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

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 316.003, F.S.;
4 revising and defining terms; conforming a cross-
5 reference; amending s. 316.027, F.S.; deleting the
6 defined term "serious bodily injury"; requiring
7 community service in a trauma center or hospital that
8 receives victims of vehicle crashes; amending s.
9 316.0271, F.S.; requiring that, under a yellow dot
10 program, certain critical medical information be made
11 readily available to responders in the event of a
12 motor vehicle crash; authorizing an emergency medical
13 responder at a motor vehicle crash to search the glove
14 compartment of the vehicle for a yellow dot folder;
15 amending s. 316.061, F.S.; prohibiting certain persons
16 from being liable or at fault regarding the cause of a
17 crash solely by reason of moving a vehicle; repealing
18 s. 316.0896, F.S., relating to the assistive truck
19 platooning technology pilot project; creating s.
20 316.0897, F.S.; exempting the operator of a nonlead
21 vehicle in a platoon from provisions relating to
22 following too closely; authorizing a platoon to be
23 operated on a roadway in this state after an operator
24 provides notification to the Department of
25 Transportation and the Department of Highway Safety
26 and Motor Vehicles; amending s. 316.1895, F.S.;



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27 authorizing a district school board by simple majority
28 vote to increase the time a school zone speed limit is
29 in force under certain circumstances; amending s.
30 316.192, F.S.; deleting the defined term "serious
31 bodily injury"; amending s. 316.193, F.S.; adding an
32 operator to persons who may incur serious bodily
33 injury for purposes of a certain penalty; amending s.
34 316.1933, F.S.; adding a driver to persons who may
35 incur serious bodily injury for purposes of a certain
36 alcohol or drug test; deleting the defined term
37 "serious bodily injury"; amending s. 316.194, F.S.;
38 authorizing traffic crash investigation officers,
39 rather than traffic accident investigation officers,
40 to move vehicles; amending s. 316.302, F.S.; revising
41 the applicability of specified rules and regulations
42 to certain owners and drivers of commercial motor
43 vehicles; providing that a person who operates a
44 commercial motor vehicle solely in intrastate commerce
45 which does not transport hazardous materials in
46 amounts that require placarding need not comply with
47 specified requirements of electronic logging devices
48 and hours of service supporting documents until a
49 specified date; removing a limit on civil penalties
50 for falsification of certain time records; deleting a
51 requirement that a motor carrier maintain
52 documentation of driving times under certain
53 circumstances; revising the conditions under which
54 persons who operate commercial motor vehicles are
55 exempt from specified rules and regulations; beginning



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56 on a specified date, repealing an exception to the
57 requirement that this section supersede all other
58 safety requirements of this chapter for commercial
59 motor vehicles; amending s. 316.303, F.S.; exempting
60 an operator of a certain platoon vehicle from the
61 prohibition on the active display of television or
62 video; amending s. 316.622, F.S.; requiring that the
63 department provide to the Department of Business and
64 Professional Regulation a copy of each crash report
65 involving a farm labor vehicle; amending s. 316.640,
66 F.S.; authorizing the Division of the Florida Highway
67 Patrol to employ traffic crash investigation officers,
68 rather than traffic accident investigation officers;
69 conforming provisions to changes made by that act;
70 amending s. 316.655, F.S.; authorizing a driver
71 convicted of certain violations resulting in a crash,
72 rather than an accident, to have his or her driving
73 privileges revoked or suspended by the court; amending
74 s. 316.70, F.S.; requiring that owners and drivers of
75 certain nonpublic sector buses be subject to specified
76 rules and regulations; providing duties for the
77 Department of Highway Safety and Motor Vehicles,
78 rather than the Department of Transportation, for such
79 nonpublic sector buses; authorizing department
80 personnel to conduct compliance investigations and
81 assess certain penalties; authorizing motor carriers
82 to be enjoined under certain circumstances;
83 authorizing certain officers and agents to require
84 drivers of certain commercial vehicles to submit to



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85 certain inspections and to either remove the vehicle
86 or driver from service or provide notice requiring
87 correction under certain circumstances; amending s.
88 318.19, F.S.; revising infractions that require a
89 mandatory hearing; amending s. 319.001, F.S.; defining
90 terms; amending s. 319.141, F.S.; creating a private
91 rebuilt motor vehicle inspection program, to replace a
92 pilot rebuilt motor vehicle inspection program;
93 providing powers and duties of the department;
94 specifying the purpose of the program; providing
95 requirements for the program; providing powers and
96 requirements for private rebuilt inspection providers;
97 creating s. 319.1411, F.S.; authorizing the department
98 to monitor and inspect the operations of private
99 rebuilt inspection providers to make specified
100 determinations; creating s. 319.1414, F.S.;
101 authorizing the department to investigate and examine
102 private rebuilt inspection providers under certain
103 circumstances; providing additional powers related to
104 such investigations and examinations; requiring a
105 court to take specified actions under certain
106 circumstances; providing for witness fees; authorizing
107 the department to adopt certain rules; creating s.
108 319.142, F.S.; providing grounds and requirements for
109 termination of a contract with a private rebuilt
110 inspection provider; amending s. 319.25, F.S.;
111 authorizing the department to conduct investigations
112 and examinations of certain persons relating to title
113 certificates; authorizing additional powers related to



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114 such investigations and examinations; requiring a
115 court to take specified actions under certain
116 circumstances; providing for witness fees; authorizing
117 the department to adopt certain rules; amending s.
118 319.40, F.S.; authorizing the department or a tax
119 collector to collect electronic mail addresses or
120 cellular telephone numbers and to use them for certain
121 purposes; providing that electronic mail addresses and
122 cellular telephone numbers may be provided at the
123 option of the applicant; requiring the department or a
124 tax collector to disclose to the applicant the
125 purposes for which the electronic mail addresses and
126 cellular telephone numbers may be used; amending s.
127 320.01, F.S.; redefining the term "apportionable
128 vehicle"; amending s. 320.03, F.S.; authorizing the
129 department, under certain circumstances, to provide
130 tax collectors and certain agents and vendors with
131 certain real-time access to data related to vehicle
132 and mobile home registration certificates,
133 registration license plates, and validation stickers;
134 providing requirements for a certain memorandum of
135 understanding; amending s. 320.06, F.S.; providing for
136 future repeal of requirements for vehicles that have
137 apportioned registrations; providing requirements for
138 certain vehicles that have apportioned registrations
139 upon implementation of a certain operating system;
140 requiring that the fee be deposited into the Highway
141 Safety Operating Trust Fund; authorizing certain
142 license plates to be replaced at no charge; providing



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143 tax collectors and their agents the option to purchase
144 validation stickers and paper stock that is used to
145 produce vehicle registrations from vendors under
146 certain circumstances; exempting such purchases from
147 certain competitive bid requirements; requiring the
148 department to reimburse the tax collectors and their
149 agents for such purchases, subject to certain
150 restrictions; requiring the tax collectors and their
151 agents to invoice the department in arrears for the
152 validation stickers and vehicle registrations as they
153 are issued; amending s. 320.0605, F.S.; authorizing an
154 electronic copy of certain rental or lease
155 documentation to be in the possession of the vehicle
156 operator or carried in the vehicle and to be exhibited
157 upon demand of any authorized law enforcement officer
158 or any agent of the department; providing that the act
159 of presenting a certain electronic device to the
160 officer or agent does not constitute consent for the
161 officer or agent to access any information on the
162 device other than the displayed rental or lease
163 documentation; providing for assumption of liability
164 for any resulting damage to the device; revising
165 requirements for rental or lease documentation;
166 amending s. 320.0607, F.S.; providing applicability;
167 amending s. 320.131, F.S.; authorizing the department
168 to partner with a county tax collector to conduct a
169 Fleet Vehicle Temporary Tag Pilot Program for certain
170 purposes; providing program requirements; providing
171 for future repeal; amending s. 320.27, F.S.; defining



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172 the term "control person"; authorizing the department
173 to deny a new or renewal application for, or suspend
174 or revoke, certain dealer licenses under certain
175 circumstances; authorizing the court to bar a person
176 from acting as a motor vehicle dealer under certain
177 circumstances, subject to certain requirements;
178 amending s. 320.8232, F.S.; requiring the Mobile and
179 Manufactured Home Repair and Remodeling Code to be a
180 uniform code; providing specified standards for
181 provisions of the code; requiring all repair and
182 remodeling of mobile and manufactured homes to be done
183 in accordance with department rules; amending s.
184 320.861, F.S.; authorizing the department to conduct
185 investigations and examinations of persons suspected
186 of violating or of having violated certain laws,
187 rules, or orders relating to motor vehicle licenses;
188 providing additional powers related to such
189 investigations and examinations; requiring a court to
190 take specified actions under certain circumstances;
191 providing for witness fees; authorizing the department
192 to adopt certain rules; amending s. 320.95, F.S.;
193 authorizing the department or a tax collector to
194 collect electronic mail addresses or cellular
195 telephone numbers and to use electronic mail or text
196 messages for certain purposes; providing that
197 electronic mail addresses and cellular telephone
198 numbers may be provided at the option of the
199 applicant; requiring the department or a tax collector
200 to disclose to the applicant the purposes for which



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201 the electronic mail addresses and cellular telephone
202 numbers may be used; amending s. 321.05, F.S.;
203 authorizing certain patrol officers to investigate
204 traffic crashes; amending s. 321.065, F.S.;
205 authorizing the department to employ certain traffic
206 crash investigation officers; amending s. 321.23,
207 F.S.; revising certain public records photographs to
208 include crashes; amending s. 322.051, F.S.; extending
209 the period after which a renewal application for an
210 identification card is considered the same as an
211 original application; amending s. 322.0602, F.S.;
212 authorizing courts to include a requirement for
213 supervised visitation under the Youthful Drunk Driver
214 Visitation Program at trauma centers that regularly
215 receive victims of vehicle crashes; conforming
216 provisions to changes made by the act; amending s.
217 322.08, F.S.; authorizing the department or a tax
218 collector to collect electronic mail addresses or
219 cellular telephone numbers and use electronic mail or
220 text messages for certain purposes; providing that
221 electronic mail addresses and cellular telephone
222 numbers may be provided at the option of the
223 applicant; requiring the department or a tax collector
224 to disclose to the applicant the purposes for which
225 the electronic mail addresses and cellular telephone
226 numbers may be used; amending s. 322.091, F.S.;
227 requiring that the department make available, upon
228 request, a report that includes specific information
229 for students whose driving privileges have been



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230 suspended; amending s. 322.17, F.S.; authorizing
231 stolen identification cards to be replaced at no
232 charge under certain circumstances; amending s.
233 322.21, F.S.; providing for expedited shipping for the
234 renewal or replacement driver licenses or
235 identification cards under certain circumstances,
236 subject to certain requirements; allowing the
237 department to charge for the cost of the expedited
238 shipping; requiring that the funds be deposited into
239 the Highway Safety Operating Trust Fund; amending s.
240 322.212, F.S.; prohibiting a person from knowingly
241 providing altered or counterfeit documents or
242 knowingly participating in dishonest or deceptive
243 actions in any application for a driver license or
244 identification card; providing for the suspension of
245 specified licenses or permits for specified periods
246 under certain circumstances; providing construction;
247 amending s. 322.36, F.S.; providing for suspension of
248 license for loaning a vehicle to a person whose
249 license is suspended if such vehicle is involved in
250 certain crashes; amending s. 322.38, F.S.; prohibiting
251 a person from renting a motor vehicle to another
252 person unless he or she has verified that the renter's
253 driver license is unexpired; requiring that a person
254 renting a motor vehicle to another person keep a
255 record of the place where the renter's license was
256 issued; providing that, under certain circumstances,
257 specified requirements are deemed met when a renter is
258 required at certain times to verify that he or she is



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259 duly licensed and that the license is unexpired;
260 amending s. 322.61, F.S.; adding violations for
261 disqualification from operating a commercial motor
262 vehicle; creating s. 322.71, F.S.; authorizing the
263 department to conduct investigations and examinations
264 of persons suspected of violating or of having
265 violated certain laws, rules, or orders relating to
266 motor vehicle licenses; providing additional powers
267 related to such investigations and examinations;
268 requiring a court to take specified actions under
269 certain circumstances; providing for witness fees;
270 authorizing the department to adopt certain rules;
271 amending s. 323.001, F.S.; providing that the
272 requirements for a certain written hold on a motor
273 vehicle apply when an officer has probable cause to
274 believe the vehicle was involved in a certain traffic
275 crash; amending s. 323.002, F.S.; revising the term
276 "wrecker operator system" to include wrecker operators
277 removing vehicles from crash scenes under certain
278 circumstances; requiring that an unauthorized wrecker
279 operator provide a copy of a certain disclosure to the
280 owner or operator of a vehicle in the presence of a
281 law enforcement officer if such officer is at the
282 scene of a motor vehicle crash; revising applicability
283 to include vehicles involved in a crash, rather than
284 an accident; amending s. 324.011, F.S.; requiring that
285 certain operators of motor vehicles involved in a
286 crash or convicted of certain traffic offenses show
287 proof of financial ability to respond for damages in



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288 future crashes; amending s. 324.022, F.S.; requiring
289 that a certain owner or operator of a motor vehicle
290 establish and maintain the ability to respond in
291 damages for liability on account of certain crashes;
292 conforming a provision to changes made by the act;
293 amending s. 324.023, F.S.; requiring that a certain
294 owner or operator of a motor vehicle establish and
295 maintain the ability to respond in damages for
296 liability on account of certain crashes; amending s.
297 324.051, F.S.; authorizing a law enforcement officer
298 at a criminal trial to testify as to any statement
299 made to the officer by the person involved in a crash
300 under certain circumstances; providing for certain
301 suspensions of license, registration, and operating
302 privileges after notice of a certain crash; amending
303 s. 324.242, F.S.; requiring that the department
304 release a policy number for a policy covering a
305 vehicle involved in a motor vehicle crash under
306 certain circumstances; conforming provisions to
307 changes made by the act; amending s. 328.30, F.S.;
308 authorizing the department to accept certain
309 applications by electronic or telephonic means;
310 authorizing the department or a tax collector to
311 collect electronic mail addresses or cellular
312 telephone numbers and to use electronic mail or text
313 messages for certain purposes; providing that
314 electronic mail addresses and cellular telephone
315 numbers may be provided at the option of the
316 applicant; requiring the department or a tax collector



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317 to disclose to the applicant the purposes for which
318 the electronic mail addresses and cellular telephone
319 numbers may be used; amending s. 328.40, F.S.;
320 providing that certain records made or kept by the
321 department are subject to certain inspection and
322 copying requirements; amending s. 328.73, F.S.;
323 requiring the department, under certain circumstances,
324 to provide tax collectors and certain agents and
325 vendors with certain real-time access to data related
326 to registration certificates and vessel numbers and
327 decals; providing requirements for a certain
328 memorandum of understanding; amending s. 328.80, F.S.;
329 authorizing the department to accept certain
330 applications by electronic or telephonic means;
331 authorizing the department or a tax collector to
332 collect electronic mail addresses or cellular
333 telephone numbers and to use electronic mail or text
334 messages for certain purposes; providing that
335 electronic mail addresses and cellular telephone
336 numbers may be provided at the option of an applicant;
337 requiring the department or tax collector to disclose
338 to an applicant the purposes for which the electronic
339 mail addresses and cellular telephone numbers may be
340 used; amending s. 627.7415, F.S.; revising the
341 applicability of certain federal regulations that
342 commercial motor vehicles are subject to for certain
343 insurance purposes; amending ss. 316.251, 501.976,
344 655.960, 856.015, F.S.; conforming cross-references;
345 providing effective dates.



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

Section 1. Present subsections (16) through (54) of s. 316.003, Florida Statutes, are redesignated as subsections (17) through (55), present subsections (55) through (73) of that section are redesignated as subsections (57) through (75), present subsections (74) through (101) of that section are redesignated as subsections (77) through (104), respectively, new subsections (16), (56), and (76) are added to that section, and subsection (2) and present subsection (59) of that section are amended, to read:

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

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

(16) CRASH.—The operation of a motor vehicle, motorized scooter, or moped in this state which results in property damage or the death of or bodily injury, or a complaint of bodily injury, to any person. The term "crash" includes separation of



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375 the operator or an occupant from a motor vehicle, motorized
376 scooter, or moped, or a trailer being drawn by a motor vehicle,
377 while in motion, which results in property damage or the death
378 of or bodily injury, or a complaint of bodily injury, to any
379 person. The term "crash" does not include such operation in any
380 of the following situations:

381 (a) On private property, if such operation does not result
382 in death or serious bodily injury, except that the term "crash"
383 includes such operation on private property when the operator is
384 suspected of violating s. 316.193.

385 (b) On a closed course used for commercial or recreational
386 purposes, such as a commercial driving school or race track,
387 except that the term "crash" includes such operation on a closed
388 course when the operator is suspected of violating s. 316.193.

389 (c) If such property damage, death, bodily injury, or
390 complaint of bodily injury results from an intentional act of a
391 law enforcement officer to force a motor vehicle or moped to
392 stop or reduce speed, such as use of a pursuit termination
393 device or the precision immobilization technique, except that
394 the term "crash" includes such operation that results in such
395 property damage or the death of or bodily injury to, or
396 complaint of bodily injury to, anyone other than the operator or
397 occupant of the motor vehicle or moped being forced to stop or
398 reduce speed or the law enforcement officer.

399 (d) The death or suffering of a medical episode by the
400 operator or an occupant of a motor vehicle or moped, if
401 operation of the motor vehicle or moped did not result in such
402 death or medical episode and did not result in property damage
403 or the death of or bodily injury, or complaint of bodily injury,



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404 to any other person.

405 (56) PLATOON.—A group of no more than two trucks that do
406 not require placards, either laden or unladen, traveling in a
407 unified manner using wireless vehicle-to-vehicle communications
408 that electronically coordinate speeds and following distances of
409 the trucks.

410 (61)~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise
411 provided in paragraph (84) (b) ~~(81) (b)~~, any privately owned way
412 or place used for vehicular travel by the owner and those having
413 express or implied permission from the owner, but not by other
414 persons.

415 (76) SERIOUS BODILY INJURY.—An injury to any person which
416 consists of a physical injury that creates a substantial risk of
417 death, significant personal disfigurement, or protracted loss or
418 impairment of the function of any bodily member or organ.

419 Section 2. Subsections (1) and (4) of section 316.027,
420 Florida Statutes, are amended to read:

421 316.027 Crash involving death or personal injuries.—

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

423 ~~(a) "Serious bodily injury" means an injury to a person,~~
424 ~~including the driver, which consists of a physical condition~~
425 ~~that creates a substantial risk of death, serious personal~~
426 ~~disfigurement, or protracted loss or impairment of the function~~
427 ~~of a bodily member or organ.~~

428 ~~(b)~~ "vulnerable road user" means any of the following:

429 (a) 1. A pedestrian, including a person actually engaged in
430 work upon a highway, or in work upon utility facilities along a
431 highway, or engaged in the provision of emergency services
432 within the right-of-way.



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433 ~~(b)2.~~ A person operating a bicycle, motorcycle, scooter, or
434 moped lawfully on the roadway.~~†~~

435 ~~(c)3.~~ A person riding an animal.~~†~~~~or~~

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

438 ~~1.a.~~ A farm tractor or similar vehicle designed primarily
439 for farm use;

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

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

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

443 ~~5.e.~~ A wheelchair.

444 (4) (a) In addition to any other civil, criminal, or
445 administrative penalty imposed, a person whose commission of a
446 noncriminal traffic infraction or a violation of this chapter or
447 s. 1006.66 causes or results in the death of another person may
448 be required by the court to serve 120 community service hours in
449 a trauma center or hospital that regularly receives victims of
450 vehicle crashes ~~accidents~~, under the supervision of a registered
451 nurse, an emergency room physician, or an emergency medical
452 technician pursuant to a voluntary community service program
453 operated by the trauma center or hospital.

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

459 1. Serve 120 community service hours in a trauma center or
460 hospital that regularly receives victims of vehicle crashes
461 ~~accidents~~, under the supervision of a registered nurse, an



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462 emergency room physician, or an emergency medical technician
463 pursuant to a voluntary community service program operated by
464 the trauma center or hospital.

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

470 Section 3. Subsection (1) and paragraph (a) of subsection
471 (5) of section 316.0271, Florida Statutes, are amended to read:

472 316.0271 Yellow dot critical motorist medical information
473 program; yellow dot decal, folder, and information form.—

474 (1) The governing body of a county may create a yellow dot
475 critical motorist medical information program to facilitate the
476 provision of emergency medical care to program participants by
477 emergency medical responders by making critical medical
478 information readily available to responders in the event of a
479 motor vehicle crash ~~accident~~ or a medical emergency involving a
480 participant's vehicle.

481 (5) (a) If the driver or a passenger of a motor vehicle is
482 involved in a motor vehicle crash ~~accident~~ or emergency
483 situation and a yellow dot decal is affixed to the vehicle, an
484 emergency medical responder at the scene may search the glove
485 compartment of the vehicle for the corresponding yellow dot
486 folder.

487 Section 4. Subsection (3) of section 316.061, Florida
488 Statutes, is amended to read:

489 316.061 Crashes involving damage to vehicle or property.—

490 (3) Employees or authorized agents of the Department of



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491 Transportation, law enforcement with proper jurisdiction, or an
492 expressway authority created pursuant to chapter 348, in the
493 exercise, management, control, and maintenance of its highway
494 system, may undertake the removal from the main traveled way of
495 roads on its highway system of all vehicles incapacitated as a
496 result of a motor vehicle crash and of debris caused thereby.
497 Such removal is applicable when such a motor vehicle crash
498 results only in damage to a vehicle or other property, and when
499 such removal can be accomplished safely and will result in the
500 improved safety or convenience of travel upon the road. The
501 driver or any other person who has removed a motor vehicle from
502 the main traveled way of the road as provided in this section
503 may shall not be considered liable or at fault regarding the
504 cause of the crash accident solely by reason of moving the
505 vehicle.

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

507 Section 6. Section 316.0897, Florida Statutes, is created
508 to read:

509 316.0897 Platoons.-

510 (1) Section 316.0895 does not apply to the operator of a
511 nonlead vehicle in a platoon.

512 (2) A platoon may be operated on a roadway in this state
513 after an operator provides notification to the Department of
514 Transportation and the Department of Highway Safety and Motor
515 Vehicles.

516 Section 7. Subsection (5) of section 316.1895, Florida
517 Statutes, is amended to read:

518 316.1895 Establishment of school speed zones, enforcement;
519 designation.-



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520 (5) (a) A school zone speed limit may not be less than 15
521 miles per hour except by local regulation. No school zone speed
522 limit shall be more than 20 miles per hour in an urbanized area,
523 as defined in s. 334.03. Such speed limit may be in force only
524 during those times 30 minutes before, during, and 30 minutes
525 after the periods of time when pupils are arriving at a
526 regularly scheduled breakfast program or a regularly scheduled
527 school session and leaving a regularly scheduled school session.

528 (b) A district school board as defined in s. 1003.01(1) may
529 by simple majority vote increase the time a school zone speed
530 limit is in force by an additional 15 minutes before, during,
531 and an additional 15 minutes after the periods of time when
532 pupils are arriving at a regularly scheduled breakfast program
533 or at a regularly scheduled school session and leaving a
534 regularly scheduled school session.

535 Section 8. Paragraph (c) of subsection (3) of section
536 316.192, Florida Statutes, is amended to read:

537 316.192 Reckless driving.—

538 (3) Any person:

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

540 1. Damage to the property or person of another commits a
541 misdemeanor of the first degree, punishable as provided in s.
542 775.082 or s. 775.083.

543 2. Serious bodily injury to another commits a felony of the
544 third degree, punishable as provided in s. 775.082, s. 775.083,
545 or s. 775.084. ~~The term "serious bodily injury" means an injury~~
546 ~~to another person, which consists of a physical condition that~~
547 ~~creates a substantial risk of death, serious personal~~
548 ~~disfigurement, or protracted loss or impairment of the function~~



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549 ~~of any bodily member or organ.~~

550 Section 9. Subsection (3) of section 316.193, Florida
551 Statutes, is amended to read:

552 316.193 Driving under the influence; penalties.-

553 (3) Any person:

554 (a) Who is in violation of subsection (1);

555 (b) Who operates a vehicle; and

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

558 1. Damage to the property or person of another commits a
559 misdemeanor of the first degree, punishable as provided in s.
560 775.082 or s. 775.083.

561 2. Serious bodily injury to another or to himself or
562 herself, ~~as defined in s. 316.1933~~, commits a felony of the
563 third degree, punishable as provided in s. 775.082, s. 775.083,
564 or s. 775.084.

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

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

569 b. A felony of the first degree, punishable as provided in
570 s. 775.082, s. 775.083, or s. 775.084, if:

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

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

575

576 For purposes of this subsection, the term "unborn child" has the
577 same meaning as provided in s. 775.021(5). A person who is



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578 convicted of DUI manslaughter shall be sentenced to a mandatory
579 minimum term of imprisonment of 4 years.

580 Section 10. Subsection (1) of section 316.1933, Florida
581 Statutes, is amended to read

582 316.1933 Blood test for impairment or intoxication in cases
583 of death or serious bodily injury; right to use reasonable
584 force.-

585 (1)~~(a)~~ If a law enforcement officer has probable cause to
586 believe that a motor vehicle driven by or in the actual physical
587 control of a person under the influence of alcoholic beverages,
588 any chemical substances, or any controlled substances has caused
589 the death or serious bodily injury of a human being, including
590 serious bodily injury of the driver, a law enforcement officer
591 shall require the person driving or in actual physical control
592 of the motor vehicle to submit to a test of the person's blood
593 for the purpose of determining the alcoholic content thereof or
594 the presence of chemical substances as set forth in s. 877.111
595 or any substance controlled under chapter 893. The law
596 enforcement officer may use reasonable force if necessary to
597 require such person to submit to the administration of the blood
598 test. The blood test shall be performed in a reasonable manner.
599 Notwithstanding s. 316.1932, the testing required by this
600 paragraph need not be incidental to a lawful arrest of the
601 person.

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



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607 Section 11. Paragraphs (a) and (b) of subsection (3) of
608 section 316.194, Florida Statutes, are amended to read:

609 316.194 Stopping, standing or parking outside of
610 municipalities.—

611 (3) (a) Whenever any police officer or traffic crash
612 ~~accident~~ investigation officer finds a vehicle standing upon a
613 highway in violation of any of the foregoing provisions of this
614 section, the officer is authorized to move the vehicle, or
615 require the driver or other persons in charge of the vehicle to
616 move the vehicle, to a position off the paved or main-traveled
617 part of the highway.

618 (b) Officers and traffic crash ~~accident~~ investigation
619 officers may provide for the removal of any abandoned vehicle to
620 the nearest garage or other place of safety, cost of such
621 removal to be a lien against motor vehicle, when an abandoned
622 vehicle is found unattended upon a bridge or causeway or in any
623 tunnel, or on any public highway in the following instances:

624 1. Where such vehicle constitutes an obstruction of
625 traffic;

626 2. Where such vehicle has been parked or stored on the
627 public right-of-way for a period exceeding 48 hours, in other
628 than designated parking areas, and is within 30 feet of the
629 pavement edge; and

630 3. Where an operative vehicle has been parked or stored on
631 the public right-of-way for a period exceeding 10 days, in other
632 than designated parking areas, and is more than 30 feet from the
633 pavement edge. However, the agency removing such vehicle shall
634 be required to report same to the Department of Highway Safety
635 and Motor Vehicles within 24 hours of such removal.



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636 Section 12. Subsections (1) and (2) of section 316.302,
637 Florida Statutes, are amended to read:

638 316.302 Commercial motor vehicles; safety regulations;
639 transporters and shippers of hazardous materials; enforcement.-

640 (1) (a) All owners and drivers of commercial motor vehicles
641 that are operated on the public highways of this state while
642 engaged in interstate commerce are subject to the rules and
643 regulations contained in 49 C.F.R. parts 382, 383, 385, 386 and
644 390-397.

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

652 (c) The emergency exceptions provided by 49 C.F.R. s.
653 392.82 also apply to communications by utility drivers and
654 utility contractor drivers during a Level 1 activation of the
655 State Emergency Operations Center, as provided in the Florida
656 Comprehensive Emergency Management plan, or during a state of
657 emergency declared by executive order or proclamation of the
658 Governor.

659 (d) Except as provided in s. 316.215(5), and except as
660 provided in s. 316.228 for rear overhang lighting and flagging
661 requirements for intrastate operations, the requirements of this
662 section supersede all other safety requirements of this chapter
663 for commercial motor vehicles.

664 (e) A person who operates a commercial motor vehicle solely



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665 in intrastate commerce which does not transport hazardous
666 materials in amounts that require placarding pursuant to 49
667 C.F.R. part 172 need not comply with the requirements of
668 electronic logging devices and hours of service supporting
669 documents as provided in 49 C.F.R. parts 385, 386, 390, and 395
670 until December 31, 2019.

671 (2) (a) A person who operates a commercial motor vehicle
672 solely in intrastate commerce not transporting any hazardous
673 material in amounts that require placarding pursuant to 49
674 C.F.R. part 172 need not comply with 49 C.F.R. ss. 391.11(b) (1)
675 and 395.3(a) and (b).

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

680 1. More than 12 hours following 10 consecutive hours off
681 duty; or

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

684
685 The provisions of this paragraph do not apply to drivers of
686 utility service vehicles as defined in 49 C.F.R. s. 395.2.

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



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694 week. Thirty-four consecutive hours off duty shall constitute
695 the end of any such period of 7 or 8 consecutive days. This
696 weekly limit does not apply to a person who operates a
697 commercial motor vehicle solely within this state while
698 transporting, during harvest periods, any unprocessed
699 agricultural products or unprocessed food or fiber that is
700 subject to seasonal harvesting from place of harvest to the
701 first place of processing or storage or from place of harvest
702 directly to market or while transporting livestock, livestock
703 feed, or farm supplies directly related to growing or harvesting
704 agricultural products. Upon request of the Department of Highway
705 Safety and Motor Vehicles, motor carriers shall furnish time
706 records or other written verification to that department so that
707 the Department of Highway Safety and Motor Vehicles can
708 determine compliance with this subsection. These time records
709 must be furnished to the Department of Highway Safety and Motor
710 Vehicles within 2 days after receipt of that department's
711 request. Falsification of such information is subject to a civil
712 penalty ~~not to exceed \$100. The provisions of This paragraph~~
713 does ~~de~~ not apply to operators of farm labor vehicles operated
714 during a state of emergency declared by the Governor or operated
715 pursuant to s. 570.07(21) or, ~~and do not apply~~ to drivers of
716 utility service vehicles as defined in 49 C.F.R. s. 395.2.

717 (d) A person who operates a commercial motor vehicle solely
718 in intrastate commerce not transporting any hazardous material
719 in amounts that require placarding pursuant to 49 C.F.R. part
720 172 within a 150 air-mile radius of the location where the
721 vehicle is based need not comply with 49 C.F.R. s. 395.8, if the
722 requirements of 49 C.F.R. s. 395.1(e) (1) (ii), (iii) (A) and (C),



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723 and (v) are met. ~~If a driver is not released from duty within 12~~
724 ~~hours after the driver arrives for duty, the motor carrier must~~
725 ~~maintain documentation of the driver's driving times throughout~~
726 ~~the duty period.~~

727 (e) A person who operates a commercial motor vehicle solely
728 in intrastate commerce is exempt from subsection (1) while
729 transporting agricultural products, including horticultural or
730 forestry products, from farm or harvest place to the first place
731 of processing or storage, or from farm or harvest place directly
732 to market. However, such person must comply with 49 C.F.R. parts
733 382, 392, and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.
734 A vehicle or combination of vehicles operated pursuant to this
735 paragraph having a gross vehicle weight of 26,001 pounds or more
736 or having three or more axles on the power unit, regardless of
737 weight, must display the name of the vehicle owner or motor
738 carrier and the municipality or town where the vehicle is based
739 on each side of the power unit in letters that contrast with the
740 background and that are readable from a distance of 50 feet. A
741 person who violates this vehicle identification requirement may
742 be assessed a penalty as provided in s. 316.3025(3)(a).

743 (f) A person who operates a commercial motor vehicle having
744 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,
745 and gross combined weight rating of less than 26,001 pounds
746 solely in intrastate commerce and who is not transporting
747 hazardous materials in amounts that require placarding pursuant
748 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~
749 ~~as defined in s. 376.301,~~ is exempt from subsection (1).
750 However, such person must comply with 49 C.F.R. parts 382, 392,
751 and 393, and with 49 C.F.R. ss. 396.3(a)(1) and 396.9.



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752 (g) A person whose driving record shows no convictions for
753 the preceding 3 years and who, as of October 1, 1988, is
754 employed as a driver-salesperson, as defined in 49 C.F.R. s.
755 395.2, and who operates solely in intrastate commerce, is exempt
756 from 49 C.F.R. part 391.

757 (h) A person who is an employee of an electric utility, as
758 defined in s. 361.11, or a telephone company, as defined in s.
759 364.02, and who operates a commercial motor vehicle solely in
760 intrastate commerce and within a 200 air-mile radius of the
761 location where the vehicle is based, is exempt from 49 C.F.R.
762 ss. 396.11 and 396.13 and 49 C.F.R. part 391, subparts D and E.

763 (i) A person whose driving record shows no traffic
764 convictions, pursuant to s. 322.61, during the 2-year period
765 immediately preceding the application for the commercial driver
766 license, who is otherwise qualified as a driver under 49 C.F.R.
767 part 391, and who operates a commercial vehicle in intrastate
768 commerce only shall be exempt from the requirements of 49 C.F.R.
769 part 391, subpart E, s. 391.41(b)(10). However, such operators
770 are still subject to the requirements of ss. 322.12 and 322.121.
771 As proof of eligibility, such driver shall have in his or her
772 possession a physical examination form dated within the past 24
773 months.

774 ~~(j) A person who is otherwise qualified as a driver under~~
775 ~~49 C.F.R. part 391, who operates a commercial motor vehicle in~~
776 ~~intrastate commerce only, and who does not transport hazardous~~
777 ~~materials in amounts that require placarding pursuant to 49~~
778 ~~C.F.R. part 172, is exempt from the requirements of 49 C.F.R.~~
779 ~~part 391, subpart E, ss. 391.41(b)(3) and 391.43(e), relating to~~
780 ~~diabetes.~~



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781 (j)~~(k)~~ A person holding a commercial driver license who is
782 a regularly employed driver of a commercial motor vehicle and is
783 subject to an alcohol and controlled substance testing program
784 related to that employment shall not be required to be part of a
785 separate testing program for operating any bus owned and
786 operated by a church when the driver does not receive any form
787 of compensation for operating the bus and when the bus is used
788 to transport people to or from church-related activities at no
789 charge. The provisions of this paragraph may not be implemented
790 if the Federal Government notifies the department that
791 implementation will adversely affect the allocation of federal
792 funds to the state.

793 Section 13. Effective December 31, 2019, paragraph (d) of
794 subsection (1) of section 316.302, Florida Statutes, is amended
795 to read:

796 316.302 Commercial motor vehicles; safety regulations;
797 transporters and shippers of hazardous materials; enforcement.-

798 (1)

799 (d) Except as provided ~~in s. 316.215(5), and except as~~
800 ~~provided~~ in s. 316.228 for rear overhang lighting and flagging
801 requirements for intrastate operations, the requirements of this
802 section supersede all other safety requirements of this chapter
803 for commercial motor vehicles.

804 Section 14. Subsection (3) of section 316.303, Florida
805 Statutes, is amended to read:

806 316.303 Television receivers.-

807 (3) This section does not prohibit the use of an electronic
808 display used in conjunction with a vehicle navigation system; an
809 electronic display used by an operator of a vehicle equipped



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810 with autonomous technology, as defined in s. 316.003(3); or an
811 electronic display used by an operator of the nonlead a vehicle
812 in a platoon operating on a roadway in this state ~~equipped and~~
813 ~~operating with driver-assistive truck platooning technology, as~~
814 ~~defined in s. 316.003.~~

815 Section 15. Subsection (8) of section 316.622, Florida
816 Statutes, is amended to read:

817 316.622 Farm labor vehicles.—

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

821 Section 16. Paragraph (a) of subsection (1) of section
822 316.640, Florida Statutes, is amended to read:

823 316.640 Enforcement.—The enforcement of the traffic laws of
824 this state is vested as follows:

825 (1) STATE.—

826 (a)1.a. The Division of Florida Highway Patrol of the
827 Department of Highway Safety and Motor Vehicles; the Division of
828 Law Enforcement of the Fish and Wildlife Conservation
829 Commission; and the agents, inspectors, and officers of the
830 Department of Law Enforcement each have authority to enforce all
831 of the traffic laws of this state on all the streets and
832 highways thereof and elsewhere throughout the state wherever the
833 public has a right to travel by motor vehicle.

834 b. University police officers may enforce all of the
835 traffic laws of this state when violations occur on or within
836 1,000 feet of any property or facilities that are under the
837 guidance, supervision, regulation, or control of a state
838 university, a direct-support organization of such state



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839 university, or any other organization controlled by the state
840 university or a direct-support organization of the state
841 university, or when such violations occur within a specified
842 jurisdictional area as agreed upon in a mutual aid agreement
843 entered into with a law enforcement agency pursuant to s.
844 23.1225(1). Traffic laws may also be enforced off-campus when
845 hot pursuit originates on or within 1,000 feet of any such
846 property or facilities, or as agreed upon in accordance with the
847 mutual aid agreement.

848 c. Florida College System institution police officers may
849 enforce all the traffic laws of this state only when such
850 violations occur on or within 1,000 feet of any property or
851 facilities that are under the guidance, supervision, regulation,
852 or control of the Florida College System institution, or when
853 such violations occur within a specified jurisdictional area as
854 agreed upon in a mutual aid agreement entered into with a law
855 enforcement agency pursuant to s. 23.1225. Traffic laws may also
856 be enforced off-campus when hot pursuit originates on or within
857 1,000 feet of any such property or facilities, or as agreed upon
858 in accordance with the mutual aid agreement.

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

863 (I) An airport authority may employ as a parking
864 enforcement specialist any individual who successfully completes
865 a training program established and approved by the Criminal
866 Justice Standards and Training Commission for parking
867 enforcement specialists but who does not otherwise meet the



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868 uniform minimum standards established by the commission for law
869 enforcement officers or auxiliary or part-time officers under s.
870 943.12. This sub-sub-subparagraph may not be construed to permit
871 the carrying of firearms or other weapons, nor shall such
872 parking enforcement specialist have arrest authority.

873 (II) A parking enforcement specialist employed by an
874 airport authority may enforce all state, county, and municipal
875 laws and ordinances governing parking only when such violations
876 are on property or facilities owned or operated by the airport
877 authority employing the specialist, by appropriate state,
878 county, or municipal traffic citation.

879 e. The Office of Agricultural Law Enforcement of the
880 Department of Agriculture and Consumer Services may enforce
881 traffic laws of this state.

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

886 2. Any disciplinary action taken or performance evaluation
887 conducted by an agency of the state as described in subparagraph
888 1. of a law enforcement officer's traffic enforcement activity
889 must be in accordance with written work-performance standards.
890 Such standards must be approved by the agency and any collective
891 bargaining unit representing such law enforcement officer. A
892 violation of this subparagraph is not subject to the penalties
893 provided in chapter 318.

894 3. The Division of the Florida Highway Patrol may employ as
895 a traffic crash ~~accident~~ investigation officer any individual
896 who successfully completes instruction in traffic crash ~~accident~~



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897 investigation and court presentation through the Selective
898 Traffic Enforcement Program as approved by the Criminal Justice
899 Standards and Training Commission and funded through the
900 National Highway Traffic Safety Administration or a similar
901 program approved by the commission, but who does not necessarily
902 meet the uniform minimum standards established by the commission
903 for law enforcement officers or auxiliary law enforcement
904 officers under chapter 943. Any such traffic crash ~~accident~~
905 investigation officer who makes an investigation at the scene of
906 a traffic crash ~~accident~~ may issue traffic citations, based upon
907 personal investigation, when he or she has reasonable and
908 probable grounds to believe that a person who was involved in
909 the crash ~~accident~~ committed an offense under this chapter,
910 chapter 319, chapter 320, or chapter 322 in connection with the
911 crash ~~accident~~. This subparagraph does not permit the officer to
912 carry firearms or other weapons, and such an officer does not
913 have authority to make arrests.

914 Section 17. Subsection (2) of section 316.655, Florida
915 Statutes, is amended to read:

916 316.655 Penalties.—

917 (2) A driver convicted of a violation of any offense
918 prohibited by this chapter or any other law of this state
919 regulating motor vehicles, which resulted in a crash ~~an~~
920 ~~accident~~, may have his or her driving privileges revoked or
921 suspended by the court if the court finds such revocation or
922 suspension warranted by the totality of the circumstances
923 resulting in the conviction and the need to provide for the
924 maximum safety for all persons who travel on or who are
925 otherwise affected by the use of the highways of the state. In



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926 determining whether suspension or revocation is appropriate, the
927 court shall consider all pertinent factors, including, but not
928 limited to, such factors as the extent and nature of the
929 driver's violation of this chapter, the number of persons killed
930 or injured as the result of the driver's violation of this
931 chapter, and the extent of any property damage resulting from
932 the driver's violation of this chapter.

933 Section 18. Section 316.70, Florida Statutes, is amended to
934 read:

935 316.70 Nonpublic sector buses; safety rules.—

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

943 (a) Nonpublic sector buses are safely maintained, equipped,
944 and operated.

945 ~~(b) Nonpublic sector buses are carrying the insurance~~
946 ~~required by law and carrying liability insurance on the checked~~
947 ~~baggage of passengers not to exceed the standard adopted by the~~
948 ~~United States Department of Transportation.~~

949 ~~(b)(e)~~ Florida license tags are purchased for nonpublic
950 sector buses pursuant to s. 320.38.

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



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955 (2) Department ~~of Transportation~~ personnel may conduct
956 compliance investigations ~~reviews~~ for the purpose of determining
957 compliance with this section. A civil penalty not to exceed
958 \$5,000 in the aggregate may be assessed against any person who
959 violates any provision of this section or who violates any
960 department rule or order of the Department of Transportation. A
961 civil penalty not to exceed \$25,000 in the aggregate may be
962 assessed for violations found in a followup compliance
963 investigation review conducted within a 24-month period. A civil
964 ~~penalty not to exceed \$25,000 in the aggregate may be assessed~~
965 ~~and the motor carrier may be enjoined pursuant to s. 316.3026 if~~
966 ~~violations are found after a second followup compliance review~~
967 ~~within 12 months after the first followup compliance review~~.
968 Motor carriers may be enjoined pursuant to s. 316.3026 for
969 violations identified during a compliance investigation or motor
970 carriers found to be operating without insurance coverage
971 required by s. 627.742 or 49 C.F.R. part 387 ~~may be enjoined as~~
972 ~~provided in s. 316.3026~~.

973 (3) For the purpose of enforcing this section, any law
974 enforcement officer of the department or duly appointed agent
975 who holds a current safety inspector certification from the
976 Commercial Vehicle Safety Alliance may require the driver of any
977 commercial vehicle operated on the highways of this state to
978 stop and submit to an inspection of the vehicle or the driver's
979 records. If the vehicle or driver is operating in an unsafe
980 condition, or if any required part or equipment is not present
981 or is not in proper repair or adjustment, and the continued
982 operation would be unduly hazardous, the officer may require the
983 vehicle or the driver to be removed from service pursuant to the



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984 North American Standard Out-of-Service Criteria, until the
985 safety concerns are corrected. However, if continuous operation
986 would not be unduly hazardous, the officer may give written
987 notice requiring correction of the condition within 15 days.

988 ~~(4)(3)~~ School buses subject to ~~the provisions of~~ chapter
989 1006 or s. 316.615 are exempt from ~~the provisions of~~ this
990 section.

991 Section 19. Section 318.19, Florida Statutes, is amended to
992 read:

993 318.19 Infractions requiring a mandatory hearing.—
994 Subsections 318.14(2), (4), and (9) do not apply to any person
995 cited for an infraction identified in the infractions listed in
996 this section and he or she shall not have the provisions of s.
997 318.14(2), (4), and (9) available to him or her but must appear
998 before the designated official at the time and location of the
999 scheduled hearing for:

1000 (1) Any infraction that ~~which~~ results in a crash that
1001 causes the death of another;

1002 (2) Any infraction that ~~which~~ results in a crash that
1003 causes “serious bodily injury, as defined in s. 316.003,” of
1004 another or of the person cited for the infraction as defined in
1005 s. 316.1933(1);

1006 (3) Any infraction of s. 316.172(1)(b);

1007 (4) Any infraction of s. 316.520(1) or (2); or

1008 (5) Any infraction of s. 316.183(2), s. 316.187, or s.
1009 316.189 of exceeding the speed limit by 30 mph or more.

1010 Section 20. Section 319.001, Florida Statutes, is amended
1011 to read:

1012 319.001 Definitions.—As used in this chapter, the term:



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1013 (1) "Certificate of title" means the record that is
1014 evidence of ownership of a vehicle, whether a paper certificate
1015 authorized by the department or a certificate consisting of
1016 information that is stored in an electronic form in the
1017 department's database.

1018 (2) "Conflict" or "conflict of interest" means a situation
1019 in which a private interest could benefit from or interfere with
1020 official duties or a public interest, including, but not limited
1021 to, having a direct or indirect financial interest in a vehicle
1022 being inspected pursuant to s. 319.141; or being employed by, or
1023 directly or indirectly having an ownership interest in, an
1024 entity that has a financial interest in a vehicle being
1025 inspected pursuant to s. 319.141.

1026 (3)~~(2)~~ "Department" means the Department of Highway Safety
1027 and Motor Vehicles.

1028 (4)~~(3)~~ "Front-end assembly" means fenders, hood, grill, and
1029 bumper.

1030 (5)~~(4)~~ "Licensed dealer," unless otherwise specifically
1031 provided, means a motor vehicle dealer licensed under s. 320.27,
1032 a mobile home dealer licensed under s. 320.77, or a recreational
1033 vehicle dealer licensed under s. 320.771.

1034 (6)~~(5)~~ "Motorcycle body assembly" means frame, fenders, and
1035 gas tanks.

1036 (7)~~(6)~~ "Motorcycle engine" means cylinder block, heads,
1037 engine case, and crank case.

1038 (8)~~(7)~~ "Motorcycle transmission" means drive train.

1039 (9)~~(8)~~ "New mobile home" means a mobile home the equitable
1040 or legal title to which has never been transferred by a
1041 manufacturer, distributor, importer, or dealer to an ultimate



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1042 purchaser.

1043 (10)~~(9)~~ "New motor vehicle" means a motor vehicle the
1044 equitable or legal title to which has never been transferred by
1045 a manufacturer, distributor, importer, or dealer to an ultimate
1046 purchaser; however, when legal title is not transferred but
1047 possession of a motor vehicle is transferred pursuant to a
1048 conditional sales contract or lease and the conditions are not
1049 satisfied and the vehicle is returned to the motor vehicle
1050 dealer, the motor vehicle may be resold by the motor vehicle
1051 dealer as a new motor vehicle, provided the selling motor
1052 vehicle dealer gives the following written notice to the
1053 purchaser: "THIS VEHICLE WAS DELIVERED TO A PREVIOUS PURCHASER."
1054 The purchaser shall sign an acknowledgment, a copy of which is
1055 kept in the selling dealer's file.

1056 (11) "Private rebuilt inspection provider" means a person
1057 or an entity conducting rebuilt motor vehicle inspections who is
1058 physically located in this state and is authorized by the
1059 department and operating under this chapter.

1060 (12)~~(10)~~ "Rear body section" means both quarter panels,
1061 decklid, bumper, and floor pan.

1062 (13) "Rebuilt courier service" means an individual or
1063 entity who provides services to vehicle owners or motor vehicle
1064 dealers who use the inspection services of a private rebuilt
1065 inspection provider. These services include, but are not limited
1066 to, preparing, compiling, or providing forms, applications,
1067 certificates of title, or other documentation required to
1068 conduct a rebuilt inspection, or engaging in or arranging for
1069 the transportation of vehicles for inspection.

1070 (14) "Rebuilt inspection" means an examination of a rebuilt



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1071 vehicle and the required documentation. Required documentation
1072 includes, but is not limited to: a properly endorsed certificate
1073 of title, salvage certificate of title, or manufacturer's
1074 statement of origin; an application for a rebuilt branded
1075 certificate of title; a rebuilder's affidavit; a photograph of
1076 the junk or salvage vehicle taken before repairs began; receipts
1077 or invoices for all major component parts, as defined in s.
1078 319.30; repairs conducted; and proof that notice of rebuilding
1079 of the vehicle has been reported to the National Motor Vehicle
1080 Title Information System. If an airbag or airbags were deployed,
1081 before and after photos must be provided which clearly show the
1082 deployed airbags and that the airbags have been replaced.

1083 (15)-(11) "Satisfaction of lien" means full payment of a
1084 debt or release of a debtor from a lien by the lienholder.

1085 (16)-(12) "Used motor vehicle" means any motor vehicle that
1086 is not a "new motor vehicle" as defined in this section
1087 subsection (9).

1088 Section 21. Section 319.141, Florida Statutes, is amended
1089 to read:

1090 319.141 Private ~~Pilot~~ rebuilt motor vehicle inspection
1091 program.—

1092 (1) The department may authorize private rebuilt inspection
1093 providers under the terms of this section. The purpose of the
1094 private rebuilt motor vehicle inspection program is to prevent
1095 the use of stolen parts in the rebuilding process, identify and
1096 recover stolen vehicles, require the installation of nonrecalled
1097 airbags in rebuilt vehicles, and assist law enforcement with the
1098 investigation of vehicle theft and related fraud. The department
1099 may monitor and investigate private rebuilt inspection providers



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1100 and rebuilt courier services to ensure compliance with this
1101 chapter. The department may examine all records pertaining to
1102 any inspection or related service performed under the program.

1103 ~~(1) As used in this section, the term:~~

1104 ~~(a) "Facility" means a rebuilt motor vehicle inspection~~
1105 ~~facility authorized and operating under this section.~~

1106 ~~(b) "Rebuilt inspection services" means an examination of a~~
1107 ~~rebuilt vehicle and a properly endorsed certificate of title,~~
1108 ~~salvage certificate of title, or manufacturer's statement of~~
1109 ~~origin and an application for a rebuilt certificate of title, a~~
1110 ~~rebuilder's affidavit, a photograph of the junk or salvage~~
1111 ~~vehicle taken before repairs began, receipts or invoices for all~~
1112 ~~major component parts, as defined in s. 319.30, and repairs~~
1113 ~~which were changed, and proof that notice of rebuilding of the~~
1114 ~~vehicle has been reported to the National Motor Vehicle Title~~
1115 ~~Information System.~~

1116 ~~(2) By July 1, 2015, the department shall oversee a pilot~~
1117 ~~program in Miami-Dade County to evaluate alternatives for~~
1118 ~~rebuilt inspection services offered by existing private sector~~
1119 ~~operators, including the continued use of private facilities,~~
1120 ~~the cost impact to consumers, and the potential savings to the~~
1121 ~~department.~~

1122 (2) A person or an entity, other than the department, may
1123 not conduct rebuilt inspection services unless authorized to do
1124 so by the department pursuant to this chapter.

1125 (3) A person or an entity may not provide rebuilt courier
1126 services in this state or from locations outside of this state
1127 unless it has a valid, nonexclusive contract with each
1128 department-authorized private rebuilt inspection provider with



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1129 which the rebuilt courier service conducts business. Such
1130 contract must require the rebuilt courier service to comply with
1131 state law and department procedures; provide proof of and agree
1132 to maintain garage liability insurance in the amount of at least
1133 \$100,000; and comply with any other requirement established by
1134 the department which is designed to protect the public, the
1135 department, or the private rebuilt inspection provider from
1136 illegal or disruptive conduct.

1137 ~~(3) The department shall establish a memorandum of~~
1138 ~~understanding that allows private parties participating in the~~
1139 ~~pilot program to conduct rebuilt motor vehicle inspections and~~
1140 ~~specifies requirements for oversight, bonding and insurance,~~
1141 ~~procedures, and forms and requires the electronic transmission~~
1142 ~~of documents.~~

1143 (4) The department shall authorize private rebuilt
1144 inspection providers who meet the requirements of this chapter.

1145 ~~(5)~~(4) Before authorization is granted to a private rebuilt
1146 inspection provider an applicant is approved, the department
1147 shall ensure that the private rebuilt inspection provider meets
1148 ~~applicant meets basic criteria designed to protect the public.~~
1149 ~~At a minimum, the applicant shall meet all of the following~~
1150 ~~requirements:~~

1151 (a) Has submitted a request for authorization to the
1152 department along with all required documentation.

1153 (b) Has passed a physical location inspection conducted by
1154 the department to ensure that the private rebuilt inspection
1155 provider is operating in accordance with the requirements of
1156 this section and in a location where no other business is
1157 operating, attached, connected, or joined by a common address,



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1158 even if such location is recognized by the United States Postal
1159 Service as a separate address. The location must have permanent
1160 signage with posted business hours; a rebuilt inspection area
1161 separate and visually obstructed from any area accessible to a
1162 customer; and a surveillance camera with recording capabilities
1163 for the rebuilt inspection area.

1164 (c)-(a) Has provided evidence of a good and sufficient Have
1165 and maintain a surety bond or irrevocable letter of credit in
1166 the amount of \$100,000 executed by the private rebuilt
1167 inspection provider which covers all activities under the
1168 private rebuilt motor vehicle inspection program and names the
1169 department as an insured. Such surety bonds and letters of
1170 credit must be executed by a surety company authorized to do
1171 business in this state as a surety, and irrevocable letters of
1172 credit must be issued by a bank authorized to do business in
1173 this state as a bank. Surety bonds and letters of credit must be
1174 in favor of the department and must be for 1 year applicant.

1175 (d)-(b) Has identified and provided a lease or proof of
1176 ownership of a proposed location that must be open to the public
1177 Secure and maintain a facility at a permanent structure at an
1178 address recognized by the United States Postal Service where the
1179 only services provided on such property are rebuilt inspection
1180 services. The location must be large enough to accommodate all
1181 of the vehicles being inspected and must have sufficient space
1182 to maintain physical security of all required inspection records
1183 The operator of a facility shall annually attest that he or she
1184 is not employed by or does not have an ownership interest in or
1185 other financial arrangement with the owner, operator, manager,
1186 or employee of a motor vehicle repair shop as defined in s.



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1187 ~~559.903, a motor vehicle dealer as defined in s. 320.27(1)(c), a~~
1188 ~~towing company, a vehicle storage company, a vehicle auction, an~~
1189 ~~insurance company, a salvage yard, a metal retailer, or a metal~~
1190 ~~rebuilder, from which he or she receives remuneration, directly~~
1191 ~~or indirectly, for the referral of customers for rebuilt~~
1192 ~~inspection services.~~

1193 (e) Has ensured that each owner, partner, and corporate
1194 officer of the provider has provided an attestation
1195 acknowledging he or she is deemed to be engaging in activities
1196 that are in the public interest and are free of conflicts of
1197 interest.

1198 (f) ~~(e)~~ Has provided evidence of garage liability insurance
1199 coverage with at least \$100,000 single-limit liability coverage,
1200 including bodily injury and property damage protection, and
1201 \$10,000 personal injury protection ~~Have and maintain garage~~
1202 ~~liability and other insurance required by the department.~~

1203 (g) ~~(d)~~ Has provided a criminal background check on all ~~Have~~
1204 ~~completed criminal background checks of the owners, partners,~~
1205 ~~and corporate officers~~ which demonstrates that they have not
1206 been:

1207 1. Convicted of a felony, pled guilty to a felony, or pled
1208 nolo contendere to a felony involving fraud, theft, or dishonest
1209 dealing within the last 10 years; or

1210 2. Incarcerated for a felony involving fraud, theft, or
1211 dishonest dealing within the last 10 years ~~and the inspectors~~
1212 ~~employed by the facility.~~

1213 (h) Has provided evidence of authorization to conduct
1214 business in the state from the Florida Department of State,
1215 Division of Corporations.



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1216 ~~(e) Meet any additional criteria the department determines~~
1217 ~~necessary to conduct proper inspections.~~

1218 (6) Each authorized private rebuilt inspection provider may
1219 operate additional locations in this state with the prior
1220 written approval of the department. In determining whether to
1221 approve a location, the department must apply the same criteria
1222 as in paragraph (5) (b). A private rebuilt inspection provider
1223 may operate a mobile inspection unit, with the prior written
1224 approval of the department, as long as it also has a permanent
1225 facility that meets the criteria specified in paragraph (5) (b),
1226 and the operation of such mobile inspection unit complies with
1227 the terms of the agreement with the department as specified in
1228 paragraph (7) (1).

1229 (7) The department shall enter into a contract with each
1230 authorized private rebuilt inspection provider. The agreement
1231 must include all of the following:

1232 (a) A requirement that the provider maintain connections
1233 with and use the department's motor vehicle database, the
1234 National Motor Vehicle Title Information System, and information
1235 from the National Insurance Crime Bureau.

1236 (b) A requirement that the provider follow department
1237 policies and procedures when conducting rebuilt inspections.

1238 (c) A requirement that the provider maintain the
1239 confidentiality of all information received under the agreement
1240 in accordance with chapter 119 and the Driver Protection Privacy
1241 Act.

1242 (d) A provision that the agreement is not assignable to a
1243 third party, either in whole or in part, without the prior
1244 written consent of the department.



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- 1245 (e) A provision that the private rebuilt inspection
1246 provider agrees to submit to oversight by the department.
- 1247 (f) A requirement that the provider maintain records
1248 required by department policies and procedures, making those
1249 records available to the department for inspection, and
1250 complying with state public records laws.
- 1251 (g) Provisions outlining penalties for noncompliance with
1252 the agreement, including termination.
- 1253 (h) Forms required to be utilized by the private rebuilt
1254 inspection provider to document completion of the rebuilt
1255 inspection process. These forms must include, but need not be
1256 limited to, a completed and signed application for certificate
1257 of title with or without registration; a completed and signed
1258 statement of builder describing the process and major component
1259 parts used in the rebuilding of the motor vehicle; a completed
1260 and signed power of attorney for a motor vehicle, mobile home or
1261 vessel, if applicable; and a completed and signed vehicle
1262 identification number and odometer verification.
- 1263 (i) A requirement that the provider report stolen parts or
1264 vehicles.
- 1265 (j) A requirement that the provider maintain a surety bond
1266 and garage liability insurance.
- 1267 (k) Conditions under which the agreement may be terminated
1268 by either party.
- 1269 (l) Requirements for the operation of a mobile inspection
1270 unit, including, but not limited to, maintenance of general
1271 liability insurance in the amount of \$100,000 and commercial
1272 automobile liability insurance on each mobile unit in the amount
1273 of \$100,000, physical security for indicia and inspection



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1274 records, maintenance of records at a permanent facility,
1275 cooperation with department oversight requirements, maintenance
1276 of a weekly schedule of planned rebuilt inspections,
1277 installation of a camera to document inspections, and observance
1278 of the confidentiality of the rebuilt inspection process.

1279 (8)-(5) Each authorized private rebuilt inspection provider
1280 shall ~~A participant in the program shall~~ access vehicle and
1281 title information and enter inspection results through an
1282 electronic filing system authorized by the department and shall
1283 maintain records of each rebuilt vehicle inspection processed by
1284 the private rebuilt inspection provider at such facility for at
1285 least 5 years.

1286 (9)-(6) The department may shall immediately terminate the
1287 contract with any private rebuilt inspection provider operator
1288 from the program who fails to meet the ~~minimum eligibility~~
1289 requirements of this section specified in subsection (4). Before
1290 a change in ownership of a private rebuilt inspection provider
1291 facility, the current owner operator must give the department 45
1292 days' written notice of the intended sale. The prospective owner
1293 must meet the all eligibility requirements of this section and
1294 execute a new contract memorandum of understanding with the
1295 department before he or she begins operating as a private
1296 rebuilt inspection provider the facility.

1297 ~~(7) This section is repealed on July 1, 2018, unless saved~~
1298 ~~from repeal through reenactment by the Legislature.~~

1299 (10) By July 1 of each year, an authorized private rebuilt
1300 inspection provider shall attest that it has complied with this
1301 section and each owner, partner, and corporate officer must
1302 affirm he or she is free from conflicts of interest.



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1303 (11) Private rebuilt inspection providers may charge a fee
1304 for their services in addition to the fees in s. 319.32. This
1305 additional fee shall be clearly disclosed to each customer on
1306 his or her receipt and be conspicuously posted in an area
1307 frequented by customers.

1308 Section 22. Section 319.1411, Florida Statutes, is created
1309 to read:

1310 319.1411 Monitoring of private rebuilt inspection
1311 providers.—The department may monitor and inspect the operations
1312 of private rebuilt inspection providers as it deems necessary to
1313 determine whether the private rebuilt inspection provider is
1314 operating in compliance with this chapter and to determine if
1315 the private rebuilt inspection provider has engaged in any of
1316 the business practices prohibited under s. 319.1412.

1317 Section 23. Section 319.1414, Florida Statutes, is created
1318 to read:

1319 319.1414 Investigations; examinations; subpoenas; hearings;
1320 witnesses.—

1321 (1) The department may conduct investigations and
1322 examinations of department-authorized private rebuilt inspection
1323 providers as it deems necessary to determine whether a person
1324 has violated or is about to violate this chapter or a contract
1325 entered into pursuant to this chapter or to assist with the
1326 enforcement of this chapter.

1327 (2) For purposes of any investigation or examination
1328 conducted under this section, the department may exercise the
1329 power of subpoena and the powers to administer oaths or
1330 affirmations, to examine witnesses, to require affidavits, to
1331 take depositions, and to compel the attendance of witnesses and



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1332 the production of books, papers, documents, records, and other
1333 evidence. Such subpoenas may be served by a designated agent of
1334 the department.

1335 (3) If a person refuses to testify, produce books, papers,
1336 documents, or records, or otherwise obey a subpoena or subpoena
1337 duces tecum issued under subsection (2), the department may
1338 petition a court of competent jurisdiction in the county where
1339 the person's residence or principal place of business is
1340 located, upon which the court must issue an order requiring such
1341 person to obey the subpoena or show cause for failing to obey
1342 the subpoena. Unless the person shows sufficient cause for
1343 failing to obey the subpoena, the court shall direct the person
1344 to obey the subpoena and award costs incurred by the department
1345 to obtain the order. Failure to comply with such order is
1346 contempt of court.

1347 (4) For the purpose of any investigation, examination, or
1348 proceeding initiated by the department under this chapter, the
1349 department is authorized to designate agents to serve subpoenas
1350 and other process, and administer oaths or affirmations.

1351 (5) Witnesses subpoenaed under this section are entitled to
1352 witness fees at the same rate established by s. 92.142 for
1353 witnesses in a civil case, except that witness fees are not
1354 payable for appearance at the witness's place of business during
1355 regular business hours or at the witness's residence.

1356 (6) The department may adopt rules to administer this
1357 section.

1358 Section 24. Section 319.142, Florida Statutes, is created
1359 to read:

1360 319.142 Rules of conduct and prohibited business



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1361 practices.-

1362 (1) Each of the following constitutes grounds for
1363 termination of any and all contracts entered into with a private
1364 rebuilt inspection provider pursuant to this chapter:

1365 (a) Engaging in any business transaction or activity that
1366 is in substantial conflict with the proper discharge of the
1367 private rebuilt inspection provider's duties in the public
1368 interest.

1369 (b) Allowing a vehicle to pass inspection knowing that
1370 there was a material misrepresentation in the required
1371 documentation or that the documentation submitted in support of
1372 the inspection was counterfeit or materially altered.

1373 (c) Failure to report to the department the identification
1374 of a suspected stolen part or stolen vehicle during a rebuilt
1375 inspection.

1376 (d) In connection with providing private rebuilt inspection
1377 services, engaging in any course of conduct that is fraud or
1378 deceit upon the department, a dealer, or a vehicle owner.

1379 (e) Knowingly falsifying department records or knowingly
1380 providing materially false or misleading information to the
1381 department.

1382 (f) Failing to allow an examination or inspection of a
1383 private rebuilt inspection provider facility, including a review
1384 of books and records, by the department or law enforcement
1385 during regular business hours.

1386 (g) Passing a vehicle through inspection without having a
1387 reasonable basis to believe that all airbags that are subject to
1388 a safety recall issued by the National Highway Transportation
1389 Safety Administration were replaced with airbags not subject to



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1390 such a safety recall.

1391 (h) Failure to timely respond to a subpoena issued by the
1392 department.

1393 (i) Conducting rebuilt inspection services at a physical
1394 location not approved in writing by the department or providing
1395 services from a mobile unit not approved in writing by the
1396 department.

1397 (j) Failure to maintain at all times a garage liability
1398 insurance in the amount of at least \$100,000.

1399 (k) Failure to maintain at all times a good and sufficient
1400 surety bond or irrevocable letter of credit in the amount of
1401 \$100,000 which covers all activities under the private rebuilt
1402 motor vehicle inspection program and names the department as an
1403 insured.

1404 (l) Violation of this section or the contract between the
1405 department and the private rebuilt inspection provider.

1406 (m) The use of advertising that would reasonably lead the
1407 public to believe that the provider was or is an employee or
1408 representative of the department, or the use in its name of the
1409 terms "Department of Highway Safety and Motor Vehicles," "DMV,"
1410 "DHSMV," "FLHSMV," or "HSMV" or any other terms or logos that
1411 that are associated with the department.

1412 (2) Written notice of termination of a contract under this
1413 section must be provided before termination of the contract.

1414 Section 25. Section 319.25, Florida Statutes, is amended to
1415 read:

1416 319.25 Cancellation of certificates; investigations;
1417 subpoenas and other process; oaths; rules.-

1418 (1) If it appears that a certificate of title has been



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1419 improperly issued, the department shall cancel the certificate.
1420 Upon cancellation of any certificate of title, the department
1421 shall notify the person to whom the certificate of title was
1422 issued, as well as any lienholders appearing thereon, of the
1423 cancellation and shall demand the surrender of the certificate
1424 of title, but the cancellation shall not affect the validity of
1425 any lien noted thereon. The holder of the certificate of title
1426 shall return it to the department forthwith. If a certificate of
1427 registration has been issued to the holder of a certificate of
1428 title so canceled, the department shall immediately cancel the
1429 certificate of registration and demand the return of such
1430 certificate of registration and license plate or mobile home
1431 sticker; and the holder of such certificate of registration and
1432 license plate or sticker shall return them to the department
1433 forthwith.

1434 (2) The department is authorized, upon application of any
1435 person and payment of the proper fees, to prepare and furnish
1436 lists containing title information in such form as the
1437 department may authorize, to search the records of the
1438 department and make reports thereof, and to make photographic
1439 copies of the department records and attestations thereof,
1440 except as provided in chapter 119.

1441 (3) The department may conduct investigations and
1442 examinations of any person suspected of violating or of having
1443 violated this chapter or any rule adopted or order issued under
1444 this chapter.

1445 (4) For purposes of any investigation or examination
1446 conducted under this section, the department may exercise the
1447 power of subpoena and the powers to administer oaths or



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1448 affirmations, to examine witnesses, to require affidavits, to
1449 take depositions, and to compel the attendance of witnesses and
1450 the production of books, papers, documents, records, and other
1451 evidence. Such subpoenas may be served by an authorized
1452 representative of the department.

1453 (5) If a person refuses to testify, produce books, papers,
1454 documents, or records, or otherwise obey the subpoena or
1455 subpoena duces tecum issued under subsection (4), the department
1456 may petition a court of competent jurisdiction in the county
1457 where the person's residence or principal place of business is
1458 located, upon which the court must issue an order requiring such
1459 person to obey the subpoena or show cause for failing to obey
1460 the subpoena. Unless the person shows sufficient cause for
1461 failing to obey the subpoena, the court must direct the person
1462 to obey the subpoena and award costs incurred by the department
1463 to obtain the order. Failure to comply with such order is
1464 contempt of court.

1465 (6) For the purpose of any investigation, examination, or
1466 proceeding initiated by the department under this chapter, the
1467 department is authorized to designate agents to serve subpoenas
1468 and other process, and administer oaths or affirmations.

1469 (7) Witnesses subpoenaed under this section are entitled to
1470 witness fees at the same rate established by s. 92.142 for
1471 witnesses in a civil case, except that witness fees are not
1472 payable for appearance at the witness's place of business during
1473 regular business hours or at the witness's residence.

1474 (8) The department may adopt rules to administer this
1475 section.

1476 Section 26. Contingent upon the enactment of Senate Bill



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1477 7094 or other similar legislation enacted in the 2019 Regular
1478 Session or an extension thereof, subsection (3) of section
1479 319.40, Florida Statutes, is amended to read:

1480 319.40 Transactions by electronic or telephonic means.—

1481 (3) The department or tax collector may collect electronic
1482 mail addresses or cellular telephone numbers and use electronic
1483 mail or text messages in lieu of the United States Postal
1484 Service as a method of notification and for the purpose of
1485 providing information related to Department of Highway Safety
1486 and Motor Vehicles functions in accordance with chapter 119 and
1487 pursuant to the federal Driver Privacy Protection Act of 1994,
1488 18 U.S.C. ss. 2721 et seq. However, any notice regarding the
1489 potential forfeiture or foreclosure of an interest in property
1490 must be sent via the United States Postal Service. The provision
1491 of electronic mail addresses and cellular telephone numbers by
1492 the applicant is optional and, before collection pursuant to
1493 this subsection, the department or tax collector shall disclose
1494 to the applicant the purposes for which the electronic mail
1495 addresses and cellular telephone numbers may be used.

1496 Section 27. Subsection (24) of section 320.01, Florida
1497 Statutes, is amended to read:

1498 320.01 Definitions, general.—As used in the Florida
1499 Statutes, except as otherwise provided, the term:

1500 (24) "Apportionable vehicle" means any vehicle, except
1501 recreational vehicles, vehicles displaying restricted plates,
1502 city pickup and delivery vehicles, ~~buses used in transportation~~
1503 ~~of chartered parties,~~ and government-owned vehicles, which is
1504 used or intended for use in two or more member jurisdictions
1505 that allocate or proportionally register vehicles and which is



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1506 used for the transportation of persons for hire or is designed,
1507 used, or maintained primarily for the transportation of property
1508 and:

1509 (a) Is a power unit having a gross vehicle weight in excess
1510 of 26,000 pounds;

1511 (b) Is a power unit having three or more axles, regardless
1512 of weight; or

1513 (c) Is used in combination, when the weight of such
1514 combination exceeds 26,000 pounds gross vehicle weight.

1515

1516 Vehicles, or combinations thereof, having a gross vehicle weight
1517 of 26,000 pounds or less and two-axle vehicles may be
1518 proportionally registered.

1519 Section 28. Paragraph (b) of subsection (4) of section
1520 320.03, Florida Statutes, is amended to read:

1521 320.03 Registration; duties of tax collectors;
1522 International Registration Plan.-

1523 (4)

1524 (b) The Florida Real Time Vehicle Information System shall
1525 be installed in every tax collector's and license tag agent's
1526 office in accordance with a schedule established by the
1527 department in consultation with the tax collectors and
1528 contingent upon funds being made available for the system by the
1529 state. For the purpose of enhancing customer services provided
1530 by tax collectors acting on behalf of the department, the
1531 department, contingent upon an approved request and memorandum
1532 of understanding, shall provide tax collectors, and tax
1533 collector-approved agents and vendors with real-time access to
1534 data that other third parties receive from the department



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1535 related to vehicle and mobile home registration certificates,
1536 registration license plates, and validation stickers, including,
1537 but not limited to, the most current address information and
1538 electronic mail addresses of applicants. The memorandum of
1539 understanding as required under this paragraph may not be more
1540 restrictive than any memorandum of understanding between the
1541 department and other third-party vendors.

1542 Section 29. Contingent upon the enactment of Senate Bill
1543 7092 or other similar legislation enacted in the 2019 Regular
1544 Session or an extension thereof, paragraph (b) of subsection (1)
1545 of section 320.06, Florida Statutes, is amended to read:

1546 320.06 Registration certificates, license plates, and
1547 validation stickers generally.-

1548 (1)

1549 (b)1. Registration license plates bearing a graphic symbol
1550 and the alphanumeric system of identification shall be issued
1551 for a 10-year period. At the end of the 10-year period, upon
1552 renewal, the plate shall be replaced. The department shall
1553 extend the scheduled license plate replacement date from a 6-
1554 year period to a 10-year period. The fee for such replacement is
1555 \$28, \$2.80 of which shall be paid each year before the plate is
1556 replaced, to be credited toward the next \$28 replacement fee.
1557 The fees shall be deposited into the Highway Safety Operating
1558 Trust Fund. A credit or refund may not be given for any prior
1559 years' payments of the prorated replacement fee if the plate is
1560 replaced or surrendered before the end of the 10-year period,
1561 except that a credit may be given if a registrant is required by
1562 the department to replace a license plate under s.

1563 320.08056(8) (a). With each license plate, a validation sticker



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1564 shall be issued showing the owner's birth month, license plate
1565 number, and the year of expiration or the appropriate renewal
1566 period if the owner is not a natural person. The validation
1567 sticker shall be placed on the upper right corner of the license
1568 plate. The license plate and validation sticker shall be issued
1569 based on the applicant's appropriate renewal period. The
1570 registration period is 12 months, the extended registration
1571 period is 24 months, and all expirations occur based on the
1572 applicant's appropriate registration period.

1573 2. A vehicle that has an apportioned registration shall be
1574 issued an annual license plate and a cab card denoting that
1575 ~~denote~~ the declared gross vehicle weight for each apportioned
1576 jurisdiction ~~in which the vehicle is authorized to operate.~~ This
1577 subparagraph expires January 1, 2023.

1578 3. Upon implementation of a new operating system for
1579 apportioned vehicle registration, a vehicle registered in
1580 accordance with the International Registration Plan must be
1581 issued a license plate for a 5-year period, an annual cab card
1582 denoting the declared gross vehicle weight for each apportioned
1583 jurisdiction, and an annual validation sticker showing the month
1584 and year of expiration. The validation sticker must be placed in
1585 the center of the license plate. The license plate and
1586 validation sticker must be issued based on the applicant's
1587 appropriate renewal period. The registration period is 12
1588 months. This fee must be deposited into the Highway Safety
1589 Operating Trust Fund. If the license plate is damaged or worn,
1590 it may be replaced at no charge by applying to the department
1591 and surrendering the current license plate.

1592 4.2. In order to retain the efficient administration of the



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1593 taxes and fees imposed by this chapter, the 80-cent fee increase
1594 in the replacement fee imposed by chapter 2009-71, Laws of
1595 Florida, is negated as provided in s. 320.0804.

1596 Section 30. Subsection (2) of section 320.06, Florida
1597 Statutes, is amended to read:

1598 320.06 Registration certificates, license plates, and
1599 validation stickers generally.—

1600 (2) The department shall provide the several tax collectors
1601 and license plate agents with the necessary number of validation
1602 stickers. However, the tax collectors and their agents shall
1603 have the option to purchase validation stickers and paper stock
1604 that is used to produce vehicle registrations from the
1605 department's contracted vendor or from other vendors if such
1606 items meet the department's specifications and are procured at
1607 prices that are at or lower than the pricing reflected in the
1608 department's existing contracts for procuring these items. Such
1609 purchases by the tax collectors and their agents are exempt from
1610 the competitive bid requirements of chapter 287. The department
1611 shall reimburse the tax collectors and their agents for these
1612 purchases, but reimbursement may not be made at prices higher
1613 than the pricing contained in the department's existing
1614 contract. The tax collectors and their agents shall invoice the
1615 department in arrears for the validation stickers and vehicle
1616 registrations as they are issued.

1617 Section 31. Section 320.0605, Florida Statutes, is amended
1618 to read:

1619 320.0605 Certificate of registration; possession required;
1620 exception.—

1621 (1) (a) The registration certificate or an official copy



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1622 thereof, a true copy or an electronic copy of rental or lease
1623 documentation issued for a motor vehicle or issued for a
1624 replacement vehicle in the same registration period, a temporary
1625 receipt printed upon self-initiated electronic renewal of a
1626 registration via the Internet, or a cab card issued for a
1627 vehicle registered under the International Registration Plan
1628 shall, at all times while the vehicle is being used or operated
1629 on the roads of this state, be in the possession of the operator
1630 thereof or be carried in the vehicle for which issued and shall
1631 be exhibited upon demand of any authorized law enforcement
1632 officer or any agent of the department, except for a vehicle
1633 registered under s. 320.0657. ~~The provisions of~~ This section
1634 does ~~do~~ not apply during the first 30 days after purchase of a
1635 replacement vehicle. A violation of this section is a
1636 noncriminal traffic infraction, punishable as a nonmoving
1637 violation as provided in chapter 318.

1638 (b)1. The act of presenting to a law enforcement officer or
1639 an agent of the department an electronic device displaying an
1640 electronic copy of rental or lease documentation does not
1641 constitute consent for the officer or agent to access any
1642 information on the device other than the displayed rental or
1643 lease documentation.

1644 2. The person who presents the device to the officer or
1645 agent assumes liability for any resulting damage to the device.

1646 (2) Rental or lease documentation that is sufficient to
1647 satisfy the requirement in subsection (1) includes the
1648 following:

- 1649 (a) ~~Date of rental and time of exit from rental facility;~~
1650 (b) ~~Rental station identification;~~



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- 1651 ~~(e)~~ Rental agreement number;
- 1652 (c)~~(d)~~ Rental vehicle identification number;
- 1653 (d)~~(e)~~ Rental vehicle license plate number and state of
- 1654 registration;
- 1655 (e)~~(f)~~ Vehicle's make, model, and color;
- 1656 (f)~~(g)~~ Vehicle's mileage; and
- 1657 (g)~~(h)~~ Authorized renter's name.

1658 Section 32. Subsection (5) of section 320.0607, Florida
1659 Statutes, is amended to read:

1660 320.0607 Replacement license plates, validation decal, or
1661 mobile home sticker.—

1662 (5) Upon the issuance of an original license plate, the
1663 applicant shall pay a fee of \$28 to be deposited in the Highway
1664 Safety Operating Trust Fund. Upon implementation of a new
1665 operating system for apportioned vehicle registrations, this
1666 subsection does not apply to a vehicle registered under the
1667 International Registration Plan.

1668 Section 33. Subsection (10) is added to section 320.131,
1669 Florida Statutes, to read:

1670 320.131 Temporary tags.—

1671 (10) The department may partner with a county tax collector
1672 to conduct a Fleet Vehicle Temporary Tag Pilot Program to
1673 provide temporary tags to fleet companies to allow them to
1674 operate fleet vehicles awaiting a permanent registration and
1675 title.

1676 (a) The department shall enter into a memorandum of
1677 understanding that allows up to 10 companies to participate in
1678 the pilot program and to receive multiple temporary tags for
1679 company fleet vehicles.



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1680 (b) To participate in the program, a fleet company must
1681 have at least 3,500 fleet vehicles registered in this state
1682 which qualify to be registered as fleet vehicles pursuant to s.
1683 320.0657.

1684 (c) The department, upon the request of an eligible fleet
1685 company, may issue up to 50 temporary tags per request to such
1686 company.

1687 (d) A temporary tag issued under this subsection is for
1688 exclusive use on a vehicle purchased for the company's fleet and
1689 may not be used on any other vehicle.

1690 (e) Each temporary tag may be used on only one vehicle, and
1691 each vehicle may use only one temporary tag.

1692 (f) Upon issuance of the vehicle's permanent license plate
1693 and registration, the temporary tag becomes invalid and must be
1694 removed from the vehicle and destroyed.

1695 (g) Upon a finding by the department that a temporary tag
1696 has been misused by a fleet company under the program, the
1697 department may terminate the memorandum of understanding with
1698 the company, invalidate all temporary tags issued to the company
1699 under the program, and require such company to return any unused
1700 temporary tags.

1701 (h) The issuance of a tag using this method must be
1702 reported to the department within 2 business days, not including
1703 weekends or state holidays, after the issuance of the tag. The
1704 county tax collector shall keep a record of each temporary tag
1705 issued. The record must include the date of issuance, tag number
1706 issued, vehicle identification number, and vehicle description.

1707 (i) This subsection is repealed October 1, 2022, unless
1708 saved from repeal through reenactment by the Legislature.



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1709 Section 34. Paragraph (g) is added to subsection (1) of
1710 section 320.27, Florida Statutes, and paragraph (a) of
1711 subsection (9) and subsection (11) of that section are amended,
1712 to read:

1713 320.27 Motor vehicle dealers.—

1714 (1) DEFINITIONS.—The following words, terms, and phrases
1715 when used in this section have the meanings respectively
1716 ascribed to them in this subsection, except where the context
1717 clearly indicates a different meaning:

1718 (g) "Control person" means any person who has significant
1719 authority, directly or indirectly, to direct the management or
1720 policies of a company, whether through ownership, by contract,
1721 or otherwise. The term includes any person who is an owner,
1722 director, general partner, officer, manager, or employee
1723 exercising decisionmaking responsibility or exercising similar
1724 executive status or functions. The term does not include an
1725 employee whose function is only clerical, ministerial, or in
1726 sales under the supervision of an owner or manager or other
1727 person exercising decisionmaking responsibility.

1728 (9) DENIAL, SUSPENSION, OR REVOCATION.—

1729 (a) The department may deny a new or renewal application
1730 for or ~~suspend~~, or revoke any license issued hereunder or under
1731 ~~the provisions of~~ s. 320.77 or s. 320.771 upon proof that an
1732 applicant or a licensee has:

1733 1. Committed fraud or willful misrepresentation in
1734 application for or in obtaining a license.

1735 2. Been convicted of a felony and either has not completed
1736 the resulting felony sentence or has completed the felony
1737 sentence less than 10 years from the date of licensure



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1738 application.

1739 3. Failed to honor a bank draft or check given to a motor
1740 vehicle dealer for the purchase of a motor vehicle by another
1741 motor vehicle dealer within 10 days after notification that the
1742 bank draft or check has been dishonored. If the transaction is
1743 disputed, the maker of the bank draft or check shall post a bond
1744 in accordance with the provisions of s. 559.917, and no
1745 proceeding for revocation or suspension shall be commenced until
1746 the dispute is resolved.

1747 4.a. Failed to provide payment within 10 business days to
1748 the department for a check payable to the department that was
1749 dishonored due to insufficient funds in the amount due plus any
1750 statutorily authorized fee for uttering a worthless check. The
1751 department shall notify an applicant or licensee when the
1752 applicant or licensee makes payment to the department by a check
1753 that is subsequently dishonored by the bank due to insufficient
1754 funds. The applicant or licensee shall, within 10 business days
1755 after receiving the notice, provide payment to the department in
1756 the form of cash in the amount due plus any statutorily
1757 authorized fee. If the applicant or licensee fails to make such
1758 payment within 10 business days, the department may deny,
1759 suspend, or revoke the applicant's or licensee's motor vehicle
1760 dealer license.

1761 b. Stopped payment on a check payable to the department,
1762 issued a check payable to the department from an account that
1763 has been closed, or charged back a credit card transaction to
1764 the department. If an applicant or licensee commits any such
1765 act, the department may deny, suspend, or revoke the applicant's
1766 or licensee's motor vehicle dealer license.



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1767 5.a. Previously owned a majority interest in, or acted as a
1768 control person of, a motor vehicle dealer that, within the past
1769 10 years, has been the subject of any decision, finding,
1770 injunction, suspension, revocation, denial, judgment, or
1771 administrative order by any court of competent jurisdiction,
1772 administrative law judge, or any state agency which resulted in
1773 a finding of violation of any federal or state law relating to
1774 unlicensed activity or fraud in connection with the sale of a
1775 motor vehicle.

1776 b. Knowingly employed or contracted with a person under
1777 sub-subparagraph a. or a person who has been convicted of a
1778 felony and either has not completed the resulting felony
1779 sentence or completed the felony sentence less than 10 years
1780 from the date of licensure application as a control person.

1781 (11) INJUNCTION.—

1782 (a) In addition to the remedies provided in this chapter
1783 and notwithstanding the existence of any adequate remedy at law,
1784 the department is authorized to make application to any circuit
1785 court of the state, and such circuit court shall have
1786 jurisdiction, upon a hearing and for cause shown, to grant a
1787 temporary or permanent injunction, or both, restraining any
1788 person from acting as a motor vehicle dealer under the terms of
1789 this section without being properly licensed hereunder, from
1790 violating or continuing to violate any of the provisions of
1791 chapter 319, this chapter, or ss. 559.901-559.9221, or for
1792 failing or refusing to comply with the requirements of chapter
1793 319, this chapter, or ss. 559.901-559.9221, or any rule or
1794 regulation adopted thereunder, such injunction to be issued
1795 without bond. A single act in violation of the provisions of



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1796 chapter 319, this chapter, or chapter 559 shall be sufficient to
1797 authorize the issuance of an injunction.

1798 (b) If the court grants the injunction, the court may bar,
1799 permanently or for a specific time, any person found to have
1800 violated any federal or state law relating to unlicensed
1801 activity or fraud in connection with the sale of a motor
1802 vehicle. A person who is barred by the court under this
1803 paragraph may not continue in any capacity within the industry.
1804 The person may not have a management, sales, or any other role
1805 in the operation of a dealership. Further, if permanently
1806 barred, the person may not derive income from the dealership
1807 beyond reasonable compensation for the sale of his or her
1808 ownership interest in the business.

1809 Section 35. Subsection (2) of section 320.8232, Florida
1810 Statutes, is amended to read:

1811 320.8232 Establishment of uniform standards for used
1812 recreational vehicles and repair and remodeling code for mobile
1813 homes.-

1814 (2) ~~The provisions of the~~ Mobile and Manufactured Home
1815 Repair and Remodeling Code shall be a uniform code and ~~repair~~
1816 ~~and remodeling code shall~~ ensure safe and livable housing and
1817 shall not be more stringent than those standards required to be
1818 met in the manufacture of mobile homes. Such provisions shall
1819 ~~include, but not be limited to,~~ standards for structural
1820 adequacy, plumbing, heating, electrical systems, and fire and
1821 life safety. All repair and remodeling of mobile and
1822 manufactured homes shall be done in accordance with department
1823 rules.

1824 Section 36. Section 320.861, Florida Statutes, is amended



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1825 to read:

1826 320.861 Investigations; subpoenas and other process; oaths;
1827 rules Inspection of records; production of evidence; subpoena
1828 power.-

1829 (1) The department may conduct investigations and
1830 examinations on any person suspected of violating or of having
1831 violated this chapter or any rule adopted or order issued
1832 thereunder inspect the pertinent books, records, letters, and
1833 contracts of any licensee, whether dealer or manufacturer,
1834 relating to any written complaint made to it against such
1835 licensee.

1836 (2) For purposes of any investigation or examination
1837 conducted under this section, the department may is granted and
1838 authorized to exercise the power of subpoena and the powers to
1839 administer oaths or affirmations, to examine witnesses, to
1840 require affidavits, to take depositions, and to compel the
1841 attendance of witnesses and the production of books, papers,
1842 documents, records, and other evidence. Such subpoenas may be
1843 served by a designated agent of the department for the
1844 attendance of witnesses and the production of any documentary
1845 evidence necessary to the disposition by it of any written
1846 complaint against any licensee, whether dealer or manufacturer.

1847 (3) If a person refuses to testify; to produce books,
1848 papers, documents, or records; or to otherwise obey the subpoena
1849 or subpoena duces tecum issued under subsection (2), the
1850 department may petition a court of competent jurisdiction in the
1851 county where the person's residence or principal place of
1852 business is located, upon which the court must issue an order
1853 requiring such person to obey the subpoena or show cause for



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1854 failing to obey the subpoena. Unless the person shows sufficient
1855 cause for failing to obey the subpoena, the court must direct
1856 the person to obey the subpoena and award costs incurred by the
1857 department to obtain the order. Failure to comply with such
1858 order constitutes contempt of court.

1859 (4) For the purpose of any investigation, examination, or
1860 proceeding initiated by the department under this chapter, the
1861 department may designate agents to serve subpoenas and other
1862 process and administer oaths or affirmations. The department
1863 shall exercise this power on its own initiative in accordance
1864 with ss. 320.615 and 320.71.

1865 (5) Witnesses subpoenaed under this section are entitled to
1866 witness fees at the same rate established by s. 92.142 for
1867 witnesses in a civil case, except that witness fees are not
1868 payable for appearance at the witness's place of business during
1869 regular business hours or at the witness's residence.

1870 (6) The department may adopt rules to administer this
1871 section.

1872 Section 37. Contingent upon the enactment of Senate Bill
1873 7094 or other similar legislation enacted in the 2019 Regular
1874 Session or an extension thereof, subsection (2) of section
1875 320.95, Florida Statutes, is amended to read:

1876 320.95 Transactions by electronic or telephonic means.—

1877 (2) The department or tax collector may collect electronic
1878 mail addresses or cellular telephone numbers and use electronic
1879 mail or text messages in lieu of the United States Postal
1880 Service for the purpose of providing information related to
1881 Department of Highway Safety and Motor Vehicles functions in
1882 accordance with chapter 119 and pursuant to the federal Driver



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1883 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The
1884 provision of electronic mail addresses and cellular telephone
1885 numbers by the applicant is optional and, before collection
1886 pursuant to this subsection, the department or tax collector
1887 shall disclose to the applicant the purposes for which the
1888 electronic mail addresses and cellular telephone numbers may be
1889 used ~~renewal notices.~~

1890 Section 38. Subsection (1) of section 321.05, Florida
1891 Statutes, is amended to read:

1892 321.05 Duties, functions, and powers of patrol officers.—
1893 The members of the Florida Highway Patrol are hereby declared to
1894 be conservators of the peace and law enforcement officers of the
1895 state, with the common-law right to arrest a person who, in the
1896 presence of the arresting officer, commits a felony or commits
1897 an affray or breach of the peace constituting a misdemeanor,
1898 with full power to bear arms; and they shall apprehend, without
1899 warrant, any person in the unlawful commission of any of the
1900 acts over which the members of the Florida Highway Patrol are
1901 given jurisdiction as hereinafter set out and deliver him or her
1902 to the sheriff of the county that further proceedings may be had
1903 against him or her according to law. In the performance of any
1904 of the powers, duties, and functions authorized by law, members
1905 of the Florida Highway Patrol have the same protections and
1906 immunities afforded other peace officers, which shall be
1907 recognized by all courts having jurisdiction over offenses
1908 against the laws of this state, and have authority to apply for,
1909 serve, and execute search warrants, arrest warrants, capias, and
1910 other process of the court. The patrol officers under the
1911 direction and supervision of the Department of Highway Safety



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1912 and Motor Vehicles shall perform and exercise throughout the
1913 state the following duties, functions, and powers:

1914 (1) To patrol the state highways and regulate, control, and
1915 direct the movement of traffic thereon; to maintain the public
1916 peace by preventing violence on highways; to apprehend fugitives
1917 from justice; to enforce all laws regulating and governing
1918 traffic, travel, and public safety upon the public highways and
1919 providing for the protection of the public highways and public
1920 property thereon, including the security and safety of this
1921 state's transportation infrastructure; to make arrests without
1922 warrant for the violation of any state law committed in their
1923 presence in accordance with state law; providing that no search
1924 may be made unless it is incident to a lawful arrest, to
1925 regulate and direct traffic concentrations and congestions; to
1926 enforce laws governing the operation, licensing, and taxing and
1927 limiting the size, weight, width, length, and speed of vehicles
1928 and licensing and controlling the operations of drivers and
1929 operators of vehicles, including the safety, size, and weight of
1930 commercial motor vehicles; to collect all state fees and
1931 revenues levied as an incident to the use or right to use the
1932 highways for any purpose, including the taxing and registration
1933 of commercial motor vehicles; to require the drivers of vehicles
1934 to stop and exhibit their driver licenses, registration cards,
1935 or documents required by law to be carried by such vehicles; to
1936 investigate traffic crashes ~~accidents~~, secure testimony of
1937 witnesses and of persons involved, and make report thereof with
1938 copy, if requested in writing, to any person in interest or his
1939 or her attorney; to investigate reported thefts of vehicles; and
1940 to seize contraband or stolen property on or being transported



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1941 on the highways. Each patrol officer of the Florida Highway
1942 Patrol is subject to and has the same arrest and other authority
1943 provided for law enforcement officers generally in chapter 901
1944 and has statewide jurisdiction. Each officer also has arrest
1945 authority as provided for state law enforcement officers in s.
1946 901.15. This section does not conflict with, but is supplemental
1947 to, chapter 933.

1948 Section 39. Section 321.065, Florida Statutes, is amended
1949 to read:

1950 321.065 Traffic crash ~~accident~~ investigation officers;
1951 employment; standards.—The department may employ traffic crash
1952 ~~accident~~ investigation officers who must complete any applicable
1953 standards adopted by the Florida Highway Patrol, including, but
1954 not limited to: cognitive testing, drug testing, polygraph
1955 testing, psychological testing, and an extensive background
1956 check, including a credit check.

1957 Section 40. Paragraph (d) of subsection (2) of section
1958 321.23, Florida Statutes, is amended to read:

1959 321.23 Public records; fees for copies; destruction of
1960 obsolete records; photographing records; effect as evidence.—

1961 (2) Fees for copies of public records shall be charged and
1962 collected as follows:

1963 (d) Photographs (crashes ~~accidents~~, etc.):

	Enlargement Proof	Color	Black & White
1965 1.	5" x 7"	\$1.00	\$0.75

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1967	2.	8" x 10"	\$1.50	\$1.00
1968	3.	11" x 14"	Not Available	\$1.75
1969	4.	16" x 20"	Not Available	\$2.75
1970	5.	20" x 24"	Not Available	\$3.75

1973 The department shall furnish such information without charge to
1974 any local, state, or federal law enforcement agency upon proof
1975 satisfactory to the department as to the purpose of the
1976 investigation.

1977 Section 41. Paragraph (a) of subsection (2) of section
1978 322.051, Florida Statutes, is amended to read:

1979 322.051 Identification cards.—

1980 (2) (a) Every identification card:

1981 1. Issued to a person 5 years of age to 14 years of age
1982 shall expire, unless canceled earlier, on the fourth birthday of
1983 the applicant following the date of original issue.

1984 2. Issued to a person 15 years of age and older shall
1985 expire, unless canceled earlier, on the eighth birthday of the
1986 applicant following the date of original issue.

1987
1988 Renewal of an identification card shall be made for the
1989 applicable term enumerated in this paragraph. Any application
1990 for renewal received later than 12 months ~~90 days~~ after
1991 expiration of the identification card shall be considered the



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1992 same as an application for an original identification card.

1993 Section 42. Paragraphs (a) and (b) of subsection (4) of
1994 section 322.0602, Florida Statutes, are amended to read:

1995 322.0602 Youthful Drunk Driver Visitation Program.—

1996 (4) VISITATION REQUIREMENT.—

1997 (a) To the extent that personnel and facilities are made
1998 available to the court, the court may include a requirement for
1999 supervised visitation by the probationer to all, or any, of the
2000 following:

2001 1. A trauma center, as defined in s. 395.4001, or a
2002 hospital as defined in s. 395.002, which regularly receives
2003 victims of vehicle crashes ~~accidents~~, between the hours of 10
2004 p.m. and 2 a.m. on a Friday or Saturday night, in order to
2005 observe appropriate victims of vehicle crashes ~~accidents~~
2006 involving drinking drivers, under the supervision of any of the
2007 following:

2008 a. A registered nurse trained in providing emergency trauma
2009 care or prehospital advanced life support.

2010 b. An emergency room physician.

2011 c. An emergency medical technician.

2012 2. A licensed service provider, as defined in s. 397.311,
2013 which cares for substance abuse impaired persons, to observe
2014 persons in the terminal stages of substance abuse impairment,
2015 under the supervision of appropriately licensed medical
2016 personnel. Prior to any visitation of such terminally ill or
2017 disabled persons, the persons or their legal representatives
2018 must give their express consent to participate in the visitation
2019 program.

2020 3. If approved by the county coroner, the county coroner's



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2021 office or the county morgue to observe appropriate victims of
2022 vehicle crashes ~~accidents~~ involving drinking drivers, under the
2023 supervision of the coroner or a deputy coroner.

2024 (b) As used in this section, the term "appropriate victims"
2025 means victims or their legal representatives, including the next
2026 of kin, who have expressly given their consent to participate in
2027 the visitation program and victims whose condition is determined
2028 by the visitation supervisor to demonstrate the results of
2029 crashes ~~accidents~~ involving drinking drivers without being
2030 excessively gruesome or traumatic to the probationer.

2031 Section 43. Contingent upon the enactment of Senate Bill
2032 7094 or other similar legislation enacted in the 2019 Regular
2033 Session or an extension thereof, subsection (10) of section
2034 322.08, Florida Statutes, is amended to read:

2035 322.08 Application for license; requirements for license
2036 and identification card forms.—

2037 (10) The department or tax collector may collect electronic
2038 mail addresses or cellular telephone numbers and use electronic
2039 mail or text messages in lieu of the United States Postal
2040 Service for the purpose of providing information related to
2041 Department of Highway Safety and Motor Vehicles functions in
2042 accordance with chapter 119 and pursuant to the federal Driver
2043 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The
2044 provision of electronic mail addresses and cellular telephone
2045 numbers by the applicant is optional and, before collection
2046 pursuant to this subsection, the department or tax collector
2047 shall disclose to the applicant the purposes for which the
2048 electronic mail addresses and cellular telephone numbers may be
2049 used ~~renewal notices.~~



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2050 Section 44. Subsection (5) of section 322.091, Florida
2051 Statutes, is amended to read:

2052 322.091 Attendance requirements.—

2053 (5) REPORTING AND ACCOUNTABILITY.—The department shall make
2054 available, upon request, a report ~~quarterly~~ to each school
2055 district which includes the legal name, sex, date of birth, and
2056 social security number of each student whose driving privileges
2057 have been suspended under this section.

2058 Section 45. Section 322.17, Florida Statutes, is amended to
2059 read:

2060 322.17 Replacement licenses, identification cards, and
2061 permits.—

2062 (1) (a) In the event that an instruction permit or driver
2063 license issued under the provisions of this chapter is lost or
2064 destroyed, the person to whom the same was issued may, upon
2065 payment of the appropriate fee pursuant to s. 322.21, obtain a
2066 replacement upon furnishing proof satisfactory to the department
2067 that such permit or license has been lost or destroyed, and
2068 further furnishing the full name, date of birth, sex, residence
2069 and mailing address, proof of birth satisfactory to the
2070 department, and proof of identity satisfactory to the
2071 department.

2072 (b) In the event that an instruction permit, ~~or~~ driver
2073 license, or identification card issued under the provisions of
2074 this chapter is stolen, the person to whom the same was issued
2075 may, at no charge, obtain a replacement upon furnishing proof
2076 satisfactory to the department that such permit, ~~or~~ license, or
2077 identification card was stolen and further furnishing the
2078 person's full name, date of birth, sex, residence and mailing



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2079 address, proof of birth satisfactory to the department, and
2080 proof of identity satisfactory to the department.

2081 (2) Upon the surrender of the original license and the
2082 payment of the appropriate fees pursuant to s. 322.21, the
2083 department shall issue a replacement license to make a change in
2084 name, address, or restrictions.

2085 (3) Notwithstanding any other provisions of this chapter,
2086 if a licensee establishes his or her identity for a driver
2087 license using an identification document authorized under s.
2088 322.08(2)(c)7. or 8., the licensee may not obtain a duplicate or
2089 replacement instruction permit or driver license except in
2090 person and upon submission of an identification document
2091 authorized under s. 322.08(2)(c)7. or 8.

2092 (4) Notwithstanding any other provision of this section or
2093 s. 322.21, the department shall, if necessary, issue or renew a
2094 replacement driver license at no charge to an inmate if the
2095 department determines that he or she has a valid driver license.
2096 If the replacement driver license is scheduled to expire within
2097 6 months, the department may also issue a temporary permit valid
2098 for at least 6 months after the release date.

2099 Section 46. Subsection (10) is added to section 322.21,
2100 Florida Statutes, to read:

2101 322.21 License fees; procedure for handling and collecting
2102 fees.—

2103 (10) An applicant who submits an application for a renewal
2104 or replacement driver license or identification card to the
2105 department using a convenience service must be provided with an
2106 option for expedited shipping in which the department, at the
2107 applicant's request, must issue the license or identification



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2108 card within 5 working days after receipt of the application and
2109 ship the license or card using an expedited mail service. The
2110 department must charge the applicant electing the expedited
2111 shipping option for the exact cost of the expedited mail
2112 service, which is in addition to fees imposed by s. 322.051 or
2113 this section. Funds collected for the expedited shipping shall
2114 be deposited into the Highway Safety Operating Trust Fund.

2115 Section 47. Present subsection (8) of section 322.212,
2116 Florida Statutes, is redesignated as subsection (9), a new
2117 subsection (8) is added to that section, and subsection (5) of
2118 that section is amended, to read:

2119 322.212 Unauthorized possession of, and other unlawful acts
2120 in relation to, driver license or identification card.—

2121 (5) (a) It is unlawful for any person to use a false or
2122 fictitious name in any application for a driver license or
2123 identification card or knowingly to make a false statement,
2124 knowingly conceal a material fact, knowingly provide altered or
2125 counterfeit documents, knowingly participate in dishonest or
2126 deceptive actions, or otherwise commit a fraud in any such
2127 application.

2128 (b) It is unlawful for any person to have in his or her
2129 possession a driver license or identification card upon which
2130 the date of birth has been altered.

2131 (c) It is unlawful for any person designated as a sexual
2132 predator or sexual offender to have in his or her possession a
2133 driver license or identification card upon which the sexual
2134 predator or sexual offender markings required by s. 322.141 are
2135 not displayed or have been altered.

2136 (8) In addition to any other penalties provided by this



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2137 section, the department shall suspend the license or permit of
2138 any person who provides false information when applying for a
2139 driver license, identification card, commercial driver license,
2140 or commercial learner's permit or who is convicted of fraud in
2141 connection with testing for a driver license, commercial driver
2142 license, or commercial learner's permit for a period of 1 year.

2143 Section 48. Section 322.36, Florida Statutes, is amended to
2144 read:

2145 322.36 Permitting unauthorized operator to drive.—A person
2146 may not authorize or knowingly permit a motor vehicle owned by
2147 him or her or under his or her dominion or control to be
2148 operated upon any highway or public street except by a person
2149 who is duly authorized to operate a motor vehicle under this
2150 chapter. Any person who violates this section commits a
2151 misdemeanor of the second degree, punishable as provided in s.
2152 775.082 or s. 775.083. If a person violates this section by
2153 knowingly loaning a vehicle to a person whose driver license is
2154 suspended and if that vehicle is involved in a crash ~~an accident~~
2155 resulting in bodily injury or death, the driver license of the
2156 person violating this section shall be suspended for 1 year.

2157 Section 49. Section 322.38, Florida Statutes, is amended to
2158 read:

2159 322.38 Renting motor vehicle to another.—

2160 (1) A ~~No~~ person may not shall rent a motor vehicle to any
2161 other person unless the other ~~latter~~ person is ~~then~~ duly
2162 licensed, or, if a nonresident, he or she shall be licensed
2163 under the laws of the state or country of his or her residence,
2164 except a nonresident whose home state or country does not
2165 require that an operator be licensed.



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2166 (2) ~~A No~~ person may not shall rent a motor vehicle to
2167 another until he or she has inspected the driver license of the
2168 person to whom the vehicle is to be rented, ~~and has compared and~~
2169 verified that the driver license is unexpired ~~signature thereon~~
2170 ~~with the signature of such person written in his or her~~
2171 presence.

2172 (3) Every person renting a motor vehicle to another shall
2173 keep a record of the registration number of the motor vehicle so
2174 rented, the name and address of the person to whom the vehicle
2175 is rented, the number of the license of said latter person, and
2176 ~~the date and place when and where the said~~ license was issued.
2177 Such record shall be open to inspection by any police officer,
2178 or officer or employee of the department.

2179 (4) If a motor vehicle is rented to a person through
2180 digital, electronic, or other means that allow the renter to
2181 obtain possession of the motor vehicle without direct contact
2182 with an owner or agent or an employee of a motor vehicle rental
2183 company, or if the renter does not execute a rental contract at
2184 the time that he or she takes possession of the vehicle, it must
2185 be deemed that the requirements of subsections (1) and (2) are
2186 met when, at the time the renter enrolls in a membership
2187 program, master agreement, or other means of establishing use of
2188 the motor vehicle through the motor vehicle rental company, or
2189 any time thereafter, the renter is required to verify that he or
2190 she is duly licensed and that the license is unexpired.

2191 Section 50. Subsection (1) of section 322.61, Florida
2192 Statutes, is amended to read:

2193 322.61 Disqualification from operating a commercial motor
2194 vehicle.-



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2195 (1) A person who, for offenses occurring within a 3-year
2196 period, is convicted of two of the following serious traffic
2197 violations or any combination thereof, arising in separate
2198 incidents committed in a commercial motor vehicle shall, in
2199 addition to any other applicable penalties, be disqualified from
2200 operating a commercial motor vehicle for a period of 60 days. A
2201 holder of a commercial driver license or commercial learner's
2202 permit who, for offenses occurring within a 3-year period, is
2203 convicted of two of the following serious traffic violations, or
2204 any combination thereof, arising in separate incidents committed
2205 in a noncommercial motor vehicle shall, in addition to any other
2206 applicable penalties, be disqualified from operating a
2207 commercial motor vehicle for a period of 60 days if such
2208 convictions result in the suspension, revocation, or
2209 cancellation of the licenseholder's driving privilege:

2210 (a) A violation of any state or local law relating to motor
2211 vehicle traffic control, other than a parking violation, arising
2212 in connection with a crash resulting in death.~~†~~

2213 (b) Reckless driving, as defined in s. 316.192.~~†~~

2214 (c) Unlawful speed of 15 miles per hour or more above the
2215 posted speed limit.;

2216 (d) Improper lane change, as defined in s. 316.085.~~†~~

2217 (e) Following too closely, as defined in s. 316.0895.~~†~~

2218 (f) Driving a commercial vehicle without obtaining a
2219 commercial driver license.~~†~~

2220 (g) Driving a commercial vehicle without the proper class
2221 of commercial driver license or commercial learner's permit or
2222 without the proper endorsement.~~†~~~~or~~

2223 (h) Driving a commercial vehicle without a commercial



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2224 driver license or commercial learner's permit in possession, as
2225 required by s. 322.03.

2226 (i) Texting while driving a commercial motor vehicle as
2227 prohibited by 49 C.F.R. 392.80.

2228 (j) Using a hand-held mobile telephone while driving a
2229 commercial motor vehicle, as prohibited by 49 C.F.R 392.82.

2230 Section 51. Section 322.71, Florida Statutes, is created to
2231 read:

2232 322.71 Investigations; subpoenas and other process; oaths;
2233 rules.—

2234 (1) The department may conduct investigations and
2235 examinations on any person suspected of violating or of having
2236 violated any provision of this chapter or any rule adopted or
2237 order issued under this chapter.

2238 (2) For purposes of any investigation or examination
2239 conducted under this section, the department may exercise the
2240 power of subpoena and the powers to administer oaths or
2241 affirmations, to examine witnesses, to require affidavits, to
2242 take depositions, and to compel the attendance of witnesses and
2243 the production of books, papers, documents, records, and other
2244 evidence. Such subpoenas may be served by an authorized
2245 representative of the department.

2246 (3) If a person refuses to testify; to produce books,
2247 papers, documents, or records; or to otherwise obey the subpoena
2248 or subpoena duces tecum issued under subsection (2), the
2249 department may petition a court of competent jurisdiction in the
2250 county where the person's residence or principal place of
2251 business is located, upon which the court must issue an order
2252 requiring such person to obey the subpoena or show cause for



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2253 failing to obey the subpoena. Unless the person shows sufficient
2254 cause for failing to obey the subpoena, the court must direct
2255 the person to obey the subpoena and award costs incurred by the
2256 department to obtain the order. Failure to comply with such
2257 order constitutes contempt of court.

2258 (4) For the purpose of any investigation, examination, or
2259 proceeding initiated by the department under this chapter, the
2260 department may designate agents to serve subpoenas and other
2261 process and administer oaths or affirmations.

2262 (5) Witnesses subpoenaed under this section are entitled to
2263 witness fees at the same rate established by s. 92.142 for
2264 witnesses in a civil case, except that witness fees are not
2265 payable for appearance at the witness's place of business during
2266 regular business hours or at the witness's residence.

2267 (6) The department may adopt rules to administer this
2268 section.

2269 Section 52. Subsection (4) of section 323.001, Florida
2270 Statutes, is amended to read:

2271 323.001 Wrecker operator storage facilities; vehicle
2272 holds.—

2273 (4) The requirements for a written hold apply when the
2274 following conditions are present:

2275 (a) The officer has probable cause to believe the vehicle
2276 should be seized and forfeited under the Florida Contraband
2277 Forfeiture Act, ss. 932.701-932.7062;

2278 (b) The officer has probable cause to believe the vehicle
2279 should be seized and forfeited under chapter 379;

2280 (c) The officer has probable cause to believe the vehicle
2281 was used as the means of committing a crime;



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2282 (d) The officer has probable cause to believe that the
2283 vehicle is itself evidence that tends to show that a crime has
2284 been committed or that the vehicle contains evidence, which
2285 cannot readily be removed, which tends to show that a crime has
2286 been committed;

2287 (e) The officer has probable cause to believe the vehicle
2288 was involved in a traffic crash ~~accident~~ resulting in death or
2289 personal injury and should be sealed for investigation and
2290 collection of evidence by a vehicular homicide investigator;

2291 (f) The vehicle is impounded or immobilized pursuant to s.
2292 316.193 or s. 322.34; or

2293 (g) The officer is complying with a court order.

2294 Section 53. Paragraph (c) of subsection (1), paragraph (c)
2295 of subsection (2), and subsection (4) of section 323.002,
2296 Florida Statutes, are amended to read:

2297 323.002 County and municipal wrecker operator systems;
2298 penalties for operation outside of system.-

2299 (1) As used in this section, the term:

2300 (c) "Wrecker operator system" means a system for the towing
2301 or removal of wrecked, disabled, or abandoned vehicles, similar
2302 to the Florida Highway Patrol wrecker operator system described
2303 in s. 321.051(2), under which a county or municipality contracts
2304 with one or more wrecker operators for the towing or removal of
2305 wrecked, disabled, or abandoned vehicles from crash ~~accident~~
2306 scenes, streets, or highways. A wrecker operator system shall
2307 include using a method for apportioning the towing assignments
2308 among the eligible wrecker operators through the creation of
2309 geographic zones, a rotation schedule, or a combination of these
2310 methods.



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2311 (2) In any county or municipality that operates a wrecker
2312 operator system:

2313 (c) When an unauthorized wrecker operator drives by the
2314 scene of a wrecked or disabled vehicle and the owner or operator
2315 initiates contact by signaling the wrecker operator to stop and
2316 provide towing services, the unauthorized wrecker operator must
2317 disclose in writing to the owner or operator of the vehicle his
2318 or her full name and driver license number, that he or she is
2319 not the authorized wrecker operator who has been designated as
2320 part of the wrecker operator system, that the motor vehicle is
2321 not being towed for the owner's or operator's insurance company
2322 or lienholder, whether he or she has in effect an insurance
2323 policy providing at least \$300,000 of liability insurance and at
2324 least \$50,000 of on-hook cargo insurance, and the maximum
2325 charges for towing and storage which will apply before the
2326 vehicle is connected to the towing apparatus. The unauthorized
2327 wrecker operator must also provide a copy of the disclosure to
2328 the owner or operator in the presence of a law enforcement
2329 officer if such officer is at the scene of a motor vehicle crash
2330 ~~accident~~. Any person who violates this paragraph commits a
2331 misdemeanor of the second degree, punishable as provided in s.
2332 775.082 or s. 775.083, and the person's wrecker, tow truck, or
2333 other motor vehicle that was used during the offense may be
2334 immediately removed and impounded pursuant to subsection (3).

2335 (4) This section does not prohibit, or in any way prevent,
2336 the owner or operator of a vehicle involved in a crash ~~an~~
2337 ~~accident~~ or otherwise disabled from contacting any wrecker
2338 operator for the provision of towing services, whether the
2339 wrecker operator is an authorized wrecker operator or not.



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2340 Section 54. Section 324.011, Florida Statutes, is amended
2341 to read:

2342 324.011 Purpose of chapter.—It is the intent of this
2343 chapter to recognize the existing privilege to own or operate a
2344 motor vehicle on the public streets and highways of this state
2345 when such vehicles are used with due consideration for others
2346 and their property, and to promote safety and provide financial
2347 security requirements for such owners or operators whose
2348 responsibility it is to recompense others for injury to person
2349 or property caused by the operation of a motor vehicle.
2350 Therefore, it is required herein that the operator of a motor
2351 vehicle involved in a crash or convicted of certain traffic
2352 offenses meeting the operative provisions of s. 324.051(2) shall
2353 respond for such damages and show proof of financial ability to
2354 respond for damages in future crashes ~~accidents~~ as a requisite
2355 to his or her future exercise of such privileges.

2356 Section 55. Subsection (1) of section 324.022, Florida
2357 Statutes, is amended to read:

2358 324.022 Financial responsibility for property damage.—

2359 (1) Every owner or operator of a motor vehicle required to
2360 be registered in this state shall establish and maintain the
2361 ability to respond in damages for liability on account of
2362 crashes ~~accidents~~ arising out of the use of the motor vehicle in
2363 the amount of \$10,000 because of damage to, or destruction of,
2364 property of others in any one crash. The requirements of this
2365 section may be met by one of the methods established in s.
2366 324.031; by self-insuring as authorized by s. 768.28(16); or by
2367 maintaining an insurance policy providing coverage for property
2368 damage liability in the amount of at least \$10,000 because of



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2369 damage to, or destruction of, property of others in any one
2370 crash ~~accident~~ arising out of the use of the motor vehicle. The
2371 requirements of this section may also be met by having a policy
2372 which provides coverage in the amount of at least \$30,000 for
2373 combined property damage liability and bodily injury liability
2374 for any one crash arising out of the use of the motor vehicle.
2375 The policy, with respect to coverage for property damage
2376 liability, must meet the applicable requirements of s. 324.151,
2377 subject to the usual policy exclusions that have been approved
2378 in policy forms by the Office of Insurance Regulation. No
2379 insurer shall have any duty to defend uncovered claims
2380 irrespective of their joinder with covered claims.

2381 Section 56. Section 324.023, Florida Statutes, is amended
2382 to read:

2383 324.023 Financial responsibility for bodily injury or
2384 death.—In addition to any other financial responsibility
2385 required by law, every owner or operator of a motor vehicle that
2386 is required to be registered in this state, or that is located
2387 within this state, and who, regardless of adjudication of guilt,
2388 has been found guilty of or entered a plea of guilty or nolo
2389 contendere to a charge of driving under the influence under s.
2390 316.193 after October 1, 2007, shall, by one of the methods
2391 established in s. 324.031(1) or (2), establish and maintain the
2392 ability to respond in damages for liability on account of
2393 crashes ~~accidents~~ arising out of the use of a motor vehicle in
2394 the amount of \$100,000 because of bodily injury to, or death of,
2395 one person in any one crash and, subject to such limits for one
2396 person, in the amount of \$300,000 because of bodily injury to,
2397 or death of, two or more persons in any one crash and in the



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2398 amount of \$50,000 because of property damage in any one crash.
2399 If the owner or operator chooses to establish and maintain such
2400 ability by furnishing a certificate of deposit pursuant to s.
2401 324.031(2), such certificate of deposit must be at least
2402 \$350,000. Such higher limits must be carried for a minimum
2403 period of 3 years. If the owner or operator has not been
2404 convicted of driving under the influence or a felony traffic
2405 offense for a period of 3 years from the date of reinstatement
2406 of driving privileges for a violation of s. 316.193, the owner
2407 or operator shall be exempt from this section.

2408 Section 57. Paragraph (b) of subsection (1) and paragraph
2409 (a) of subsection (2) of section 324.051, Florida Statutes, are
2410 amended to read:

2411 324.051 Reports of crashes; suspensions of licenses and
2412 registrations.—

2413 (1)

2414 (b) The department is hereby further authorized to require
2415 reports of crashes from individual owners or operators whenever
2416 it deems it necessary for the proper administration of this
2417 chapter, and these reports shall be made without prejudice
2418 except as specified in this subsection. No such report shall be
2419 used as evidence in any trial arising out of a crash. However,
2420 subject to the applicable rules of evidence, a law enforcement
2421 officer at a criminal trial may testify as to any statement made
2422 to the officer by the person involved in the crash ~~accident~~ if
2423 that person's privilege against self-incrimination is not
2424 violated.

2425 (2) (a) Thirty days after receipt of notice of any crash
2426 ~~accident~~ described in paragraph (1) (a) involving a motor vehicle



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2427 within this state, the department shall suspend, after due
2428 notice and opportunity to be heard, the license of each operator
2429 and all registrations of the owner of the vehicles operated by
2430 such operator whether or not involved in such crash and, in the
2431 case of a nonresident owner or operator, shall suspend such
2432 nonresident's operating privilege in this state, unless such
2433 operator or owner shall, prior to the expiration of such 30
2434 days, be found by the department to be exempt from the operation
2435 of this chapter, based upon evidence satisfactory to the
2436 department that:

2437 1. The motor vehicle was legally parked at the time of such
2438 crash.

2439 2. The motor vehicle was owned by the United States
2440 Government, this state, or any political subdivision of this
2441 state or any municipality therein.

2442 3. Such operator or owner has secured a duly acknowledged
2443 written agreement providing for release from liability by all
2444 parties injured as the result of said crash and has complied
2445 with one of the provisions of s. 324.031.

2446 4. Such operator or owner has deposited with the department
2447 security to conform with s. 324.061 when applicable and has
2448 complied with one of the provisions of s. 324.031.

2449 5. One year has elapsed since such owner or operator was
2450 suspended pursuant to subsection (3), the owner or operator has
2451 complied with one of the provisions of s. 324.031, and no bill
2452 of complaint of which the department has notice has been filed
2453 in a court of competent jurisdiction.

2454
2455 No such policy or bond shall be effective under this subsection



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2456 unless it contains limits of not less than those specified in s.
2457 324.021(7).

2458 Section 58. Subsections (2), (3), and (4) of section
2459 324.242, Florida Statutes, are amended to read:

2460 324.242 Personal injury protection and property damage
2461 liability insurance policies; public records exemption.—

2462 (2) Upon receipt of a request and proof of a crash report
2463 as required under s. 316.065, s. 316.066, or s. 316.068, or a
2464 crash report created pursuant to the laws of another state, the
2465 department shall release the policy number for a policy covering
2466 a vehicle involved in a motor vehicle crash ~~accident~~ to:

2467 (a) Any person involved in such crash ~~accident~~;

2468 (b) The attorney of any person involved in such crash
2469 ~~accident~~; or

2470 (c) A representative of the insurer of any person involved
2471 in such crash ~~accident~~.

2472 (3) The department shall provide personal injury protection
2473 and property damage liability insurance policy numbers to
2474 department-approved third parties that provide data collection
2475 services to an insurer of any person involved in such crash
2476 ~~accident~~.

2477 (4) Before the department's release of a policy number in
2478 accordance with subsection (2) or subsection (3), an insurer's
2479 representative, a contracted third party, or an attorney for a
2480 person involved in a crash ~~an accident~~ must provide the
2481 department with documentation confirming proof of
2482 representation.

2483 Section 59. Contingent upon the enactment of Senate Bill
2484 7094 or other similar legislation enacted in the 2019 Regular



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2485 Session or an extension thereof, section 328.30, Florida
2486 Statutes, is amended to read:

2487 328.30 Transactions by electronic or telephonic means.—

2488 (1) The Department of Highway Safety and Motor Vehicles may
2489 accept any application provided for under this part ~~chapter~~ by
2490 electronic or telephonic means.

2491 (2) The department may issue an electronic certificate of
2492 title in lieu of printing a paper title.

2493 (3) The department or tax collector may collect electronic
2494 mail addresses or cellular telephone numbers and use electronic
2495 mail or text messages in lieu of the United States Postal
2496 Service for the purpose of providing information related to
2497 Department of Highway Safety and Motor Vehicles functions in
2498 accordance with chapter 119 and pursuant to the federal Driver
2499 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The
2500 provision of electronic mail addresses and cellular telephone
2501 numbers by the applicant is optional and, before collection
2502 pursuant to this subsection, the department or tax collector
2503 shall disclose to the applicant the purposes for which the
2504 electronic mail addresses and cellular telephone numbers may be
2505 used ~~renewal notices.~~

2506 Section 60. Contingent upon the enactment of Senate Bill
2507 7094 or other similar legislation enacted in the 2019 Regular
2508 Session or an extension thereof, subsection (3) of section
2509 328.40, Florida Statutes, is amended to read:

2510 328.40 Administration of vessel registration and titling
2511 laws; records.—

2512 (3) All records made or kept by the Department of Highway
2513 Safety and Motor Vehicles under this part are subject to



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2514 inspection and copying as provided in chapter 119 ~~law are public~~
2515 ~~records except for confidential reports.~~

2516 Section 61. Subsection (1) of section 328.73, Florida
2517 Statutes, is amended to read:

2518 328.73 Registration; duties of tax collectors.—

2519 (1) The tax collectors in the counties of the state, as
2520 authorized agents of the department, shall issue registration
2521 certificates and vessel numbers and decals to applicants,
2522 subject to the requirements of law and in accordance with rules
2523 of the department. For the purpose of enhancing customer
2524 services provided by tax collectors acting on behalf of the
2525 department, the department, contingent upon an approved request
2526 and memorandum of understanding, shall provide tax collectors,
2527 and tax collector-approved agents and vendors with real-time
2528 access to data that other third parties receive from the
2529 department related to registration certificates and vessel
2530 numbers and decals, including, but not limited to, the most
2531 current address information and electronic mail addresses of
2532 applicants. The memorandum of understanding as required under
2533 this paragraph may not be more restrictive than any memorandum
2534 of understanding between the department and other third-party
2535 vendors.

2536 Section 62. Contingent upon the enactment of Senate Bill
2537 7094 or other similar legislation enacted in the 2019 Regular
2538 Session or an extension thereof, section 328.80, Florida
2539 Statutes, is amended to read:

2540 328.80 Transactions by electronic or telephonic means.—

2541 (1) The Department of Highway Safety and Motor Vehicles
2542 ~~commission~~ is authorized to accept any application provided for



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2543 under this part ~~chapter~~ by electronic or telephonic means.

2544 (2) The department or tax collector may collect electronic
2545 mail addresses or cellular telephone numbers and use electronic
2546 mail or text messages in lieu of the United States Postal
2547 Service for the purpose of providing information related to
2548 Department of Highway Safety and Motor Vehicles functions in
2549 accordance with chapter 119 and pursuant to the federal Driver
2550 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The
2551 provision of electronic mail addresses and cellular telephone
2552 numbers by the applicant is optional and, before collection
2553 pursuant to this subsection, the department or tax collector
2554 shall disclose to the applicant the purposes for which the
2555 electronic mail addresses and cellular telephone numbers may be
2556 used.

2557 Section 63. Subsection (4) of section 627.7415, Florida
2558 Statutes, is amended to read:

2559 627.7415 Commercial motor vehicles; additional liability
2560 insurance coverage.—Commercial motor vehicles, as defined in s.
2561 207.002 or s. 320.01, operated upon the roads and highways of
2562 this state shall be insured with the following minimum levels of
2563 combined bodily liability insurance and property damage
2564 liability insurance in addition to any other insurance
2565 requirements:

2566 (4) All commercial motor vehicles subject to regulations of
2567 the United States Department of Transportation, 49 C.F.R. part
2568 387, subparts ~~subpart~~ A and B, and as may be hereinafter
2569 amended, shall be insured in an amount equivalent to the minimum
2570 levels of financial responsibility as set forth in such
2571 regulations.



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2572
2573 A violation of this section is a noncriminal traffic infraction,
2574 punishable as a nonmoving violation as provided in chapter 318.

2575 Section 64. Subsection (2) of section 316.251, Florida
2576 Statutes, is amended to read:

2577 316.251 Maximum bumper heights.—

2578 (2) "New motor vehicles" as defined in s. 319.001 ~~s.~~
2579 ~~319.001(9)~~, "antique automobiles" as defined in s. 320.08,
2580 "horseless carriages" as defined in s. 320.086, and "street
2581 rods" as defined in s. 320.0863 shall be excluded from the
2582 requirements of this section.

2583 Section 65. Subsection (19) of section 501.976, Florida
2584 Statutes, is amended to read:

2585 501.976 Actionable, unfair, or deceptive acts or
2586 practices.—It is an unfair or deceptive act or practice,
2587 actionable under the Florida Deceptive and Unfair Trade
2588 Practices Act, for a dealer to:

2589 (19) Fail to disclose damage to a new motor vehicle, as
2590 defined in s. 319.001 ~~s. 319.001(9)~~, of which the dealer had
2591 actual knowledge, if the dealer's actual cost of repairs exceeds
2592 the threshold amount, excluding replacement items.

2593
2594 In any civil litigation resulting from a violation of this
2595 section, when evaluating the reasonableness of an award of
2596 attorney's fees to a private person, the trial court shall
2597 consider the amount of actual damages in relation to the time
2598 spent.

2599 Section 66. Subsection (1) of section 655.960, Florida
2600 Statutes, is amended to read:



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2601 655.960 Definitions; ss. 655.960-655.965.—As used in this
2602 section and ss. 655.961-655.965, unless the context otherwise
2603 requires:

2604 (1) "Access area" means any paved walkway or sidewalk which
2605 is within 50 feet of any automated teller machine. The term does
2606 not include any street or highway open to the use of the public,
2607 as defined in s. 316.003(84) (a) or (b) ~~s. 316.003(81) (a) or (b)~~,
2608 including any adjacent sidewalk, as defined in s. 316.003.

2609 Section 67. Subsection (5) of section 856.015, Florida
2610 Statutes, is amended to read:

2611 856.015 Open house parties.—

2612 (5) If a violation of subsection (2) causes or contributes
2613 to causing serious bodily injury, as defined in s. 316.003
2614 ~~316.1933~~, or death to the minor, or if the minor causes or
2615 contributes to causing serious bodily injury or death to another
2616 as a result of the minor's consumption of alcohol or drugs at
2617 the open house party, the violation is a misdemeanor of the
2618 first degree, punishable as provided in s. 775.082 or s.
2619 775.083.

2620 Section 68. Except as otherwise expressly provided in this
2621 act, this act shall take effect July 1, 2019.