

1 A bill to be entitled
2 An act relating to highway safety and motor vehicles;
3 amending s. 117.10, F.S.; conforming provisions to
4 changes made by the act; amending s. 316.003, F.S.;
5 revising and providing definitions; amending ss.
6 316.027, 316.0271, 316.061, and s. 316.192, F.S.;
7 conforming provisions to changes made by the act;
8 amending s. 316.193, F.S.; including causing serious
9 bodily injury to oneself in penalty provisions for
10 driving under the influence; amending s. 316.1933,
11 F.S.; authorizing a law enforcement officer to require
12 the person driving or in actual physical control of a
13 motor vehicle to submit to a blood test when such
14 person has incurred a serious bodily injury;
15 conforming provisions to changes made by the act;
16 amending s. 316.194, F.S.; conforming provisions to
17 changes made by the act; amending s. 316.224, F.S.;
18 conforming a cross-reference; amending s. 316.235,
19 F.S.; authorizing a motor vehicle to be equipped with
20 certain lamps or devices under certain circumstances;
21 amending s. 316.2397, F.S.; authorizing certain
22 vehicles to display red and white lights; amending s.
23 316.2398, F.S.; authorizing certain vehicles to
24 display red and white warning signals under certain
25 circumstances; providing requirements and penalties;

26 | amending s. 316.302, F.S.; revising regulations to
27 | which owners and drivers of commercial motor vehicles
28 | are subject; removing the cap on a civil penalty for
29 | falsification of time records; deleting a requirement
30 | for documentation of a driver's driving times;
31 | exempting commercial motor vehicles with certain
32 | weight ratings from certain regulations; removing such
33 | exemption for a person transporting petroleum
34 | products; removing an exemption from certain
35 | regulations relating to diabetes; amending ss.
36 | 316.622, 316.640, and 316.655, F.S.; conforming
37 | provisions to changes made by the act; amending s.
38 | 316.70, F.S.; providing that all owners and drivers of
39 | nonpublic sector buses are subject to certain federal
40 | regulations; requiring the Department of Highway
41 | Safety and Motor Vehicles to ensure compliance with
42 | certain requirements; authorizing the Department of
43 | Highway Safety and Motor Vehicles, rather than the
44 | Department of Transportation, to conduct compliance
45 | investigations; providing a civil penalty for
46 | violating a rule or order of the Department of Highway
47 | Safety and Motor Vehicles; removing provisions
48 | relating to subsequent compliance reviews; authorizing
49 | motor carriers to be enjoined pursuant to certain
50 | provisions for violations identified during a

51 compliance investigation; authorizing certain officers
52 or agents to stop and inspect commercial motor
53 vehicles or drivers' records; authorizing an officer
54 or agent to require removal of the motor vehicle or
55 driver from service under certain circumstances;
56 amending s. 318.19, F.S.; requiring appearance at a
57 mandatory hearing by a person who is cited for a
58 certain infraction and incurs a serious bodily injury
59 as a result of such infraction; amending s. 319.25,
60 F.S.; authorizing the department to conduct
61 investigations and examinations relating to certain
62 violations; granting the department subpoena and other
63 powers for purposes of such investigations or
64 examinations; providing for petition of a court order
65 to obey a subpoena if a person fails to do so;
66 providing exceptions; providing for the payment of
67 costs to obtain such order; authorizing the department
68 to designate agents to carry out subpoena and other
69 powers; providing for witness fees under certain
70 circumstances; amending s. 319.40, F.S.; revising
71 purposes for which the department may collect and use
72 e-mail addresses; amending s. 320.01, F.S.; revising
73 the definition of the term "apportionable vehicle";
74 amending s. 320.03, F.S.; authorizing the department,
75 under certain circumstances, to provide tax collectors

76 | and certain agents and vendors with certain real-time
77 | access to data related to vehicle and mobile home
78 | registration certificates, registration license
79 | plates, and validation stickers; amending s. 320.06,
80 | F.S.; revising requirements for issuance of license
81 | plates, cab cards, and validation stickers for
82 | apportionable vehicles registered in accordance with
83 | the International Registration Plan upon
84 | implementation of a new registration operating system;
85 | specifying the registration period; providing for
86 | replacement of damaged or worn license plates free of
87 | charge; authorizing tax collectors to purchase
88 | validation stickers and certain paper stock from
89 | vendors under certain circumstances; providing pricing
90 | requirements; providing for reimbursement and
91 | invoicing; providing an exception to the design of
92 | dealer license plates; amending s. 320.0605, F.S.;
93 | authorizing an electronic copy of certain rental or
94 | lease documentation to be in the possession of the
95 | vehicle operator or carried in the vehicle and to be
96 | exhibited upon demand of any authorized law
97 | enforcement officer or any agent of the department;
98 | providing that the act of presenting a certain
99 | electronic device to the officer or agent does not
100 | constitute consent for the officer or agent to access

101 any information on the device other than the displayed
102 rental or lease documentation; providing for
103 assumption of liability for any resulting damage to
104 the device; revising requirements for rental or lease
105 documentation; amending s. 320.0607, F.S.; revising
106 fee requirements upon implementation of a new
107 registration operating system; amending s. 320.0657,
108 F.S.; providing an exception to the design of fleet
109 license plates; authorizing fleet companies to
110 purchase specialty license plates in lieu of standard
111 fleet license plates; requiring fleet companies to be
112 responsible for certain costs; amending s. 320.08,
113 F.S.; authorizing dealers to purchase specialty
114 license plates in lieu of standard graphic dealer
115 license plates; requiring dealers to be responsible
116 for certain costs; amending s. 320.08056, F.S.;
117 allowing the department to authorize dealer and fleet
118 specialty license plates; providing requirements for
119 such plates; amending s. 320.0807, F.S.; repealing
120 provisions relating to special license plates for
121 certain federal and state legislators; amending s.
122 320.27, F.S.; defining the term "control person";
123 requiring certain persons to file fingerprints with
124 the department; revising requirements for denial,
125 suspension, or revocation of a motor vehicle dealer

126 license or license application; authorizing a court,
127 under certain circumstances, to bar a person who has
128 violated certain laws from acting as a motor vehicle
129 dealer; amending s. 320.822, F.S.; revising the
130 definition of the term "code"; amending s. 320.8232,
131 F.S.; specifying uniform standards for repair and
132 remodeling of mobile and manufactured homes; amending
133 s. 320.861, F.S.; authorizing the department to
134 conduct investigations and examinations relating to
135 certain violations; granting the department subpoena
136 and other powers for purposes of such investigations
137 or examinations; providing for petition of a court
138 order to obey a subpoena if a person fails to do so;
139 providing exceptions; providing for the payment of
140 costs to obtain such order; authorizing the department
141 to designate agents to carry out subpoena and other
142 powers; providing for witness fees under certain
143 circumstances; amending s. 320.95, F.S.; revising
144 purposes for which the department may collect and use
145 e-mail addresses; amending ss. 321.05, 321.065, and
146 321.23, F.S.; conforming provisions to changes made by
147 the act; amending s. 322.01, F.S.; revising and
148 providing definitions; amending s. 322.032, F.S.;
149 directing the department to establish a pilot project
150 for the implementation of a technology solution for

151 issuing an optional electronic credential;
152 establishing procurement requirements; providing
153 transaction processes; requiring a report to the
154 Governor and Legislature; providing that presenting an
155 electronic device displaying an electronic credential
156 does not constitute consent for a law enforcement
157 officer to access any other information on such
158 device; providing for the assumption of liability;
159 conforming provisions to changes made by the act;
160 amending ss. 322.059 and 322.15, F.S.; conforming
161 provisions to changes made by the act; amending s.
162 322.61, F.S.; conforming a cross-reference; amending
163 s. 322.0602, F.S.; conforming provisions to changes
164 made by the act; amending s. 322.08, F.S.; revising
165 purposes for which the department may collect and use
166 e-mail addresses; amending s. 322.091, F.S.; requiring
167 the department to report certain information regarding
168 suspension of driver licenses to a school district
169 upon request; amending s. 322.17, F.S.; providing for
170 replacement of a stolen identification card under
171 certain circumstances; amending s. 322.212, F.S.;
172 prohibiting the provision of an altered or counterfeit
173 document or participation in a dishonest or deceptive
174 action in making application for a driver license or
175 identification card; providing penalties; providing

176 for suspension of driving privilege under certain
177 circumstances; amending s. 322.36, F.S.; conforming
178 provisions to changes made by the act; amending s.
179 322.38, F.S.; prohibiting a person from renting a
180 motor vehicle to another person unless he or she has
181 verified that the renter's driver license is
182 unexpired; requiring that a person renting a motor
183 vehicle to another person keep a record of the place
184 where the renter's license was issued; providing that,
185 under certain circumstances, specified requirements
186 are deemed met when a renter is required at certain
187 times to verify that he or she is duly licensed and
188 that the license is unexpired; amending s. 322.61,
189 F.S.; providing additional violations for which a
190 person shall be disqualified from operating a
191 commercial motor vehicle; creating s. 322.71, F.S.;
192 authorizing the department to conduct investigations
193 and examinations relating to certain violations;
194 granting the department subpoena and other powers for
195 purposes of such investigations or examinations;
196 providing for petition of a court order to obey a
197 subpoena if a person fails to do so; providing
198 exceptions; providing for the payment of costs to
199 obtain such order; authorizing the department to
200 designate agents to carry out subpoena and other

201 powers; providing for witness fees under certain
202 circumstances; amending ss. 323.001, 323.002, 324.011,
203 324.022, and 324.023, F.S.; conforming provisions to
204 changes made by the act; amending ss. 324.031 and
205 324.032, F.S.; revising the manner of providing
206 financial responsibility for owners, operators, or
207 lessees of certain for-hire passenger transportation
208 vehicles; amending ss. 324.051 and 324.242, F.S.;
209 conforming provisions to changes made by the act;
210 amending s. 328.30, F.S.; revising provisions under
211 which the department may accept applications by
212 electronic or telephonic means; revising purposes for
213 which the department may collect and use e-mail
214 addresses; amending s. 328.40, F.S.; providing that
215 certain department records are subject to inspection
216 and copying; amending s. 328.73, F.S.; requiring the
217 department, under certain circumstances, to provide
218 tax collectors and certain agents and vendors with
219 certain real-time access to data related to
220 registration certificates and vessel numbers and
221 decals; amending s. 328.80, F.S.; revising provisions
222 under which the department may accept applications by
223 electronic or telephonic means; authorizing the
224 department to collect and use e-mail addresses for
225 certain purposes; amending s. 627.7415, F.S.; revising

226 federal insurance regulations to which commercial
 227 motor vehicles are subject; amending ss. 655.960 and
 228 856.015, F.S.; conforming cross-references; amending
 229 s. 784.07, F.S.; conforming provisions to changes made
 230 by the act; providing effective dates.

231

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

233

234 Section 1. Subsection (2) of section 117.10, Florida
 235 Statutes, is amended to read:

236 117.10 Law enforcement and correctional officers;
 237 administration of oaths.—

238 (2) Law enforcement officers, correctional officers, and
 239 correctional probation officers, as defined in s. 943.10, and
 240 traffic crash ~~accident~~ investigation officers and traffic
 241 infraction enforcement officers, as described in s. 316.640, are
 242 authorized to administer oaths by reliable electronic means or
 243 in the physical presence of an affiant when engaged in the
 244 performance of official duties. Sections 117.01, 117.04,
 245 117.045, 117.05, and 117.103 do not apply to this section. An
 246 officer may not notarize his or her own signature.

247 Section 2. Subsections (16) through (73) and (74) through
 248 (101) of section 316.003, Florida Statutes, are renumbered as
 249 subsections (17) through (74) and (76) through (103),
 250 respectively, present subsections (2) and (59) are amended, and

251 new subsections (16) and (75) are added to that section, to
252 read:

253 316.003 Definitions.—The following words and phrases, when
254 used in this chapter, shall have the meanings respectively
255 ascribed to them in this section, except where the context
256 otherwise requires:

257 (2) AUTOCYCLE.—A three-wheeled motorcycle that has two
258 wheels in the front and one wheel in the back; is equipped with
259 a roll cage or roll hoops, a seat belt for each occupant,
260 antilock brakes, a steering mechanism ~~wheel~~, and seating that
261 does not require the operator to straddle or sit astride it; and
262 is manufactured in accordance with the applicable federal
263 motorcycle safety standards in 49 C.F.R. part 571 by a
264 manufacturer registered with the National Highway Traffic Safety
265 Administration.

266 (16) CRASH.—The operation of a motor vehicle, motorized
267 scooter, or moped which results in property damage or death,
268 bodily injury, or complaint of bodily injury to any person. The
269 term "crash" includes separation of the operator or an occupant
270 from a motor vehicle, motorized scooter, or moped, or trailer
271 being drawn by a motor vehicle, while in motion, which results
272 in property damage or death, bodily injury, or complaint of
273 bodily injury to any person. The term "crash" does not include
274 such operation:

275 (a) On private property, if such operation does not result

276 in death or serious bodily injury, unless the operator is
277 suspected of violating s. 316.193;

278 (b) On a closed course used for commercial or recreational
279 purposes, such as a commercial driving school or racetrack,
280 unless the operator is suspected of violating s. 316.193; or

281 (c) If such property damage or death, bodily injury, or
282 complaint of bodily injury to any person results from an
283 intentional act of a law enforcement officer to force a motor
284 vehicle or moped to stop or reduce speed, such as use of a
285 pursuit termination device or the precision immobilization
286 technique, except that the term "crash" includes such operation
287 that results in death, bodily injury, or complaint of bodily
288 injury to, or damage to property of, anyone other than the
289 operator or an occupant being forced to stop or reduce speed or
290 the law enforcement officer.

291
292 The term "crash" also does not include the death or suffering of
293 a medical episode by the operator or an occupant of a motor
294 vehicle or moped if operation of the motor vehicle or moped did
295 not result in such death or medical episode and does not result
296 in property damage or death, bodily injury, or complaint of
297 bodily injury to any other person.

298 (60)-(59) PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
299 provided in paragraph (83) (b) ~~(81) (b)~~, any privately owned way
300 or place used for vehicular travel by the owner and those having

301 express or implied permission from the owner, but not by other
 302 persons.

303 (75) SERIOUS BODILY INJURY.—A physical injury to any
 304 person which creates a substantial risk of death, significant
 305 personal disfigurement, or protracted loss or impairment of the
 306 function of any bodily member or organ.

307 Section 3. Subsections (1) and (4) of section 316.027,
 308 Florida Statutes, are amended to read:

309 316.027 Crash involving death or personal injuries.—

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

311 ~~(a) "Serious bodily injury" means an injury to a person,~~
 312 ~~including the driver, which consists of a physical condition~~
 313 ~~that creates a substantial risk of death, serious personal~~
 314 ~~disfigurement, or protracted loss or impairment of the function~~
 315 ~~of a bodily member or organ.~~

316 ~~(b)~~ "vulnerable road user" means:

317 (a)1. A pedestrian, including a person actually engaged in
 318 work upon a highway, or in work upon utility facilities along a
 319 highway, or engaged in the provision of emergency services
 320 within the right-of-way;

321 (b)2. A person operating a bicycle, motorcycle, scooter,
 322 or moped lawfully on the roadway;

323 (c)3. A person riding an animal; or

324 (d)4. A person lawfully operating on a public right-of-
 325 way, crosswalk, or shoulder of the roadway:

326 ~~1.a.~~ A farm tractor or similar vehicle designed primarily
 327 for farm use;

328 ~~2.b.~~ A skateboard, roller skates, or in-line skates;

329 ~~3.e.~~ A horse-drawn carriage;

330 ~~4.d.~~ An electric personal assistive mobility device; or

331 ~~5.e.~~ A wheelchair.

332 (4) (a) In addition to any other civil, criminal, or
 333 administrative penalty imposed, a person whose commission of a
 334 noncriminal traffic infraction or a violation of this chapter or
 335 s. 1006.66 causes or results in the death of another person may
 336 be required by the court to serve 120 community service hours in
 337 a trauma center or hospital that regularly receives victims of
 338 vehicle crashes ~~accidents~~, under the supervision of a registered
 339 nurse, an emergency room physician, or an emergency medical
 340 technician pursuant to a voluntary community service program
 341 operated by the trauma center or hospital.

342 (b) Notwithstanding paragraph (a), in addition to any
 343 other civil, criminal, or administrative penalty imposed, a
 344 person whose commission of a violation of s. 316.172(1) (a) or
 345 (b) causes or results in serious bodily injury to or death of
 346 another person shall be required by the court to:

347 1. Serve 120 community service hours in a trauma center or
 348 hospital that regularly receives victims of vehicle crashes
 349 ~~accidents~~, under the supervision of a registered nurse, an
 350 emergency room physician, or an emergency medical technician

351 pursuant to a voluntary community service program operated by
352 the trauma center or hospital.

353 2. Participate in a victim's impact panel session in a
354 judicial circuit if such a panel exists, or if such a panel does
355 not exist, attend a department-approved driver improvement
356 course relating to the rights of vulnerable road users relative
357 to vehicles on the roadway as provided in s. 322.0261(2).

358 Section 4. Subsection (1) and paragraph (a) of subsection
359 (5) of section 316.0271, Florida Statutes, are amended to read:

360 316.0271 Yellow dot critical motorist medical information
361 program; yellow dot decal, folder, and information form.—

362 (1) The governing body of a county may create a yellow dot
363 critical motorist medical information program to facilitate the
364 provision of emergency medical care to program participants by
365 emergency medical responders by making critical medical
366 information readily available to responders in the event of a
367 motor vehicle crash ~~accident~~ or a medical emergency involving a
368 participant's vehicle.

369 (5) (a) If the driver or a passenger of a motor vehicle is
370 involved in a motor vehicle crash ~~accident~~ or emergency
371 situation and a yellow dot decal is affixed to the vehicle, an
372 emergency medical responder at the scene may search the glove
373 compartment of the vehicle for the corresponding yellow dot
374 folder.

375 Section 5. Subsection (3) of section 316.061, Florida

376 Statutes, is amended to read:

377 316.061 Crashes involving damage to vehicle or property.—

378 (3) Employees or authorized agents of the Department of
 379 Transportation, law enforcement with proper jurisdiction, or an
 380 expressway authority created pursuant to chapter 348, in the
 381 exercise, management, control, and maintenance of its highway
 382 system, may undertake the removal from the main traveled way of
 383 roads on its highway system of all vehicles incapacitated as a
 384 result of a motor vehicle crash and of debris caused thereby.
 385 Such removal is applicable when such a motor vehicle crash
 386 results only in damage to a vehicle or other property, and when
 387 such removal can be accomplished safely and will result in the
 388 improved safety or convenience of travel upon the road. The
 389 driver or any other person who has removed a motor vehicle from
 390 the main traveled way of the road as provided in this section
 391 shall not be considered liable or at fault regarding the cause
 392 of the crash ~~accident~~ solely by reason of moving the vehicle.

393 Section 6. Paragraph (c) of subsection (3) of section
 394 316.192, Florida Statutes, is amended to read:

395 316.192 Reckless driving.—

396 (3) Any person:

397 (c) Who, by reason of such operation, causes:

398 1. Damage to the property or person of another commits a
 399 misdemeanor of the first degree, punishable as provided in s.
 400 775.082 or s. 775.083.

401 2. Serious bodily injury to another commits a felony of
402 the third degree, punishable as provided in s. 775.082, s.
403 775.083, or s. 775.084. ~~The term "serious bodily injury" means~~
404 ~~an injury to another person, which consists of a physical~~
405 ~~condition that creates a substantial risk of death, serious~~
406 ~~personal disfigurement, or protracted loss or impairment of the~~
407 ~~function of any bodily member or organ.~~

408 Section 7. Paragraph (c) of subsection (3) of section
409 316.193, Florida Statutes, is amended to read:

410 316.193 Driving under the influence; penalties.—

411 (3) Any person:

412 (c) Who, by reason of such operation, causes or
413 contributes to causing:

414 1. Damage to the property or person of another commits a
415 misdemeanor of the first degree, punishable as provided in s.
416 775.082 or s. 775.083.

417 2. Serious bodily injury, as defined in s. 316.003, to
418 himself or herself or another, ~~as defined in s. 316.1933,~~
419 commits a felony of the third degree, punishable as provided in
420 s. 775.082, s. 775.083, or s. 775.084.

421 3. The death of any human being or unborn child commits
422 DUI manslaughter, and commits:

423 a. A felony of the second degree, punishable as provided
424 in s. 775.082, s. 775.083, or s. 775.084.

425 b. A felony of the first degree, punishable as provided in

426 s. 775.082, s. 775.083, or s. 775.084, if:

427 (I) At the time of the crash, the person knew, or should
428 have known, that the crash occurred; and

429 (II) The person failed to give information and render aid
430 as required by s. 316.062.

431

432 For purposes of this subsection, the term "unborn child" has the
433 same meaning as provided in s. 775.021(5). A person who is
434 convicted of DUI manslaughter shall be sentenced to a mandatory
435 minimum term of imprisonment of 4 years.

436 Section 8. Subsection (1) of section 316.1933, Florida
437 Statutes, is amended to read:

438 316.1933 Blood test for impairment or intoxication in
439 cases of death or serious bodily injury; right to use reasonable
440 force.—

441 (1) ~~(a)~~ If a law enforcement officer has probable cause to
442 believe that a motor vehicle driven by or in the actual physical
443 control of a person under the influence of alcoholic beverages,
444 any chemical substances, or any controlled substances has caused
445 the death or serious bodily injury of a human being, including
446 the person himself or herself, a law enforcement officer shall
447 require the person driving or in actual physical control of the
448 motor vehicle to submit to a test of the person's blood for the
449 purpose of determining the alcoholic content thereof or the
450 presence of chemical substances as set forth in s. 877.111 or

451 any substance controlled under chapter 893. The law enforcement
452 officer may use reasonable force if necessary to require such
453 person to submit to the administration of the blood test. The
454 blood test shall be performed in a reasonable manner.

455 Notwithstanding s. 316.1932, the testing required by this
456 subsection ~~paragraph~~ need not be incidental to a lawful arrest
457 of the person.

458 ~~(b) The term "serious bodily injury" means an injury to~~
459 ~~any person, including the driver, which consists of a physical~~
460 ~~condition that creates a substantial risk of death, serious~~
461 ~~personal disfigurement, or protracted loss or impairment of the~~
462 ~~function of any bodily member or organ.~~

463 Section 9. Paragraphs (a) and (b) of subsection (3) of
464 section 316.194, Florida Statutes, are amended to read:

465 316.194 Stopping, standing or parking outside of
466 municipalities.—

467 (3) (a) When a ~~Whenever any~~ police officer or traffic crash
468 ~~accident~~ investigation officer finds a vehicle standing upon a
469 highway in violation of any of the foregoing provisions of this
470 section, the officer may ~~is authorized to~~ move the vehicle, or
471 require the driver or other persons in charge of the vehicle to
472 move the vehicle, to a position off the paved or main-traveled
473 part of the highway.

474 (b) Officers and traffic crash ~~accident~~ investigation
475 officers may provide for the removal of an ~~any~~ abandoned vehicle

476 to the nearest garage or other place of safety, the cost of such
 477 removal to be a lien against motor vehicle, when an abandoned
 478 vehicle is found unattended upon a bridge or causeway or in any
 479 tunnel, or on any public highway in the following instances:

480 1. Where such vehicle constitutes an obstruction of
 481 traffic;

482 2. Where such vehicle has been parked or stored on the
 483 public right-of-way for more than ~~a period exceeding~~ 48 hours,
 484 in other than designated parking areas, and is within 30 feet of
 485 the pavement edge; and

486 3. Where an operative vehicle has been parked or stored on
 487 the public right-of-way for more than ~~a period exceeding~~ 10
 488 days, in other than designated parking areas, and is more than
 489 30 feet from the pavement edge. However, the agency removing
 490 such vehicle shall be required to report the removal ~~same~~ to the
 491 Department of Highway Safety and Motor Vehicles within 24 hours
 492 after ~~of~~ such removal.

493 Section 10. Subsection (3) of section 316.224, Florida
 494 Statutes, is amended to read:

495 316.224 Color of clearance lamps, identification lamps,
 496 side marker lamps, backup lamps, reflectors, and deceleration
 497 lights.—

498 (3) All lighting devices and reflectors mounted on the
 499 rear of any vehicle shall display or reflect a red color, except
 500 the stop light or other signal device, which may be red, amber,

501 or yellow, and except that the light illuminating the license
502 plate shall be white and the light emitted by a backup lamp
503 shall be white or amber. Deceleration lights as authorized by s.
504 316.235(6) ~~s. 316.235(5)~~ shall display an amber color.

505 Section 11. Subsections (3) through (6) of section
506 316.235, Florida Statutes, are renumbered as subsections (4)
507 through (7), respectively, and a new subsection (3) is added to
508 that section to read:

509 316.235 Additional lighting equipment.—

510 (3) Any motor vehicle may be equipped with one or more
511 lamps or devices underneath the motor vehicle as long as such
512 lamps or devices do not emit light in violation of s.
513 316.2397(1) or (7) or s. 316.238.

514 Section 12. Subsections (1) and (3) and paragraph (c) of
515 subsection (7) of section 316.2397, Florida Statutes, are
516 amended to read:

517 316.2397 Certain lights prohibited; exceptions.—

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

524 (3) Vehicles of the fire department and fire patrol,
525 including vehicles of volunteer firefighters as permitted under

526 | s. 316.2398, may show or display red or red and white lights.
527 | Vehicles of medical staff physicians or technicians of medical
528 | facilities licensed by the state as authorized under s.
529 | 316.2398, ambulances as authorized under this chapter, and buses
530 | and taxicabs as authorized under s. 316.2399 may show or display
531 | red lights. Vehicles of the fire department, fire patrol, police
532 | vehicles, and such ambulances and emergency vehicles of
533 | municipal and county departments, public service corporations
534 | operated by private corporations, the Fish and Wildlife
535 | Conservation Commission, the Department of Environmental
536 | Protection, the Department of Transportation, the Department of
537 | Agriculture and Consumer Services, and the Department of
538 | Corrections as are designated or authorized by their respective
539 | department or the chief of police of an incorporated city or any
540 | sheriff of any county may operate emergency lights and sirens in
541 | an emergency. Wreckers, mosquito control fog and spray vehicles,
542 | and emergency vehicles of governmental departments or public
543 | service corporations may show or display amber lights when in
544 | actual operation or when a hazard exists provided they are not
545 | used going to and from the scene of operation or hazard without
546 | specific authorization of a law enforcement officer or law
547 | enforcement agency. Wreckers must use amber rotating or flashing
548 | lights while performing recoveries and loading on the roadside
549 | day or night, and may use such lights while towing a vehicle on
550 | wheel lifts, slings, or under reach if the operator of the

551 wrecker deems such lights necessary. A flatbed, car carrier, or
552 rollback may not use amber rotating or flashing lights when
553 hauling a vehicle on the bed unless it creates a hazard to other
554 motorists because of protruding objects. Further, escort
555 vehicles may show or display amber lights when in the actual
556 process of escorting overdimensioned equipment, material, or
557 buildings as authorized by law. Vehicles owned or leased by
558 private security agencies may show or display green and amber
559 lights, with either color being no greater than 50 percent of
560 the lights displayed, while the security personnel are engaged
561 in security duties on private or public property.

562 (7) Flashing lights are prohibited on vehicles except:

563 (c) For the lamps authorized under subsections (1), (2),
564 (3), (4), and (9), s. 316.2065, or s. 316.235(6) ~~s. 316.235(5)~~
565 which may flash.

566 Section 13. Section 316.2398, Florida Statutes, is amended
567 to read:

568 316.2398 Display or use of red or red and white warning
569 signals; motor vehicles of volunteer firefighters or medical
570 staff.—

571 (1) A privately owned vehicle belonging to an active
572 firefighter member of a regularly organized volunteer
573 firefighting company or association, while en route to the fire
574 station for the purpose of proceeding to the scene of a fire or
575 other emergency or while en route to the scene of a fire or

576 other emergency in the line of duty as an active firefighter
577 member of a regularly organized firefighting company or
578 association, may display or use red or red and white warning
579 signals. ~~or~~ A privately owned vehicle belonging to a medical
580 staff physician or technician of a medical facility licensed by
581 the state, while responding to an emergency in the line of duty,
582 may display or use red warning signals. Warning signals must be
583 visible from the front and from the rear of such vehicle,
584 subject to the following restrictions and conditions:

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

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

589 (c) In order for an active volunteer firefighter to
590 display such red or red and white warning signals on his or her
591 vehicle, the volunteer firefighter must first secure a written
592 permit from the chief executive officers of the firefighting
593 organization to use the red or red and white warning signals,
594 and this permit must be carried by the volunteer firefighter at
595 all times while the red or red and white warning signals are
596 displayed.

597 (2) ~~A It is unlawful for any person who is not an active~~
598 firefighter member of a regularly organized volunteer
599 firefighting company or association or a physician or technician
600 of the medical staff of a medical facility licensed by the state

601 may not ~~to~~ display on any motor vehicle owned by him or her, at
 602 any time, any red or red and white warning signals as described
 603 in subsection (1).

604 (3) ~~It is unlawful for~~ An active volunteer firefighter may
 605 not ~~to~~ operate any red or red and white warning signals as
 606 authorized in subsection (1), except while en route to the fire
 607 station for the purpose of proceeding to the scene of a fire or
 608 other emergency, or while at or en route to the scene of a fire
 609 or other emergency, in the line of duty.

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

614 (5) A violation of this section is a nonmoving violation,
 615 punishable as provided in chapter 318. In addition, a any
 616 volunteer firefighter who violates this section shall be
 617 dismissed from membership in the firefighting organization by
 618 the chief executive officers thereof.

619 Section 14. Subsections (1) and (2) of section 316.302,
 620 Florida Statutes, are amended to read:

621 316.302 Commercial motor vehicles; safety regulations;
 622 transporters and shippers of hazardous materials; enforcement.—

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

624 (a) All owners and drivers of commercial motor vehicles
 625 that are operated on the public highways of this state while

626 engaged in interstate commerce are subject to the rules and
627 regulations contained in 49 C.F.R. parts 382, 383, 385, 386, and
628 390-397.

629 (b) Except as otherwise provided in this section, all
630 owners or drivers of commercial motor vehicles that are engaged
631 in intrastate commerce are subject to the rules and regulations
632 contained in 49 C.F.R. parts 382, 383, 385, 386, and 390-397,
633 ~~with the exception of 49 C.F.R. s. 390.5 as it relates to the~~
634 ~~definition of bus~~, as such rules and regulations existed on
635 December 31, 2018 ~~2012~~.

636 (c) The emergency exceptions provided by 49 C.F.R. s.
637 392.82 also apply to communications by utility drivers and
638 utility contractor drivers during a Level 1 activation of the
639 State Emergency Operations Center, as provided in the Florida
640 Comprehensive Emergency Management plan, or during a state of
641 emergency declared by executive order or proclamation of the
642 Governor.

643 (d) Except as provided in s. 316.215(5), and except as
644 provided in s. 316.228 for rear overhang lighting and flagging
645 requirements for intrastate operations, the requirements of this
646 section supersede all other safety requirements of this chapter
647 for commercial motor vehicles.

648 (e) A person who operates a commercial motor vehicle
649 solely in intrastate commerce not transporting hazardous
650 materials in amounts that require placarding pursuant to 49

651 C.F.R. part 172 need not comply with the requirements of
652 electronic logging devices and hours of service supporting
653 documents as provided in 49 C.F.R. parts 385, 386, 390, and 395
654 until December 31, 2019.

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

660 (b) Except as provided in 49 C.F.R. s. 395.1, a person who
661 operates a commercial motor vehicle solely in intrastate
662 commerce not transporting any hazardous material in amounts that
663 require placarding pursuant to 49 C.F.R. part 172 may not drive:

664 1. More than 12 hours following 10 consecutive hours off
665 duty; or

666 2. For any period after the end of the 16th hour after
667 coming on duty following 10 consecutive hours off duty.

668
669 ~~The provisions of~~ This paragraph does ~~de~~ not apply to drivers of
670 utility service vehicles as defined in 49 C.F.R. s. 395.2.

671 (c) Except as provided in 49 C.F.R. s. 395.1, a person who
672 operates a commercial motor vehicle solely in intrastate
673 commerce not transporting any hazardous material in amounts that
674 require placarding pursuant to 49 C.F.R. part 172 may not drive
675 after having been on duty more than 70 hours in any period of 7

676 consecutive days or more than 80 hours in any period of 8
677 consecutive days if the motor carrier operates every day of the
678 week. Thirty-four consecutive hours off duty shall constitute
679 the end of any such period of 7 or 8 consecutive days. This
680 weekly limit does not apply to a person who operates a
681 commercial motor vehicle solely within this state while
682 transporting, during harvest periods, any unprocessed
683 agricultural products or unprocessed food or fiber that is
684 subject to seasonal harvesting from place of harvest to the
685 first place of processing or storage or from place of harvest
686 directly to market or while transporting livestock, livestock
687 feed, or farm supplies directly related to growing or harvesting
688 agricultural products. Upon request of the Department of Highway
689 Safety and Motor Vehicles, motor carriers shall furnish time
690 records or other written verification to that department so that
691 the Department of Highway Safety and Motor Vehicles can
692 determine compliance with this subsection. These time records
693 must be furnished to the Department of Highway Safety and Motor
694 Vehicles within 2 days after receipt of that department's
695 request. Falsification of such information is subject to a civil
696 penalty ~~not to exceed \$100. The provisions of~~ This paragraph
697 does ~~de~~ not apply to operators of farm labor vehicles operated
698 during a state of emergency declared by the Governor or operated
699 pursuant to s. 570.07(21)⁷ and does ~~de~~ not apply to drivers of
700 utility service vehicles as defined in 49 C.F.R. s. 395.2.

701 (d) A person who operates a commercial motor vehicle
702 solely in intrastate commerce not transporting any hazardous
703 material in amounts that require placarding pursuant to 49
704 C.F.R. part 172 within a 150 air-mile radius of the location
705 where the vehicle is based need not comply with 49 C.F.R. s.
706 395.8~~7~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)(ii),
707 (iii)(A) and (C), ~~s. 395.1(e)(1)(iii)~~ and (v) are met. ~~If a~~
708 ~~driver is not released from duty within 12 hours after the~~
709 ~~driver arrives for duty, the motor carrier must maintain~~
710 ~~documentation of the driver's driving times throughout the duty~~
711 ~~period.~~

712 (e) A person who operates a commercial motor vehicle
713 solely in intrastate commerce is exempt from subsection (1)
714 while transporting agricultural products, including
715 horticultural or forestry products, from farm or harvest place
716 to the first place of processing or storage, or from farm or
717 harvest place directly to market. However, such person must
718 comply with 49 C.F.R. parts 382, 392, and 393, and with 49
719 C.F.R. ss. 396.3(a)(1) and 396.9. A vehicle or combination of
720 vehicles operated pursuant to this paragraph having a gross
721 vehicle weight of 26,001 pounds or more or having three or more
722 axles on the power unit, regardless of weight, must display the
723 name of the vehicle owner or motor carrier and the municipality
724 or town where the vehicle is based on each side of the power
725 unit in letters that contrast with the background and that are

726 readable from a distance of 50 feet. A person who violates this
727 vehicle identification requirement may be assessed a penalty as
728 provided in s. 316.3025(3) (a).

729 (f) A person who operates a commercial motor vehicle
730 having a ~~declared~~ gross vehicle weight, gross vehicle weight
731 rating, and gross combined weight rating of less than 26,001
732 pounds solely in intrastate commerce and who is not transporting
733 hazardous materials in amounts that require placarding pursuant
734 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
735 ~~as defined in s. 376.301~~, is exempt from subsection (1).
736 However, such person must comply with 49 C.F.R. parts 382, 392,
737 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.

738 (g) A person whose driving record shows no convictions for
739 the preceding 3 years and who, as of October 1, 1988, is
740 employed as a driver-salesperson, as defined in 49 C.F.R. s.
741 395.2, and who operates solely in intrastate commerce, is exempt
742 from 49 C.F.R. part 391.

743 (h) A person who is an employee of an electric utility, as
744 defined in s. 361.11, or a telephone company, as defined in s.
745 364.02, and who operates a commercial motor vehicle solely in
746 intrastate commerce and within a 200 air-mile radius of the
747 location where the vehicle is based, is exempt from 49 C.F.R.
748 ss. 396.11 and 396.13 and 49 C.F.R. part 391, subparts D and E.

749 (i) A person whose driving record shows no traffic
750 convictions, pursuant to s. 322.61, during the 2-year period

751 immediately preceding the application for the commercial driver
752 license, who is otherwise qualified as a driver under 49 C.F.R.
753 part 391, and who operates a commercial vehicle in intrastate
754 commerce only shall be exempt from the requirements of 49 C.F.R.
755 part 391, subpart E, s. 391.41(b)(10). However, such operators
756 are still subject to the requirements of ss. 322.12 and 322.121.
757 As proof of eligibility, such driver shall have in his or her
758 possession a physical examination form dated within the past 24
759 months.

760 ~~(j) A person who is otherwise qualified as a driver under~~
761 ~~49 C.F.R. part 391, who operates a commercial motor vehicle in~~
762 ~~intrastate commerce only, and who does not transport hazardous~~
763 ~~materials in amounts that require placarding pursuant to 49~~
764 ~~C.F.R. part 172, is exempt from the requirements of 49 C.F.R.~~
765 ~~part 391, subpart E, ss. 391.41(b)(3) and 391.43(e), relating to~~
766 ~~diabetes.~~

767 (j)~~(k)~~ A person holding a commercial driver license who is
768 a regularly employed driver of a commercial motor vehicle and is
769 subject to an alcohol and controlled substance testing program
770 related to that employment shall not be required to be part of a
771 separate testing program for operating any bus owned and
772 operated by a church when the driver does not receive any form
773 of compensation for operating the bus and when the bus is used
774 to transport people to or from church-related activities at no
775 charge. The provisions of this paragraph may not be implemented

776 if the Federal Government notifies the department that
 777 implementation will adversely affect the allocation of federal
 778 funds to the state.

779 Section 15. Effective December 31, 2019, paragraph (d) of
 780 subsection (1) of section 316.302, Florida Statutes, is amended
 781 to read:

782 316.302 Commercial motor vehicles; safety regulations;
 783 transporters and shippers of hazardous materials; enforcement.—

784 (1)

785 (d) Except as provided in ~~s. 316.215(5)~~, and ~~except as~~
 786 ~~provided in~~ s. 316.228 for rear overhang lighting and flagging
 787 requirements for intrastate operations, the requirements of this
 788 section supersede all other safety requirements of this chapter
 789 for commercial motor vehicles.

790 Section 16. Subsection (8) of section 316.622, Florida
 791 Statutes, is amended to read:

792 316.622 Farm labor vehicles.—

793 (8) The department shall provide to the Department of
 794 Business and Professional Regulation each quarter a copy of each
 795 crash ~~accident~~ report involving a farm labor vehicle.

796 Section 17. Paragraph (a) of subsection (1) of section
 797 316.640, Florida Statutes, is amended to read:

798 316.640 Enforcement.—The enforcement of the traffic laws
 799 of this state is vested as follows:

800 (1) STATE.—

801 (a)1.a. The Division of Florida Highway Patrol of the
802 Department of Highway Safety and Motor Vehicles; the Division of
803 Law Enforcement of the Fish and Wildlife Conservation
804 Commission; and the agents, inspectors, and officers of the
805 Department of Law Enforcement each have authority to enforce all
806 of the traffic laws of this state on all the streets and
807 highways thereof and elsewhere throughout the state wherever the
808 public has a right to travel by motor vehicle.

809 b. University police officers may enforce all of the
810 traffic laws of this state when violations occur on or within
811 1,000 feet of any property or facilities that are under the
812 guidance, supervision, regulation, or control of a state
813 university, a direct-support organization of such state
814 university, or any other organization controlled by the state
815 university or a direct-support organization of the state
816 university, or when such violations occur within a specified
817 jurisdictional area as agreed upon in a mutual aid agreement
818 entered into with a law enforcement agency pursuant to s.
819 23.1225(1). Traffic laws may also be enforced off-campus when
820 hot pursuit originates on or within 1,000 feet of any such
821 property or facilities, or as agreed upon in accordance with the
822 mutual aid agreement.

823 c. Florida College System institution police officers may
824 enforce all the traffic laws of this state only when such
825 violations occur on or within 1,000 feet of any property or

826 facilities that are under the guidance, supervision, regulation,
827 or control of the Florida College System institution, or when
828 such violations occur within a specified jurisdictional area as
829 agreed upon in a mutual aid agreement entered into with a law
830 enforcement agency pursuant to s. 23.1225. Traffic laws may also
831 be enforced off-campus when hot pursuit originates on or within
832 1,000 feet of any such property or facilities, or as agreed upon
833 in accordance with the mutual aid agreement.

834 d. Police officers employed by an airport authority may
835 enforce all of the traffic laws of this state only when such
836 violations occur on any property or facilities that are owned or
837 operated by an airport authority.

838 (I) An airport authority may employ as a parking
839 enforcement specialist any individual who successfully completes
840 a training program established and approved by the Criminal
841 Justice Standards and Training Commission for parking
842 enforcement specialists but who does not otherwise meet the
843 uniform minimum standards established by the commission for law
844 enforcement officers or auxiliary or part-time officers under s.
845 943.12. This sub-sub-subparagraph may not be construed to permit
846 the carrying of firearms or other weapons, nor shall such
847 parking enforcement specialist have arrest authority.

848 (II) A parking enforcement specialist employed by an
849 airport authority may enforce all state, county, and municipal
850 laws and ordinances governing parking only when such violations

851 are on property or facilities owned or operated by the airport
852 authority employing the specialist, by appropriate state,
853 county, or municipal traffic citation.

854 e. The Office of Agricultural Law Enforcement of the
855 Department of Agriculture and Consumer Services may enforce
856 traffic laws of this state.

857 f. School safety officers may enforce all of the traffic
858 laws of this state when such violations occur on or about any
859 property or facilities that are under the guidance, supervision,
860 regulation, or control of the district school board.

861 2. Any disciplinary action taken or performance evaluation
862 conducted by an agency of the state as described in subparagraph
863 1. of a law enforcement officer's traffic enforcement activity
864 must be in accordance with written work-performance standards.
865 Such standards must be approved by the agency and any collective
866 bargaining unit representing such law enforcement officer. A
867 violation of this subparagraph is not subject to the penalties
868 provided in chapter 318.

869 3. The Division of the Florida Highway Patrol may employ
870 as a traffic crash ~~accident~~ investigation officer any individual
871 who successfully completes instruction in traffic crash ~~accident~~
872 investigation and court presentation through the Selective
873 Traffic Enforcement Program as approved by the Criminal Justice
874 Standards and Training Commission and funded through the
875 National Highway Traffic Safety Administration or a similar

876 program approved by the commission, but who does not necessarily
877 meet the uniform minimum standards established by the commission
878 for law enforcement officers or auxiliary law enforcement
879 officers under chapter 943. Any such traffic crash ~~accident~~
880 investigation officer who makes an investigation at the scene of
881 a traffic crash ~~accident~~ may issue traffic citations, based upon
882 personal investigation, when he or she has reasonable and
883 probable grounds to believe that a person who was involved in
884 the crash ~~accident~~ committed an offense under this chapter,
885 chapter 319, chapter 320, or chapter 322 in connection with the
886 crash ~~accident~~. This subparagraph does not permit the officer to
887 carry firearms or other weapons, and such an officer does not
888 have authority to make arrests.

889 Section 18. Subsection (2) of section 316.655, Florida
890 Statutes, is amended to read:

891 316.655 Penalties.—

892 (2) A driver convicted of a violation of any offense
893 prohibited by this chapter or any other law of this state
894 regulating motor vehicles, which resulted in a crash ~~an~~
895 ~~accident~~, may have his or her driving privileges revoked or
896 suspended by the court if the court finds such revocation or
897 suspension warranted by the totality of the circumstances
898 resulting in the conviction and the need to provide for the
899 maximum safety for all persons who travel on or who are
900 otherwise affected by the use of the highways of the state. In

901 determining whether suspension or revocation is appropriate, the
902 court shall consider all pertinent factors, including, but not
903 limited to, such factors as the extent and nature of the
904 driver's violation of this chapter, the number of persons killed
905 or injured as the result of the driver's violation of this
906 chapter, and the extent of any property damage resulting from
907 the driver's violation of this chapter.

908 Section 19. Section 316.70, Florida Statutes, is amended
909 to read:

910 316.70 Nonpublic sector buses; safety rules.—

911 (1) All owners and drivers ~~The Department of~~
912 ~~Transportation shall establish and revise standards to ensure~~
913 ~~the safe operation of nonpublic sector buses~~ operated on the
914 public highways of this state are subject to the rules and
915 regulations, ~~which standards shall be those contained in 49~~
916 ~~C.F.R. parts 382, 383, 385, 386, 387, and 390-397. The~~
917 department ~~and which shall ensure~~ be directed toward ensuring
918 that:

919 (a) Nonpublic sector buses are safely maintained,
920 equipped, and operated.

921 ~~(b) Nonpublic sector buses are carrying the insurance~~
922 ~~required by law and carrying liability insurance on the checked~~
923 ~~baggage of passengers not to exceed the standard adopted by the~~
924 ~~United States Department of Transportation.~~

925 (b)(e) Florida license tags are purchased for nonpublic

926 sector buses pursuant to s. 320.38.

927 ~~(d) The driving records of drivers of nonpublic sector~~
928 ~~buses are checked by their employers at least once each year to~~
929 ~~ascertain whether the driver has a suspended or revoked driver~~
930 ~~license.~~

931 (2) Department of Highway Safety and Motor Vehicles
932 Transportation personnel may conduct compliance investigations
933 ~~reviews~~ for the purpose of determining compliance with this
934 section. A civil penalty not to exceed \$5,000 in the aggregate
935 may be assessed against a ~~any~~ person who violates ~~any provision~~
936 ~~of~~ this section or who violates a ~~any~~ rule or order of the
937 Department of Highway Safety and Motor Vehicles Transportation.
938 A civil penalty not to exceed \$25,000 in the aggregate may be
939 assessed for violations found in a followup compliance
940 investigation ~~review~~ ~~conducted within a 24-month period~~. A civil
941 ~~penalty not to exceed \$25,000 in the aggregate may be assessed~~
942 ~~and the motor carrier may be enjoined pursuant to s. 316.3026 if~~
943 ~~violations are found after a second followup compliance review~~
944 ~~within 12 months after the first followup compliance review.~~
945 Motor carriers may be enjoined under s. 316.3026 for violations
946 identified during a compliance investigation or for ~~found to be~~
947 ~~operating without insurance coverage required by s. 627.742 or~~
948 ~~49 C.F.R. part 387 may be enjoined as provided in s. 316.3026.~~

949 (3) For the purpose of enforcing this section, a law
950 enforcement officer of the Department of Highway Safety and

951 Motor Vehicles or duly appointed agent who holds a current
952 safety inspector certification from the Commercial Vehicle
953 Safety Alliance may require the driver of any commercial motor
954 vehicle operated on the highways of this state to stop and
955 submit to an inspection of the motor vehicle or the driver's
956 records. If the motor vehicle or driver is found to be operating
957 in an unsafe condition, or if any required part or equipment is
958 not present or is not in proper repair or adjustment, and the
959 continued operation would present an unduly hazardous operating
960 condition, the officer or agent may require the motor vehicle or
961 the driver to be removed from service pursuant to the North
962 American Standard Out-of-Service Criteria until corrected.
963 However, if continued operation would not present an unduly
964 hazardous operating condition, the officer or agent may give
965 written notice requiring correction of the condition within 15
966 days.

967 (4)-(3) School buses subject to ~~the provisions of~~ chapter
968 1006 or s. 316.615 are exempt from ~~the provisions of~~ this
969 section.

970 Section 20. Section 318.19, Florida Statutes, is amended
971 to read:

972 318.19 Infractions requiring a mandatory hearing.—A Any
973 person cited for an infraction ~~the infractions~~ listed in this
974 section shall not have the provisions of s. 318.14(2), (4), and
975 (9) available to him or her but must appear before the

976 designated official at the time and location of the scheduled
 977 hearing:

978 (1) Any infraction which results in a crash that causes
 979 the death of another;

980 (2) Any infraction which results in a crash that causes
 981 "serious bodily injury, as defined in s. 316.003," of another,
 982 including the person cited for the infraction as defined in s.
 983 316.1933(1);

984 (3) Any infraction of s. 316.172(1)(b);

985 (4) Any infraction of s. 316.520(1) or (2); or

986 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
 987 316.189 of exceeding the speed limit by 30 mph or more.

988 Section 21. Subsections (3) through (7) are added to
 989 section 319.25, Florida Statutes, to read:

990 319.25 Cancellation of certificates; investigations;
 991 subpoenas and other process; oaths; rules.-

992 (3) The department may conduct investigations and
 993 examinations of any person suspected of violating or of having
 994 violated any provision of this chapter or any rule adopted or
 995 order issued under this chapter.

996 (4) For purposes of any investigation or examination
 997 conducted under this section, the department is granted and
 998 authorized to exercise the power of subpoena and to administer
 999 oaths or affirmations, examine witnesses, require affidavits,
 1000 take depositions, and compel the attendance of witnesses and the

1001 production of books, papers, documents, records, and other
1002 evidence. Such subpoenas may be served by an authorized
1003 representative of the department.

1004 (5) If a person refuses to testify, produce books, papers,
1005 documents, or records, or otherwise obey the subpoena or
1006 subpoena duces tecum, the department may petition a court of
1007 competent jurisdiction in the county in which the person's
1008 residence or principal place of business is located, whereupon
1009 the court shall issue an order requiring such person to obey the
1010 subpoena or show cause for failing to obey the subpoena. Unless
1011 the person shows sufficient cause for failing to obey the
1012 subpoena, the court shall direct the person to obey the subpoena
1013 and award costs incurred by the department to obtain the order.
1014 Failure to comply with such order is contempt of court.

1015 (6) For the purpose of any investigation, examination, or
1016 proceeding initiated by the department under this chapter, the
1017 department may designate agents to serve subpoenas and other
1018 process and administer oaths or affirmations.

1019 (7) A witness subpoenaed under this section is entitled to
1020 witness fees at the same rate established by s. 92.142 for
1021 witnesses in a civil case, except that witness fees are not
1022 payable for appearance at the witness's place of business during
1023 regular business hours or at the witness's residence.

1024 Section 22. Subsection (3) of section 319.40, Florida
1025 Statutes, is amended to read:

1026 319.40 Transactions by electronic or telephonic means.—
 1027 (3) The department may collect and use e-mail ~~electronic~~
 1028 ~~mail~~ addresses for purposes of this chapter, including, but not
 1029 limited to, and use of e-mail ~~electronic mail~~ in lieu of the
 1030 United States Postal Service as a method of notification.
 1031 However, any notice regarding the potential forfeiture or
 1032 foreclosure of an interest in property must be sent via the
 1033 United States Postal Service.

1034 Section 23. Subsection (24) of section 320.01, Florida
 1035 Statutes, is amended to read:

1036 320.01 Definitions, general.—As used in the Florida
 1037 Statutes, except as otherwise provided, the term:

1038 (24) "Apportionable vehicle" means any vehicle, except
 1039 recreational vehicles, vehicles displaying restricted plates,
 1040 city pickup and delivery vehicles, ~~buses used in transportation~~
 1041 ~~of chartered parties,~~ and government-owned vehicles, which is
 1042 used or intended for use in two or more member jurisdictions
 1043 that allocate or proportionally register vehicles and which is
 1044 used for the transportation of persons for hire or is designed,
 1045 used, or maintained primarily for the transportation of property
 1046 and:

1047 (a) Is a power unit having a gross vehicle weight in
 1048 excess of 26,000 pounds;

1049 (b) Is a power unit having three or more axles, regardless
 1050 of weight; or

1051 (c) Is used in combination, when the weight of such
1052 combination exceeds 26,000 pounds gross vehicle weight.

1053
1054 Vehicles, or combinations thereof, having a gross vehicle weight
1055 of 26,000 pounds or less and two-axle vehicles may be
1056 proportionally registered.

1057 Section 24. Paragraph (b) of subsection (4) of section
1058 320.03, Florida Statutes, is amended to read:

1059 320.03 Registration; duties of tax collectors;
1060 International Registration Plan.—

1061 (4)

1062 (b) The Florida Real Time Vehicle Information System shall
1063 be installed in every tax collector's and license tag agent's
1064 office in accordance with a schedule established by the
1065 department in consultation with the tax collectors and
1066 contingent upon funds being made available for the system by the
1067 state. For the purpose of enhancing customer services provided
1068 by tax collectors acting on behalf of the department, the
1069 department, contingent upon a request and memorandum of
1070 understanding, shall provide tax collectors and tax collector-
1071 approved agents and vendors with real-time access to data that
1072 other third parties receive from the department related to
1073 vehicle and mobile home registration certificates, registration
1074 license plates, and validation stickers, including, but not
1075 limited to, the most current address information and electronic

1076 mail addresses of applicants. The memorandum of understanding as
1077 required under this paragraph may not be more restrictive than
1078 any memorandum of understanding between the department and other
1079 third-party vendors.

1080 Section 25. Paragraph (b) of subsection (1), subsection
1081 (2), and paragraph (a) of subsection (3) of section 320.06,
1082 Florida Statutes, are amended to read:

1083 320.06 Registration certificates, license plates, and
1084 validation stickers generally.—

1085 (1)

1086 (b)1. Registration license plates bearing a graphic symbol
1087 and the alphanumeric system of identification shall be issued
1088 for a 10-year period. At the end of the 10-year period, upon
1089 renewal, the plate shall be replaced. The department shall
1090 extend the scheduled license plate replacement date from a 6-
1091 year period to a 10-year period. The fee for such replacement is
1092 \$28, \$2.80 of which shall be paid each year before the plate is
1093 replaced, to be credited toward the next \$28 replacement fee.
1094 The fees shall be deposited into the Highway Safety Operating
1095 Trust Fund. A credit or refund may not be given for any prior
1096 years' payments of the prorated replacement fee if the plate is
1097 replaced or surrendered before the end of the 10-year period,
1098 except that a credit may be given if a registrant is required by
1099 the department to replace a license plate under s.

1100 320.08056(8)(a). With each license plate, a validation sticker

1101 shall be issued showing the owner's birth month, license plate
1102 number, and the year of expiration or the appropriate renewal
1103 period if the owner is not a natural person. The validation
1104 sticker shall be placed on the upper right corner of the license
1105 plate. The license plate and validation sticker shall be issued
1106 based on the applicant's appropriate renewal period. The
1107 registration period is 12 months, the extended registration
1108 period is 24 months, and all expirations occur based on the
1109 applicant's appropriate registration period.

1110 2. A vehicle that has an apportioned registration shall be
1111 issued an annual license plate and a cab card denoting ~~that~~
1112 ~~denote~~ the declared gross vehicle weight for each apportioned
1113 jurisdiction in which the vehicle is authorized to operate. This
1114 subparagraph expires upon implementation of a new operating
1115 system for apportioned vehicle registration.

1116 3. Upon implementation of a new operating system for
1117 apportioned vehicle registration, a vehicle registered in
1118 accordance with the International Registration Plan shall be
1119 issued a license plate for a 5-year period, an annual cab card
1120 denoting the declared gross vehicle weight for each apportioned
1121 jurisdiction, and an annual validation sticker showing the month
1122 and year of expiration. The validation sticker shall be placed
1123 in the center of the license plate. The license plate and
1124 validation sticker shall be issued based on the applicant's
1125 appropriate renewal period. The registration period is 12

1126 months. The fee for an original and a renewed validation sticker
1127 is \$28. This fee shall be deposited into the Highway Safety
1128 Operating Trust Fund. If the license plate is damaged or worn,
1129 it may be replaced at no charge by applying to the department
1130 and surrendering the current license plate.

1131 4.2. In order to retain the efficient administration of
1132 the taxes and fees imposed by this chapter, the 80-cent fee
1133 increase in the replacement fee imposed by chapter 2009-71, Laws
1134 of Florida, is negated as provided in s. 320.0804.

1135 (2) The department shall provide the ~~several~~ tax
1136 collectors and license plate agents with the necessary number of
1137 validation stickers. For automated vending facility
1138 transactions, the tax collectors shall have the option to
1139 purchase validation stickers and paper stock that is used to
1140 produce vehicle registrations from the department's contracted
1141 vendor or from other vendors if such items meet the department's
1142 specifications. The department shall reimburse the tax
1143 collectors for these purchases, but reimbursement may not be
1144 made at prices higher than the pricing contained in the
1145 department's existing contract. The tax collectors shall invoice
1146 the department in arrears for the validation stickers and
1147 vehicle registrations as they are issued.

1148 (3) (a) Registration license plates must be made of metal
1149 specially treated with a retroreflection material, as specified
1150 by the department. The registration license plate is designed to

1151 increase nighttime visibility and legibility and must be at
1152 least 6 inches wide and not less than 12 inches in length,
1153 unless a plate with reduced dimensions is deemed necessary by
1154 the department to accommodate motorcycles, mopeds, or similar
1155 smaller vehicles. Validation stickers must also be treated with
1156 a retroreflection material, must be of such size as specified by
1157 the department, and must adhere to the license plate. The
1158 registration license plate must be imprinted with a combination
1159 of bold letters and numerals or numerals, not to exceed seven
1160 digits, to identify the registration license plate number. The
1161 license plate must be imprinted with the word "Florida" at the
1162 top and the name of the county in which it is sold, the state
1163 motto, or the words "Sunshine State" at the bottom. Apportioned
1164 license plates must have the word "Apportioned" at the bottom
1165 and license plates issued for vehicles taxed under s.
1166 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
1167 the word "Restricted" at the bottom. License plates issued for
1168 vehicles taxed under s. 320.08(12) must be imprinted with the
1169 word "Florida" at the top and the word "Dealer" at the bottom
1170 unless the license plate is a specialty license plate as
1171 authorized in s. 320.08056. Manufacturer license plates issued
1172 for vehicles taxed under s. 320.08(12) must be imprinted with
1173 the word "Florida" at the top and the word "Manufacturer" at the
1174 bottom. License plates issued for vehicles taxed under s.
1175 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at

1176 the bottom. Any county may, upon majority vote of the county
1177 commission, elect to have the county name removed from the
1178 license plates sold in that county. The state motto or the words
1179 "Sunshine State" shall be printed in lieu thereof. A license
1180 plate issued for a vehicle taxed under s. 320.08(6) may not be
1181 assigned a registration license number, or be issued with any
1182 other distinctive character or designation, that distinguishes
1183 the motor vehicle as a for-hire motor vehicle.

1184 Section 26. Section 320.0605, Florida Statutes, is amended
1185 to read:

1186 320.0605 Certificate of registration; possession required;
1187 exception.—

1188 (1) (a) The registration certificate or an official copy
1189 thereof, a true copy or electronic copy of rental or lease
1190 documentation issued for a motor vehicle or issued for a
1191 replacement vehicle in the same registration period, a temporary
1192 receipt printed upon self-initiated electronic renewal of a
1193 registration via the Internet, or a cab card issued for a
1194 vehicle registered under the International Registration Plan
1195 shall, at all times while the vehicle is being used or operated
1196 on the roads of this state, be in the possession of the operator
1197 thereof or be carried in the vehicle for which issued and shall
1198 be exhibited upon demand of any authorized law enforcement
1199 officer or any agent of the department, except for a vehicle
1200 registered under s. 320.0657. ~~The provisions of~~ This section

1201 does ~~de~~ not apply during the first 30 days after purchase of a
1202 replacement vehicle. A violation of this section is a
1203 noncriminal traffic infraction, punishable as a nonmoving
1204 violation as provided in chapter 318.

1205 (b)1. The act of presenting to a law enforcement officer
1206 or agent of the department an electronic device displaying an
1207 electronic copy of rental or lease documentation does not
1208 constitute consent for the officer or agent to access any
1209 information on the device other than the displayed rental or
1210 lease documentation.

1211 2. The person who presents the device to the officer or
1212 agent assumes liability for any resulting damage to the device.

1213 (2) Rental or lease documentation that is sufficient to
1214 satisfy the requirement in subsection (1) includes the
1215 following:

- 1216 (a) ~~Date of rental~~ and time of ~~exit from rental facility~~;
- 1217 (b) Rental station identification;
- 1218 (c) Rental agreement number;
- 1219 (d) Rental vehicle identification number;
- 1220 (e) Rental vehicle license plate number and state of
1221 registration;
- 1222 (f) Vehicle's make, model, and color;
- 1223 (g) Vehicle's mileage; and
- 1224 (h) Authorized renter's name.

1225 Section 27. Subsection (5) of section 320.0607, Florida

1226 Statutes, is amended to read:

1227 320.0607 Replacement license plates, validation decal, or
1228 mobile home sticker.—

1229 (5) Upon the issuance of an original license plate, the
1230 applicant shall pay a fee of \$28 to be deposited in the Highway
1231 Safety Operating Trust Fund. Upon implementation of a new
1232 operating system for apportioned vehicle registration, this
1233 subsection does not apply to a vehicle registered under the
1234 International Registration Plan.

1235 Section 28. Paragraph (b) of subsection (2) of section
1236 320.0657, Florida Statutes, is amended to read:

1237 320.0657 Permanent registration; fleet license plates.—

1238 (2)

1239 (b) The plates, which shall be of a distinctive color,
1240 shall have the word "Fleet" appearing at the bottom and the word
1241 "Florida" appearing at the top unless the license plate is a
1242 specialty license plate as authorized in s. 320.08056. The
1243 plates shall conform in all respects to the provisions of this
1244 chapter, except as specified herein. For additional fees as set
1245 forth in s. 320.08056, fleet companies may purchase specialty
1246 license plates in lieu of the standard fleet license plates.
1247 Fleet companies shall be responsible for all costs associated
1248 with the specialty license plate, including all annual use fees,
1249 processing fees, fees associated with switching license plate
1250 types, and any other applicable fees.

1251 Section 29. Subsection (12) of section 320.08, Florida
 1252 Statutes, is amended to read:

1253 320.08 License taxes.—Except as otherwise provided herein,
 1254 there are hereby levied and imposed annual license taxes for the
 1255 operation of motor vehicles, mopeds, motorized bicycles as
 1256 defined in s. 316.003(4), tri-vehicles as defined in s. 316.003,
 1257 and mobile homes as defined in s. 320.01, which shall be paid to
 1258 and collected by the department or its agent upon the
 1259 registration or renewal of registration of the following:

1260 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
 1261 motor vehicle dealer, independent motor vehicle dealer, marine
 1262 boat trailer dealer, or mobile home dealer and manufacturer
 1263 license plate: \$17 flat, of which \$4.50 shall be deposited into
 1264 the General Revenue Fund. For additional fees as set forth in s.
 1265 320.08056, dealers may purchase specialty license plates in lieu
 1266 of the standard graphic dealer license plates. Dealers shall be
 1267 responsible for all costs associated with the specialty license
 1268 plate, including all annual use fees, processing fees, fees
 1269 associated with switching license plate types, and any other
 1270 applicable fees.

1271 Section 30. Subsection (2) of section 320.08056, Florida
 1272 Statutes, is amended to read:

1273 320.08056 Specialty license plates.—

1274 (2) (a) The department shall issue a specialty license
 1275 plate to the owner or lessee of any motor vehicle, except a

1276 vehicle registered under the International Registration Plan, a
1277 commercial truck required to display two license plates pursuant
1278 to s. 320.0706, or a truck tractor, upon request and payment of
1279 the appropriate license tax and fees.

1280 (b) The department may authorize dealer and fleet
1281 specialty license plates. With the permission of the sponsoring
1282 specialty license plate organization, a dealer or fleet company
1283 may purchase specialty license plates to be used on dealer and
1284 fleet vehicles.

1285 (c) Notwithstanding s. 320.08058, a dealer or fleet
1286 specialty license plate must include the letters "DLR" or "FLT"
1287 on the right side of the license plate. Dealer and fleet
1288 specialty license plates must be ordered directly through the
1289 department.

1290 Section 31. Subsection (8) of section 320.0807, Florida
1291 Statutes, is renumbered as subsection (6), and present
1292 subsections (5), (6), and (7) of that section are amended to
1293 read:

1294 320.0807 Special license plates for Governor and federal
1295 and state legislators.—

1296 ~~(5) Upon application by any current or former President of~~
1297 ~~the Senate and payment of the fees prescribed by s. 320.0805,~~
1298 ~~the department may issue a license plate stamped "Senate~~
1299 ~~President" followed by the number assigned by the department or~~
1300 ~~chosen by the applicant if it is not already in use. Upon~~

1301 ~~application by any current or former Speaker of the House of~~
1302 ~~Representatives and payment of the fees prescribed by s.~~
1303 ~~320.0805, the department may issue a license plate stamped~~
1304 ~~"House Speaker" followed by the number assigned by the~~
1305 ~~department or chosen by the applicant if it is not already in~~
1306 ~~use.~~

1307 ~~(6) (a) Upon application by any former member of Congress~~
1308 ~~or former member of the state Legislature, payment of the fees~~
1309 ~~prescribed by s. 320.0805, and payment of a one-time fee of~~
1310 ~~\$500, the department may issue a former member of Congress,~~
1311 ~~state senator, or state representative a license plate stamped~~
1312 ~~"Retired Congress," "Retired Senate," or "Retired House," as~~
1313 ~~appropriate, for a vehicle owned by the former member.~~

1314 ~~(b) To qualify for a Retired Congress, Retired Senate, or~~
1315 ~~Retired House prestige license plate, a former member must have~~
1316 ~~served at least 4 years as a member of Congress, state senator,~~
1317 ~~or state representative, respectively.~~

1318 ~~(c) Four hundred fifty dollars of the one-time fee~~
1319 ~~collected under paragraph (a) shall be distributed to the~~
1320 ~~account of the direct support organization established pursuant~~
1321 ~~to s. 272.136 and used for the benefit of the Florida Historic~~
1322 ~~Capitol Museum, and the remaining \$50 shall be deposited into~~
1323 ~~the Highway Safety Operating Trust Fund.~~

1324 ~~(5) (7)~~ (5) The department may create a unique plate design for
1325 plates to be used by members ~~or former members~~ of the

1326 Legislature ~~or Congress~~ as provided in subsection ~~subsections~~
1327 ~~(2), (5), and (6)~~.

1328 Section 32. Paragraph (a) of subsection (9) and
1329 subsections (3) and (11) of section 320.27, Florida Statutes,
1330 are amended, and paragraph (g) is added to subsection (1) of
1331 that section, to read:

1332 320.27 Motor vehicle dealers.—

1333 (1) DEFINITIONS.—The following words, terms, and phrases
1334 when used in this section have the meanings respectively
1335 ascribed to them in this subsection, except where the context
1336 clearly indicates a different meaning:

1337 (g) "Control person" means a person who has significant
1338 power, directly or indirectly, to direct the management or
1339 policies of a company, whether through ownership, by contract,
1340 or otherwise. The term includes a person who is an owner,
1341 director, general partner, officer, manager, or employee
1342 exercising decisionmaking responsibility or exercising similar
1343 executive status or functions but does not include an employee
1344 whose function is only clerical or ministerial or in sales under
1345 the supervision of an owner or manager or other person
1346 exercising decisionmaking responsibility.

1347 (3) APPLICATION AND FEE.—The application for the license
1348 shall be in such form as may be prescribed by the department and
1349 shall be subject to such rules with respect thereto as may be so
1350 prescribed by it. Such application shall be verified by oath or

1351 affirmation and shall contain a full statement of the name and
1352 birth date of the person or persons applying therefor; the name
1353 of the firm or copartnership, with the names and places of
1354 residence of all members thereof, if such applicant is a firm or
1355 copartnership; the names and places of residence of the
1356 principal officers, if the applicant is a body corporate or
1357 other artificial body; the name of the state under whose laws
1358 the corporation is organized; the present and former place or
1359 places of residence of the applicant; and prior business in
1360 which the applicant has been engaged and the location thereof.
1361 Such application shall describe the exact location of the place
1362 of business and shall state whether the place of business is
1363 owned by the applicant and when acquired, or, if leased, a true
1364 copy of the lease shall be attached to the application. The
1365 applicant shall certify that the location provides an adequately
1366 equipped office and is not a residence; that the location
1367 affords sufficient unoccupied space upon and within which
1368 adequately to store all motor vehicles offered and displayed for
1369 sale; and that the location is a suitable place where the
1370 applicant can in good faith carry on such business and keep and
1371 maintain books, records, and files necessary to conduct such
1372 business, which shall be available at all reasonable hours to
1373 inspection by the department or any of its inspectors or other
1374 employees. The applicant shall certify that the business of a
1375 motor vehicle dealer is the principal business which shall be

1376 conducted at that location. The application shall contain a
1377 statement that the applicant is either franchised by a
1378 manufacturer of motor vehicles, in which case the name of each
1379 motor vehicle that the applicant is franchised to sell shall be
1380 included, or an independent (nonfranchised) motor vehicle
1381 dealer. The application shall contain other relevant information
1382 as may be required by the department, including evidence that
1383 the applicant is insured under a garage liability insurance
1384 policy or a general liability insurance policy coupled with a
1385 business automobile policy, which shall include, at a minimum,
1386 \$25,000 combined single-limit liability coverage including
1387 bodily injury and property damage protection and \$10,000
1388 personal injury protection. However, a salvage motor vehicle
1389 dealer as defined in subparagraph (1)(c)5. is exempt from the
1390 requirements for garage liability insurance and personal injury
1391 protection insurance on those vehicles that cannot be legally
1392 operated on roads, highways, or streets in this state. Franchise
1393 dealers must submit a garage liability insurance policy, and all
1394 other dealers must submit a garage liability insurance policy or
1395 a general liability insurance policy coupled with a business
1396 automobile policy. Such policy shall be for the license period,
1397 and evidence of a new or continued policy shall be delivered to
1398 the department at the beginning of each license period. Upon
1399 making initial application, the applicant shall pay to the
1400 department a fee of \$300 in addition to any other fees required

1401 by law. Applicants may choose to extend the licensure period for
1402 1 additional year for a total of 2 years. An initial applicant
1403 shall pay to the department a fee of \$300 for the first year and
1404 \$75 for the second year, in addition to any other fees required
1405 by law. An applicant for renewal shall pay to the department \$75
1406 for a 1-year renewal or \$150 for a 2-year renewal, in addition
1407 to any other fees required by law. Upon making an application
1408 for a change of location, the person shall pay a fee of \$50 in
1409 addition to any other fees now required by law. The department
1410 shall, in the case of every application for initial licensure,
1411 verify whether certain facts set forth in the application are
1412 true. Each owner, control person, applicant, general partner in
1413 the case of a partnership, or corporate officer and director in
1414 the case of a corporate applicant, must file a set of
1415 fingerprints with the department for the purpose of determining
1416 any prior criminal record or any outstanding warrants. The
1417 department shall submit the fingerprints to the Department of
1418 Law Enforcement for state processing and forwarding to the
1419 Federal Bureau of Investigation for federal processing. The
1420 actual cost of state and federal processing shall be borne by
1421 the applicant and is in addition to the fee for licensure. The
1422 department may issue a license to an applicant pending the
1423 results of the fingerprint investigation, which license is fully
1424 revocable if the department subsequently determines that any
1425 facts set forth in the application are not true or correctly

1426 represented.

1427 (9) DENIAL, SUSPENSION, OR REVOCATION.—

1428 (a) The department may deny an initial or renewal
 1429 application or ~~suspend~~ or revoke a ~~any~~ license issued
 1430 hereunder or under ~~the provisions of~~ s. 320.77 or s. 320.771
 1431 upon proof that an applicant or a licensee has:

1432 1. Committed fraud or willful misrepresentation in
 1433 application for or in obtaining a license.

1434 2. Been convicted of a felony and has either not completed
 1435 the resulting felony sentence or completed the felony sentence
 1436 less than 10 years from the date of licensure application.

1437 3. Failed to honor a bank draft or check given to a motor
 1438 vehicle dealer for the purchase of a motor vehicle by another
 1439 motor vehicle dealer within 10 days after notification that the
 1440 bank draft or check has been dishonored. If the transaction is
 1441 disputed, the maker of the bank draft or check shall post a bond
 1442 in accordance with the provisions of s. 559.917, and no
 1443 proceeding for revocation or suspension shall be commenced until
 1444 the dispute is resolved.

1445 4.a. Failed to provide payment within 10 business days to
 1446 the department for a check payable to the department that was
 1447 dishonored due to insufficient funds in the amount due plus any
 1448 statutorily authorized fee for uttering a worthless check. The
 1449 department shall notify an applicant or licensee when the
 1450 applicant or licensee makes payment to the department by a check

1451 that is subsequently dishonored by the bank due to insufficient
1452 funds. The applicant or licensee shall, within 10 business days
1453 after receiving the notice, provide payment to the department in
1454 the form of cash in the amount due plus any statutorily
1455 authorized fee. If the applicant or licensee fails to make such
1456 payment within 10 business days, the department may deny,
1457 suspend, or revoke the applicant's or licensee's motor vehicle
1458 dealer license.

1459 b. Stopped payment on a check payable to the department,
1460 issued a check payable to the department from an account that
1461 has been closed, or charged back a credit card transaction to
1462 the department. If an applicant or licensee commits any such
1463 act, the department may deny, suspend, or revoke the applicant's
1464 or licensee's motor vehicle dealer license.

1465 5. Previously owned a majority interest in, or acted as a
1466 control person of, a motor vehicle dealer that within the past
1467 10 years has been the subject of any decision, finding,
1468 injunction, suspension, revocation, denial, judgment, or
1469 administrative order by any court of competent jurisdiction,
1470 administrative law judge, or state agency that resulted in a
1471 finding of violation of any federal or state law relating to
1472 unlicensed activity, or fraud in connection with the sale of a
1473 motor vehicle, or knowingly employs or contracts such a person
1474 as a control person, or knowingly employs or contracts as a
1475 control person a person who has been convicted of a felony and

1476 has either not completed the resulting felony sentence or
1477 completed the felony sentence less than 10 years from the date
1478 of licensure application.

1479 (11) INJUNCTION.—

1480 (a) In addition to the remedies provided in this chapter
1481 and notwithstanding the existence of any adequate remedy at law,
1482 the department may ~~is authorized to~~ make application to any
1483 circuit court of the state, and such circuit court shall have
1484 jurisdiction, upon a hearing and for cause shown, to grant a
1485 temporary or permanent injunction, or both, restraining any
1486 person from acting as a motor vehicle dealer under the terms of
1487 this section without being properly licensed hereunder, from
1488 violating or continuing to violate any of the provisions of
1489 chapter 319, this chapter, or ss. 559.901-559.9221, or for
1490 failing or refusing to comply with the requirements of chapter
1491 319, this chapter, or ss. 559.901-559.9221, or any rule or
1492 regulation adopted thereunder, such injunction to be issued
1493 without bond. A single act in violation of the provisions of
1494 chapter 319, this chapter, or chapter 559 shall be sufficient to
1495 authorize the issuance of an injunction.

1496 (b) If the court grants the injunction, the court may bar,
1497 permanently or for a specific time period, any person found to
1498 have violated any federal or state law relating to unlicensed
1499 activity or fraud in connection with the sale of a motor
1500 vehicle. If a person is barred, the person may not continue in

1501 any capacity within the industry. The person shall have no
 1502 management, sales, or other role in the operation of a
 1503 dealership.

1504 Section 33. Paragraph (c) of subsection (2) of section
 1505 320.822, Florida Statutes, is amended to read:

1506 320.822 Definitions; ss. 320.822-320.862.—In construing
 1507 ss. 320.822-320.862, unless the context otherwise requires, the
 1508 following words or phrases have the following meanings:

1509 (2) "Code" means the appropriate standards found in:

1510 (c) The Mobile and Manufactured Home Repair and Remodeling
 1511 Code and the Used Recreational Vehicle Code.

1512 Section 34. Subsection (2) of section 320.8232, Florida
 1513 Statutes, is amended to read:

1514 320.8232 Establishment of uniform standards for used
 1515 recreational vehicles and repair and remodeling code for mobile
 1516 homes.—

1517 (2) The Mobile and Manufactured Home ~~provisions of the~~
 1518 Repair and Remodeling Code shall be a uniform code, shall ensure
 1519 safe and livable housing, and shall not be more stringent than
 1520 those standards required to be met in the manufacture of mobile
 1521 homes. Such code ~~provisions~~ shall include, ~~but not be limited~~
 1522 ~~to,~~ standards for structural adequacy, plumbing, heating,
 1523 electrical systems, and fire and life safety. All repair and
 1524 remodeling of mobile and manufactured homes shall be performed
 1525 in accordance with department rules.

1526 Section 35. Section 320.861, Florida Statutes, is amended
 1527 to read:

1528 320.861 Investigations; subpoenas and other process;
 1529 oaths; rules ~~Inspection of records; production of evidence;~~
 1530 ~~subpoena power.~~—

1531 (1) The department may conduct investigations and
 1532 examinations of any person suspected of violating or of having
 1533 violated any provision of this chapter or any rule adopted or
 1534 order issued under this chapter ~~inspect the pertinent books,~~
 1535 ~~records, letters, and contracts of any licensee, whether dealer~~
 1536 ~~or manufacturer, relating to any written complaint made to it~~
 1537 ~~against such licensee.~~

1538 (2) For purposes of any investigation or examination
 1539 conducted under this section, the department is granted and
 1540 authorized to exercise the power of subpoena and to administer
 1541 oaths or affirmations, examine witnesses, require affidavits,
 1542 take depositions, and compel the attendance of witnesses and the
 1543 production of books, papers, documents, records, and other
 1544 evidence. Such subpoenas may be served by an authorized
 1545 representative of the department ~~for the attendance of witnesses~~
 1546 ~~and the production of any documentary evidence necessary to the~~
 1547 ~~disposition by it of any written complaint against any licensee,~~
 1548 ~~whether dealer or manufacturer.~~

1549 (3) If a person refuses to testify; produce books, papers,
 1550 documents, or records; or otherwise obey the subpoena or

1551 subpoena duces tecum, the department may petition a court of
1552 competent jurisdiction in the county in which the person's
1553 residence or principal place of business is located, whereupon
1554 the court shall issue an order requiring such person to obey the
1555 subpoena or show cause for failing to obey the subpoena. Unless
1556 the person shows sufficient cause for failing to obey the
1557 subpoena, the court shall direct the person to obey the subpoena
1558 and award costs incurred by the department to obtain the order.
1559 Failure to comply with such order is contempt of court.

1560 (4) For the purpose of any investigation, examination, or
1561 proceeding initiated by the department under this chapter, the
1562 department may designate agents to serve subpoenas and other
1563 process and administer oaths or affirmations. The department
1564 shall exercise this power on its own initiative in accordance
1565 with ss. 320.615 and 320.71.

1566 (5) A witness subpoenaed under this section is entitled to
1567 witness fees at the same rate established by s. 92.142 for
1568 witnesses in a civil case, except that witness fees are not
1569 payable for appearance at the witness's place of business during
1570 regular business hours or at the witness's residence.

1571 Section 36. Subsection (2) of section 320.95, Florida
1572 Statutes, is amended to read:

1573 320.95 Transactions by electronic or telephonic means.—

1574 (2) The department may collect and use e-mail ~~electronic~~
1575 ~~mail~~ addresses for purposes of this chapter, including, but not

1576 | limited to, ~~and use of e-mail electronic mail~~ in lieu of the
 1577 | United States Postal Service for the purpose of providing
 1578 | renewal notices.

1579 | Section 37. Subsection (1) of section 321.05, Florida
 1580 | Statutes, is amended to read:

1581 | 321.05 Duties, functions, and powers of patrol officers.—
 1582 | The members of the Florida Highway Patrol are hereby declared to
 1583 | be conservators of the peace and law enforcement officers of the
 1584 | state, with the common-law right to arrest a person who, in the
 1585 | presence of the arresting officer, commits a felony or commits
 1586 | an affray or breach of the peace constituting a misdemeanor,
 1587 | with full power to bear arms; and they shall apprehend, without
 1588 | warrant, any person in the unlawful commission of any of the
 1589 | acts over which the members of the Florida Highway Patrol are
 1590 | given jurisdiction as hereinafter set out and deliver him or her
 1591 | to the sheriff of the county that further proceedings may be had
 1592 | against him or her according to law. In the performance of any
 1593 | of the powers, duties, and functions authorized by law, members
 1594 | of the Florida Highway Patrol have the same protections and
 1595 | immunities afforded other peace officers, which shall be
 1596 | recognized by all courts having jurisdiction over offenses
 1597 | against the laws of this state, and have authority to apply for,
 1598 | serve, and execute search warrants, arrest warrants, capias, and
 1599 | other process of the court. The patrol officers under the
 1600 | direction and supervision of the Department of Highway Safety

1601 and Motor Vehicles shall perform and exercise throughout the
 1602 state the following duties, functions, and powers:

1603 (1) To patrol the state highways and regulate, control,
 1604 and direct the movement of traffic thereon; to maintain the
 1605 public peace by preventing violence on highways; to apprehend
 1606 fugitives from justice; to enforce all laws regulating and
 1607 governing traffic, travel, and public safety upon the public
 1608 highways and providing for the protection of the public highways
 1609 and public property thereon, including the security and safety
 1610 of this state's transportation infrastructure; to make arrests
 1611 without warrant for the violation of any state law committed in
 1612 their presence in accordance with state law; providing that no
 1613 search may be made unless it is incident to a lawful arrest, to
 1614 regulate and direct traffic concentrations and congestions; to
 1615 enforce laws governing the operation, licensing, and taxing and
 1616 limiting the size, weight, width, length, and speed of vehicles
 1617 and licensing and controlling the operations of drivers and
 1618 operators of vehicles, including the safety, size, and weight of
 1619 commercial motor vehicles; to collect all state fees and
 1620 revenues levied as an incident to the use or right to use the
 1621 highways for any purpose, including the taxing and registration
 1622 of commercial motor vehicles; to require the drivers of vehicles
 1623 to stop and exhibit their driver licenses, registration cards,
 1624 or documents required by law to be carried by such vehicles; to
 1625 investigate traffic crashes ~~accidents~~, secure testimony of

1626 witnesses and of persons involved, and make report thereof with
1627 copy, if requested in writing, to any person in interest or his
1628 or her attorney; to investigate reported thefts of vehicles; and
1629 to seize contraband or stolen property on or being transported
1630 on the highways. Each patrol officer of the Florida Highway
1631 Patrol is subject to and has the same arrest and other authority
1632 provided for law enforcement officers generally in chapter 901
1633 and has statewide jurisdiction. Each officer also has arrest
1634 authority as provided for state law enforcement officers in s.
1635 901.15. This section does not conflict with, but is supplemental
1636 to, chapter 933.

1637 Section 38. Section 321.065, Florida Statutes, is amended
1638 to read:

1639 321.065 Traffic crash ~~accident~~ investigation officers;
1640 employment; standards.—The department may employ traffic crash
1641 ~~accident~~ investigation officers who must complete any applicable
1642 standards adopted by the Florida Highway Patrol, including, but
1643 not limited to: cognitive testing, drug testing, polygraph
1644 testing, psychological testing, and an extensive background
1645 check, including a credit check.

1646 Section 39. Paragraph (d) of subsection (2) of section
1647 321.23, Florida Statutes, is amended to read:

1648 321.23 Public records; fees for copies; destruction of
1649 obsolete records; photographing records; effect as evidence.—

1650 (2) Fees for copies of public records shall be charged and

1651 collected as follows:

1652 (d) Photographs (crashes ~~accidents~~, etc.):

1653

	Enlargement Proof	Color	Black & White
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1654

1.	5" x 7"	\$1.00	\$0.75
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1655

2.	8" x 10"	\$1.50	\$1.00
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1656

3.	11" x 14"	Not Available	\$1.75
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1657

4.	16" x 20"	Not Available	\$2.75
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1658

5.	20" x 24"	Not Available	\$3.75
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1659

1660

1661 The department shall furnish such information without charge to
 1662 any local, state, or federal law enforcement agency upon proof
 1663 satisfactory to the department as to the purpose of the
 1664 investigation.

1665 Section 40. Subsection (4) of section 322.01, Florida
 1666 Statutes, is amended to read:

1667 322.01 Definitions.—As used in this chapter:

1668 (4) "Authorized emergency vehicle" means a vehicle that is

1669 equipped with extraordinary audible and visual warning devices,
1670 that is authorized by s. 316.2397 to display red, red and white,
1671 or blue lights, and that is on call to respond to emergencies.
1672 The term includes, but is not limited to, ambulances, law
1673 enforcement vehicles, fire trucks, and other rescue vehicles.
1674 The term does not include wreckers, utility trucks, or other
1675 vehicles that are used only incidentally for emergency purposes.

1676 Section 41. Effective October 1, 2019, subsections (13)
1677 through (17), (18) through (24), and (25) through (46) of
1678 section 322.01, Florida Statutes, are renumbered as subsections
1679 (15) through (19), (23) through (29), and (31) through (52),
1680 respectively, and new subsections (13), (14), (20), (21), (22),
1681 and (30) are added to that section to read:

1682 322.01 Definitions.—As used in this chapter:

1683 (13) "Credential service provider" means a provider
1684 competitively procured by the department to provide secure
1685 identity management and verification services based on open
1686 standards to electronic credential providers.

1687 (14) "Data-call" means an electronic transaction with the
1688 credential service provider that verifies the authenticity of an
1689 electronic credential by querying department data.

1690 (20) "Electronic" means technology having electrical,
1691 digital, magnetic, wireless, optical, electromagnetic, or
1692 similar capabilities.

1693 (21) "Electronic credential" means an electronic

1694 representation of a physical driver license or identification
1695 card that is viewable in an electronic format and is capable of
1696 being verified and authenticated.

1697 (22) "Electronic credential provider" means a qualified
1698 entity contracted with the department to provide electronic
1699 credentials to eligible driver license or identification card
1700 holders.

1701 (30) "Interoperable" or "interoperability" means the
1702 technical ability for data to be shared permissively and
1703 accessed appropriately by all stakeholders.

1704 Section 42. Effective October 1, 2019, section 322.032,
1705 Florida Statutes, is amended to read:

1706 322.032 Electronic credential ~~Digital proof of driver~~
1707 ~~license.~~

1708 (1)(a) The department shall establish a pilot project
1709 ~~begin to review and prepare for the implementation development~~
1710 of a software-as-a-service technology solution with secure and
1711 uniform protocols that comply with national standards ~~system~~ for
1712 issuing an optional electronic credential ~~digital proof of~~
1713 ~~driver license. The department may contract with one or more~~
1714 ~~private entities to develop a digital proof of driver license~~
1715 ~~system.~~

1716 (b) The department shall procure the technology solution
1717 through a competitive solicitation process pursuant to s.
1718 287.057 and shall consult with the Agency for State Technology

1719 or its successor during the procurement process. Such
1720 procurement shall align the business incentives of the
1721 department with those of a credential service provider such that
1722 the terms of the contract pay for the value on a per-data-call
1723 or subscription basis and there is no cost to the department or
1724 law enforcement for using the services provided by the
1725 credential service provider.

1726 (c) The department's procurement shall consider and
1727 prioritize the most secure, functional, and cost-efficient
1728 credential service provider with a scalable and interoperable
1729 system that can validate or authenticate the digital identity of
1730 a person, organization, application, or device and that does not
1731 physically store data in the process of performing the
1732 validation or authentication of a digital identity. The
1733 procurement may consider the use of a decentralized ledger
1734 immutable record to achieve the objectives stated herein.

1735 (d) The department shall enter into agreements with
1736 electronic credential providers that have the technological
1737 capabilities necessary to integrate with the credential service
1738 provider; ensure secure validation and authentication of data;
1739 meet usage criteria; agree to terms and conditions, privacy
1740 policies, and uniform remittance terms relating to the
1741 consumption of an electronic credential; and include clear,
1742 enforceable, and significant penalties for violations of the
1743 agreements.

1744 (e) The department shall provide electronic credential
1745 providers access to a standardized digital transaction process
1746 that provides the proceeds of a completed financial transaction
1747 to the department at the point of sale. The standardized digital
1748 transaction process must enable electronic credential providers
1749 to direct their electronic commerce workflow to a standardized
1750 checkout process and enable documentation of the electronic
1751 credential providers participating in a transaction.

1752 (f) Revenue generated from use of the electronic
1753 credential technology solution shall be collected by the
1754 department and deposited into the Motor Vehicle Licenses
1755 Clearing Trust Fund for distribution pursuant to a legislative
1756 appropriation and department agreements with the credential
1757 service provider and the electronic credential providers. The
1758 terms of the agreements between the department and the
1759 electronic credential providers and a credential service
1760 provider shall be based on the per-data-call or subscription
1761 charges to validate and authenticate an electronic credential
1762 and allow the department to recover any state costs for
1763 implementing and administering an electronic credential
1764 solution. Provider revenues may not be derived from any other
1765 transactions that generate revenue for the department outside of
1766 the per-data-call or subscription charges.

1767 (g) The pilot project will have a duration of 24 months
1768 and will begin when the department has competitively procured

1769 and entered into agreements with a credential service provider
1770 and at least two, but no more than eight, electronic credential
1771 providers.

1772 (h) Upon completion of the pilot project, the department
1773 shall submit a report to the Governor, the President of the
1774 Senate, and the Speaker of the House of Representatives
1775 regarding the continued implementation of electronic credential
1776 services.

1777 (2)(a) The electronic credential ~~digital proof of driver~~
1778 license developed by the department or by an entity or
1779 electronic credential provider contracted by the department must
1780 be in such a format as to allow law enforcement or a public or
1781 private entity to verify the authenticity of the electronic
1782 credential ~~digital proof of driver license~~. The department may
1783 adopt rules to ensure valid authentication of electronic
1784 credentials ~~digital driver licenses~~ by law enforcement.

1785 (b) The act of presenting to a law enforcement officer an
1786 electronic device displaying an electronic credential does not
1787 constitute consent for the officer to access any information on
1788 the device other than the electronic credential.

1789 (c) The person who presents an electronic device to a law
1790 enforcement officer assumes liability, absent a showing of
1791 reckless disregard by the officer, for any resulting damage to
1792 the device.

1793 (3) A person may not be issued an electronic credential a

1794 ~~digital proof of driver license~~ until he or she has satisfied
1795 all of the requirements of this chapter for issuance of a
1796 physical driver license or identification card as provided in
1797 this chapter.

1798 (4) A person who:

1799 (a) Manufactures a false electronic credential ~~digital~~
1800 ~~proof of driver license~~ commits a felony of the third degree,
1801 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1802 (b) Possesses a false electronic credential ~~digital proof~~
1803 ~~of driver license~~ commits a misdemeanor of the second degree,
1804 punishable as provided in s. 775.082.

1805 Section 43. Effective October 1, 2019, section 322.059,
1806 Florida Statutes, is amended to read:

1807 322.059 Mandatory surrender of suspended driver license
1808 and registration.—A person whose driver license or registration
1809 has been suspended as provided in s. 322.058 must immediately
1810 return his or her driver license and registration to the
1811 Department of Highway Safety and Motor Vehicles. The department
1812 shall invalidate the electronic credential ~~digital proof of~~
1813 ~~driver license~~ issued pursuant to s. 322.032 for such person. If
1814 such person fails to return his or her driver license or
1815 registration, a law enforcement agent may seize the license or
1816 registration while the driver license or registration is
1817 suspended.

1818 Section 44. Effective October 1, 2019, subsection (1) of

1819 section 322.15, Florida Statutes, is amended to read:

1820 322.15 License to be carried and exhibited on demand;
 1821 fingerprint to be imprinted upon a citation.—

1822 (1) Every licensee shall have his or her driver license,
 1823 which must be fully legible with no portion of such license
 1824 faded, altered, mutilated, or defaced, in his or her immediate
 1825 possession at all times when operating a motor vehicle and shall
 1826 present or submit the same upon the demand of a law enforcement
 1827 officer or an authorized representative of the department. A
 1828 licensee may present an electronic credential ~~or submit a~~
 1829 ~~digital proof of driver license~~ as provided in s. 322.032 in
 1830 lieu of a physical driver license.

1831 Section 45. Effective October 1, 2019, subsection (4) of
 1832 section 322.61, Florida Statutes, is amended to read:

1833 322.61 Disqualification from operating a commercial motor
 1834 vehicle.—

1835 (4) A ~~Any~~ person who is transporting hazardous materials
 1836 as defined in s. 322.01(29) ~~s. 322.01(24)~~ shall, upon conviction
 1837 of an offense specified in subsection (3), be disqualified from
 1838 operating a commercial motor vehicle for ~~a period of~~ 3 years.
 1839 The penalty provided in this subsection shall be in addition to
 1840 any other applicable penalty.

1841 Section 46. Paragraphs (a) and (b) of subsection (4) of
 1842 section 322.0602, Florida Statutes, are amended to read:

1843 322.0602 Youthful Drunk Driver Visitation Program.—

1844 (4) VISITATION REQUIREMENT.—

1845 (a) To the extent that personnel and facilities are made
 1846 available to the court, the court may include a requirement for
 1847 supervised visitation by the probationer to all, or any, of the
 1848 following:

1849 1. A trauma center, as defined in s. 395.4001, or a
 1850 hospital as defined in s. 395.002, which regularly receives
 1851 victims of vehicle crashes ~~accidents~~, between the hours of 10
 1852 p.m. and 2 a.m. on a Friday or Saturday night, in order to
 1853 observe appropriate victims of vehicle crashes ~~accidents~~
 1854 involving drinking drivers, under the supervision of any of the
 1855 following:

1856 a. A registered nurse trained in providing emergency
 1857 trauma care or prehospital advanced life support.

1858 b. An emergency room physician.

1859 c. An emergency medical technician.

1860 2. A licensed service provider, as defined in s. 397.311,
 1861 which cares for substance abuse impaired persons, to observe
 1862 persons in the terminal stages of substance abuse impairment,
 1863 under the supervision of appropriately licensed medical
 1864 personnel. Before ~~Prior to~~ any visitation of such terminally ill
 1865 or disabled persons, the persons or their legal representatives
 1866 must give their express consent to participate in the visitation
 1867 program.

1868 3. If approved by the county coroner, the county coroner's

1869 office or the county morgue to observe appropriate victims of
1870 vehicle crashes ~~accidents~~ involving drinking drivers, under the
1871 supervision of the coroner or a deputy coroner.

1872 (b) As used in this section, the term "appropriate
1873 victims" means victims or their legal representatives, including
1874 the next of kin, who have expressly given their consent to
1875 participate in the visitation program and victims whose
1876 condition is determined by the visitation supervisor to
1877 demonstrate the results of crashes ~~accidents~~ involving drinking
1878 drivers without being excessively gruesome or traumatic to the
1879 probationer.

1880 Section 47. Subsection (10) of section 322.08, Florida
1881 Statutes, is amended to read:

1882 322.08 Application for license; requirements for license
1883 and identification card forms.—

1884 (10) The department may collect and use e-mail ~~electronic~~
1885 ~~mail~~ addresses for purposes of this chapter, including, but not
1886 limited to, and use of e-mail ~~electronic mail~~ in lieu of the
1887 United States Postal Service for the purpose of providing
1888 renewal notices.

1889 Section 48. Subsection (5) of section 322.091, Florida
1890 Statutes, is amended to read:

1891 322.091 Attendance requirements.—

1892 (5) REPORTING AND ACCOUNTABILITY.—The department shall
1893 make available, upon request, a report ~~quarterly~~ to each school

1894 district of the legal name, sex, date of birth, and social
 1895 security number of each student whose driving privileges have
 1896 been suspended under this section.

1897 Section 49. Paragraph (b) of subsection (1) of section
 1898 322.17, Florida Statutes, is amended to read:

1899 322.17 Replacement licenses, identification cards, and
 1900 permits.—

1901 (1)

1902 (b) In the event that an instruction permit, ~~or~~ driver
 1903 license, or identification card issued under ~~the provisions of~~
 1904 this chapter is stolen, the person to whom the same was issued
 1905 may, at no charge, obtain a replacement upon furnishing proof
 1906 satisfactory to the department that such permit, ~~or~~ license, or
 1907 identification card was stolen and further furnishing the
 1908 person's full name, date of birth, sex, residence and mailing
 1909 address, proof of birth satisfactory to the department, and
 1910 proof of identity satisfactory to the department.

1911 Section 50. Subsection (8) of section 322.212, Florida
 1912 Statutes, is renumbered as subsection (9), paragraph (a) of
 1913 subsection (5) and subsection (6) are amended, and a new
 1914 subsection (8) is added to that section, to read:

1915 322.212 Unauthorized possession of, and other unlawful
 1916 acts in relation to, driver license or identification card.—

1917 (5) (a) A ~~It is unlawful for any person may not~~ to use a
 1918 false or fictitious name in any application for a driver license

1919 or identification card or knowingly ~~to~~ make a false statement,
 1920 knowingly conceal a material fact, provide an altered or
 1921 counterfeit document, participate in a dishonest or deceptive
 1922 action, or otherwise commit a fraud in any such application.

1923 (6) Except as otherwise provided in this subsection, a ~~any~~
 1924 person who violates ~~any of the provisions of~~ this section
 1925 commits ~~is guilty of~~ a felony of the third degree, punishable as
 1926 provided in s. 775.082, s. 775.083, or s. 775.084. A ~~Any~~ person
 1927 who violates paragraph (5) (a) by giving a false age in an ~~any~~
 1928 application for a driver license or identification card or who
 1929 violates paragraph (5) (b) by possessing a driver license,
 1930 identification card, or similar ~~any~~ instrument ~~in the similitude~~
 1931 ~~thereof,~~ on which the date of birth has been altered commits ~~is~~
 1932 ~~guilty of~~ a misdemeanor of the second degree, punishable as
 1933 provided in s. 775.082 or s. 775.083. A ~~Any~~ person who violates
 1934 paragraph (1) (d) commits a felony of the third degree,
 1935 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1936 (8) In addition to any other penalties provided by this
 1937 section, if a person provides false information when applying
 1938 for a driver license, identification card, commercial driver
 1939 license, or commercial learner's permit or is convicted of fraud
 1940 in connection with testing for a driver license, commercial
 1941 driver license, or commercial learner's permit, such person's
 1942 driving privilege shall be suspended for 1 year.

1943 Section 51. Section 322.36, Florida Statutes, is amended

1944 to read:

1945 322.36 Permitting unauthorized operator to drive.—A person
 1946 may not authorize or knowingly permit a motor vehicle owned by
 1947 him or her or under his or her dominion or control to be
 1948 operated upon any highway or public street except by a person
 1949 who is duly authorized to operate a motor vehicle under this
 1950 chapter. A ~~Any~~ person who violates this section commits a
 1951 misdemeanor of the second degree, punishable as provided in s.
 1952 775.082 or s. 775.083. If a person violates this section by
 1953 knowingly loaning a vehicle to a person whose driver license is
 1954 suspended and if that vehicle is involved in a crash ~~an accident~~
 1955 resulting in bodily injury or death, the driver license of the
 1956 person violating this section shall be suspended for 1 year.

1957 Section 52. Section 322.38, Florida Statutes, is amended
 1958 to read:

1959 322.38 Renting motor vehicle to another.—

1960 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any
 1961 other person unless the other ~~latter~~ person is ~~then~~ duly
 1962 licensed~~7~~ or, if a nonresident, ~~he or she shall be~~ licensed
 1963 under the laws of the state or country of his or her residence,
 1964 except a nonresident whose home state or country does not
 1965 require that an operator be licensed.

1966 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to
 1967 another until he or she has inspected the driver license of the
 1968 person to whom the vehicle is to be rented~~7~~ and has ~~compared~~ and

1969 | verified that the driver license is unexpired ~~signature thereon~~
1970 | ~~with the signature of such person written in his or her~~
1971 | ~~presence.~~

1972 | (3) Every person renting a motor vehicle to another shall
1973 | keep a record of the registration number of the motor vehicle so
1974 | rented, the name and address of the person to whom the vehicle
1975 | is rented, the number of the license of said latter person, and
1976 | the ~~date and place when and where the said~~ license was issued.
1977 | Such record shall be open to inspection by any police officer,
1978 | or officer or employee of the department.

1979 | (4) If a rental car company rents a motor vehicle to a
1980 | person through digital, electronic, or other means that allows
1981 | the renter to obtain possession of the motor vehicle without
1982 | direct contact with an agent or employee of the rental car
1983 | company, or if the renter does not execute a rental contract at
1984 | the time he or she takes possession of the motor vehicle, the
1985 | rental car company shall be deemed to have met all obligations
1986 | of subsections (1) and (2) when the rental car company, at the
1987 | time the renter enrolls in a membership program, master
1988 | agreement, or other means of establishing use of the rental car
1989 | company's services, or any time thereafter, requires the renter
1990 | to verify that he or she is duly licensed and that the license
1991 | is unexpired.

1992 | Section 53. Paragraphs (g) and (h) of subsection (1) of
1993 | section 322.61, Florida Statutes, are amended, and paragraphs

1994 (i) and (j) are added to that subsection, to read:

1995 322.61 Disqualification from operating a commercial motor
1996 vehicle.—

1997 (1) A person who, for offenses occurring within a 3-year
1998 period, is convicted of two of the following serious traffic
1999 violations or any combination thereof, arising in separate
2000 incidents committed in a commercial motor vehicle shall, in
2001 addition to any other applicable penalties, be disqualified from
2002 operating a commercial motor vehicle for a period of 60 days. A
2003 holder of a commercial driver license or commercial learner's
2004 permit who, for offenses occurring within a 3-year period, is
2005 convicted of two of the following serious traffic violations, or
2006 any combination thereof, arising in separate incidents committed
2007 in a noncommercial motor vehicle shall, in addition to any other
2008 applicable penalties, be disqualified from operating a
2009 commercial motor vehicle for a period of 60 days if such
2010 convictions result in the suspension, revocation, or
2011 cancellation of the licenseholder's driving privilege:

2012 (g) Driving a commercial vehicle without the proper class
2013 of commercial driver license or commercial learner's permit or
2014 without the proper endorsement; ~~or~~

2015 (h) Driving a commercial vehicle without a commercial
2016 driver license or commercial learner's permit in possession, as
2017 required by s. 322.03;

2018 (i) Texting while driving a commercial motor vehicle as

2019 prohibited by 49 C.F.R. s. 392.80; or

2020 (j) Using a hand-held mobile telephone while driving a
2021 commercial motor vehicle, as prohibited by 49 C.F.R. s. 392.82.

2022 Section 54. Section 322.71, Florida Statutes, is created
2023 to read:

2024 322.71 Investigations; subpoenas and other process; oaths;
2025 rules.—

2026 (1) The department may conduct investigations and
2027 examinations of any person suspected of violating or of having
2028 violated any provision of this chapter or any rule adopted or
2029 order issued under this chapter.

2030 (2) For purposes of any investigation or examination
2031 conducted under this section, the department is granted and
2032 authorized to exercise the power of subpoena and to administer
2033 oaths or affirmations, examine witnesses, require affidavits,
2034 take depositions, and compel the attendance of witnesses and the
2035 production of books, papers, documents, records, and other
2036 evidence. Such subpoenas may be served by an authorized
2037 representative of the department.

2038 (3) If a person refuses to testify; produce books, papers,
2039 documents, or records; or otherwise obey the subpoena or
2040 subpoena duces tecum, the department may petition a court of
2041 competent jurisdiction in the county in which the person's
2042 residence or principal place of business is located, whereupon
2043 the court shall issue an order requiring such person to obey the

2044 subpoena or show cause for failing to obey the subpoena. Unless
2045 the person shows sufficient cause for failing to obey the
2046 subpoena, the court shall direct the person to obey the subpoena
2047 and award costs incurred by the department to obtain the order.
2048 Failure to comply with such order is contempt of court.

2049 (4) For the purpose of any investigation, examination, or
2050 proceeding initiated by the department under this chapter, the
2051 department may designate agents to serve subpoenas and other
2052 process and administer oaths or affirmations.

2053 (5) A witness subpoenaed under this section is entitled to
2054 witness fees at the same rate established by s. 92.142 for
2055 witnesses in a civil case, except that witness fees are not
2056 payable for appearance at the witness's place of business during
2057 regular business hours or at the witness's residence.

2058 Section 55. Paragraph (e) of subsection (4) of section
2059 323.001, Florida Statutes, is amended to read:

2060 323.001 Wrecker operator storage facilities; vehicle
2061 holds.—

2062 (4) The requirements for a written hold apply when the
2063 following conditions are present:

2064 (e) The officer has probable cause to believe the vehicle
2065 was involved in a traffic crash ~~accident~~ resulting in death or
2066 personal injury and should be sealed for investigation and
2067 collection of evidence by a vehicular homicide investigator;

2068 Section 56. Paragraph (c) of subsection (1), paragraph (c)

2069 of subsection (2), and subsection (4) of section 323.002,
 2070 Florida Statutes, are amended to read:

2071 323.002 County and municipal wrecker operator systems;
 2072 penalties for operation outside of system.—

2073 (1) As used in this section, the term:

2074 (c) "Wrecker operator system" means a system for the
 2075 towing or removal of wrecked, disabled, or abandoned vehicles,
 2076 similar to the Florida Highway Patrol wrecker operator system
 2077 described in s. 321.051(2), under which a county or municipality
 2078 contracts with one or more wrecker operators for the towing or
 2079 removal of wrecked, disabled, or abandoned vehicles from crash
 2080 ~~accident~~ scenes, streets, or highways. A wrecker operator system
 2081 shall include using a method for apportioning the towing
 2082 assignments among the eligible wrecker operators through the
 2083 creation of geographic zones, a rotation schedule, or a
 2084 combination of these methods.

2085 (2) In any county or municipality that operates a wrecker
 2086 operator system:

2087 (c) When an unauthorized wrecker operator drives by the
 2088 scene of a wrecked or disabled vehicle and the owner or operator
 2089 initiates contact by signaling the wrecker operator to stop and
 2090 provide towing services, the unauthorized wrecker operator must
 2091 disclose in writing to the owner or operator of the vehicle his
 2092 or her full name and driver license number, that he or she is
 2093 not the authorized wrecker operator who has been designated as

2094 part of the wrecker operator system, that the motor vehicle is
 2095 not being towed for the owner's or operator's insurance company
 2096 or lienholder, whether he or she has in effect an insurance
 2097 policy providing at least \$300,000 of liability insurance and at
 2098 least \$50,000 of on-hook cargo insurance, and the maximum
 2099 charges for towing and storage which will apply before the
 2100 vehicle is connected to the towing apparatus. The unauthorized
 2101 wrecker operator must also provide a copy of the disclosure to
 2102 the owner or operator in the presence of a law enforcement
 2103 officer if such officer is at the scene of a motor vehicle crash
 2104 ~~accident~~. A ~~Any~~ person who violates this paragraph commits a
 2105 misdemeanor of the second degree, punishable as provided in s.
 2106 775.082 or s. 775.083, and the person's wrecker, tow truck, or
 2107 other motor vehicle that was used during the offense may be
 2108 immediately removed and impounded pursuant to subsection (3).

2109 (4) This section does not prohibit, or in any way prevent,
 2110 the owner or operator of a vehicle involved in a crash ~~an~~
 2111 ~~accident~~ or otherwise disabled from contacting any wrecker
 2112 operator for the provision of towing services, regardless of
 2113 whether the wrecker operator is an authorized wrecker operator
 2114 ~~or not~~.

2115 Section 57. Section 324.011, Florida Statutes, is amended
 2116 to read:

2117 324.011 Purpose of chapter.—It is the intent of this
 2118 chapter to recognize the existing privilege to own or operate a

2119 | motor vehicle on the public streets and highways of this state
2120 | when such vehicles are used with due consideration for others
2121 | and their property, and to promote safety and provide financial
2122 | security requirements for such owners or operators whose
2123 | responsibility it is to recompense others for injury to person
2124 | or property caused by the operation of a motor vehicle.
2125 | Therefore, it is required herein that the operator of a motor
2126 | vehicle involved in a crash or convicted of certain traffic
2127 | offenses meeting the operative provisions of s. 324.051(2) shall
2128 | respond for such damages and show proof of financial ability to
2129 | respond for damages in future crashes ~~accidents~~ as a requisite
2130 | to his or her future exercise of such privileges.

2131 | Section 58. Subsection (1) of section 324.022, Florida
2132 | Statutes, is amended to read:

2133 | 324.022 Financial responsibility for property damage.—

2134 | (1) Every owner or operator of a motor vehicle required to
2135 | be registered in this state shall establish and maintain the
2136 | ability to respond in damages for liability on account of
2137 | crashes ~~accidents~~ arising out of the use of the motor vehicle in
2138 | the amount of \$10,000 because of damage to, or destruction of,
2139 | property of others in any one crash. The requirements of this
2140 | section may be met by one of the methods established in s.
2141 | 324.031; by self-insuring as authorized by s. 768.28(16); or by
2142 | maintaining an insurance policy providing coverage for property
2143 | damage liability in the amount of at least \$10,000 because of

2144 damage to, or destruction of, property of others in any one
 2145 crash ~~accident~~ arising out of the use of the motor vehicle. The
 2146 requirements of this section may also be met by having a policy
 2147 which provides coverage in the amount of at least \$30,000 for
 2148 combined property damage liability and bodily injury liability
 2149 for any one crash arising out of the use of the motor vehicle.
 2150 The policy, with respect to coverage for property damage
 2151 liability, must meet the applicable requirements of s. 324.151,
 2152 subject to the usual policy exclusions that have been approved
 2153 in policy forms by the Office of Insurance Regulation. An ~~No~~
 2154 insurer does not ~~shall~~ have a ~~any~~ duty to defend uncovered
 2155 claims irrespective of their joinder with covered claims.

2156 Section 59. Section 324.023, Florida Statutes, is amended
 2157 to read:

2158 324.023 Financial responsibility for bodily injury or
 2159 death.—In addition to any other financial responsibility
 2160 required by law, every owner or operator of a motor vehicle that
 2161 is required to be registered in this state, or that is located
 2162 within this state, and who, regardless of adjudication of guilt,
 2163 has been found guilty of or entered a plea of guilty or nolo
 2164 contendere to a charge of driving under the influence under s.
 2165 316.193 after October 1, 2007, shall, by one of the methods
 2166 established in s. 324.031(1) or (2), establish and maintain the
 2167 ability to respond in damages for liability on account of
 2168 crashes ~~accidents~~ arising out of the use of a motor vehicle in

2169 the amount of \$100,000 because of bodily injury to, or death of,
 2170 one person in any one crash and, subject to such limits for one
 2171 person, in the amount of \$300,000 because of bodily injury to,
 2172 or death of, two or more persons in any one crash and in the
 2173 amount of \$50,000 because of property damage in any one crash.
 2174 If the owner or operator chooses to establish and maintain such
 2175 ability by furnishing a certificate of deposit pursuant to s.
 2176 324.031(2), such certificate of deposit must be at least
 2177 \$350,000. Such higher limits must be carried for a minimum
 2178 period of 3 years. If the owner or operator has not been
 2179 convicted of driving under the influence or a felony traffic
 2180 offense for a period of 3 years from the date of reinstatement
 2181 of driving privileges for a violation of s. 316.193, the owner
 2182 or operator shall be exempt from this section.

2183 Section 60. Section 324.031, Florida Statutes, is amended
 2184 to read:

2185 324.031 Manner of proving financial responsibility.—The
 2186 owner or operator of a taxicab, limousine, jitney, or any other
 2187 for-hire passenger transportation vehicle may prove financial
 2188 responsibility by providing satisfactory evidence of holding a
 2189 motor vehicle liability policy as defined in s. 324.021(8) or s.
 2190 324.151, which policy is provided by an insurer authorized to do
 2191 business in this state ~~issued by an insurance carrier~~ which is a
 2192 member of the Florida Insurance Guaranty Association or an
 2193 eligible nonadmitted insurer that has a superior, excellent,

2194 exceptional, or equivalent financial strength rating by a rating
2195 agency acceptable to the Office of Insurance Regulation of the
2196 Financial Services Commission. The operator or owner of any
2197 other vehicle may prove his or her financial responsibility by:

2198 (1) Furnishing satisfactory evidence of holding a motor
2199 vehicle liability policy as defined in ss. 324.021(8) and
2200 324.151;

2201 (2) Furnishing a certificate of self-insurance showing a
2202 deposit of cash in accordance with s. 324.161; or

2203 (3) Furnishing a certificate of self-insurance issued by
2204 the department in accordance with s. 324.171.

2205
2206 Any person, including any firm, partnership, association,
2207 corporation, or other person, other than a natural person,
2208 electing to use the method of proof specified in subsection (2)
2209 shall furnish a certificate of deposit equal to the number of
2210 vehicles owned times \$30,000, to a maximum of \$120,000; in
2211 addition, any such person, other than a natural person, shall
2212 maintain insurance providing coverage in excess of limits of
2213 \$10,000/20,000/10,000 or \$30,000 combined single limits, and
2214 such excess insurance shall provide minimum limits of
2215 \$125,000/250,000/50,000 or \$300,000 combined single limits.
2216 These increased limits shall not affect the requirements for
2217 proving financial responsibility under s. 324.032(1).

2218 Section 61. Paragraph (a) of subsection (1) and subsection

2219 (2) of section 324.032, Florida Statutes, are amended to read:
 2220 324.032 Manner of proving financial responsibility; for-
 2221 hire passenger transportation vehicles.—Notwithstanding the
 2222 provisions of s. 324.031:

2223 (1) (a) A person who is either the owner or a lessee
 2224 required to maintain insurance under s. 627.733(1) (b) and who
 2225 operates one or more taxicabs, limousines, jitneys, or any other
 2226 for-hire passenger transportation vehicles may prove financial
 2227 responsibility by furnishing satisfactory evidence of holding a
 2228 motor vehicle liability policy, but with minimum limits of
 2229 \$125,000/250,000/50,000 or \$100,000/300,000/50,000.

2230 (2) An owner or a lessee who is required to maintain
 2231 insurance under s. 324.021(9) (b) and who operates at least 150
 2232 ~~300~~ taxicabs, limousines, jitneys, or any other for-hire
 2233 passenger transportation vehicles may provide financial
 2234 responsibility by complying with the provisions of s. 324.171,
 2235 such compliance to be demonstrated by maintaining at its
 2236 principal place of business an audited financial statement,
 2237 prepared in accordance with generally accepted accounting
 2238 principles, and providing to the department a certification
 2239 issued by a certified public accountant that the applicant's net
 2240 worth is at least equal to the requirements of s. 324.171 as
 2241 determined by the Office of Insurance Regulation of the
 2242 Financial Services Commission, including claims liabilities in
 2243 an amount certified as adequate by a Fellow of the Casualty

2244 Actuarial Society.

2245

2246 Upon request by the department, the applicant must provide the
2247 department at the applicant's principal place of business in
2248 this state access to the applicant's underlying financial
2249 information and financial statements that provide the basis of
2250 the certified public accountant's certification. The applicant
2251 shall reimburse the requesting department for all reasonable
2252 costs incurred by it in reviewing the supporting information.
2253 The maximum amount of self-insurance permissible under this
2254 subsection is \$300,000 and must be stated on a per-occurrence
2255 basis, and the applicant shall maintain adequate excess
2256 insurance issued by an authorized or eligible insurer licensed
2257 or approved by the Office of Insurance Regulation. All risks
2258 self-insured shall remain with the owner or lessee providing it,
2259 and the risks are not transferable to any other person, unless a
2260 policy complying with subsection (1) is obtained.

2261 Section 62. Paragraph (b) of subsection (1) and subsection
2262 (2) of section 324.051, Florida Statutes, are amended to read:

2263 324.051 Reports of crashes; suspensions of licenses and
2264 registrations.—

2265 (1)

2266 (b) The department is ~~hereby~~ further authorized to require
2267 reports of crashes from individual owners or operators whenever
2268 it deems it necessary for the proper administration of this

2269 chapter, and these reports shall be made without prejudice
 2270 except as specified in this subsection. ~~No~~ Such a report may not
 2271 ~~shall~~ be used as evidence in any trial arising out of a crash.
 2272 However, subject to the applicable rules of evidence, a law
 2273 enforcement officer at a criminal trial may testify as to any
 2274 statement made to the officer by the person involved in the
 2275 crash ~~accident~~ if that person's privilege against self-
 2276 incrimination is not violated.

2277 (2) (a) Thirty days after receipt of notice of a crash ~~any~~
 2278 ~~accident~~ described in paragraph (1) (a) involving a motor vehicle
 2279 within this state, the department shall suspend, after due
 2280 notice and opportunity to be heard, the license of each operator
 2281 and all registrations of the owner of the vehicles operated by
 2282 such operator whether or not involved in such crash and, in the
 2283 case of a nonresident owner or operator, shall suspend such
 2284 nonresident's operating privilege in this state, unless such
 2285 operator or owner ~~shall~~, before ~~prior to~~ the expiration of such
 2286 30 days, is ~~be~~ found by the department to be exempt from the
 2287 operation of this chapter, based upon evidence satisfactory to
 2288 the department that:

2289 1. The motor vehicle was legally parked at the time of
 2290 such crash.

2291 2. The motor vehicle was owned by the United States
 2292 Government, this state, or any political subdivision of this
 2293 state or any municipality therein.

2294 3. Such operator or owner has secured a duly acknowledged
 2295 written agreement providing for release from liability by all
 2296 parties injured as the result of such ~~said~~ crash and has
 2297 complied with one of the provisions of s. 324.031.

2298 4. Such operator or owner has deposited with the
 2299 department security to conform with s. 324.061 when applicable
 2300 and has complied with one of the provisions of s. 324.031.

2301 5. One year has elapsed since such owner or operator was
 2302 suspended pursuant to subsection (3), the owner or operator has
 2303 complied with one of the provisions of s. 324.031, and no bill
 2304 of complaint of which the department has notice has been filed
 2305 in a court of competent jurisdiction.

2306 (b) This subsection does ~~shall~~ not apply:

2307 1. To such operator or owner if such operator or owner had
 2308 in effect at the time of such crash or traffic conviction an
 2309 automobile liability policy with respect to all of the
 2310 registered motor vehicles owned by such operator or owner.

2311 2. To such operator, if not the owner of such motor
 2312 vehicle, if there was in effect at the time of such crash or
 2313 traffic conviction an automobile liability policy or bond with
 2314 respect to his or her operation of motor vehicles not owned by
 2315 him or her.

2316 3. To such operator or owner if the liability of such
 2317 operator or owner for damages resulting from such crash is, in
 2318 the judgment of the department, covered by any other form of

2319 liability insurance or bond.

2320 4. To a ~~any~~ person who has obtained from the department a
 2321 certificate of self-insurance, in accordance with s. 324.171, or
 2322 to a ~~any~~ person operating a motor vehicle for such self-insurer.

2323
 2324 No such policy or bond shall be effective under this paragraph
 2325 ~~subsection~~ unless it contains limits of not less than those
 2326 specified in s. 324.021(7).

2327 Section 63. Subsections (2), (3), and (4) of section
 2328 324.242, Florida Statutes, are amended to read:

2329 324.242 Personal injury protection and property damage
 2330 liability insurance policies; public records exemption.—

2331 (2) Upon receipt of a request and proof of a crash report
 2332 as required under s. 316.065, s. 316.066, or s. 316.068, or a
 2333 crash report created pursuant to the laws of another state, the
 2334 department shall release the policy number for a policy covering
 2335 a vehicle involved in a motor vehicle crash ~~accident~~ to:

2336 (a) Any person involved in such crash ~~accident~~;

2337 (b) The attorney of any person involved in such crash
 2338 ~~accident~~; or

2339 (c) A representative of the insurer of any person involved
 2340 in such crash ~~accident~~.

2341 (3) The department shall provide personal injury
 2342 protection and property damage liability insurance policy
 2343 numbers to department-approved third parties that provide data

2344 collection services to an insurer of any person involved in such
 2345 crash accident.

2346 (4) Before the department's release of a policy number in
 2347 accordance with subsection (2) or subsection (3), an insurer's
 2348 representative, a contracted third party, or an attorney for a
 2349 person involved in a crash ~~an accident~~ must provide the
 2350 department with documentation confirming proof of
 2351 representation.

2352 Section 64. Section 328.30, Florida Statutes, is amended
 2353 to read:

2354 328.30 Transactions by electronic or telephonic means.—

2355 (1) The Department of Highway Safety and Motor Vehicles
 2356 may accept any application provided for under this part ~~chapter~~
 2357 by electronic or telephonic means.

2358 (2) The department may issue an electronic certificate of
 2359 title in lieu of printing a paper title.

2360 (3) The department may collect and use e-mail ~~electronic~~
 2361 ~~mail~~ addresses for purposes of this part, including, but not
 2362 limited to, and use of e-mail ~~electronic mail~~ in lieu of the
 2363 United States Postal Service for the purpose of providing
 2364 renewal notices.

2365 Section 65. Subsection (3) of section 328.40, Florida
 2366 Statutes, is amended to read:

2367 328.40 Administration of vessel registration and titling
 2368 laws; records.—

2369 (3) All records made or kept by the Department of Highway
 2370 Safety and Motor Vehicles under this part are subject to
 2371 inspection and copying as provided in chapter 119 ~~law are public~~
 2372 ~~records except for confidential reports.~~

2373 Section 66. Subsection (1) of section 328.73, Florida
 2374 Statutes, is amended to read:

2375 328.73 Registration; duties of tax collectors.—

2376 (1) The tax collectors in the counties of the state, as
 2377 authorized agents of the department, shall issue registration
 2378 certificates and vessel numbers and decals to applicants,
 2379 subject to the requirements of law and in accordance with rules
 2380 of the department. For the purpose of enhancing customer
 2381 services provided by tax collectors acting on behalf of the
 2382 department, the department, contingent upon a request and
 2383 memorandum of understanding, shall provide tax collectors and
 2384 tax collector-approved agents and vendors with real-time access
 2385 to data that other third parties receive from the department
 2386 related to registration certificates and vessel numbers and
 2387 decals, including, but not limited to, the most current address
 2388 information and electronic mail addresses of applicants. The
 2389 memorandum of understanding as required under this paragraph may
 2390 not be more restrictive than any memorandum of understanding
 2391 between the department and other third-party vendors.

2392 Section 67. Section 328.80, Florida Statutes, is amended
 2393 to read:

2394 328.80 Transactions by electronic or telephonic means.—

2395 (1) The Department of Highway Safety and Motor Vehicles
 2396 may ~~commission is authorized to~~ accept any application provided
 2397 for under this part ~~chapter~~ by electronic or telephonic means.

2398 (2) The department may collect and use e-mail addresses
 2399 for purposes of this part, including, but not limited to, use of
 2400 e-mail in lieu of the United States Postal Service for the
 2401 purpose of providing renewal notices.

2402 Section 68. Subsection (4) of section 627.7415, Florida
 2403 Statutes, is amended to read:

2404 627.7415 Commercial motor vehicles; additional liability
 2405 insurance coverage.—Commercial motor vehicles, as defined in s.
 2406 207.002 or s. 320.01, operated upon the roads and highways of
 2407 this state shall be insured with the following minimum levels of
 2408 combined bodily liability insurance and property damage
 2409 liability insurance in addition to any other insurance
 2410 requirements:

2411 (4) All commercial motor vehicles subject to regulations
 2412 of the United States Department of Transportation, 49 C.F.R.
 2413 part 387, subparts ~~subpart~~ A and B, and as may be hereinafter
 2414 amended, shall be insured in an amount equivalent to the minimum
 2415 levels of financial responsibility as set forth in such
 2416 regulations.

2417
 2418 A violation of this section is a noncriminal traffic infraction,

2419 punishable as a nonmoving violation as provided in chapter 318.

2420 Section 69. Subsection (1) of section 655.960, Florida
 2421 Statutes, is amended to read:

2422 655.960 Definitions; ss. 655.960-655.965.—As used in this
 2423 section and ss. 655.961-655.965, unless the context otherwise
 2424 requires:

2425 (1) "Access area" means any paved walkway or sidewalk
 2426 which is within 50 feet of any automated teller machine. The
 2427 term does not include any street or highway open to the use of
 2428 the public, as defined in s. 316.003(83)(a) ~~s. 316.003(81)(a)~~ or
 2429 (b), including any adjacent sidewalk, as defined in s. 316.003.

2430 Section 70. Subsection (2) of section 784.07, Florida
 2431 Statutes, is amended to read:

2432 784.07 Assault or battery of law enforcement officers,
 2433 firefighters, emergency medical care providers, public transit
 2434 employees or agents, or other specified officers;
 2435 reclassification of offenses; minimum sentences.—

2436 (2) When a ~~Whenever any~~ person is charged with knowingly
 2437 committing an assault or battery upon a law enforcement officer,
 2438 a firefighter, an emergency medical care provider, a railroad
 2439 special officer, a traffic crash ~~accident~~ investigation officer
 2440 as described in s. 316.640, a nonsworn law enforcement agency
 2441 employee who is certified as an agency inspector, a blood
 2442 alcohol analyst, or a breath test operator while such employee
 2443 is in uniform and engaged in processing, testing, evaluating,

2444 analyzing, or transporting a person who is detained or under
2445 arrest for DUI, a law enforcement explorer, a traffic infraction
2446 enforcement officer as described in s. 316.640, a parking
2447 enforcement specialist as defined in s. 316.640, a person
2448 licensed as a security officer as defined in s. 493.6101 and
2449 wearing a uniform that bears at least one patch or emblem that
2450 is visible at all times that clearly identifies the employing
2451 agency and that clearly identifies the person as a licensed
2452 security officer, or a security officer employed by the board of
2453 trustees of a community college, while the officer, firefighter,
2454 emergency medical care provider, railroad special officer,
2455 traffic crash ~~accident~~ investigation officer, traffic infraction
2456 enforcement officer, inspector, analyst, operator, law
2457 enforcement explorer, parking enforcement specialist, public
2458 transit employee or agent, or security officer is engaged in the
2459 lawful performance of his or her duties, the offense for which
2460 the person is charged shall be reclassified as follows:

2461 (a) In the case of assault, from a misdemeanor of the
2462 second degree to a misdemeanor of the first degree.

2463 (b) In the case of battery, from a misdemeanor of the
2464 first degree to a felony of the third degree.

2465 (c) In the case of aggravated assault, from a felony of
2466 the third degree to a felony of the second degree.

2467 Notwithstanding any other provision of law, a any person
2468 convicted of aggravated assault upon a law enforcement officer

2469 | shall be sentenced to a minimum term of imprisonment of 3 years.

2470 | (d) In the case of aggravated battery, from a felony of
2471 | the second degree to a felony of the first degree.

2472 | Notwithstanding any other provision of law, a ~~any~~ person
2473 | convicted of aggravated battery of a law enforcement officer
2474 | shall be sentenced to a minimum term of imprisonment of 5 years.

2475 | Section 71. Subsection (5) of section 856.015, Florida
2476 | Statutes, is amended to read:

2477 | 856.015 Open house parties.—

2478 | (5) If a violation of subsection (2) causes or contributes
2479 | to causing serious bodily injury, as defined in s. 316.003 ~~s.~~
2480 | ~~316.1933~~, or death to the minor, or if the minor causes or
2481 | contributes to causing serious bodily injury or death to another
2482 | as a result of the minor's consumption of alcohol or drugs at
2483 | the open house party, the violation is a misdemeanor of the
2484 | first degree, punishable as provided in s. 775.082 or s.
2485 | 775.083.

2486 | Section 72. Except as otherwise expressly provided in this
2487 | act, this act shall take effect July 1, 2019.