitrailer combination, or any  
477 other vehicle operated on the roads of this state, used to  
478 transport persons or property, and propelled by power other than  
479 muscular power, but the term does not include traction engines,  
480 road rollers, personal delivery devices and mobile carriers as  
481 defined in s. 316.003, special mobile equipment as defined in s.  
482 316.003, vehicles that run only upon a track, bicycles, swamp  
483 buggies, or mopeds.

484        (24) "Apportionable vehicle" means any vehicle, except  
485 recreational vehicles, vehicles displaying restricted plates,  
486 city pickup and delivery vehicles, ~~buses used in transportation~~  
487 ~~of chartered parties~~, and government-owned vehicles, which is

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488 used or intended for use in two or more member jurisdictions  
489 that allocate or proportionally register vehicles and which is  
490 used for the transportation of persons for hire or is designed,  
491 used, or maintained primarily for the transportation of property  
492 and:

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

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

497 (c) Is used in combination, when the weight of such  
498 combination exceeds 26,000 pounds gross vehicle weight.  
499

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

503 Section 14. Subsection (15) and (19) of section 320.02,  
504 Florida Statutes, are amended to read:

505 320.02 Registration required; application for  
506 registration; forms.—

507 (15)

508 (v) Notwithstanding s. 320.023, the application form for  
509 motor vehicle registration and renewal of registration must  
510 include language permitting a voluntary contribution of \$1 per  
511 applicant to aid in Alzheimer's and Other Related Dementia  
512 Research. Contributions made pursuant to this paragraph shall be

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513 deposited to the Alzheimer's Association, Inc. for the purpose  
514 of research done in the State of Florida.

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

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

520 320.03 Registration; duties of tax collectors;  
521 International Registration Plan.—

522 (10) Jurisdiction over the electronic filing system for  
523 use by authorized electronic filing system agents to  
524 electronically title or register motor vehicles, vessels, mobile  
525 homes, or off-highway vehicles; process title transactions,  
526 derelict motor vehicle certificates, and certificates of  
527 destruction for derelict and salvage motor vehicles pursuant to  
528 s. 319.30(2), (3), (7), and (8); issue or transfer registration  
529 license plates or decals; electronically transfer fees due for  
530 the title and registration process; and perform inquiries for  
531 title, registration, and lienholder verification and  
532 certification of service providers is expressly preempted to the  
533 state, and the department shall have regulatory authority over  
534 the system. The electronic filing system shall be available for  
535 use statewide and applied uniformly throughout the state. An  
536 entity that, in the normal course of its business, sells  
537 products that must be titled or registered;~~;~~ provides title and

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538 registration services on behalf of its consumers; or processes  
539 title transactions, derelict motor vehicle certificates, or  
540 certificates of destruction for derelict or salvage motor  
541 vehicles pursuant to s. 319.30(2), (3), (7), or (8); and meets  
542 all established requirements may be an authorized electronic  
543 filing system agent and shall not be precluded from  
544 participating in the electronic filing system in any county.  
545 Upon request from a qualified entity, the tax collector shall  
546 appoint the entity as an authorized electronic filing system  
547 agent for that county. ~~The department shall adopt rules in~~  
548 ~~accordance with chapter 120 to replace the December 10, 2009,~~  
549 ~~program standards and to administer the provisions of this~~  
550 ~~section, including, but not limited to, establishing~~  
551 ~~participation requirements, certification of service providers,~~  
552 ~~electronic filing system requirements, and enforcement authority~~  
553 ~~for noncompliance. The December 10, 2009, program standards,~~  
554 ~~excluding any standards which conflict with this subsection,~~  
555 ~~shall remain in effect until the rules are adopted. An~~  
556 authorized electronic filing system agent may charge a fee to  
557 the customer for use of the electronic filing system. The  
558 department shall adopt rules to administer this subsection,  
559 including, but not limited to, rules establishing participation  
560 requirements, certification of service providers, electronic  
561 filing system requirements, disclosures, and enforcement  
562 authority for noncompliance.

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

566 320.06 Registration certificates, license plates, and  
567 validation stickers generally.—

568 (1)

569 (b)1. Registration license plates bearing a graphic symbol  
570 and the alphanumeric system of identification shall be issued  
571 for a 10-year period. At the end of the 10-year period, upon  
572 renewal, the plate shall be replaced. The department shall  
573 extend the scheduled license plate replacement date from a 6-  
574 year period to a 10-year period. The fee for such replacement is  
575 \$28, \$2.80 of which shall be paid each year before the plate is  
576 replaced, to be credited toward the next \$28 replacement fee.  
577 The fees shall be deposited into the Highway Safety Operating  
578 Trust Fund. A credit or refund may not be given for any prior  
579 years' payments of the prorated replacement fee if the plate is  
580 replaced or surrendered before the end of the 10-year period,  
581 except that a credit may be given if a registrant is required by  
582 the department to replace a license plate under s.

583 320.08056(8) (a). With each license plate, a validation sticker  
584 shall be issued showing the owner's birth month, license plate  
585 number, and the year of expiration or the appropriate renewal  
586 period if the owner is not a natural person. The validation  
587 sticker shall be placed on the upper right corner of the license

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588 | plate. The license plate and validation sticker shall be issued  
589 | based on the applicant's appropriate renewal period. The  
590 | registration period is 12 months, the extended registration  
591 | period is 24 months, and all expirations occur based on the  
592 | applicant's appropriate registration period.

593 | 2. Before October 1, 2019, a vehicle that has an  
594 | apportioned registration shall be issued an annual license plate  
595 | and a cab card denoting ~~that denote~~ the declared gross vehicle  
596 | weight ~~for each apportioned jurisdiction in which the vehicle is~~  
597 | ~~authorized to operate.~~

598 | 3. Beginning October 1, 2019, a vehicle registered in  
599 | accordance with the International Registration Plan shall be  
600 | issued a license plate for a 5-year period, an annual cab card  
601 | denoting the declared gross vehicle weight, and an annual  
602 | validation sticker showing the month and year of expiration. The  
603 | validation sticker shall be placed in the center of the license  
604 | plate. The license plate and validation sticker shall be issued  
605 | based on the applicant's appropriate renewal period. The fee for  
606 | the initial validation sticker and any renewed validation  
607 | sticker is \$28. This fee shall be deposited into the Highway  
608 | Safety Operating Trust Fund. A damaged or worn license plate may  
609 | be replaced at no charge by applying to the department and  
610 | surrendering the current license plate.

611 | 4.2. In order to retain the efficient administration of  
612 | the taxes and fees imposed by this chapter, the 80-cent fee

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613 increase in the replacement fee imposed by chapter 2009-71, Laws  
614 of Florida, is negated as provided in s. 320.0804.

615 (3) (a) Registration license plates must be made of metal  
616 specially treated with a retroreflection material, as specified  
617 by the department. The registration license plate is designed to  
618 increase nighttime visibility and legibility and must be at  
619 least 6 inches wide and not less than 12 inches in length,  
620 unless a plate with reduced dimensions is deemed necessary by  
621 the department to accommodate motorcycles, mopeds, or similar  
622 smaller vehicles. Validation stickers must also be treated with  
623 a retroreflection material, must be of such size as specified by  
624 the department, and must adhere to the license plate. The  
625 registration license plate must be imprinted with a combination  
626 of bold letters and numerals or numerals, not to exceed seven  
627 digits, to identify the registration license plate number. The  
628 license plate must be imprinted with the word "Florida" at the  
629 top and the name of the county in which it is sold, the state  
630 motto, or the words "Sunshine State" at the bottom. Apportioned  
631 license plates must have the word "Apportioned" at the bottom  
632 and license plates issued for vehicles taxed under s.  
633 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have  
634 the word "Restricted" at the bottom. License plates issued for  
635 vehicles taxed under s. 320.08(12) must be imprinted with the  
636 word "Florida" at the top and the word "Dealer" at the bottom  
637 unless the license plate is a specialty license plate as

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638 authorized in s. 320.08056. Manufacturer license plates issued  
639 for vehicles taxed under s. 320.08(12) must be imprinted with  
640 the word "Florida" at the top and the word "Manufacturer" at the  
641 bottom. License plates issued for vehicles taxed under s.  
642 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at  
643 the bottom. Any county may, upon majority vote of the county  
644 commission, elect to have the county name removed from the  
645 license plates sold in that county. The state motto or the words  
646 "Sunshine State" shall be printed in lieu thereof. A license  
647 plate issued for a vehicle taxed under s. 320.08(6) may not be  
648 assigned a registration license number, or be issued with any  
649 other distinctive character or designation, that distinguishes  
650 the motor vehicle as a for-hire motor vehicle.

651 Section 17. Section 320.0605, Florida Statutes, is amended  
652 to read:

653 320.0605 Certificate of registration; possession required;  
654 exception.—

655 (1)(a) The registration certificate or an official copy  
656 thereof, including an electronic copy in a format authorized by  
657 the department, a true copy or electronic copy of rental or  
658 lease documentation issued for a motor vehicle or issued for a  
659 replacement vehicle in the same registration period, a temporary  
660 receipt printed upon self-initiated electronic renewal of a  
661 registration via the Internet, or a cab card issued for a  
662 vehicle registered under the International Registration Plan

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663 shall, at all times while the vehicle is being used or operated  
664 on the roads of this state, be in the possession of the operator  
665 thereof or be carried in the vehicle for which issued and shall  
666 be exhibited upon demand of any authorized law enforcement  
667 officer or any agent of the department, except for a vehicle  
668 registered under s. 320.0657. ~~The provisions of~~ This section  
669 does ~~de~~ not apply during the first 30 days after purchase of a  
670 replacement vehicle. A violation of this section is a  
671 noncriminal traffic infraction, punishable as a nonmoving  
672 violation as provided in chapter 318.

673 (b)1. The act of presenting to a law enforcement officer  
674 or agent of the department an electronic device displaying a  
675 department-authorized electronic copy of the registration  
676 certificate or the rental or lease documentation does not  
677 constitute consent for the officer or agent to access any  
678 information on the device other than the displayed registration  
679 certificate or rental or lease documentation.

680 2. The person who presents the device to the officer or  
681 agent assumes the liability for any resulting damage to the  
682 device.

683 (2) Rental or lease documentation that is sufficient to  
684 satisfy the requirement in subsection (1) includes the  
685 following:

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

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- 688 (c) Rental agreement number;  
689 (d) Rental vehicle identification number;  
690 (e) Rental vehicle license plate number and state of  
691 registration;  
692 (f) Vehicle's make, model, and color;  
693 (g) Vehicle's mileage; and  
694 (h) Authorized renter's name.

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

697 320.0607 Replacement license plates, validation decal, or  
698 mobile home sticker.—

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

704 Section 19. Paragraph (b) of subsection (2) of section  
705 320.0657, Florida Statutes, is amended to read:

706 320.0657 Permanent registration; fleet license plates.—

707 (2)

708 (b) The plates, which shall be of a distinctive color,  
709 shall have the word "Fleet" appearing at the bottom and the word  
710 "Florida" appearing at the top unless the license plate is a  
711 specialty license plate as authorized in s. 320.08056. The  
712 plates shall conform in all respects to the provisions of this

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713 chapter, except as specified herein. For additional fees as set  
714 forth in s. 320.08056, fleet companies may purchase specialty  
715 license plates in lieu of the standard fleet license plates.  
716 Fleet companies shall be responsible for all costs associated  
717 with the specialty license plate, including all annual use fees,  
718 processing fees, fees associated with switching license plate  
719 types, and any other applicable fees.

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

722 320.08 License taxes.—Except as otherwise provided herein,  
723 there are hereby levied and imposed annual license taxes for the  
724 operation of motor vehicles, mopeds, motorized bicycles as  
725 defined in s. 316.003(3), tri-vehicles as defined in s. 316.003,  
726 and mobile homes as defined in s. 320.01, which shall be paid to  
727 and collected by the department or its agent upon the  
728 registration or renewal of registration of the following:

729 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised  
730 motor vehicle dealer, independent motor vehicle dealer, marine  
731 boat trailer dealer, or mobile home dealer and manufacturer  
732 license plate: \$17 flat, of which \$4.50 shall be deposited into  
733 the General Revenue Fund. For additional fees as set forth in s.  
734 320.08056, dealers may purchase specialty license plates in lieu  
735 of the standard graphic dealer license plates. Dealers shall be  
736 responsible for all costs associated with the specialty license  
737 plate, including all annual use fees, processing fees, fees

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738 associated with switching license plate types, and any other  
739 applicable fees.

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

742 320.08056 Specialty license plates.—

743 (2) (a) The department shall issue a specialty license  
744 plate to the owner or lessee of any motor vehicle, except a  
745 vehicle registered under the International Registration Plan, a  
746 commercial truck required to display two license plates pursuant  
747 to s. 320.0706, or a truck tractor, upon request and payment of  
748 the appropriate license tax and fees.

749 (b) The department may authorize dealer and fleet  
750 specialty license plates. With the permission of the sponsoring  
751 specialty license plate organization, a dealer or fleet company  
752 may purchase specialty license plates to be used on dealer and  
753 fleet vehicles.

754 (c) Notwithstanding s. 320.08058, a dealer or fleet  
755 specialty license plate must include the letters "DLR" or "FLT"  
756 on the right side of the license plate. Dealer and fleet  
757 specialty license plates must be ordered directly through the  
758 department.

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

761 320.131 Temporary tags.—

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

767 (a) The department shall establish a memorandum of  
768 understanding that allows a maximum of three companies to  
769 participate in the pilot program and receive multiple temporary  
770 tags for company fleet vehicles.

771 (b) To participate in the program, a fleet company must  
772 have a minimum of 3,500 fleet vehicles registered in this state  
773 which qualify to be registered as fleet vehicles pursuant to s.  
774 320.0657.

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

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

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

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

785 (g) Upon a finding by the department that a temporary tag  
786 has been misused by a fleet company under this program, the



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787 department may terminate the memorandum of understanding with  
788 the company, invalidate all temporary tags issued to the company  
789 under the program, and require such company to return any unused  
790 temporary tags.

791 (h) The issuance of a plate using this method must be  
792 reported to the department within two business days, not  
793 including weekends or state holidays, of the issuance of the  
794 plate. Every issuer shall keep a record of any temporary tag  
795 issued. The record will include the date of issuance, tag number  
796 issued, vehicle identification number, and vehicle description.

797 (i) This subsection is repealed on October 1, 2021, unless  
798 saved from repeal through reenactment by the Legislature.

799 Section 23. Section 320.95, Florida Statutes, is amended  
800 to read:

801 320.95 Transactions by electronic or telephonic means.-

802 (1) The department may accept an application provided for  
803 under this chapter by electronic or telephonic means.

804 (2) The department may collect electronic mail addresses  
805 and use electronic mail in lieu of the United States Postal  
806 Service for the purpose of providing renewal notices.

807 (3) The department may authorize issuance of an electronic  
808 certificate of registration in addition to printing a paper  
809 registration certificate. A motor vehicle operator may present  
810 for inspection an electronic device displaying an electronic  
811 certificate of registration issued pursuant to this subsection

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812 in lieu of a paper registration certificate. Such presentation  
813 does not constitute consent for inspection of any information on  
814 the device other than the displayed certificate of registration.  
815 The person who presents the device for inspection assumes the  
816 liability for any resulting damage to the device.

817 Section 24. Subsection (4) is amended and subsections (18)  
818 through (46) of section 322.01, Florida Statutes, are renumbered  
819 as subsections (25) through (53), respectively, and new  
820 subsections (18) through (24) are added to that section, to  
821 read:

822 322.01 Definitions.—As used in this chapter:

823 (4) "Authorized emergency vehicle" means a vehicle that is  
824 equipped with extraordinary audible and visual warning devices,  
825 that is authorized by s. 316.2397 to display red, red and white,  
826 or blue lights, and that is on call to respond to emergencies.  
827 The term includes, but is not limited to, ambulances, law  
828 enforcement vehicles, fire trucks, and other rescue vehicles.  
829 The term does not include wreckers, utility trucks, or other  
830 vehicles that are used only incidentally for emergency purposes.

831 (18) "Electronic" means relating to technology having  
832 electrical, digital, magnetic, wireless, optical,  
833 electromagnetic, or similar capabilities.

834 (19) "Electronic credential" means an electronic  
835 representation of a physical driver license or identification

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836 card which is viewable on an electronic credential system  
837 capable of being verified and authenticated.

838 (20) "Electronic credential holder" means a person to whom  
839 an electronic credential has been issued.

840 (21) "Electronic credential provider" means an entity  
841 contracted with the department to provide the electronic  
842 credential to the electronic credential holder.

843 (22) "Electronic credential system" means a computer  
844 system used to display or transmit electronic credentials to a  
845 person or verification system which can be accessed using an  
846 electronic device.

847 (23) "Electronic device" means a device or a portion of a  
848 device that is designed for and capable of communicating across  
849 a computer network with other computers or devices for the  
850 purpose of transmitting, receiving, or storing data, including,  
851 but not limited to, a cellular telephone, tablet, or other  
852 portable device designed for and capable of communicating with  
853 or across a computer network, and is used to render an  
854 electronic credential.

855 (24) "Electronic record" means a record created,  
856 generated, sent, communicated, received, or stored by electronic  
857 means.

858 Section 25. Section 322.032, Florida Statutes, is amended  
859 to read:

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860           322.032 Electronic credential ~~Digital proof of driver~~  
861 ~~license.~~-  
862           (1) (a) The department shall develop and implement ~~begin to~~  
863 ~~review and prepare for the development of a~~ secure and uniform  
864 protocols that comply with national standards ~~system~~ for issuing  
865 an optional electronic credential. The department shall procure  
866 the related technology solution that uses a revenue-sharing  
867 model through a competitive solicitation process pursuant to s.  
868 287.057 ~~digital proof of driver license~~. The department may  
869 issue electronic credentials to persons who hold a Florida  
870 driver license or identification card. The electronic credential  
871 and verification solution must have the necessary technological  
872 capabilities to execute the authentication of an electronic  
873 credential across all states, jurisdictions, federal and state  
874 agencies, and municipalities. The electronic credential and  
875 verification solution must provide the system integration  
876 necessary:  
877           1. For qualified and authorized entities to securely  
878 consume an electronic credential.  
879           2. For the production of a fully compliant electronic  
880 credential by qualified and authorized electronic credential  
881 providers.  
882           3. To successfully ensure secure authentication and  
883 validation of data from disparate sources.

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884        (b) The department shall procure ~~contract with~~ one or more  
885 electronic credential providers through the competitive  
886 solicitation process ~~private entities~~ to develop and implement a  
887 secure electronic credential ~~a digital proof of driver license~~  
888 system.

889        (c) The department shall maintain the protocols and  
890 national standards necessary for an electronic credential  
891 provider to request authorized access to an application  
892 programming interface, or an appropriate technological tool of  
893 at least the same capabilities, necessary for such private  
894 entity to consume an electronic credential. The department shall  
895 timely review requests for authorized access and must approve  
896 all requests by electronic credential providers which meet the  
897 department's requirements. The department may assess a fee for  
898 use of the electronic credential and verification solution.

899        (d) The department shall provide access to a standardized  
900 digital transaction process for use by the approved electronic  
901 credential providers of compliant electronic credentials to  
902 enable the financial transaction to be completed in such a  
903 manner that the proceeds are accepted by the department at the  
904 point of sale. The standardized digital transaction process must  
905 enable the providers of an electronic credential to direct  
906 through their electronic commerce workflow to a standardized  
907 checkout process and be able to document the providers involved.  
908 Any revenue generated from the electronic credential system must

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909 be collected by the department and distributed pursuant to a  
910 legislative appropriation and department agreements with the  
911 electronic credential providers of the electronic credential.  
912 Any revenues shared between the state and electronic credential  
913 providers are based solely on revenues derived from the purchase  
914 of the optional, electronic credential and no other transaction.  
915 The department shall enter into an agreement with the electronic  
916 credential providers which describes the permitted uses, terms  
917 and conditions, privacy policy, and uniform remittance terms  
918 relating to the consumption of an electronic credential.

919 (2) (a) The electronic credential ~~digital proof of driver~~  
920 ~~license~~ developed by the department or by an electronic  
921 credential provider ~~an entity~~ contracted by the department must  
922 be in such a format as to allow law enforcement or an authorized  
923 consumer to verify the authenticity of the electronic credential  
924 and the identity of the credential holder and to validate the  
925 status of any driving privileges associated with the electronic  
926 credential ~~digital proof of driver license~~. The department shall  
927 adhere to protocols and national standards ~~may adopt rules~~ to  
928 ensure valid authentication of electronic credentials ~~digital~~  
929 ~~driver licenses~~ by law enforcement.

930 (b) The act of presenting to a law enforcement officer an  
931 electronic device displaying an electronic credential does not  
932 constitute consent for the officer to access any information on  
933 the device other than the electronic credential.

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

936           (3) A person may not be issued an electronic credential a  
937 ~~digital proof of driver license~~ until he or she has satisfied  
938 all of the requirements of this chapter for issuance of a  
939 physical driver license or identification card as provided in  
940 this chapter.

941           (4) A person who:

942           (a) Manufactures a false electronic credential ~~digital~~  
943 ~~proof of driver license~~ commits a felony of the third degree,  
944 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

948           Section 26. Section 322.059, Florida Statutes, is amended  
949 to read:

950           322.059 Mandatory surrender of suspended driver license  
951 and registration.—A person whose driver license or registration  
952 has been suspended as provided in s. 322.058 must immediately  
953 return his or her driver license and registration to the  
954 Department of Highway Safety and Motor Vehicles. The department  
955 shall invalidate the electronic credential ~~digital proof of~~  
956 ~~driver license~~ issued pursuant to s. 322.032 for such person. If  
957 such person fails to return his or her driver license or  
958 registration, a law enforcement agent may seize the license or

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959 registration while the driver license or registration is  
960 suspended.

961 Section 27. Paragraph (c) of subsection (1) of section  
962 322.143, Florida Statutes, is amended to read:

963 322.143 Use of a driver license or identification card.—

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

965 (c) "Swipe" means the act of passing a driver license or  
966 identification card through a device that is capable of  
967 deciphering, in an electronically readable format, the  
968 information electronically encoded in a magnetic strip or bar  
969 code on the driver license or identification card or consuming  
970 an electronic credential.

971 Section 28. Subsection (1) of section 322.15, Florida  
972 Statutes, is amended to read:

973 322.15 License to be carried and exhibited on demand;  
974 fingerprint to be imprinted upon a citation.—

975 (1) Every licensee shall have his or her driver license,  
976 which must be fully legible with no portion of such license  
977 faded, altered, mutilated, or defaced, in his or her immediate  
978 possession at all times when operating a motor vehicle and shall  
979 present or submit the same upon the demand of a law enforcement  
980 officer or an authorized representative of the department. A  
981 licensee may present or submit an electronic credential a  
982 ~~digital proof of driver license~~ as provided in s. 322.032 in  
983 lieu of a physical driver license.

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984 Section 29. Section 322.38, Florida Statutes, is amended  
985 to read:

986 322.38 Renting motor vehicle to another.—

987 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any  
988 other person unless the other ~~latter~~ person is ~~then~~ duly  
989 licensed, ~~or,~~ if a nonresident, ~~he or she shall be~~ licensed  
990 under the laws of the state or country of his or her residence,  
991 except a nonresident whose home state or country does not  
992 require that an operator be licensed.

993 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to  
994 another until he or she has inspected the driver license of the  
995 person to whom the vehicle is to be rented, ~~and~~ has compared and  
996 verified that the driver license is unexpired ~~signature thereon~~  
997 ~~with the signature of such person written in his or her~~  
998 presence.

999 (3) Every person renting a motor vehicle to another shall  
1000 keep a record of the registration number of the motor vehicle so  
1001 rented, the name, ~~and~~ address, and license number of the person  
1002 to whom the vehicle is rented, ~~the number of the license of said~~  
1003 ~~latter person,~~ and the ~~date and place when and where the said~~  
1004 license was issued. Such record shall be open to inspection by  
1005 any police officer, ~~or officer or employee of the department.~~

1006 (4) If a rental car company rents a motor vehicle to a  
1007 person through digital, electronic, or other means that allows  
1008 the renter to obtain possession of the motor vehicle without

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1009 direct contact with an agent or employee of the rental car  
1010 company, or if through use of such means the renter does not  
1011 execute a rental contract at the time he or she takes possession  
1012 of the vehicle, the rental car company is deemed to have met the  
1013 requirements of subsections (1) and (2) when the rental car  
1014 company requires the renter to verify that he or she is duly  
1015 licensed and that the license is unexpired. Such verification  
1016 may occur at the time the renter enrolls in a membership  
1017 program, master agreement, or other means of establishing use of  
1018 the rental car company's services or at any time thereafter.

1019 Section 30. Subsection (4) of section 322.61, Florida  
1020 Statutes, is amended to read:

1021 322.61 Disqualification from operating a commercial motor  
1022 vehicle.—

1023 (4) Any person who is transporting hazardous materials as  
1024 defined in s. 322.01(31) ~~s. 322.01(24)~~ shall, upon conviction of  
1025 an offense specified in subsection (3), be disqualified from  
1026 operating a commercial motor vehicle for a period of 3 years.  
1027 The penalty provided in this subsection shall be in addition to  
1028 any other applicable penalty.

1029 Section 31. Subsection (1) of section 324.021, Florida  
1030 Statutes, is amended to read:

1031 324.021 Definitions; minimum insurance required.—The  
1032 following words and phrases when used in this chapter shall, for  
1033 the purpose of this chapter, have the meanings respectively

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1034 ascribed to them in this section, except in those instances  
1035 where the context clearly indicates a different meaning:

1036 (1) MOTOR VEHICLE.—Every self-propelled vehicle that is  
1037 designed and required to be licensed for use upon a highway,  
1038 including trailers and semitrailers designed for use with such  
1039 vehicles, except traction engines, road rollers, farm tractors,  
1040 power shovels, and well drillers, and every vehicle that is  
1041 propelled by electric power obtained from overhead wires but not  
1042 operated upon rails, but not including any personal delivery  
1043 device or mobile carrier as defined in s. 316.003, bicycle, or  
1044 moped. However, the term "motor vehicle" does not include a  
1045 motor vehicle as defined in s. 627.732(3) when the owner of such  
1046 vehicle has complied with the requirements of ss. 627.730-  
1047 627.7405, inclusive, unless the provisions of s. 324.051 apply;  
1048 and, in such case, the applicable proof of insurance provisions  
1049 of s. 320.02 apply.

1050 Section 32. Subsection (1) of section 655.960, Florida  
1051 Statutes, is amended to read:

1052 655.960 Definitions; ss. 655.960-655.965.—As used in this  
1053 section and ss. 655.961-655.965, unless the context otherwise  
1054 requires:

1055 (1) "Access area" means any paved walkway or sidewalk  
1056 which is within 50 feet of any automated teller machine. The  
1057 term does not include any street or highway open to the use of  
1058 the public, as defined in s. 316.003(80) (a) or (b) ~~s.~~

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1059 ~~316.003(79)(a) or (b)~~, including any adjacent sidewalk, as  
1060 defined in s. 316.003.

1061 Section 33. Paragraph (a) of subsection (2) of section  
1062 812.014, Florida Statutes, is amended to read:

1063 812.014 Theft.—

1064 (2)(a)1. If the property stolen is valued at \$100,000 or  
1065 more or is a semitrailer that was deployed by a law enforcement  
1066 officer; or

1067 2. If the property stolen is cargo valued at \$50,000 or  
1068 more that has entered the stream of interstate or intrastate  
1069 commerce from the shipper's loading platform to the consignee's  
1070 receiving dock; or

1071 3. If the offender commits any grand theft and:

1072 a. In the course of committing the offense the offender  
1073 uses a motor vehicle as an instrumentality, other than merely as  
1074 a getaway vehicle, to assist in committing the offense and  
1075 thereby damages the real property of another; or

1076 b. In the course of committing the offense the offender  
1077 causes damage to the real or personal property of another in  
1078 excess of \$1,000; or

1079 4. If the property stolen is cargo and in the course of  
1080 committing the offense the offender uses any type of device to  
1081 defeat, block, disable, jam, or interfere with a global  
1082 positioning system or similar system designed to identify the

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1083 location of the cargo or the vehicle or trailer carrying the  
1084 cargo,  
1085  
1086 the offender commits grand theft in the first degree, punishable  
1087 as a felony of the first degree, as provided in s. 775.082, s.  
1088 775.083, or s. 775.084.

1089 Section 34. The Department of Highway Safety and Motor  
1090 Vehicles in cooperation with the Florida Tax Collectors  
1091 Association shall undertake a review of the registration renewal  
1092 periods for heavy trucks weighing more than 5,000 pounds and  
1093 less than 8,000 pounds. The department shall develop a report  
1094 documenting the findings and recommendations of the review and  
1095 submit the report to the Governor, the President of the Senate,  
1096 and the Speaker of the House of Representatives by December 31,  
1097 2018. As part of the review, the department shall include:

1098 (1) Options to allow owners of applicable heavy trucks to  
1099 renew their registrations on their birthdays instead of December  
1100 31st of each year.

1101 (2) A plan for implementation of the revised renewal  
1102 period, including the proration of registration renewal fees.

1103 (3) The estimated fiscal impact to state and local  
1104 government associated with changes in the renewal period for  
1105 applicable heavy trucks.

1106 (4) A plan to educate the motoring public about changes in  
1107 renewal periods for applicable heavy trucks.

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1108 Section 35. Except as otherwise expressly provided in  
1109 this act, this act shall take effect October 1, 2018.

1110  
1111  
1112 -----

1113 **T I T L E A M E N D M E N T**

1114 Remove everything before the enacting clause and insert:

1115 A bill to be entitled

1116 An act relating to transportation; amending s.  
1117 316.003, F.S.; adding and revising definitions;  
1118 amending s. 316.008, F.S.; authorizing a mobile  
1119 carrier to be operated on sidewalks and crosswalks  
1120 within a county or municipality when such use is  
1121 permissible under federal law; providing construction;  
1122 repealing s. 316.0896, F.S., relating to the assistive  
1123 truck platooning technology pilot project; creating s.  
1124 316.0897, F.S.; exempting the operator of a nonlead  
1125 vehicle in a platoon from a specified provision;  
1126 authorizing a platoon to be operated on a roadway in  
1127 this state after an operator provides notification to  
1128 the Department of Transportation and the Department of  
1129 Highway Safety and Motor Vehicles; amending s.  
1130 316.2071, F.S.; authorizing a mobile carrier to  
1131 operate on sidewalks and crosswalks; providing that a  
1132 mobile carrier operating on a sidewalk or crosswalk

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1133 has all the rights and duties applicable to a  
1134 pedestrian under the same circumstances, except that  
1135 the mobile carrier must not unreasonably interfere  
1136 with pedestrians or traffic and must yield the right-  
1137 of-way to pedestrians on the sidewalk or crosswalk;  
1138 specifying requirements for a mobile carrier;  
1139 prohibiting a mobile carrier from taking specified  
1140 actions; amending s. 316.2397, F.S.; prohibiting  
1141 vehicles or equipment from showing or displaying red  
1142 and white lights while being driven or moved;  
1143 authorizing firefighters to use or display red and  
1144 white lights under certain circumstances; amending s.  
1145 316.2398, F.S.; authorizing firefighters to use or  
1146 display red and white lights under certain  
1147 circumstances; amending s. 316.302, F.S.; revising  
1148 regulations to which owners and drivers of commercial  
1149 motor vehicles are subject; delaying the requirement  
1150 for electronic logging devices and support documents  
1151 for certain intrastate motor carriers; deleting a  
1152 limitation on a civil penalty for falsification of  
1153 certain time records; deleting a requirement that a  
1154 motor carrier maintain certain documentation of  
1155 driving times; providing an exemption from specified  
1156 provisions for a person who operates a commercial  
1157 motor vehicle having a certain gross vehicle weight,

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Bill No. CS/HB 1287 (2018)

Amendment No.

1158 gross vehicle weight rating, and gross combined weight  
1159 rating; deleting the exemption from such provisions  
1160 for a person transporting petroleum products; amending  
1161 s. 316.303, F.S.; conforming a provision to changes  
1162 made by the act; amending s. 316.85, F.S.; authorizing  
1163 the Florida Turnpike Enterprise to fund, construct,  
1164 and operate test facilities for the advancement of  
1165 autonomous and connected innovative transportation  
1166 technology solutions for specified purposes; amending  
1167 s. 318.14, F.S., revising the number of times a person  
1168 may take a basic driver improvement course to keep  
1169 points from being assessed on his or her driver  
1170 license; amending s. 319.141, F.S.; redefining the  
1171 term "rebuilt inspection services"; deleting obsolete  
1172 language; requiring the Department of Highway Safety  
1173 and Motor Vehicles to ensure that an applicant of the  
1174 pilot rebuilt motor vehicle inspection program meets  
1175 basic criteria designed to protect the public before  
1176 the applicant is renewed; revising requirements for  
1177 the applicant; requiring the operator of a facility to  
1178 annually make certain attestations; prohibiting a  
1179 program participant from conducting an inspection of a  
1180 vehicle rebuilt before its purchase by the current  
1181 applicant; requiring that such vehicles be inspected  
1182 by the department; requiring any applicant that fails

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1183 an initial rebuilt inspection to have that vehicle  
1184 reinspected only by the department or the facility  
1185 that conducted the original inspection; prohibiting  
1186 any person or business authorized by the department to  
1187 train, certify, or recertify operators and inspectors  
1188 of private rebuilt motor vehicle inspection facilities  
1189 from certifying or recertifying themselves or any of  
1190 their employees; requiring the department to conduct  
1191 an onsite facility inspection at least twice a year;  
1192 requiring a current operator to give the department  
1193 certain notice of a transfer before any transfer of a  
1194 rebuilt inspection facility; requiring a transferee to  
1195 meet certain eligibility requirements and execute a  
1196 new memorandum of understanding with the department  
1197 before operating the facility; extending the date for  
1198 future repeal of this section; requiring the  
1199 department to submit a certain written report to the  
1200 Governor and Cabinet on or before a specified date;  
1201 amending s. 320.01, F.S.; revising definitions;  
1202 amending s. 320.02, F.S.; providing that a mobile  
1203 carrier is not required to satisfy specified  
1204 registration and insurance requirements; amending s.  
1205 320.03, F.S.; preempting to the state jurisdiction  
1206 over the electronic filing system for use by  
1207 authorized electronic filing system agents to process

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1208 title transactions, derelict motor vehicle  
1209 certificates, and certain certificates of destruction  
1210 for derelict and salvage motor vehicles; authorizing  
1211 an entity that, in the normal course of its business,  
1212 processes title transactions, derelict motor vehicle  
1213 certificates, or certain certificates of destruction  
1214 for derelict or salvage motor vehicles and meets all  
1215 established requirements to be an authorized  
1216 electronic filing system agent; prohibiting such an  
1217 entity from being precluded from participating in the  
1218 electronic filing system in any county; deleting  
1219 provisions requiring the department to adopt certain  
1220 rules to replace specified program standards;  
1221 requiring the department to adopt certain rules;  
1222 amending s. 320.06, F.S.; requiring a vehicle that has  
1223 an apportioned registration to be issued, before a  
1224 specified date, an annual license plate and a cab card  
1225 denoting the declared gross vehicle weight; providing  
1226 requirements, beginning on a specified date, for  
1227 license plates, cab cards, and validation stickers for  
1228 vehicles registered in accordance with the  
1229 International Registration Plan; providing a specified  
1230 fee for initial and renewed validation stickers;  
1231 requiring the fee to be deposited into the Highway  
1232 Safety Operating Trust Fund; authorizing a damaged or

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1233 worn license plate to be replaced at no charge under  
1234 certain circumstances; providing an exception to the  
1235 design of dealer license plates for specialty license  
1236 plates; amending s. 320.0605, F.S.; authorizing an  
1237 official copy of a registration certificate to be in  
1238 an electronic format and authorizing an electronic  
1239 copy of certain rental or lease documentation to be in  
1240 the possession of the operator or to be carried in the  
1241 vehicle for which issued and to be exhibited upon  
1242 demand of any authorized law enforcement officer or  
1243 any agent of the department; specifying that the act  
1244 of presenting to a law enforcement officer or agent of  
1245 the department an electronic device displaying an  
1246 electronic copy of rental or lease documentation does  
1247 not constitute consent for the officer or agent to  
1248 access any information on the device other than the  
1249 displayed rental or lease documentation; requiring the  
1250 person who presents the device to the officer or agent  
1251 to assume the liability for any resulting damage to  
1252 the device; providing that rental or lease  
1253 documentation that includes the date and time of  
1254 rental is sufficient to satisfy a specified  
1255 requirement; amending s. 320.0607, F.S.; providing an  
1256 exemption, beginning on a specified date, from a  
1257 certain fee for vehicles registered under the

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1258 International Registration Plan; amending s. 320.0657,  
1259 F.S.; providing an exception to the design of fleet  
1260 license plates for specialty license plates;  
1261 authorizing fleet companies to purchase specialty  
1262 license plates in lieu of the standard fleet license  
1263 plates for additional specified fees; requiring fleet  
1264 companies to be responsible for all costs associated  
1265 with the specialty license plate; amending s. 320.08,  
1266 F.S.; authorizing dealers to purchase specialty  
1267 license plates in lieu of the standard graphic dealer  
1268 license plates for additional specified fees;  
1269 requiring dealers to be responsible for all costs  
1270 associated with the specialty license plate; amending  
1271 s. 320.08056, F.S.; allowing the department to  
1272 authorize dealer and fleet specialty license plates;  
1273 authorizing a dealer or fleet company to purchase  
1274 specialty license plates to be used on dealer and  
1275 fleet vehicles with the permission of the sponsoring  
1276 specialty license plate organization; requiring a  
1277 dealer or fleet specialty license plate to include  
1278 specified letters on the right side of the license  
1279 plate; requiring dealer and fleet specialty license  
1280 plates to be ordered directly through the department;  
1281 amending s. 320.131, F.S.; authorizing, beginning on a  
1282 specified date, the department to partner with a

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1283 county tax collector to conduct a Fleet Vehicle  
1284 Temporary Tag pilot program, subject to certain  
1285 requirements; providing for future repeal; amending s.  
1286 320.95, F.S.; allowing the department to authorize  
1287 issuance of an electronic certificate of registration;  
1288 authorizing such certificate to be presented for  
1289 inspection; providing construction; providing for  
1290 liability; amending s. 322.01, F.S.; providing  
1291 definitions; amending s. 322.032, F.S.; directing the  
1292 department to implement protocols for issuing an  
1293 optional electronic credential and to procure a  
1294 certain related technology solution, subject to  
1295 certain requirements; providing requirements for the  
1296 electronic credential and verification solution;  
1297 directing the department to procure one or more  
1298 electronic credential providers through a competitive  
1299 solicitation process to develop and implement a secure  
1300 electronic credential system; requiring the department  
1301 to maintain certain protocols and national standards;  
1302 requiring the department to timely review and approve  
1303 all electronic credential provider requests for  
1304 authorized access to certain interfaces which meet the  
1305 agency's requirements; authorizing the department to  
1306 assess a fee; requiring the department to provide  
1307 access to a certain standardized digital transaction

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1308 process for use by the approved electronic credential  
1309 providers of compliant electronic credentials, subject  
1310 to certain requirements; requiring any revenue  
1311 generated from the electronic credential system to be  
1312 collected by the department and distributed pursuant  
1313 to a legislative appropriation and department  
1314 agreements with the electronic credential providers of  
1315 the electronic credential; providing that any revenues  
1316 shared between the state and electronic credential  
1317 providers is based solely on revenues derived from the  
1318 purchase of the optional electronic credential and no  
1319 other transaction; requiring the department to enter  
1320 into certain agreements with electronic credential  
1321 providers; requiring that an electronic credential be  
1322 in a format that allows certain entities to verify its  
1323 authenticity and the identity of the credential holder  
1324 and to validate certain privileges; providing that  
1325 presenting an electronic device displaying an  
1326 electronic credential does not constitute consent for  
1327 a law enforcement officer to access any other  
1328 information on such device; providing that the person  
1329 who presents the device to the officer assumes  
1330 liability for any resulting damage to the device;  
1331 conforming provisions to changes made by the act;  
1332 amending s. 322.059, F.S.; conforming a provision to

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1287 (2018)

Amendment No.

1333 changes made by the act; amending s. 322.143, F.S.;

1334 revising a definition; amending s. 322.15, F.S.;

1335 conforming a provision to changes made by the act;

1336 amending s. 322.38, F.S.; prohibiting a person from

1337 renting a motor vehicle to another until he or she has

1338 verified that the driver license of the person to whom

1339 the vehicle is rented is unexpired; deleting the

1340 requirement that a person renting a motor vehicle to

1341 another keep a record of the date when the license of

1342 the person to whom the vehicle is rented was issued;

1343 specifying that a rental car company is deemed to have

1344 met specified requirements when the rental car company

1345 requires the renter to verify that he or she is duly

1346 licensed and that the license is unexpired if the

1347 rental car company rents a motor vehicle to a person

1348 through certain digital, electronic, or other means;

1349 specifying when such verification may occur; amending

1350 s. 322.61, F.S.; conforming a cross-reference;

1351 amending s. 324.021, F.S.; revising the definition of

1352 the term "motor vehicle"; amending s. 655.960, F.S.;

1353 conforming a cross-reference; amending s. 812.014,

1354 F.S.; providing a criminal penalty for an offender

1355 committing grand theft who uses a device to interfere

1356 with a global positioning or similar system; providing

1357 for a heavy truck registration working group;

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1358 | providing effective dates.

1359 |