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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/18/2019	.	
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	.	

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

1 **Senate Amendment to Amendment (896914) (with title**
2 **amendment)**

3
4 Between lines 1251 and 1252
5 insert:

6 Section 30. Section 320.0605, Florida Statutes, is amended
7 to read:

8 320.0605 Certificate of registration; possession required;
9 exception.—

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



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11 thereof, a true copy or an electronic copy of rental or lease
12 documentation issued for a motor vehicle or issued for a
13 replacement vehicle in the same registration period, a temporary
14 receipt printed upon self-initiated electronic renewal of a
15 registration via the Internet, or a cab card issued for a
16 vehicle registered under the International Registration Plan
17 shall, at all times while the vehicle is being used or operated
18 on the roads of this state, be in the possession of the operator
19 thereof or be carried in the vehicle for which issued and shall
20 be exhibited upon demand of any authorized law enforcement
21 officer or any agent of the department, except for a vehicle
22 registered under s. 320.0657. ~~The provisions of~~ This section
23 does ~~do~~ not apply during the first 30 days after purchase of a
24 replacement vehicle. A violation of this section is a
25 noncriminal traffic infraction, punishable as a nonmoving
26 violation as provided in chapter 318.

27 (b)1. The act of presenting to a law enforcement officer or
28 an agent of the department an electronic device displaying an
29 electronic copy of rental or lease documentation does not
30 constitute consent for the officer or agent to access any
31 information on the device other than the displayed rental or
32 lease documentation.

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

35 (2) Rental or lease documentation that is sufficient to
36 satisfy the requirement in subsection (1) includes the
37 following:

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



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- 40 ~~(e)~~ Rental agreement number;
- 41 (c)~~(d)~~ Rental vehicle identification number;
- 42 (d)~~(e)~~ Rental vehicle license plate number and state of
- 43 registration;
- 44 (e)~~(f)~~ Vehicle's make, model, and color;
- 45 (f)~~(g)~~ Vehicle's mileage; and
- 46 (g)~~(h)~~ Authorized renter's name.

47 Section 31. Section 322.38, Florida Statutes, is amended to

48 read:

49 322.38 Renting motor vehicle to another.—

50 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any

51 other person unless the other ~~latter~~ person is ~~then~~ duly

52 licensed, ~~or,~~ if a nonresident, ~~he or she shall be~~ licensed

53 under the laws of the state or country of his or her residence,

54 except a nonresident whose home state or country does not

55 require that an operator be licensed.

56 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to

57 another until he or she has inspected the driver license of the

58 person to whom the vehicle is to be rented, ~~and has compared and~~

59 verified that the driver license is unexpired ~~signature thereon~~

60 ~~with the signature of such person written in his or her~~

61 ~~presence.~~

62 (3) Every person renting a motor vehicle to another shall

63 keep a record of the registration number of the motor vehicle so

64 rented, the name and address of the person to whom the vehicle

65 is rented, the number of the license of said latter person, and

66 ~~the date and place when and where the said~~ license was issued.

67 Such record shall be open to inspection by any police officer,

68 or officer or employee of the department.



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69 (4) If a motor vehicle is rented to a person through
70 digital, electronic, or other means that allow the renter to
71 obtain possession of the motor vehicle without direct contact
72 with an owner or agent or an employee of a motor vehicle rental
73 company, or if the renter does not execute a rental contract at
74 the time that he or she takes possession of the vehicle, it must
75 be deemed that the requirements of subsections (1) and (2) are
76 met when, at the time the renter enrolls in a membership
77 program, master agreement, or other means of establishing use of
78 the motor vehicle through the motor vehicle rental company, or
79 any time thereafter, the renter is required to verify that he or
80 she is duly licensed and that the license is unexpired.

81
82 ===== T I T L E A M E N D M E N T =====

83 And the title is amended as follows:

84 Delete line 2336

85 and insert:

86 are issued; amending s. 320.0605, F.S.; authorizing an
87 electronic copy of certain rental or lease
88 documentation to be in the possession of the vehicle
89 operator or carried in the vehicle and to be exhibited
90 upon demand of any authorized law enforcement officer
91 or any agent of the department; providing that the act
92 of presenting a certain electronic device to the
93 officer or agent does not constitute consent for the
94 officer or agent to access any information on the
95 device other than the displayed rental or lease
96 documentation; providing for assumption of liability
97 for any resulting damage to the device; revising



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98 requirements for rental or lease documentation;
99 amending s. 322.38, F.S.; prohibiting a person from
100 renting a motor vehicle to another person unless he or
101 she has verified that the renter's driver license is
102 unexpired; requiring that a person renting a motor
103 vehicle to another person keep a record of the place
104 where the renter's license was issued; providing that,
105 under certain circumstances, specified requirements
106 are deemed met when a renter is required at certain
107 times to verify that he or she is duly licensed and
108 that the license is unexpired; amending s. 320.0607,
109 F.S.; providing