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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 (Lee) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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



896914

10 redesignated as subsections (77) through (104), respectively,  
11 new subsections (16), (56), and (76) are added to that section,  
12 and present subsection (59) of that section is amended, to read:

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

17       (16) CRASH.—The operation of a motor vehicle, motorized  
18 scooter, or moped in this state which results in property damage  
19 or the death of or bodily injury, or a complaint of bodily  
20 injury, to any person. The term "crash" includes separation of  
21 the operator or an occupant from a motor vehicle, motorized  
22 scooter, or moped, or a trailer being drawn by a motor vehicle,  
23 while in motion, which results in property damage or the death  
24 of or bodily injury, or a complaint of bodily injury, to any  
25 person. The term "crash" does not include such operation in any  
26 of the following situations:

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

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

35       (c) If such property damage, death, bodily injury, or  
36 complaint of bodily injury results from an intentional act of a  
37 law enforcement officer to force a motor vehicle or moped to  
38 stop or reduce speed, such as use of a pursuit termination



896914

39 device or the precision immobilization technique, except that  
40 the term "crash" includes such operation that results in such  
41 property damage or the death of or bodily injury to, or  
42 complaint of bodily injury to, anyone other than the operator or  
43 occupant of the motor vehicle or moped being forced to stop or  
44 reduce speed or the law enforcement officer.

45 (d) The death or suffering of a medical episode by the  
46 operator or an occupant of a motor vehicle or moped, if  
47 operation of the motor vehicle or moped did not result in such  
48 death or medical episode and did not result in property damage  
49 or the death of or bodily injury, or complaint of bodily injury,  
50 to any other person.

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

56 (61) ~~(59)~~ PRIVATE ROAD OR DRIVEWAY.—Except as otherwise  
57 provided in paragraph (84) (b) ~~(81) (b)~~, any privately owned way  
58 or place used for vehicular travel by the owner and those having  
59 express or implied permission from the owner, but not by other  
60 persons.

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

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

67 316.027 Crash involving death or personal injuries.—



896914

68 (1) As used in this section, the term~~+~~  
69 ~~(a) "Serious bodily injury" means an injury to a person,~~  
70 ~~including the driver, which consists of a physical condition~~  
71 ~~that creates a substantial risk of death, serious personal~~  
72 ~~disfigurement, or protracted loss or impairment of the function~~  
73 ~~of a bodily member or organ.~~  
74 ~~(b) "vulnerable road user" means any of the following:~~  
75 ~~(a)1. A pedestrian, including a person actually engaged in~~  
76 ~~work upon a highway, or in work upon utility facilities along a~~  
77 ~~highway, or engaged in the provision of emergency services~~  
78 ~~within the right-of-way.~~  
79 ~~(b)2. A person operating a bicycle, motorcycle, scooter, or~~  
80 ~~moped lawfully on the roadway.~~  
81 ~~(c)3. A person riding an animal.~~  
82 ~~(d)4. A person lawfully operating on a public right-of-way,~~  
83 ~~crosswalk, or shoulder of the roadway:~~  
84 ~~1.a. A farm tractor or similar vehicle designed primarily~~  
85 ~~for farm use;~~  
86 ~~2.b. A skateboard, roller skates, or in-line skates;~~  
87 ~~3.c. A horse-drawn carriage;~~  
88 ~~4.d. An electric personal assistive mobility device; or~~  
89 ~~5.e. A wheelchair.~~  
90 (4) (a) In addition to any other civil, criminal, or  
91 administrative penalty imposed, a person whose commission of a  
92 noncriminal traffic infraction or a violation of this chapter or  
93 s. 1006.66 causes or results in the death of another person may  
94 be required by the court to serve 120 community service hours in  
95 a trauma center or hospital that regularly receives victims of  
96 vehicle crashes ~~accidents~~, under the supervision of a registered



896914

97 nurse, an emergency room physician, or an emergency medical  
98 technician pursuant to a voluntary community service program  
99 operated by the trauma center or hospital.

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

105 1. Serve 120 community service hours in a trauma center or  
106 hospital that regularly receives victims of vehicle crashes  
107 ~~accidents~~, under the supervision of a registered nurse, an  
108 emergency room physician, or an emergency medical technician  
109 pursuant to a voluntary community service program operated by  
110 the trauma center or hospital.

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

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

118 316.0271 Yellow dot critical motorist medical information  
119 program; yellow dot decal, folder, and information form.-

120 (1) The governing body of a county may create a yellow dot  
121 critical motorist medical information program to facilitate the  
122 provision of emergency medical care to program participants by  
123 emergency medical responders by making critical medical  
124 information readily available to responders in the event of a  
125 motor vehicle crash ~~accident~~ or a medical emergency involving a



896914

126 participant's vehicle.

127 (5) (a) If the driver or a passenger of a motor vehicle is  
128 involved in a motor vehicle crash ~~accident~~ or emergency  
129 situation and a yellow dot decal is affixed to the vehicle, an  
130 emergency medical responder at the scene may search the glove  
131 compartment of the vehicle for the corresponding yellow dot  
132 folder.

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

135 316.061 Crashes involving damage to vehicle or property.—

136 (3) Employees or authorized agents of the Department of  
137 Transportation, law enforcement with proper jurisdiction, or an  
138 expressway authority created pursuant to chapter 348, in the  
139 exercise, management, control, and maintenance of its highway  
140 system, may undertake the removal from the main traveled way of  
141 roads on its highway system of all vehicles incapacitated as a  
142 result of a motor vehicle crash and of debris caused thereby.  
143 Such removal is applicable when such a motor vehicle crash  
144 results only in damage to a vehicle or other property, and when  
145 such removal can be accomplished safely and will result in the  
146 improved safety or convenience of travel upon the road. The  
147 driver or any other person who has removed a motor vehicle from  
148 the main traveled way of the road as provided in this section  
149 may ~~shall~~ not be considered liable or at fault regarding the  
150 cause of the crash ~~accident~~ solely by reason of moving the  
151 vehicle.

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

153 Section 6. Section 316.0897, Florida Statutes, is created  
154 to read:



896914

155 316.0897 Platoons.-

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

158 (2) A platoon may be operated on a roadway in this state  
159 after an operator provides notification to the Department of  
160 Transportation and the Department of Highway Safety and Motor  
161 Vehicles.

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

164 316.1895 Establishment of school speed zones, enforcement;  
165 designation.-

166 (5) (a) A school zone speed limit may not be less than 15  
167 miles per hour except by local regulation. No school zone speed  
168 limit shall be more than 20 miles per hour in an urbanized area,  
169 as defined in s. 334.03. Such speed limit may be in force only  
170 during those times 30 minutes before, during, and 30 minutes  
171 after the periods of time when pupils are arriving at a  
172 regularly scheduled breakfast program or a regularly scheduled  
173 school session and leaving a regularly scheduled school session.

174 (b) A district school board as defined in s. 1003.01(1) may  
175 by simple majority vote increase the time a school zone speed  
176 limit is in force by an additional 15 minutes before, during,  
177 and an additional 15 minutes after the periods of time when  
178 pupils are arriving at a regularly scheduled breakfast program  
179 or at a regularly scheduled school session and leaving a  
180 regularly scheduled school session.

181 Section 8. Paragraph (c) of subsection (3) of section  
182 316.192, Florida Statutes, is amended to read:

183 316.192 Reckless driving.-



896914

184 (3) Any person:

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

186 1. Damage to the property or person of another commits a  
187 misdemeanor of the first degree, punishable as provided in s.  
188 775.082 or s. 775.083.

189 2. Serious bodily injury to another commits a felony of the  
190 third degree, punishable as provided in s. 775.082, s. 775.083,  
191 or s. 775.084. ~~The term "serious bodily injury" means an injury~~  
192 ~~to another person, which consists of a physical condition that~~  
193 ~~creates a substantial risk of death, serious personal~~  
194 ~~disfigurement, or protracted loss or impairment of the function~~  
195 ~~of any bodily member or organ.~~

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

198 316.193 Driving under the influence; penalties.—

199 (3) Any person:

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

201 (b) Who operates a vehicle; and

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

204 1. Damage to the property or person of another commits a  
205 misdemeanor of the first degree, punishable as provided in s.  
206 775.082 or s. 775.083.

207 2. Serious bodily injury to another or to himself or  
208 herself, ~~as defined in s. 316.1933~~, commits a felony of the  
209 third degree, punishable as provided in s. 775.082, s. 775.083,  
210 or s. 775.084.

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





896914

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

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

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

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

221

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

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

228 316.1933 Blood test for impairment or intoxication in cases  
229 of death or serious bodily injury; right to use reasonable  
230 force.-

231 (1)~~(a)~~ If a law enforcement officer has probable cause to  
232 believe that a motor vehicle driven by or in the actual physical  
233 control of a person under the influence of alcoholic beverages,  
234 any chemical substances, or any controlled substances has caused  
235 the death or serious bodily injury of a human being, including  
236 serious bodily injury of the driver, a law enforcement officer  
237 shall require the person driving or in actual physical control  
238 of the motor vehicle to submit to a test of the person's blood  
239 for the purpose of determining the alcoholic content thereof or  
240 the presence of chemical substances as set forth in s. 877.111  
241 or any substance controlled under chapter 893. The law



896914

242 enforcement officer may use reasonable force if necessary to  
243 require such person to submit to the administration of the blood  
244 test. The blood test shall be performed in a reasonable manner.  
245 Notwithstanding s. 316.1932, the testing required by this  
246 paragraph need not be incidental to a lawful arrest of the  
247 person.

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

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

255 316.194 Stopping, standing or parking outside of  
256 municipalities.—

257 (3) (a) Whenever any police officer or traffic crash  
258 ~~accident~~ investigation officer finds a vehicle standing upon a  
259 highway in violation of any of the foregoing provisions of this  
260 section, the officer is authorized to move the vehicle, or  
261 require the driver or other persons in charge of the vehicle to  
262 move the vehicle, to a position off the paved or main-traveled  
263 part of the highway.

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

270 1. Where such vehicle constitutes an obstruction of



896914

271 traffic;

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

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

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

284         316.302 Commercial motor vehicles; safety regulations;  
285 transporters and shippers of hazardous materials; enforcement.—

286         (1) (a) All owners and drivers of commercial motor vehicles  
287 that are operated on the public highways of this state while  
288 engaged in interstate commerce are subject to the rules and  
289 regulations contained in 49 C.F.R. parts 382, 383, 385, 386 and  
290 390-397.

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

298         (c) The emergency exceptions provided by 49 C.F.R. s.  
299 392.82 also apply to communications by utility drivers and



300 utility contractor drivers during a Level 1 activation of the  
301 State Emergency Operations Center, as provided in the Florida  
302 Comprehensive Emergency Management plan, or during a state of  
303 emergency declared by executive order or proclamation of the  
304 Governor.

305 (d) Except as provided ~~in s. 316.215(5), and except as~~  
306 ~~provided~~ in s. 316.228 for rear overhang lighting and flagging  
307 requirements for intrastate operations, the requirements of this  
308 section supersede all other safety requirements of this chapter  
309 for commercial motor vehicles.

310 (e) A person who operates a commercial motor vehicle solely  
311 in intrastate commerce which does not transport hazardous  
312 materials in amounts that require placarding pursuant to 49  
313 C.F.R. part 172 need not comply with the requirements of  
314 electronic logging devices and hours of service supporting  
315 documents as provided in 49 C.F.R. parts 385, 386, 390, and 395  
316 until December 31, 2019.

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

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

326 1. More than 12 hours following 10 consecutive hours off  
327 duty; or

328 2. For any period after the end of the 16th hour after



329 coming on duty following 10 consecutive hours off duty.  
330  
331 The provisions of this paragraph do not apply to drivers of  
332 utility service vehicles as defined in 49 C.F.R. s. 395.2.  
333 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
334 operates a commercial motor vehicle solely in intrastate  
335 commerce not transporting any hazardous material in amounts that  
336 require placarding pursuant to 49 C.F.R. part 172 may not drive  
337 after having been on duty more than 70 hours in any period of 7  
338 consecutive days or more than 80 hours in any period of 8  
339 consecutive days if the motor carrier operates every day of the  
340 week. Thirty-four consecutive hours off duty shall constitute  
341 the end of any such period of 7 or 8 consecutive days. This  
342 weekly limit does not apply to a person who operates a  
343 commercial motor vehicle solely within this state while  
344 transporting, during harvest periods, any unprocessed  
345 agricultural products or unprocessed food or fiber that is  
346 subject to seasonal harvesting from place of harvest to the  
347 first place of processing or storage or from place of harvest  
348 directly to market or while transporting livestock, livestock  
349 feed, or farm supplies directly related to growing or harvesting  
350 agricultural products. Upon request of the Department of Highway  
351 Safety and Motor Vehicles, motor carriers shall furnish time  
352 records or other written verification to that department so that  
353 the Department of Highway Safety and Motor Vehicles can  
354 determine compliance with this subsection. These time records  
355 must be furnished to the Department of Highway Safety and Motor  
356 Vehicles within 2 days after receipt of that department's  
357 request. Falsification of such information is subject to a civil



896914

358 ~~penalty not to exceed \$100. The provisions of This paragraph~~  
359 ~~does de~~ not apply to operators of farm labor vehicles operated  
360 during a state of emergency declared by the Governor or operated  
361 pursuant to s. 570.07(21) ~~or, and do not apply~~ to drivers of  
362 utility service vehicles as defined in 49 C.F.R. s. 395.2.

363 (d) A person who operates a commercial motor vehicle solely  
364 in intrastate commerce not transporting any hazardous material  
365 in amounts that require placarding pursuant to 49 C.F.R. part  
366 172 within a 150 air-mile radius of the location where the  
367 vehicle is based need not comply with 49 C.F.R. s. 395.8, if the  
368 requirements of 49 C.F.R. s. 395.1(e) (1) (ii), (iii)(A) and (C),  
369 and (v) are met. ~~If a driver is not released from duty within 12~~  
370 ~~hours after the driver arrives for duty, the motor carrier must~~  
371 ~~maintain documentation of the driver's driving times throughout~~  
372 ~~the duty period.~~

373 (e) A person who operates a commercial motor vehicle solely  
374 in intrastate commerce is exempt from subsection (1) while  
375 transporting agricultural products, including horticultural or  
376 forestry products, from farm or harvest place to the first place  
377 of processing or storage, or from farm or harvest place directly  
378 to market. However, such person must comply with 49 C.F.R. parts  
379 382, 392, and 393, and with 49 C.F.R. ss. 396.3(a) (1) and 396.9.  
380 A vehicle or combination of vehicles operated pursuant to this  
381 paragraph having a gross vehicle weight of 26,001 pounds or more  
382 or having three or more axles on the power unit, regardless of  
383 weight, must display the name of the vehicle owner or motor  
384 carrier and the municipality or town where the vehicle is based  
385 on each side of the power unit in letters that contrast with the  
386 background and that are readable from a distance of 50 feet. A



896914

387 person who violates this vehicle identification requirement may  
388 be assessed a penalty as provided in s. 316.3025(3) (a).

389 (f) A person who operates a commercial motor vehicle having  
390 a ~~declared~~ gross vehicle weight, gross vehicle weight rating,  
391 and gross combined weight rating of less than 26,001 pounds  
392 solely in intrastate commerce and who is not transporting  
393 hazardous materials in amounts that require placarding pursuant  
394 to 49 C.F.R. part 172, ~~or who is transporting petroleum products~~  
395 ~~as defined in s. 376.301,~~ is exempt from subsection (1).

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

398 (g) A person whose driving record shows no convictions for  
399 the preceding 3 years and who, as of October 1, 1988, is  
400 employed as a driver-salesperson, as defined in 49 C.F.R. s.  
401 395.2, and who operates solely in intrastate commerce, is exempt  
402 from 49 C.F.R. part 391.

403 (h) A person who is an employee of an electric utility, as  
404 defined in s. 361.11, or a telephone company, as defined in s.  
405 364.02, and who operates a commercial motor vehicle solely in  
406 intrastate commerce and within a 200 air-mile radius of the  
407 location where the vehicle is based, is exempt from 49 C.F.R.  
408 ss. 396.11 and 396.13 and 49 C.F.R. part 391, subparts D and E.

409 (i) A person whose driving record shows no traffic  
410 convictions, pursuant to s. 322.61, during the 2-year period  
411 immediately preceding the application for the commercial driver  
412 license, who is otherwise qualified as a driver under 49 C.F.R.  
413 part 391, and who operates a commercial vehicle in intrastate  
414 commerce only shall be exempt from the requirements of 49 C.F.R.  
415 part 391, subpart E, s. 391.41(b) (10). However, such operators



896914

416 are still subject to the requirements of ss. 322.12 and 322.121.  
417 As proof of eligibility, such driver shall have in his or her  
418 possession a physical examination form dated within the past 24  
419 months.

420 ~~(j) A person who is otherwise qualified as a driver under~~  
421 ~~49 C.F.R. part 391, who operates a commercial motor vehicle in~~  
422 ~~intrastate commerce only, and who does not transport hazardous~~  
423 ~~materials in amounts that require placarding pursuant to 49~~  
424 ~~C.F.R. part 172, is exempt from the requirements of 49 C.F.R.~~  
425 ~~part 391, subpart E, ss. 391.41(b)(3) and 391.43(e), relating to~~  
426 ~~diabetes.~~

427 (j) ~~(k)~~ A person holding a commercial driver license who is  
428 a regularly employed driver of a commercial motor vehicle and is  
429 subject to an alcohol and controlled substance testing program  
430 related to that employment shall not be required to be part of a  
431 separate testing program for operating any bus owned and  
432 operated by a church when the driver does not receive any form  
433 of compensation for operating the bus and when the bus is used  
434 to transport people to or from church-related activities at no  
435 charge. The provisions of this paragraph may not be implemented  
436 if the Federal Government notifies the department that  
437 implementation will adversely affect the allocation of federal  
438 funds to the state.

439 Section 13. Subsection (3) of section 316.303, Florida  
440 Statutes, is amended to read:

441 316.303 Television receivers.—

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





896914

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

450 Section 14. Subsection (8) of section 316.622, Florida  
451 Statutes, is amended to read:

452 316.622 Farm labor vehicles.—

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

456 Section 15. Paragraph (a) of subsection (1) of section  
457 316.640, Florida Statutes, is amended to read:

458 316.640 Enforcement.—The enforcement of the traffic laws of  
459 this state is vested as follows:

460 (1) STATE.—

461 (a)1.a. The Division of Florida Highway Patrol of the  
462 Department of Highway Safety and Motor Vehicles; the Division of  
463 Law Enforcement of the Fish and Wildlife Conservation  
464 Commission; and the agents, inspectors, and officers of the  
465 Department of Law Enforcement each have authority to enforce all  
466 of the traffic laws of this state on all the streets and  
467 highways thereof and elsewhere throughout the state wherever the  
468 public has a right to travel by motor vehicle.

469 b. University police officers may enforce all of the  
470 traffic laws of this state when violations occur on or within  
471 1,000 feet of any property or facilities that are under the  
472 guidance, supervision, regulation, or control of a state  
473 university, a direct-support organization of such state



896914

474 university, or any other organization controlled by the state  
475 university or a direct-support organization of the state  
476 university, or when such violations occur within a specified  
477 jurisdictional area as agreed upon in a mutual aid agreement  
478 entered into with a law enforcement agency pursuant to s.  
479 23.1225(1). Traffic laws may also be enforced off-campus when  
480 hot pursuit originates on or within 1,000 feet of any such  
481 property or facilities, or as agreed upon in accordance with the  
482 mutual aid agreement.

483       c. Florida College System institution police officers may  
484 enforce all the traffic laws of this state only when such  
485 violations occur on or within 1,000 feet of any property or  
486 facilities that are under the guidance, supervision, regulation,  
487 or control of the Florida College System institution, or when  
488 such violations occur within a specified jurisdictional area as  
489 agreed upon in a mutual aid agreement entered into with a law  
490 enforcement agency pursuant to s. 23.1225. Traffic laws may also  
491 be enforced off-campus when hot pursuit originates on or within  
492 1,000 feet of any such property or facilities, or as agreed upon  
493 in accordance with the mutual aid agreement.

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

498       (I) An airport authority may employ as a parking  
499 enforcement specialist any individual who successfully completes  
500 a training program established and approved by the Criminal  
501 Justice Standards and Training Commission for parking  
502 enforcement specialists but who does not otherwise meet the



896914

503 uniform minimum standards established by the commission for law  
504 enforcement officers or auxiliary or part-time officers under s.  
505 943.12. This sub-sub-subparagraph may not be construed to permit  
506 the carrying of firearms or other weapons, nor shall such  
507 parking enforcement specialist have arrest authority.

508 (II) A parking enforcement specialist employed by an  
509 airport authority may enforce all state, county, and municipal  
510 laws and ordinances governing parking only when such violations  
511 are on property or facilities owned or operated by the airport  
512 authority employing the specialist, by appropriate state,  
513 county, or municipal traffic citation.

514 e. The Office of Agricultural Law Enforcement of the  
515 Department of Agriculture and Consumer Services may enforce  
516 traffic laws of this state.

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

521 2. Any disciplinary action taken or performance evaluation  
522 conducted by an agency of the state as described in subparagraph  
523 1. of a law enforcement officer's traffic enforcement activity  
524 must be in accordance with written work-performance standards.  
525 Such standards must be approved by the agency and any collective  
526 bargaining unit representing such law enforcement officer. A  
527 violation of this subparagraph is not subject to the penalties  
528 provided in chapter 318.

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



896914

532 investigation and court presentation through the Selective  
533 Traffic Enforcement Program as approved by the Criminal Justice  
534 Standards and Training Commission and funded through the  
535 National Highway Traffic Safety Administration or a similar  
536 program approved by the commission, but who does not necessarily  
537 meet the uniform minimum standards established by the commission  
538 for law enforcement officers or auxiliary law enforcement  
539 officers under chapter 943. Any such traffic crash ~~accident~~  
540 investigation officer who makes an investigation at the scene of  
541 a traffic crash ~~accident~~ may issue traffic citations, based upon  
542 personal investigation, when he or she has reasonable and  
543 probable grounds to believe that a person who was involved in  
544 the crash ~~accident~~ committed an offense under this chapter,  
545 chapter 319, chapter 320, or chapter 322 in connection with the  
546 crash ~~accident~~. This subparagraph does not permit the officer to  
547 carry firearms or other weapons, and such an officer does not  
548 have authority to make arrests.

549 Section 16. Subsection (2) of section 316.655, Florida  
550 Statutes, is amended to read:

551 316.655 Penalties.—

552 (2) A driver convicted of a violation of any offense  
553 prohibited by this chapter or any other law of this state  
554 regulating motor vehicles, which resulted in a crash ~~an~~  
555 ~~accident~~, may have his or her driving privileges revoked or  
556 suspended by the court if the court finds such revocation or  
557 suspension warranted by the totality of the circumstances  
558 resulting in the conviction and the need to provide for the  
559 maximum safety for all persons who travel on or who are  
560 otherwise affected by the use of the highways of the state. In



896914

561 determining whether suspension or revocation is appropriate, the  
562 court shall consider all pertinent factors, including, but not  
563 limited to, such factors as the extent and nature of the  
564 driver's violation of this chapter, the number of persons killed  
565 or injured as the result of the driver's violation of this  
566 chapter, and the extent of any property damage resulting from  
567 the driver's violation of this chapter.

568 Section 17. Section 316.70, Florida Statutes, is amended to  
569 read:

570 316.70 Nonpublic sector buses; safety rules.—

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

578 (a) Nonpublic sector buses are safely maintained, equipped,  
579 and operated.

580 ~~(b) Nonpublic sector buses are carrying the insurance~~  
581 ~~required by law and carrying liability insurance on the checked~~  
582 ~~baggage of passengers not to exceed the standard adopted by the~~  
583 ~~United States Department of Transportation.~~

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

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



896914

590           (2) Department ~~of Transportation~~ personnel may conduct  
591 compliance investigations ~~reviews~~ for the purpose of determining  
592 compliance with this section. A civil penalty not to exceed  
593 \$5,000 in the aggregate may be assessed against any person who  
594 violates any provision of this section or who violates any  
595 department rule or order of the Department of Transportation. A  
596 civil penalty not to exceed \$25,000 in the aggregate may be  
597 assessed for violations found in a followup compliance  
598 investigation review conducted within a 24-month period. A civil  
599 penalty not to exceed \$25,000 in the aggregate may be assessed  
600 and the motor carrier may be enjoined pursuant to s. 316.3026 if  
601 violations are found after a second followup compliance review  
602 within 12 months after the first followup compliance review.  
603 Motor carriers may be enjoined pursuant to s. 316.3026 for  
604 violations identified during a compliance investigation or motor  
605 carriers found to be operating without insurance coverage  
606 required by s. 627.742 or 49 C.F.R. part 387 may be enjoined as  
607 provided in s. 316.3026.

608           (3) For the purpose of enforcing this section, any law  
609 enforcement officer of the department or duly appointed agent  
610 who holds a current safety inspector certification from the  
611 Commercial Vehicle Safety Alliance may require the driver of any  
612 commercial vehicle operated on the highways of this state to  
613 stop and submit to an inspection of the vehicle or the driver's  
614 records. If the vehicle or driver is operating in an unsafe  
615 condition, or if any required part or equipment is not present  
616 or is not in proper repair or adjustment, and the continued  
617 operation would be unduly hazardous, the officer may require the  
618 vehicle or the driver to be removed from service pursuant to the



896914

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

623 (4)(3) School buses subject to the provisions of chapter  
624 1006 or s. 316.615 are exempt from the provisions of this  
625 section.

626 Section 18. Section 318.19, Florida Statutes, is amended to  
627 read:

628 318.19 Infractions requiring a mandatory hearing.—  
629 Subsections 318.14(2), (4), and (9) do not apply to any person  
630 cited for an infraction identified in the infractions listed in  
631 this section and he or she shall not have the provisions of s.  
632 318.14(2), (4), and (9) available to him or her but must appear  
633 before the designated official at the time and location of the  
634 scheduled hearing for:

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

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

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

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

643 (5) Any infraction of s. 316.183(2), s. 316.187, or s.  
644 316.189 of exceeding the speed limit by 30 mph or more.

645 Section 19. Section 319.001, Florida Statutes, is amended  
646 to read:

647 319.001 Definitions.—As used in this chapter, the term:



896914

648 (1) "Certificate of title" means the record that is  
649 evidence of ownership of a vehicle, whether a paper certificate  
650 authorized by the department or a certificate consisting of  
651 information that is stored in an electronic form in the  
652 department's database.

653 (2) "Conflict" or "conflict of interest" means a situation  
654 in which a private interest could benefit from or interfere with  
655 official duties or a public interest, including, but not limited  
656 to, having a direct or indirect financial interest in a vehicle  
657 being inspected pursuant to s. 319.141; or being employed by, or  
658 directly or indirectly having an ownership interest in, an  
659 entity that has a financial interest in a vehicle being  
660 inspected pursuant to s. 319.141.

661 (3)~~(2)~~ "Department" means the Department of Highway Safety  
662 and Motor Vehicles.

663 (4)~~(3)~~ "Front-end assembly" means fenders, hood, grill, and  
664 bumper.

665 (5)~~(4)~~ "Licensed dealer," unless otherwise specifically  
666 provided, means a motor vehicle dealer licensed under s. 320.27,  
667 a mobile home dealer licensed under s. 320.77, or a recreational  
668 vehicle dealer licensed under s. 320.771.

669 (6)~~(5)~~ "Motorcycle body assembly" means frame, fenders, and  
670 gas tanks.

671 (7)~~(6)~~ "Motorcycle engine" means cylinder block, heads,  
672 engine case, and crank case.

673 (8)~~(7)~~ "Motorcycle transmission" means drive train.

674 (9)~~(8)~~ "New mobile home" means a mobile home the equitable  
675 or legal title to which has never been transferred by a  
676 manufacturer, distributor, importer, or dealer to an ultimate





896914

677 purchaser.

678 (10)~~(9)~~ "New motor vehicle" means a motor vehicle the  
679 equitable or legal title to which has never been transferred by  
680 a manufacturer, distributor, importer, or dealer to an ultimate  
681 purchaser; however, when legal title is not transferred but  
682 possession of a motor vehicle is transferred pursuant to a  
683 conditional sales contract or lease and the conditions are not  
684 satisfied and the vehicle is returned to the motor vehicle  
685 dealer, the motor vehicle may be resold by the motor vehicle  
686 dealer as a new motor vehicle, provided the selling motor  
687 vehicle dealer gives the following written notice to the  
688 purchaser: "THIS VEHICLE WAS DELIVERED TO A PREVIOUS PURCHASER."  
689 The purchaser shall sign an acknowledgment, a copy of which is  
690 kept in the selling dealer's file.

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

695 (12)~~(10)~~ "Rear body section" means both quarter panels,  
696 decklid, bumper, and floor pan.

697 (13) "Rebuilt courier service" means an individual or  
698 entity who provides services to vehicle owners or motor vehicle  
699 dealers who use the inspection services of a private rebuilt  
700 inspection provider. These services include, but are not limited  
701 to, preparing, compiling, or providing forms, applications,  
702 certificates of title, or other documentation required to  
703 conduct a rebuilt inspection, or engaging in or arranging for  
704 the transportation of vehicles for inspection.

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



896914

706 vehicle and the required documentation. Required documentation  
707 includes, but is not limited to: a properly endorsed certificate  
708 of title, salvage certificate of title, or manufacturer's  
709 statement of origin; an application for a rebuilt branded  
710 certificate of title; a rebuilder's affidavit; a photograph of  
711 the junk or salvage vehicle taken before repairs began; receipts  
712 or invoices for all major component parts, as defined in s.  
713 319.30; repairs conducted; and proof that notice of rebuilding  
714 of the vehicle has been reported to the National Motor Vehicle  
715 Title Information System. If an airbag or airbags were deployed,  
716 before and after photos must be provided which clearly show the  
717 deployed airbags and that the airbags have been replaced.

718 (15)-(11) "Satisfaction of lien" means full payment of a  
719 debt or release of a debtor from a lien by the lienholder.

720 (16)-(12) "Used motor vehicle" means any motor vehicle that  
721 is not a "new motor vehicle" as defined in this section  
722 subsection (9).

723 Section 20. Section 319.141, Florida Statutes, is amended  
724 to read:

725 319.141 Private ~~Pilot~~ rebuilt motor vehicle inspection  
726 program.—

727 (1) The department may authorize private rebuilt inspection  
728 providers under the terms of this section. The purpose of the  
729 private rebuilt motor vehicle inspection program is to prevent  
730 the use of stolen parts in the rebuilding process, identify and  
731 recover stolen vehicles, require the installation of nonrecalled  
732 airbags in rebuilt vehicles, and assist law enforcement with the  
733 investigation of vehicle theft and related fraud. The department  
734 may monitor and investigate private rebuilt inspection providers



896914

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

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

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

741 ~~(b) "Rebuilt inspection services" means an examination of a~~  
742 ~~rebuilt vehicle and a properly endorsed certificate of title,~~  
743 ~~salvage certificate of title, or manufacturer's statement of~~  
744 ~~origin and an application for a rebuilt certificate of title, a~~  
745 ~~rebuilder's affidavit, a photograph of the junk or salvage~~  
746 ~~vehicle taken before repairs began, receipts or invoices for all~~  
747 ~~major component parts, as defined in s. 319.30, and repairs~~  
748 ~~which were changed, and proof that notice of rebuilding of the~~  
749 ~~vehicle has been reported to the National Motor Vehicle Title~~  
750 ~~Information System.~~

751 ~~(2) By July 1, 2015, the department shall oversee a pilot~~  
752 ~~program in Miami-Dade County to evaluate alternatives for~~  
753 ~~rebuilt inspection services offered by existing private sector~~  
754 ~~operators, including the continued use of private facilities,~~  
755 ~~the cost impact to consumers, and the potential savings to the~~  
756 ~~department.~~

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

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



896914

764 which the rebuilt courier service conducts business. Such  
765 contract must require the rebuilt courier service to comply with  
766 state law and department procedures; provide proof of and agree  
767 to maintain garage liability insurance in the amount of at least  
768 \$100,000; and comply with any other requirement established by  
769 the department which is designed to protect the public, the  
770 department, or the private rebuilt inspection provider from  
771 illegal or disruptive conduct.

772 ~~(3) The department shall establish a memorandum of~~  
773 ~~understanding that allows private parties participating in the~~  
774 ~~pilot program to conduct rebuilt motor vehicle inspections and~~  
775 ~~specifies requirements for oversight, bonding and insurance,~~  
776 ~~procedures, and forms and requires the electronic transmission~~  
777 ~~of documents.~~

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

780 ~~(5)~~(4) Before authorization is granted to a private rebuilt  
781 inspection provider an applicant is approved, the department  
782 shall ensure that the private rebuilt inspection provider meets  
783 ~~applicant meets basic criteria designed to protect the public.~~  
784 ~~At a minimum, the applicant shall meet all of the following~~  
785 ~~requirements:~~

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

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



896914

793 even if such location is recognized by the United States Postal  
794 Service as a separate address. The location must have permanent  
795 signage with posted business hours; a rebuilt inspection area  
796 separate and visually obstructed from any area accessible to a  
797 customer; and a surveillance camera with recording capabilities  
798 for the rebuilt inspection area.

799 (c)-(a) Has provided evidence of a good and sufficient Have  
800 and maintain a surety bond or irrevocable letter of credit in  
801 the amount of \$100,000 executed by the private rebuilt  
802 inspection provider which covers all activities under the  
803 private rebuilt motor vehicle inspection program and names the  
804 department as an insured. Such surety bonds and letters of  
805 credit must be executed by a surety company authorized to do  
806 business in this state as a surety, and irrevocable letters of  
807 credit must be issued by a bank authorized to do business in  
808 this state as a bank. Surety bonds and letters of credit must be  
809 in favor of the department and must be for 1 year applicant.

810 (d)-(b) Has identified and provided a lease or proof of  
811 ownership of a proposed location that must be open to the public  
812 Secure and maintain a facility at a permanent structure at an  
813 address recognized by the United States Postal Service where the  
814 only services provided on such property are rebuilt inspection  
815 services. The location must be large enough to accommodate all  
816 of the vehicles being inspected and must have sufficient space  
817 to maintain physical security of all required inspection records  
818 The operator of a facility shall annually attest that he or she  
819 is not employed by or does not have an ownership interest in or  
820 other financial arrangement with the owner, operator, manager,  
821 or employee of a motor vehicle repair shop as defined in s.



896914

822 ~~559.903, a motor vehicle dealer as defined in s. 320.27(1)(c), a~~  
823 ~~towing company, a vehicle storage company, a vehicle auction, an~~  
824 ~~insurance company, a salvage yard, a metal retailer, or a metal~~  
825 ~~rebuilder, from which he or she receives remuneration, directly~~  
826 ~~or indirectly, for the referral of customers for rebuilt~~  
827 ~~inspection services.~~

828 (e) Has ensured that each owner, partner, and corporate  
829 officer of the provider has provided an attestation  
830 acknowledging he or she is deemed to be engaging in activities  
831 that are in the public interest and are free of conflicts of  
832 interest.

833 (f) ~~(e)~~ Has provided evidence of garage liability insurance  
834 coverage with at least \$100,000 single-limit liability coverage,  
835 including bodily injury and property damage protection, and  
836 \$10,000 personal injury protection ~~Have and maintain garage~~  
837 ~~liability and other insurance required by the department.~~

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

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

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

848 (h) Has provided evidence of authorization to conduct  
849 business in the state from the Florida Department of State,  
850 Division of Corporations.



896914

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

853 (6) Each authorized private rebuilt inspection provider may  
854 operate additional locations in this state with the prior  
855 written approval of the department. In determining whether to  
856 approve a location, the department must apply the same criteria  
857 as in paragraph (5) (b). A private rebuilt inspection provider  
858 may operate a mobile inspection unit, with the prior written  
859 approval of the department, as long as it also has a permanent  
860 facility that meets the criteria specified in paragraph (5) (b),  
861 and the operation of such mobile inspection unit complies with  
862 the terms of the agreement with the department as specified in  
863 paragraph (7) (1).

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

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

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

873 (c) A requirement that the provider maintain the  
874 confidentiality of all information received under the agreement  
875 in accordance with chapter 119 and the Driver Protection Privacy  
876 Act.

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



896914

- 880       (e) A provision that the private rebuilt inspection  
881 provider agrees to submit to oversight by the department.
- 882       (f) A requirement that the provider maintain records  
883 required by department policies and procedures, making those  
884 records available to the department for inspection, and  
885 complying with state public records laws.
- 886       (g) Provisions outlining penalties for noncompliance with  
887 the agreement, including termination.
- 888       (h) Forms required to be utilized by the private rebuilt  
889 inspection provider to document completion of the rebuilt  
890 inspection process. These forms must include, but need not be  
891 limited to, a completed and signed application for certificate  
892 of title with or without registration; a completed and signed  
893 statement of builder describing the process and major component  
894 parts used in the rebuilding of the motor vehicle; a completed  
895 and signed power of attorney for a motor vehicle, mobile home or  
896 vessel, if applicable; and a completed and signed vehicle  
897 identification number and odometer verification.
- 898       (i) A requirement that the provider report stolen parts or  
899 vehicles.
- 900       (j) A requirement that the provider maintain a surety bond  
901 and garage liability insurance.
- 902       (k) Conditions under which the agreement may be terminated  
903 by either party.
- 904       (l) Requirements for the operation of a mobile inspection  
905 unit, including, but not limited to, maintenance of general  
906 liability insurance in the amount of \$100,000 and commercial  
907 automobile liability insurance on each mobile unit in the amount  
908 of \$100,000, physical security for indicia and inspection





896914

909 records, maintenance of records at a permanent facility,  
910 cooperation with department oversight requirements, maintenance  
911 of a weekly schedule of planned rebuilt inspections,  
912 installation of a camera to document inspections, and observance  
913 of the confidentiality of the rebuilt inspection process.

914 (8)-(5) Each authorized private rebuilt inspection provider  
915 shall A participant in the program shall access vehicle and  
916 title information and enter inspection results through an  
917 electronic filing system authorized by the department and shall  
918 maintain records of each rebuilt vehicle inspection processed by  
919 the private rebuilt inspection provider at such facility for at  
920 least 5 years.

921 (9)-(6) The department may shall immediately terminate the  
922 contract with any private rebuilt inspection provider operator  
923 from the program who fails to meet the minimum eligibility  
924 requirements of this section specified in subsection (4). Before  
925 a change in ownership of a private rebuilt inspection provider  
926 facility, the current owner operator must give the department 45  
927 days' written notice of the intended sale. The prospective owner  
928 must meet the all eligibility requirements of this section and  
929 execute a new contract memorandum of understanding with the  
930 department before he or she begins operating as a private  
931 rebuilt inspection provider the facility.

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

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



896914

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

943       Section 21. Section 319.1411, Florida Statutes, is created  
944 to read:

945       319.1411 Monitoring of private rebuilt inspection  
946 providers.—The department may monitor and inspect the operations  
947 of private rebuilt inspection providers as it deems necessary to  
948 determine whether the private rebuilt inspection provider is  
949 operating in compliance with this chapter and to determine if  
950 the private rebuilt inspection provider has engaged in any of  
951 the business practices prohibited under s. 319.1412.

952       Section 22. Section 319.142, Florida Statutes, is created  
953 to read:

954       319.142 Rules of conduct and prohibited business  
955 practices.—

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

959       (a) Engaging in any business transaction or activity that  
960 is in substantial conflict with the proper discharge of the  
961 private rebuilt inspection provider's duties in the public  
962 interest.

963       (b) Allowing a vehicle to pass inspection knowing that  
964 there was a material misrepresentation in the required  
965 documentation or that the documentation submitted in support of  
966 the inspection was counterfeit or materially altered.



896914

967       (c) Failure to report to the department the identification  
968 of a suspected stolen part or stolen vehicle during a rebuilt  
969 inspection.

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

973       (e) Knowingly falsifying department records or knowingly  
974 providing materially false or misleading information to the  
975 department.

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

980       (g) Passing a vehicle through inspection without having a  
981 reasonable basis to believe that all airbags that are subject to  
982 a safety recall issued by the National Highway Transportation  
983 Safety Administration were replaced with airbags not subject to  
984 such a safety recall.

985       (h) Failure to timely respond to a subpoena issued by the  
986 department.

987       (i) Conducting rebuilt inspection services at a physical  
988 location not approved in writing by the department or providing  
989 services from a mobile unit not approved in writing by the  
990 department.

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

993       (k) Failure to maintain at all times a good and sufficient  
994 surety bond or irrevocable letter of credit in the amount of  
995 \$100,000 which covers all activities under the private rebuilt



996 motor vehicle inspection program and names the department as an  
997 insured.

998 (1) Violation of this section or the contract between the  
999 department and the private rebuilt inspection provider.

1000 (m) The use of advertising that would reasonably lead the  
1001 public to believe that the provider was or is an employee or  
1002 representative of the department, or the use in its name of the  
1003 terms "Department of Highway Safety and Motor Vehicles," "DMV,"  
1004 "DHSMV," "FLHSMV," or "HSMV" or any other terms or logos that  
1005 that are associated with the department.

1006 (2) Written notice of termination of a contract under this  
1007 section must be provided before termination of the contract.

1008 Section 23. Section 319.1414, Florida Statutes, is created  
1009 to read:

1010 319.1414 Investigations; examinations; subpoenas; hearings;  
1011 witnesses.—

1012 (1) The department may conduct investigations and  
1013 examinations of department-authorized private rebuilt inspection  
1014 providers as it deems necessary to determine whether a person  
1015 has violated or is about to violate this chapter or a contract  
1016 entered into pursuant to this chapter or to assist with the  
1017 enforcement of this chapter.

1018 (2) For purposes of any investigation or examination  
1019 conducted under this section, the department may exercise the  
1020 power of subpoena and the powers to administer oaths or  
1021 affirmations, to examine witnesses, to require affidavits, to  
1022 take depositions, and to compel the attendance of witnesses and  
1023 the production of books, papers, documents, records, and other  
1024 evidence. Such subpoenas may be served by a designated agent of



896914

1025 the department.

1026 (3) If a person refuses to testify, produce books, papers,  
1027 documents, or records, or otherwise obey a subpoena or subpoena  
1028 duces tecum issued under subsection (2), the department may  
1029 petition a court of competent jurisdiction in the county where  
1030 the person's residence or principal place of business is  
1031 located, upon which the court must issue an order requiring such  
1032 person to obey the subpoena or show cause for failing to obey  
1033 the subpoena. Unless the person shows sufficient cause for  
1034 failing to obey the subpoena, the court shall direct the person  
1035 to obey the subpoena and award costs incurred by the department  
1036 to obtain the order. Failure to comply with such order is  
1037 contempt of court.

1038 (4) For the purpose of any investigation, examination, or  
1039 proceeding initiated by the department under this chapter, the  
1040 department is authorized to designate agents to serve subpoenas  
1041 and other process, and administer oaths or affirmations.

1042 (5) Witnesses subpoenaed under this section are entitled to  
1043 witness fees at the same rate established by s. 92.142 for  
1044 witnesses in a civil case, except that witness fees are not  
1045 payable for appearance at the witness's place of business during  
1046 regular business hours or at the witness's residence.

1047 (6) The department may adopt rules to administer this  
1048 section.

1049 Section 24. Section 319.25, Florida Statutes, is amended to  
1050 read:

1051 319.25 Cancellation of certificates; investigations;  
1052 subpoenas and other process; oaths; rules.-

1053 (1) If it appears that a certificate of title has been



896914

1054 improperly issued, the department shall cancel the certificate.  
1055 Upon cancellation of any certificate of title, the department  
1056 shall notify the person to whom the certificate of title was  
1057 issued, as well as any lienholders appearing thereon, of the  
1058 cancellation and shall demand the surrender of the certificate  
1059 of title, but the cancellation shall not affect the validity of  
1060 any lien noted thereon. The holder of the certificate of title  
1061 shall return it to the department forthwith. If a certificate of  
1062 registration has been issued to the holder of a certificate of  
1063 title so canceled, the department shall immediately cancel the  
1064 certificate of registration and demand the return of such  
1065 certificate of registration and license plate or mobile home  
1066 sticker; and the holder of such certificate of registration and  
1067 license plate or sticker shall return them to the department  
1068 forthwith.

1069 (2) The department is authorized, upon application of any  
1070 person and payment of the proper fees, to prepare and furnish  
1071 lists containing title information in such form as the  
1072 department may authorize, to search the records of the  
1073 department and make reports thereof, and to make photographic  
1074 copies of the department records and attestations thereof,  
1075 except as provided in chapter 119.

1076 (3) The department may conduct investigations and  
1077 examinations of any person suspected of violating or of having  
1078 violated this chapter or any rule adopted or order issued under  
1079 this chapter.

1080 (4) For purposes of any investigation or examination  
1081 conducted under this section, the department may exercise the  
1082 power of subpoena and the powers to administer oaths or



896914

1083 affirmations, to examine witnesses, to require affidavits, to  
1084 take depositions, and to compel the attendance of witnesses and  
1085 the production of books, papers, documents, records, and other  
1086 evidence. Such subpoenas may be served by an authorized  
1087 representative of the department.

1088 (5) If a person refuses to testify, produce books, papers,  
1089 documents, or records, or otherwise obey the subpoena or  
1090 subpoena duces tecum issued under subsection (4), the department  
1091 may petition a court of competent jurisdiction in the county  
1092 where the person's residence or principal place of business is  
1093 located, upon which the court must issue an order requiring such  
1094 person to obey the subpoena or show cause for failing to obey  
1095 the subpoena. Unless the person shows sufficient cause for  
1096 failing to obey the subpoena, the court must direct the person  
1097 to obey the subpoena and award costs incurred by the department  
1098 to obtain the order. Failure to comply with such order is  
1099 contempt of court.

1100 (6) For the purpose of any investigation, examination, or  
1101 proceeding initiated by the department under this chapter, the  
1102 department is authorized to designate agents to serve subpoenas  
1103 and other process, and administer oaths or affirmations.

1104 (7) Witnesses subpoenaed under this section are entitled to  
1105 witness fees at the same rate established by s. 92.142 for  
1106 witnesses in a civil case, except that witness fees are not  
1107 payable for appearance at the witness's place of business during  
1108 regular business hours or at the witness's residence.

1109 (8) The department may adopt rules to administer this  
1110 section.

1111 Section 25. Contingent upon the enactment of Senate Bill



896914

1112 7094 or other similar legislation enacted in the 2019 Regular  
1113 Session or an extension thereof, subsection (3) of section  
1114 319.40, Florida Statutes, is amended to read:

1115 319.40 Transactions by electronic or telephonic means.—

1116 (3) The department or tax collector may collect electronic  
1117 mail addresses or cellular telephone numbers and use electronic  
1118 mail or text messages in lieu of the United States Postal  
1119 Service as a method of notification and for the purpose of  
1120 providing information related to Department of Highway Safety  
1121 and Motor Vehicles functions in accordance with chapter 119 and  
1122 pursuant to the federal Driver Privacy Protection Act of 1994,  
1123 18 U.S.C. ss. 2721 et seq. However, any notice regarding the  
1124 potential forfeiture or foreclosure of an interest in property  
1125 must be sent via the United States Postal Service. The provision  
1126 of electronic mail addresses and cellular telephone numbers by  
1127 the applicant is optional and, before collection pursuant to  
1128 this subsection, the department or tax collector shall disclose  
1129 to the applicant the purposes for which the electronic mail  
1130 addresses and cellular telephone numbers may be used.

1131 Section 26. Subsection (24) of section 320.01, Florida  
1132 Statutes, is amended to read:

1133 320.01 Definitions, general.—As used in the Florida  
1134 Statutes, except as otherwise provided, the term:

1135 (24) "Apportionable vehicle" means any vehicle, except  
1136 recreational vehicles, vehicles displaying restricted plates,  
1137 city pickup and delivery vehicles, ~~buses used in transportation~~  
1138 ~~of chartered parties,~~ and government-owned vehicles, which is  
1139 used or intended for use in two or more member jurisdictions  
1140 that allocate or proportionally register vehicles and which is





896914

1141 used for the transportation of persons for hire or is designed,  
1142 used, or maintained primarily for the transportation of property  
1143 and:

1144 (a) Is a power unit having a gross vehicle weight in excess  
1145 of 26,000 pounds;

1146 (b) Is a power unit having three or more axles, regardless  
1147 of weight; or

1148 (c) Is used in combination, when the weight of such  
1149 combination exceeds 26,000 pounds gross vehicle weight.

1150  
1151 Vehicles, or combinations thereof, having a gross vehicle weight  
1152 of 26,000 pounds or less and two-axle vehicles may be  
1153 proportionally registered.

1154 Section 27. Paragraph (b) of subsection (4) of section  
1155 320.03, Florida Statutes, is amended to read:

1156 320.03 Registration; duties of tax collectors;  
1157 International Registration Plan.-

1158 (4)

1159 (b) The Florida Real Time Vehicle Information System shall  
1160 be installed in every tax collector's and license tag agent's  
1161 office in accordance with a schedule established by the  
1162 department in consultation with the tax collectors and  
1163 contingent upon funds being made available for the system by the  
1164 state. For the purpose of enhancing customer services provided  
1165 by tax collectors acting on behalf of the department, the  
1166 department, contingent upon an approved request and memorandum  
1167 of understanding, shall provide tax collectors, and tax  
1168 collector-approved agents and vendors with real-time access to  
1169 data that other third parties receive from the department



896914

1170 related to vehicle and mobile home registration certificates,  
1171 registration license plates, and validation stickers, including,  
1172 but not limited to, the most current address information and  
1173 electronic mail addresses of applicants. The memorandum of  
1174 understanding as required under this paragraph may not be more  
1175 restrictive than any memorandum of understanding between the  
1176 department and other third-party vendors.

1177       Section 28. Contingent upon the enactment of Senate Bill  
1178 7092 or other similar legislation enacted in the 2019 Regular  
1179 Session or an extension thereof, paragraph (b) of subsection (1)  
1180 of section 320.06, Florida Statutes, is amended to read:

1181       320.06 Registration certificates, license plates, and  
1182 validation stickers generally.-

1183       (1)

1184       (b)1. Registration license plates bearing a graphic symbol  
1185 and the alphanumeric system of identification shall be issued  
1186 for a 10-year period. At the end of the 10-year period, upon  
1187 renewal, the plate shall be replaced. The department shall  
1188 extend the scheduled license plate replacement date from a 6-  
1189 year period to a 10-year period. The fee for such replacement is  
1190 \$28, \$2.80 of which shall be paid each year before the plate is  
1191 replaced, to be credited toward the next \$28 replacement fee.  
1192 The fees shall be deposited into the Highway Safety Operating  
1193 Trust Fund. A credit or refund may not be given for any prior  
1194 years' payments of the prorated replacement fee if the plate is  
1195 replaced or surrendered before the end of the 10-year period,  
1196 except that a credit may be given if a registrant is required by  
1197 the department to replace a license plate under s.

1198 320.08056(8) (a). With each license plate, a validation sticker



896914

1199 shall be issued showing the owner's birth month, license plate  
1200 number, and the year of expiration or the appropriate renewal  
1201 period if the owner is not a natural person. The validation  
1202 sticker shall be placed on the upper right corner of the license  
1203 plate. The license plate and validation sticker shall be issued  
1204 based on the applicant's appropriate renewal period. The  
1205 registration period is 12 months, the extended registration  
1206 period is 24 months, and all expirations occur based on the  
1207 applicant's appropriate registration period.

1208 2. A vehicle that has an apportioned registration shall be  
1209 issued an annual license plate and a cab card denoting that  
1210 ~~denote~~ the declared gross vehicle weight for each apportioned  
1211 jurisdiction ~~in which the vehicle is authorized to operate.~~ This  
1212 subparagraph expires January 1, 2023.

1213 3. Upon implementation of a new operating system for  
1214 apportioned vehicle registration, a vehicle registered in  
1215 accordance with the International Registration Plan must be  
1216 issued a license plate for a 5-year period, an annual cab card  
1217 denoting the declared gross vehicle weight for each apportioned  
1218 jurisdiction, and an annual validation sticker showing the month  
1219 and year of expiration. The validation sticker must be placed in  
1220 the center of the license plate. The license plate and  
1221 validation sticker must be issued based on the applicant's  
1222 appropriate renewal period. The registration period is 12  
1223 months. This fee must be deposited into the Highway Safety  
1224 Operating Trust Fund. If the license plate is damaged or worn,  
1225 it may be replaced at no charge by applying to the department  
1226 and surrendering the current license plate.

1227 4.2. In order to retain the efficient administration of the



896914

1228 taxes and fees imposed by this chapter, the 80-cent fee increase  
1229 in the replacement fee imposed by chapter 2009-71, Laws of  
1230 Florida, is negated as provided in s. 320.0804.

1231 Section 29. Subsection (2) of section 320.06, Florida  
1232 Statutes, is amended to read:

1233 320.06 Registration certificates, license plates, and  
1234 validation stickers generally.—

1235 (2) The department shall provide the several tax collectors  
1236 and license plate agents with the necessary number of validation  
1237 stickers. However, the tax collectors and their agents shall  
1238 have the option to purchase validation stickers and paper stock  
1239 that is used to produce vehicle registrations from the  
1240 department's contracted vendor or from other vendors if such  
1241 items meet the department's specifications and are procured at  
1242 prices that are at or lower than the pricing reflected in the  
1243 department's existing contracts for procuring these items. Such  
1244 purchases by the tax collectors and their agents are exempt from  
1245 the competitive bid requirements of chapter 287. The department  
1246 shall reimburse the tax collectors and their agents for these  
1247 purchases, but reimbursement may not be made at prices higher  
1248 than the pricing contained in the department's existing  
1249 contract. The tax collectors and their agents shall invoice the  
1250 department in arrears for the validation stickers and vehicle  
1251 registrations as they are issued.

1252 Section 30. Subsection (5) of section 320.0607, Florida  
1253 Statutes, is amended to read:

1254 320.0607 Replacement license plates, validation decal, or  
1255 mobile home sticker.—

1256 (5) Upon the issuance of an original license plate, the



896914

1257 applicant shall pay a fee of \$28 to be deposited in the Highway  
1258 Safety Operating Trust Fund. Upon implementation of a new  
1259 operating system for apportioned vehicle registrations, this  
1260 subsection does not apply to a vehicle registered under the  
1261 International Registration Plan.

1262 Section 31. Subsection (10) is added to section 320.131,  
1263 Florida Statutes, to read:

1264 320.131 Temporary tags.—

1265 (10) The department may partner with a county tax collector  
1266 to conduct a Fleet Vehicle Temporary Tag Pilot Program to  
1267 provide temporary tags to fleet companies to allow them to  
1268 operate fleet vehicles awaiting a permanent registration and  
1269 title.

1270 (a) The department shall enter into a memorandum of  
1271 understanding that allows up to 10 companies to participate in  
1272 the pilot program and to receive multiple temporary tags for  
1273 company fleet vehicles.

1274 (b) To participate in the program, a fleet company must  
1275 have at least 3,500 fleet vehicles registered in this state  
1276 which qualify to be registered as fleet vehicles pursuant to s.  
1277 320.0657.

1278 (c) The department, upon the request of an eligible fleet  
1279 company, may issue up to 50 temporary tags per request to such  
1280 company.

1281 (d) A temporary tag issued under this subsection is for  
1282 exclusive use on a vehicle purchased for the company's fleet and  
1283 may not be used on any other vehicle.

1284 (e) Each temporary tag may be used on only one vehicle, and  
1285 each vehicle may use only one temporary tag.



1286 (f) Upon issuance of the vehicle's permanent license plate  
1287 and registration, the temporary tag becomes invalid and must be  
1288 removed from the vehicle and destroyed.

1289 (g) Upon a finding by the department that a temporary tag  
1290 has been misused by a fleet company under the program, the  
1291 department may terminate the memorandum of understanding with  
1292 the company, invalidate all temporary tags issued to the company  
1293 under the program, and require such company to return any unused  
1294 temporary tags.

1295 (h) The issuance of a tag using this method must be  
1296 reported to the department within 2 business days, not including  
1297 weekends or state holidays, after the issuance of the tag. The  
1298 county tax collector shall keep a record of each temporary tag  
1299 issued. The record must include the date of issuance, tag number  
1300 issued, vehicle identification number, and vehicle description.

1301 (i) This subsection is repealed October 1, 2022, unless  
1302 saved from repeal through reenactment by the Legislature.

1303 Section 32. Paragraph (g) is added to subsection (1) of  
1304 section 320.27, Florida Statutes, and paragraph (a) of  
1305 subsection (9) and subsection (11) of that section are amended,  
1306 to read:

1307 320.27 Motor vehicle dealers.—

1308 (1) DEFINITIONS.—The following words, terms, and phrases  
1309 when used in this section have the meanings respectively  
1310 ascribed to them in this subsection, except where the context  
1311 clearly indicates a different meaning:

1312 (g) "Control person" means any person who has significant  
1313 authority, directly or indirectly, to direct the management or  
1314 policies of a company, whether through ownership, by contract,



896914

1315 or otherwise. The term includes any person who is an owner,  
1316 director, general partner, officer, manager, or employee  
1317 exercising decisionmaking responsibility or exercising similar  
1318 executive status or functions. The term does not include an  
1319 employee whose function is only clerical, ministerial, or in  
1320 sales under the supervision of an owner or manager or other  
1321 person exercising decisionmaking responsibility.

1322 (9) DENIAL, SUSPENSION, OR REVOCATION.—

1323 (a) The department may deny a new or renewal application  
1324 for or ~~suspend~~, or revoke any license issued hereunder or under  
1325 ~~the provisions of~~ s. 320.77 or s. 320.771 upon proof that an  
1326 applicant or a licensee has:

1327 1. Committed fraud or willful misrepresentation in  
1328 application for or in obtaining a license.

1329 2. Been convicted of a felony and either has not completed  
1330 the resulting felony sentence or has completed the felony  
1331 sentence less than 10 years from the date of licensure  
1332 application.

1333 3. Failed to honor a bank draft or check given to a motor  
1334 vehicle dealer for the purchase of a motor vehicle by another  
1335 motor vehicle dealer within 10 days after notification that the  
1336 bank draft or check has been dishonored. If the transaction is  
1337 disputed, the maker of the bank draft or check shall post a bond  
1338 in accordance with the provisions of s. 559.917, and no  
1339 proceeding for revocation or suspension shall be commenced until  
1340 the dispute is resolved.

1341 4.a. Failed to provide payment within 10 business days to  
1342 the department for a check payable to the department that was  
1343 dishonored due to insufficient funds in the amount due plus any



896914

1344 statutorily authorized fee for uttering a worthless check. The  
1345 department shall notify an applicant or licensee when the  
1346 applicant or licensee makes payment to the department by a check  
1347 that is subsequently dishonored by the bank due to insufficient  
1348 funds. The applicant or licensee shall, within 10 business days  
1349 after receiving the notice, provide payment to the department in  
1350 the form of cash in the amount due plus any statutorily  
1351 authorized fee. If the applicant or licensee fails to make such  
1352 payment within 10 business days, the department may deny,  
1353 suspend, or revoke the applicant's or licensee's motor vehicle  
1354 dealer license.

1355       b. Stopped payment on a check payable to the department,  
1356 issued a check payable to the department from an account that  
1357 has been closed, or charged back a credit card transaction to  
1358 the department. If an applicant or licensee commits any such  
1359 act, the department may deny, suspend, or revoke the applicant's  
1360 or licensee's motor vehicle dealer license.

1361       5.a. Previously owned a majority interest in, or acted as a  
1362 control person of, a motor vehicle dealer that, within the past  
1363 10 years, has been the subject of any decision, finding,  
1364 injunction, suspension, revocation, denial, judgment, or  
1365 administrative order by any court of competent jurisdiction,  
1366 administrative law judge, or any state agency which resulted in  
1367 a finding of violation of any federal or state law relating to  
1368 unlicensed activity or fraud in connection with the sale of a  
1369 motor vehicle.

1370       b. Knowingly employed or contracted with a person under  
1371 sub-subparagraph a. or a person who has been convicted of a  
1372 felony and either has not completed the resulting felony





896914

1373 sentence or completed the felony sentence less than 10 years  
1374 from the date of licensure application as a control person.

1375 (11) INJUNCTION.—

1376 (a) In addition to the remedies provided in this chapter  
1377 and notwithstanding the existence of any adequate remedy at law,  
1378 the department is authorized to make application to any circuit  
1379 court of the state, and such circuit court shall have  
1380 jurisdiction, upon a hearing and for cause shown, to grant a  
1381 temporary or permanent injunction, or both, restraining any  
1382 person from acting as a motor vehicle dealer under the terms of  
1383 this section without being properly licensed hereunder, from  
1384 violating or continuing to violate any of the provisions of  
1385 chapter 319, this chapter, or ss. 559.901-559.9221, or for  
1386 failing or refusing to comply with the requirements of chapter  
1387 319, this chapter, or ss. 559.901-559.9221, or any rule or  
1388 regulation adopted thereunder, such injunction to be issued  
1389 without bond. A single act in violation of the provisions of  
1390 chapter 319, this chapter, or chapter 559 shall be sufficient to  
1391 authorize the issuance of an injunction.

1392 (b) If the court grants the injunction, the court may bar,  
1393 permanently or for a specific time, any person found to have  
1394 violated any federal or state law relating to unlicensed  
1395 activity or fraud in connection with the sale of a motor  
1396 vehicle. A person who is barred by the court under this  
1397 paragraph may not continue in any capacity within the industry.  
1398 The person may not have a management, sales, or any other role  
1399 in the operation of a dealership. Further, if permanently  
1400 barred, the person may not derive income from the dealership  
1401 beyond reasonable compensation for the sale of his or her



896914

1402 ownership interest in the business.

1403 Section 33. Subsection (2) of section 320.8232, Florida  
1404 Statutes, is amended to read:

1405 320.8232 Establishment of uniform standards for used  
1406 recreational vehicles and repair and remodeling code for mobile  
1407 homes.—

1408 (2) The provisions of the Mobile and Manufactured Home  
1409 Repair and Remodeling Code shall be a uniform code and repair  
1410 and remodeling code shall ensure safe and livable housing and  
1411 shall not be more stringent than those standards required to be  
1412 met in the manufacture of mobile homes. Such provisions shall  
1413 include, but not be limited to, standards for structural  
1414 adequacy, plumbing, heating, electrical systems, and fire and  
1415 life safety. All repair and remodeling of mobile and  
1416 manufactured homes shall be done in accordance with department  
1417 rules.

1418 Section 34. Section 320.861, Florida Statutes, is amended  
1419 to read:

1420 320.861 Investigations; subpoenas and other process; oaths;  
1421 rules ~~Inspection of records; production of evidence; subpoena~~  
1422 ~~power.~~—

1423 (1) The department may conduct investigations and  
1424 examinations on any person suspected of violating or of having  
1425 violated this chapter or any rule adopted or order issued  
1426 thereunder ~~inspect the pertinent books, records, letters, and~~  
1427 ~~contracts of any licensee, whether dealer or manufacturer,~~  
1428 ~~relating to any written complaint made to it against such~~  
1429 ~~licensee.~~

1430 (2) For purposes of any investigation or examination



896914

1431 conducted under this section, the department ~~may is granted and~~  
1432 ~~authorized to~~ exercise the power of subpoena ~~and the powers to~~  
1433 ~~administer oaths or affirmations, to examine witnesses, to~~  
1434 ~~require affidavits, to take depositions, and to compel the~~  
1435 ~~attendance of witnesses and the production of books, papers,~~  
1436 ~~documents, records, and other evidence. Such subpoenas may be~~  
1437 ~~served by a designated agent of the department for the~~  
1438 ~~attendance of witnesses and the production of any documentary~~  
1439 ~~evidence necessary to the disposition by it of any written~~  
1440 ~~complaint against any licensee, whether dealer or manufacturer.~~

1441 (3) If a person refuses to testify; to produce books,  
1442 papers, documents, or records; or to otherwise obey the subpoena  
1443 or subpoena duces tecum issued under subsection (2), the  
1444 department may petition a court of competent jurisdiction in the  
1445 county where the person's residence or principal place of  
1446 business is located, upon which the court must issue an order  
1447 requiring such person to obey the subpoena or show cause for  
1448 failing to obey the subpoena. Unless the person shows sufficient  
1449 cause for failing to obey the subpoena, the court must direct  
1450 the person to obey the subpoena and award costs incurred by the  
1451 department to obtain the order. Failure to comply with such  
1452 order constitutes contempt of court.

1453 (4) For the purpose of any investigation, examination, or  
1454 proceeding initiated by the department under this chapter, the  
1455 department may designate agents to serve subpoenas and other  
1456 process and administer oaths or affirmations. The department  
1457 shall exercise this power on its own initiative in accordance  
1458 with ss. 320.615 and 320.71.

1459 (5) Witnesses subpoenaed under this section are entitled to



896914

1460 witness fees at the same rate established by s. 92.142 for  
1461 witnesses in a civil case, except that witness fees are not  
1462 payable for appearance at the witness's place of business during  
1463 regular business hours or at the witness's residence.

1464 (6) The department may adopt rules to administer this  
1465 section.

1466 Section 35. Contingent upon the enactment of Senate Bill  
1467 7094 or other similar legislation enacted in the 2019 Regular  
1468 Session or an extension thereof, subsection (2) of section  
1469 320.95, Florida Statutes, is amended to read:

1470 320.95 Transactions by electronic or telephonic means.—

1471 (2) The department or tax collector may collect electronic  
1472 mail addresses or cellular telephone numbers and use electronic  
1473 mail or text messages in lieu of the United States Postal  
1474 Service for the purpose of providing information related to  
1475 Department of Highway Safety and Motor Vehicles functions in  
1476 accordance with chapter 119 and pursuant to the federal Driver  
1477 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The  
1478 provision of electronic mail addresses and cellular telephone  
1479 numbers by the applicant is optional and, before collection  
1480 pursuant to this subsection, the department or tax collector  
1481 shall disclose to the applicant the purposes for which the  
1482 electronic mail addresses and cellular telephone numbers may be  
1483 used ~~renewal notices.~~

1484 Section 36. Subsection (1) of section 321.05, Florida  
1485 Statutes, is amended to read:

1486 321.05 Duties, functions, and powers of patrol officers.—

1487 The members of the Florida Highway Patrol are hereby declared to  
1488 be conservators of the peace and law enforcement officers of the



896914

1489 state, with the common-law right to arrest a person who, in the  
1490 presence of the arresting officer, commits a felony or commits  
1491 an affray or breach of the peace constituting a misdemeanor,  
1492 with full power to bear arms; and they shall apprehend, without  
1493 warrant, any person in the unlawful commission of any of the  
1494 acts over which the members of the Florida Highway Patrol are  
1495 given jurisdiction as hereinafter set out and deliver him or her  
1496 to the sheriff of the county that further proceedings may be had  
1497 against him or her according to law. In the performance of any  
1498 of the powers, duties, and functions authorized by law, members  
1499 of the Florida Highway Patrol have the same protections and  
1500 immunities afforded other peace officers, which shall be  
1501 recognized by all courts having jurisdiction over offenses  
1502 against the laws of this state, and have authority to apply for,  
1503 serve, and execute search warrants, arrest warrants, capias, and  
1504 other process of the court. The patrol officers under the  
1505 direction and supervision of the Department of Highway Safety  
1506 and Motor Vehicles shall perform and exercise throughout the  
1507 state the following duties, functions, and powers:

1508 (1) To patrol the state highways and regulate, control, and  
1509 direct the movement of traffic thereon; to maintain the public  
1510 peace by preventing violence on highways; to apprehend fugitives  
1511 from justice; to enforce all laws regulating and governing  
1512 traffic, travel, and public safety upon the public highways and  
1513 providing for the protection of the public highways and public  
1514 property thereon, including the security and safety of this  
1515 state's transportation infrastructure; to make arrests without  
1516 warrant for the violation of any state law committed in their  
1517 presence in accordance with state law; providing that no search



896914

1518 may be made unless it is incident to a lawful arrest, to  
1519 regulate and direct traffic concentrations and congestions; to  
1520 enforce laws governing the operation, licensing, and taxing and  
1521 limiting the size, weight, width, length, and speed of vehicles  
1522 and licensing and controlling the operations of drivers and  
1523 operators of vehicles, including the safety, size, and weight of  
1524 commercial motor vehicles; to collect all state fees and  
1525 revenues levied as an incident to the use or right to use the  
1526 highways for any purpose, including the taxing and registration  
1527 of commercial motor vehicles; to require the drivers of vehicles  
1528 to stop and exhibit their driver licenses, registration cards,  
1529 or documents required by law to be carried by such vehicles; to  
1530 investigate traffic crashes ~~accidents~~, secure testimony of  
1531 witnesses and of persons involved, and make report thereof with  
1532 copy, if requested in writing, to any person in interest or his  
1533 or her attorney; to investigate reported thefts of vehicles; and  
1534 to seize contraband or stolen property on or being transported  
1535 on the highways. Each patrol officer of the Florida Highway  
1536 Patrol is subject to and has the same arrest and other authority  
1537 provided for law enforcement officers generally in chapter 901  
1538 and has statewide jurisdiction. Each officer also has arrest  
1539 authority as provided for state law enforcement officers in s.  
1540 901.15. This section does not conflict with, but is supplemental  
1541 to, chapter 933.

1542 Section 37. Section 321.065, Florida Statutes, is amended  
1543 to read:

1544 321.065 Traffic crash ~~accident~~ investigation officers;  
1545 employment; standards.—The department may employ traffic crash  
1546 ~~accident~~ investigation officers who must complete any applicable



896914

1547 standards adopted by the Florida Highway Patrol, including, but  
1548 not limited to: cognitive testing, drug testing, polygraph  
1549 testing, psychological testing, and an extensive background  
1550 check, including a credit check.

1551 Section 38. Paragraph (d) of subsection (2) of section  
1552 321.23, Florida Statutes, is amended to read:

1553 321.23 Public records; fees for copies; destruction of  
1554 obsolete records; photographing records; effect as evidence.—

1555 (2) Fees for copies of public records shall be charged and  
1556 collected as follows:

1557 (d) Photographs (crashes ~~accidents~~, etc.):

	Enlargement Proof	Color	Black & White
1559	1. 5" x 7"	\$1.00	\$0.75
1560	2. 8" x 10"	\$1.50	\$1.00
1561	3. 11" x 14"	Not Available	\$1.75
1562	4. 16" x 20"	Not Available	\$2.75
1563	5. 20" x 24"	Not Available	\$3.75

1564  
1565  
1566  
1567  
1568 The department shall furnish such information without charge to



896914

1569 any local, state, or federal law enforcement agency upon proof  
1570 satisfactory to the department as to the purpose of the  
1571 investigation.

1572 Section 39. Paragraph (a) of subsection (2) of section  
1573 322.051, Florida Statutes, is amended to read:

1574 322.051 Identification cards.—

1575 (2) (a) Every identification card:

1576 1. Issued to a person 5 years of age to 14 years of age  
1577 shall expire, unless canceled earlier, on the fourth birthday of  
1578 the applicant following the date of original issue.

1579 2. Issued to a person 15 years of age and older shall  
1580 expire, unless canceled earlier, on the eighth birthday of the  
1581 applicant following the date of original issue.

1582  
1583 Renewal of an identification card shall be made for the  
1584 applicable term enumerated in this paragraph. Any application  
1585 for renewal received later than 12 months ~~90 days~~ after  
1586 expiration of the identification card shall be considered the  
1587 same as an application for an original identification card.

1588 Section 40. Paragraphs (a) and (b) of subsection (4) of  
1589 section 322.0602, Florida Statutes, are amended to read:

1590 322.0602 Youthful Drunk Driver Visitation Program.—

1591 (4) VISITATION REQUIREMENT.—

1592 (a) To the extent that personnel and facilities are made  
1593 available to the court, the court may include a requirement for  
1594 supervised visitation by the probationer to all, or any, of the  
1595 following:

1596 1. A trauma center, as defined in s. 395.4001, or a  
1597 hospital as defined in s. 395.002, which regularly receives





896914

1598 victims of vehicle crashes ~~accidents~~, between the hours of 10  
1599 p.m. and 2 a.m. on a Friday or Saturday night, in order to  
1600 observe appropriate victims of vehicle crashes ~~accidents~~  
1601 involving drinking drivers, under the supervision of any of the  
1602 following:

1603       a. A registered nurse trained in providing emergency trauma  
1604 care or prehospital advanced life support.

1605       b. An emergency room physician.

1606       c. An emergency medical technician.

1607       2. A licensed service provider, as defined in s. 397.311,  
1608 which cares for substance abuse impaired persons, to observe  
1609 persons in the terminal stages of substance abuse impairment,  
1610 under the supervision of appropriately licensed medical  
1611 personnel. Prior to any visitation of such terminally ill or  
1612 disabled persons, the persons or their legal representatives  
1613 must give their express consent to participate in the visitation  
1614 program.

1615       3. If approved by the county coroner, the county coroner's  
1616 office or the county morgue to observe appropriate victims of  
1617 vehicle crashes ~~accidents~~ involving drinking drivers, under the  
1618 supervision of the coroner or a deputy coroner.

1619       (b) As used in this section, the term "appropriate victims"  
1620 means victims or their legal representatives, including the next  
1621 of kin, who have expressly given their consent to participate in  
1622 the visitation program and victims whose condition is determined  
1623 by the visitation supervisor to demonstrate the results of  
1624 crashes ~~accidents~~ involving drinking drivers without being  
1625 excessively gruesome or traumatic to the probationer.

1626       Section 41. Contingent upon the enactment of Senate Bill



896914

1627 7094 or other similar legislation enacted in the 2019 Regular  
1628 Session or an extension thereof, subsection (10) of section  
1629 322.08, Florida Statutes, is amended to read:

1630 322.08 Application for license; requirements for license  
1631 and identification card forms.—

1632 (10) The department or tax collector may collect electronic  
1633 mail addresses or cellular telephone numbers and use electronic  
1634 mail or text messages in lieu of the United States Postal  
1635 Service for the purpose of providing information related to  
1636 Department of Highway Safety and Motor Vehicles functions in  
1637 accordance with chapter 119 and pursuant to the federal Driver  
1638 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The  
1639 provision of electronic mail addresses and cellular telephone  
1640 numbers by the applicant is optional and, before collection  
1641 pursuant to this subsection, the department or tax collector  
1642 shall disclose to the applicant the purposes for which the  
1643 electronic mail addresses and cellular telephone numbers may be  
1644 used ~~renewal notices.~~

1645 Section 42. Subsection (5) of section 322.091, Florida  
1646 Statutes, is amended to read:

1647 322.091 Attendance requirements.—

1648 (5) REPORTING AND ACCOUNTABILITY.—The department shall make  
1649 available, upon request, a report ~~quarterly~~ to each school  
1650 district which includes the legal name, sex, date of birth, and  
1651 social security number of each student whose driving privileges  
1652 have been suspended under this section.

1653 Section 43. Section 322.17, Florida Statutes, is amended to  
1654 read:

1655 322.17 Replacement licenses, identification cards, and



896914

1656 permits.-

1657           (1) (a) In the event that an instruction permit or driver  
1658 license issued under the provisions of this chapter is lost or  
1659 destroyed, the person to whom the same was issued may, upon  
1660 payment of the appropriate fee pursuant to s. 322.21, obtain a  
1661 replacement upon furnishing proof satisfactory to the department  
1662 that such permit or license has been lost or destroyed, and  
1663 further furnishing the full name, date of birth, sex, residence  
1664 and mailing address, proof of birth satisfactory to the  
1665 department, and proof of identity satisfactory to the  
1666 department.

1667           (b) In the event that an instruction permit, ~~or~~ driver  
1668 license, or identification card issued under the provisions of  
1669 this chapter is stolen, the person to whom the same was issued  
1670 may, at no charge, obtain a replacement upon furnishing proof  
1671 satisfactory to the department that such permit, ~~or~~ license, or  
1672 identification card was stolen and further furnishing the  
1673 person's full name, date of birth, sex, residence and mailing  
1674 address, proof of birth satisfactory to the department, and  
1675 proof of identity satisfactory to the department.

1676           (2) Upon the surrender of the original license and the  
1677 payment of the appropriate fees pursuant to s. 322.21, the  
1678 department shall issue a replacement license to make a change in  
1679 name, address, or restrictions.

1680           (3) Notwithstanding any other provisions of this chapter,  
1681 if a licensee establishes his or her identity for a driver  
1682 license using an identification document authorized under s.  
1683 322.08(2)(c)7. or 8., the licensee may not obtain a duplicate or  
1684 replacement instruction permit or driver license except in



896914

1685 person and upon submission of an identification document  
1686 authorized under s. 322.08(2)(c)7. or 8.

1687 (4) Notwithstanding any other provision of this section or  
1688 s. 322.21, the department shall, if necessary, issue or renew a  
1689 replacement driver license at no charge to an inmate if the  
1690 department determines that he or she has a valid driver license.  
1691 If the replacement driver license is scheduled to expire within  
1692 6 months, the department may also issue a temporary permit valid  
1693 for at least 6 months after the release date.

1694 Section 44. Subsection (10) is added to section 322.21,  
1695 Florida Statutes, to read:

1696 322.21 License fees; procedure for handling and collecting  
1697 fees.-

1698 (10) An applicant who submits an application for a renewal  
1699 or replacement driver license or identification card to the  
1700 department using a convenience service must be provided with an  
1701 option for expedited shipping in which the department, at the  
1702 applicant's request, must issue the license or identification  
1703 card within 5 working days after receipt of the application and  
1704 ship the license or card using an expedited mail service. The  
1705 department must charge the applicant electing the expedited  
1706 shipping option for the exact cost of the expedited mail  
1707 service, which is in addition to fees imposed by s. 322.051 or  
1708 this section. Funds collected for the expedited shipping shall  
1709 be deposited into the Highway Safety Operating Trust Fund.

1710 Section 45. Present subsection (8) of section 322.212,  
1711 Florida Statutes, is redesignated as subsection (9), a new  
1712 subsection (8) is added to that section, and subsection (5) of  
1713 that section is amended, to read:



896914

1714           322.212 Unauthorized possession of, and other unlawful acts  
1715 in relation to, driver license or identification card.—

1716           (5) (a) It is unlawful for any person to use a false or  
1717 fictitious name in any application for a driver license or  
1718 identification card or knowingly to make a false statement,  
1719 knowingly conceal a material fact, knowingly provide altered or  
1720 counterfeit documents, knowingly participate in dishonest or  
1721 deceptive actions, or otherwise commit a fraud in any such  
1722 application.

1723           (b) It is unlawful for any person to have in his or her  
1724 possession a driver license or identification card upon which  
1725 the date of birth has been altered.

1726           (c) It is unlawful for any person designated as a sexual  
1727 predator or sexual offender to have in his or her possession a  
1728 driver license or identification card upon which the sexual  
1729 predator or sexual offender markings required by s. 322.141 are  
1730 not displayed or have been altered.

1731           (8) In addition to any other penalties provided by this  
1732 section, the department shall suspend the license or permit of  
1733 any person who provides false information when applying for a  
1734 driver license, identification card, commercial driver license,  
1735 or commercial learner's permit or who is convicted of fraud in  
1736 connection with testing for a driver license, commercial driver  
1737 license, or commercial learner's permit for a period of 1 year.

1738           Section 46. Section 322.36, Florida Statutes, is amended to  
1739 read:

1740           322.36 Permitting unauthorized operator to drive.—A person  
1741 may not authorize or knowingly permit a motor vehicle owned by  
1742 him or her or under his or her dominion or control to be



896914

1743 operated upon any highway or public street except by a person  
1744 who is duly authorized to operate a motor vehicle under this  
1745 chapter. Any person who violates this section commits a  
1746 misdemeanor of the second degree, punishable as provided in s.  
1747 775.082 or s. 775.083. If a person violates this section by  
1748 knowingly loaning a vehicle to a person whose driver license is  
1749 suspended and if that vehicle is involved in a crash ~~an accident~~  
1750 resulting in bodily injury or death, the driver license of the  
1751 person violating this section shall be suspended for 1 year.

1752 Section 47. Subsection (1) of section 322.61, Florida  
1753 Statutes, is amended to read:

1754 322.61 Disqualification from operating a commercial motor  
1755 vehicle.—

1756 (1) A person who, for offenses occurring within a 3-year  
1757 period, is convicted of two of the following serious traffic  
1758 violations or any combination thereof, arising in separate  
1759 incidents committed in a commercial motor vehicle shall, in  
1760 addition to any other applicable penalties, be disqualified from  
1761 operating a commercial motor vehicle for a period of 60 days. A  
1762 holder of a commercial driver license or commercial learner's  
1763 permit who, for offenses occurring within a 3-year period, is  
1764 convicted of two of the following serious traffic violations, or  
1765 any combination thereof, arising in separate incidents committed  
1766 in a noncommercial motor vehicle shall, in addition to any other  
1767 applicable penalties, be disqualified from operating a  
1768 commercial motor vehicle for a period of 60 days if such  
1769 convictions result in the suspension, revocation, or  
1770 cancellation of the licenseholder's driving privilege:

1771 (a) A violation of any state or local law relating to motor



896914

1772 vehicle traffic control, other than a parking violation, arising  
1773 in connection with a crash resulting in death.†

1774 (b) Reckless driving, as defined in s. 316.192.†

1775 (c) Unlawful speed of 15 miles per hour or more above the  
1776 posted speed limit.;

1777 (d) Improper lane change, as defined in s. 316.085.†

1778 (e) Following too closely, as defined in s. 316.0895.†

1779 (f) Driving a commercial vehicle without obtaining a  
1780 commercial driver license.†

1781 (g) Driving a commercial vehicle without the proper class  
1782 of commercial driver license or commercial learner's permit or  
1783 without the proper endorsement.†~~†~~

1784 (h) Driving a commercial vehicle without a commercial  
1785 driver license or commercial learner's permit in possession, as  
1786 required by s. 322.03.

1787 (i) Texting while driving a commercial motor vehicle as  
1788 prohibited by 49 C.F.R. 392.80.

1789 (j) Using a hand-held mobile telephone while driving a  
1790 commercial motor vehicle, as prohibited by 49 C.F.R 392.82.

1791 Section 48. Section 322.71, Florida Statutes, is created to  
1792 read:

1793 322.71 Investigations; subpoenas and other process; oaths;  
1794 rules.-

1795 (1) The department may conduct investigations and  
1796 examinations on any person suspected of violating or of having  
1797 violated any provision of this chapter or any rule adopted or  
1798 order issued under this chapter.

1799 (2) For purposes of any investigation or examination  
1800 conducted under this section, the department may exercise the



896914

1801 power of subpoena and the powers to administer oaths or  
1802 affirmations, to examine witnesses, to require affidavits, to  
1803 take depositions, and to compel the attendance of witnesses and  
1804 the production of books, papers, documents, records, and other  
1805 evidence. Such subpoenas may be served by an authorized  
1806 representative of the department.

1807 (3) If a person refuses to testify; to produce books,  
1808 papers, documents, or records; or to otherwise obey the subpoena  
1809 or subpoena duces tecum issued under subsection (2), the  
1810 department may petition a court of competent jurisdiction in the  
1811 county where the person's residence or principal place of  
1812 business is located, upon which the court must issue an order  
1813 requiring such person to obey the subpoena or show cause for  
1814 failing to obey the subpoena. Unless the person shows sufficient  
1815 cause for failing to obey the subpoena, the court must direct  
1816 the person to obey the subpoena and award costs incurred by the  
1817 department to obtain the order. Failure to comply with such  
1818 order constitutes contempt of court.

1819 (4) For the purpose of any investigation, examination, or  
1820 proceeding initiated by the department under this chapter, the  
1821 department may designate agents to serve subpoenas and other  
1822 process and administer oaths or affirmations.

1823 (5) Witnesses subpoenaed under this section are entitled to  
1824 witness fees at the same rate established by s. 92.142 for  
1825 witnesses in a civil case, except that witness fees are not  
1826 payable for appearance at the witness's place of business during  
1827 regular business hours or at the witness's residence.

1828 (6) The department may adopt rules to administer this  
1829 section.





896914

1830 Section 49. Subsection (4) of section 323.001, Florida  
1831 Statutes, is amended to read:

1832 323.001 Wrecker operator storage facilities; vehicle  
1833 holds.—

1834 (4) The requirements for a written hold apply when the  
1835 following conditions are present:

1836 (a) The officer has probable cause to believe the vehicle  
1837 should be seized and forfeited under the Florida Contraband  
1838 Forfeiture Act, ss. 932.701-932.7062;

1839 (b) The officer has probable cause to believe the vehicle  
1840 should be seized and forfeited under chapter 379;

1841 (c) The officer has probable cause to believe the vehicle  
1842 was used as the means of committing a crime;

1843 (d) The officer has probable cause to believe that the  
1844 vehicle is itself evidence that tends to show that a crime has  
1845 been committed or that the vehicle contains evidence, which  
1846 cannot readily be removed, which tends to show that a crime has  
1847 been committed;

1848 (e) The officer has probable cause to believe the vehicle  
1849 was involved in a traffic crash ~~accident~~ resulting in death or  
1850 personal injury and should be sealed for investigation and  
1851 collection of evidence by a vehicular homicide investigator;

1852 (f) The vehicle is impounded or immobilized pursuant to s.  
1853 316.193 or s. 322.34; or

1854 (g) The officer is complying with a court order.

1855 Section 50. Paragraph (c) of subsection (1), paragraph (c)  
1856 of subsection (2), and subsection (4) of section 323.002,  
1857 Florida Statutes, are amended to read:

1858 323.002 County and municipal wrecker operator systems;



896914

1859 penalties for operation outside of system.-

1860 (1) As used in this section, the term:

1861 (c) "Wrecker operator system" means a system for the towing  
1862 or removal of wrecked, disabled, or abandoned vehicles, similar  
1863 to the Florida Highway Patrol wrecker operator system described  
1864 in s. 321.051(2), under which a county or municipality contracts  
1865 with one or more wrecker operators for the towing or removal of  
1866 wrecked, disabled, or abandoned vehicles from crash ~~accident~~  
1867 scenes, streets, or highways. A wrecker operator system shall  
1868 include using a method for apportioning the towing assignments  
1869 among the eligible wrecker operators through the creation of  
1870 geographic zones, a rotation schedule, or a combination of these  
1871 methods.

1872 (2) In any county or municipality that operates a wrecker  
1873 operator system:

1874 (c) When an unauthorized wrecker operator drives by the  
1875 scene of a wrecked or disabled vehicle and the owner or operator  
1876 initiates contact by signaling the wrecker operator to stop and  
1877 provide towing services, the unauthorized wrecker operator must  
1878 disclose in writing to the owner or operator of the vehicle his  
1879 or her full name and driver license number, that he or she is  
1880 not the authorized wrecker operator who has been designated as  
1881 part of the wrecker operator system, that the motor vehicle is  
1882 not being towed for the owner's or operator's insurance company  
1883 or lienholder, whether he or she has in effect an insurance  
1884 policy providing at least \$300,000 of liability insurance and at  
1885 least \$50,000 of on-hook cargo insurance, and the maximum  
1886 charges for towing and storage which will apply before the  
1887 vehicle is connected to the towing apparatus. The unauthorized



896914

1888 wrecker operator must also provide a copy of the disclosure to  
1889 the owner or operator in the presence of a law enforcement  
1890 officer if such officer is at the scene of a motor vehicle crash  
1891 ~~accident~~. Any person who violates this paragraph commits a  
1892 misdemeanor of the second degree, punishable as provided in s.  
1893 775.082 or s. 775.083, and the person's wrecker, tow truck, or  
1894 other motor vehicle that was used during the offense may be  
1895 immediately removed and impounded pursuant to subsection (3).

1896 (4) This section does not prohibit, or in any way prevent,  
1897 the owner or operator of a vehicle involved in a crash ~~an~~  
1898 ~~accident~~ or otherwise disabled from contacting any wrecker  
1899 operator for the provision of towing services, whether the  
1900 wrecker operator is an authorized wrecker operator or not.

1901 Section 51. Section 324.011, Florida Statutes, is amended  
1902 to read:

1903 324.011 Purpose of chapter.—It is the intent of this  
1904 chapter to recognize the existing privilege to own or operate a  
1905 motor vehicle on the public streets and highways of this state  
1906 when such vehicles are used with due consideration for others  
1907 and their property, and to promote safety and provide financial  
1908 security requirements for such owners or operators whose  
1909 responsibility it is to recompense others for injury to person  
1910 or property caused by the operation of a motor vehicle.  
1911 Therefore, it is required herein that the operator of a motor  
1912 vehicle involved in a crash or convicted of certain traffic  
1913 offenses meeting the operative provisions of s. 324.051(2) shall  
1914 respond for such damages and show proof of financial ability to  
1915 respond for damages in future crashes ~~accidents~~ as a requisite  
1916 to his or her future exercise of such privileges.



896914

1917           Section 52. Subsection (1) of section 324.022, Florida  
1918 Statutes, is amended to read:

1919           324.022 Financial responsibility for property damage.—

1920           (1) Every owner or operator of a motor vehicle required to  
1921 be registered in this state shall establish and maintain the  
1922 ability to respond in damages for liability on account of  
1923 crashes ~~accidents~~ arising out of the use of the motor vehicle in  
1924 the amount of \$10,000 because of damage to, or destruction of,  
1925 property of others in any one crash. The requirements of this  
1926 section may be met by one of the methods established in s.  
1927 324.031; by self-insuring as authorized by s. 768.28(16); or by  
1928 maintaining an insurance policy providing coverage for property  
1929 damage liability in the amount of at least \$10,000 because of  
1930 damage to, or destruction of, property of others in any one  
1931 crash ~~accident~~ arising out of the use of the motor vehicle. The  
1932 requirements of this section may also be met by having a policy  
1933 which provides coverage in the amount of at least \$30,000 for  
1934 combined property damage liability and bodily injury liability  
1935 for any one crash arising out of the use of the motor vehicle.  
1936 The policy, with respect to coverage for property damage  
1937 liability, must meet the applicable requirements of s. 324.151,  
1938 subject to the usual policy exclusions that have been approved  
1939 in policy forms by the Office of Insurance Regulation. No  
1940 insurer shall have any duty to defend uncovered claims  
1941 irrespective of their joinder with covered claims.

1942           Section 53. Section 324.023, Florida Statutes, is amended  
1943 to read:

1944           324.023 Financial responsibility for bodily injury or  
1945 death.—In addition to any other financial responsibility



896914

1946 required by law, every owner or operator of a motor vehicle that  
1947 is required to be registered in this state, or that is located  
1948 within this state, and who, regardless of adjudication of guilt,  
1949 has been found guilty of or entered a plea of guilty or nolo  
1950 contendere to a charge of driving under the influence under s.  
1951 316.193 after October 1, 2007, shall, by one of the methods  
1952 established in s. 324.031(1) or (2), establish and maintain the  
1953 ability to respond in damages for liability on account of  
1954 crashes ~~accidents~~ arising out of the use of a motor vehicle in  
1955 the amount of \$100,000 because of bodily injury to, or death of,  
1956 one person in any one crash and, subject to such limits for one  
1957 person, in the amount of \$300,000 because of bodily injury to,  
1958 or death of, two or more persons in any one crash and in the  
1959 amount of \$50,000 because of property damage in any one crash.  
1960 If the owner or operator chooses to establish and maintain such  
1961 ability by furnishing a certificate of deposit pursuant to s.  
1962 324.031(2), such certificate of deposit must be at least  
1963 \$350,000. Such higher limits must be carried for a minimum  
1964 period of 3 years. If the owner or operator has not been  
1965 convicted of driving under the influence or a felony traffic  
1966 offense for a period of 3 years from the date of reinstatement  
1967 of driving privileges for a violation of s. 316.193, the owner  
1968 or operator shall be exempt from this section.

1969 Section 54. Paragraph (b) of subsection (1) and paragraph  
1970 (a) of subsection (2) of section 324.051, Florida Statutes, are  
1971 amended to read:

1972 324.051 Reports of crashes; suspensions of licenses and  
1973 registrations.—

1974 (1)



896914

1975 (b) The department is hereby further authorized to require  
1976 reports of crashes from individual owners or operators whenever  
1977 it deems it necessary for the proper administration of this  
1978 chapter, and these reports shall be made without prejudice  
1979 except as specified in this subsection. No such report shall be  
1980 used as evidence in any trial arising out of a crash. However,  
1981 subject to the applicable rules of evidence, a law enforcement  
1982 officer at a criminal trial may testify as to any statement made  
1983 to the officer by the person involved in the crash ~~accident~~ if  
1984 that person's privilege against self-incrimination is not  
1985 violated.

1986 (2) (a) Thirty days after receipt of notice of any crash  
1987 ~~accident~~ described in paragraph (1) (a) involving a motor vehicle  
1988 within this state, the department shall suspend, after due  
1989 notice and opportunity to be heard, the license of each operator  
1990 and all registrations of the owner of the vehicles operated by  
1991 such operator whether or not involved in such crash and, in the  
1992 case of a nonresident owner or operator, shall suspend such  
1993 nonresident's operating privilege in this state, unless such  
1994 operator or owner shall, prior to the expiration of such 30  
1995 days, be found by the department to be exempt from the operation  
1996 of this chapter, based upon evidence satisfactory to the  
1997 department that:

1998 1. The motor vehicle was legally parked at the time of such  
1999 crash.

2000 2. The motor vehicle was owned by the United States  
2001 Government, this state, or any political subdivision of this  
2002 state or any municipality therein.

2003 3. Such operator or owner has secured a duly acknowledged



896914

2004 written agreement providing for release from liability by all  
2005 parties injured as the result of said crash and has complied  
2006 with one of the provisions of s. 324.031.

2007 4. Such operator or owner has deposited with the department  
2008 security to conform with s. 324.061 when applicable and has  
2009 complied with one of the provisions of s. 324.031.

2010 5. One year has elapsed since such owner or operator was  
2011 suspended pursuant to subsection (3), the owner or operator has  
2012 complied with one of the provisions of s. 324.031, and no bill  
2013 of complaint of which the department has notice has been filed  
2014 in a court of competent jurisdiction.

2015  
2016 No such policy or bond shall be effective under this subsection  
2017 unless it contains limits of not less than those specified in s.  
2018 324.021(7).

2019 Section 55. Subsections (2), (3), and (4) of section  
2020 324.242, Florida Statutes, are amended to read:

2021 324.242 Personal injury protection and property damage  
2022 liability insurance policies; public records exemption.—

2023 (2) Upon receipt of a request and proof of a crash report  
2024 as required under s. 316.065, s. 316.066, or s. 316.068, or a  
2025 crash report created pursuant to the laws of another state, the  
2026 department shall release the policy number for a policy covering  
2027 a vehicle involved in a motor vehicle crash ~~accident~~ to:

2028 (a) Any person involved in such crash ~~accident~~;

2029 (b) The attorney of any person involved in such crash  
2030 ~~accident~~; or

2031 (c) A representative of the insurer of any person involved  
2032 in such crash ~~accident~~.



896914

2033           (3) The department shall provide personal injury protection  
2034 and property damage liability insurance policy numbers to  
2035 department-approved third parties that provide data collection  
2036 services to an insurer of any person involved in such crash  
2037 ~~accident~~.

2038           (4) Before the department's release of a policy number in  
2039 accordance with subsection (2) or subsection (3), an insurer's  
2040 representative, a contracted third party, or an attorney for a  
2041 person involved in a crash ~~an accident~~ must provide the  
2042 department with documentation confirming proof of  
2043 representation.

2044           Section 56. Contingent upon the enactment of Senate Bill  
2045 7094 or other similar legislation enacted in the 2019 Regular  
2046 Session or an extension thereof, section 328.30, Florida  
2047 Statutes, is amended to read:

2048           328.30 Transactions by electronic or telephonic means.—

2049           (1) The Department of Highway Safety and Motor Vehicles may  
2050 accept any application provided for under this part ~~chapter~~ by  
2051 electronic or telephonic means.

2052           (2) The department may issue an electronic certificate of  
2053 title in lieu of printing a paper title.

2054           (3) The department or tax collector may collect electronic  
2055 mail addresses or cellular telephone numbers and use electronic  
2056 mail or text messages in lieu of the United States Postal  
2057 Service for the purpose of providing information related to  
2058 Department of Highway Safety and Motor Vehicles functions in  
2059 accordance with chapter 119 and pursuant to the federal Driver  
2060 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The  
2061 provision of electronic mail addresses and cellular telephone





896914

2062 numbers by the applicant is optional and, before collection  
2063 pursuant to this subsection, the department or tax collector  
2064 shall disclose to the applicant the purposes for which the  
2065 electronic mail addresses and cellular telephone numbers may be  
2066 used ~~renewal notices.~~

2067 Section 57. Contingent upon the enactment of Senate Bill  
2068 7094 or other similar legislation enacted in the 2019 Regular  
2069 Session or an extension thereof, subsection (3) of section  
2070 328.40, Florida Statutes, is amended to read:

2071 328.40 Administration of vessel registration and titling  
2072 laws; records.-

2073 (3) All records made or kept by the Department of Highway  
2074 Safety and Motor Vehicles under this part are subject to  
2075 inspection and copying as provided in chapter 119 ~~law are public~~  
2076 ~~records except for confidential reports.~~

2077 Section 58. Subsection (1) of section 328.73, Florida  
2078 Statutes, is amended to read:

2079 328.73 Registration; duties of tax collectors.-

2080 (1) The tax collectors in the counties of the state, as  
2081 authorized agents of the department, shall issue registration  
2082 certificates and vessel numbers and decals to applicants,  
2083 subject to the requirements of law and in accordance with rules  
2084 of the department. For the purpose of enhancing customer  
2085 services provided by tax collectors acting on behalf of the  
2086 department, the department, contingent upon an approved request  
2087 and memorandum of understanding, shall provide tax collectors,  
2088 and tax collector-approved agents and vendors with real-time  
2089 access to data that other third parties receive from the  
2090 department related to registration certificates and vessel



896914

2091 numbers and decals, including, but not limited to, the most  
2092 current address information and electronic mail addresses of  
2093 applicants. The memorandum of understanding as required under  
2094 this paragraph may not be more restrictive than any memorandum  
2095 of understanding between the department and other third-party  
2096 vendors.

2097 Section 59. Contingent upon the enactment of Senate Bill  
2098 7094 or other similar legislation enacted in the 2019 Regular  
2099 Session or an extension thereof, section 328.80, Florida  
2100 Statutes, is amended to read:

2101 328.80 Transactions by electronic or telephonic means.—

2102 (1) The Department of Highway Safety and Motor Vehicles  
2103 ~~commission~~ is authorized to accept any application provided for  
2104 under this part ~~chapter~~ by electronic or telephonic means.

2105 (2) The department or tax collector may collect electronic  
2106 mail addresses or cellular telephone numbers and use electronic  
2107 mail or text messages in lieu of the United States Postal  
2108 Service for the purpose of providing information related to  
2109 Department of Highway Safety and Motor Vehicles functions in  
2110 accordance with chapter 119 and pursuant to the federal Driver  
2111 Privacy Protection Act of 1994, 18 U.S.C. ss. 2721 et seq. The  
2112 provision of electronic mail addresses and cellular telephone  
2113 numbers by the applicant is optional and, before collection  
2114 pursuant to this subsection, the department or tax collector  
2115 shall disclose to the applicant the purposes for which the  
2116 electronic mail addresses and cellular telephone numbers may be  
2117 used.

2118 Section 60. Subsection (4) of section 627.7415, Florida  
2119 Statutes, is amended to read:



896914

2120           627.7415 Commercial motor vehicles; additional liability  
2121 insurance coverage.—Commercial motor vehicles, as defined in s.  
2122 207.002 or s. 320.01, operated upon the roads and highways of  
2123 this state shall be insured with the following minimum levels of  
2124 combined bodily liability insurance and property damage  
2125 liability insurance in addition to any other insurance  
2126 requirements:

2127           (4) All commercial motor vehicles subject to regulations of  
2128 the United States Department of Transportation, 49 C.F.R. part  
2129 387, subparts ~~subpart~~ A and B, and as may be hereinafter  
2130 amended, shall be insured in an amount equivalent to the minimum  
2131 levels of financial responsibility as set forth in such  
2132 regulations.

2133  
2134 A violation of this section is a noncriminal traffic infraction,  
2135 punishable as a nonmoving violation as provided in chapter 318.

2136           Section 61. Subsection (2) of section 316.251, Florida  
2137 Statutes, is amended to read:

2138           316.251 Maximum bumper heights.—

2139           (2) "New motor vehicles" as defined in s. 319.001 ~~s.~~  
2140 ~~319.001(9)~~, "antique automobiles" as defined in s. 320.08,  
2141 "horseless carriages" as defined in s. 320.086, and "street  
2142 rods" as defined in s. 320.0863 shall be excluded from the  
2143 requirements of this section.

2144           Section 62. Subsection (19) of section 501.976, Florida  
2145 Statutes, is amended to read:

2146           501.976 Actionable, unfair, or deceptive acts or  
2147 practices.—It is an unfair or deceptive act or practice,  
2148 actionable under the Florida Deceptive and Unfair Trade



896914

2149 Practices Act, for a dealer to:

2150 (19) Fail to disclose damage to a new motor vehicle, as  
2151 defined in s. 319.001 ~~s. 319.001(9)~~, of which the dealer had  
2152 actual knowledge, if the dealer's actual cost of repairs exceeds  
2153 the threshold amount, excluding replacement items.

2154  
2155 In any civil litigation resulting from a violation of this  
2156 section, when evaluating the reasonableness of an award of  
2157 attorney's fees to a private person, the trial court shall  
2158 consider the amount of actual damages in relation to the time  
2159 spent.

2160 Section 63. Subsection (1) of section 655.960, Florida  
2161 Statutes, is amended to read:

2162 655.960 Definitions; ss. 655.960-655.965.—As used in this  
2163 section and ss. 655.961-655.965, unless the context otherwise  
2164 requires:

2165 (1) "Access area" means any paved walkway or sidewalk which  
2166 is within 50 feet of any automated teller machine. The term does  
2167 not include any street or highway open to the use of the public,  
2168 as defined in s. 316.003(84)(a) or (b) ~~s. 316.003(81)(a) or (b)~~,  
2169 including any adjacent sidewalk, as defined in s. 316.003.

2170 Section 64. Subsection (5) of section 856.015, Florida  
2171 Statutes, is amended to read:

2172 856.015 Open house parties.—

2173 (5) If a violation of subsection (2) causes or contributes  
2174 to causing serious bodily injury, as defined in s. 316.003  
2175 ~~316.1933~~, or death to the minor, or if the minor causes or  
2176 contributes to causing serious bodily injury or death to another  
2177 as a result of the minor's consumption of alcohol or drugs at



896914

2178 the open house party, the violation is a misdemeanor of the  
2179 first degree, punishable as provided in s. 775.082 or s.  
2180 775.083.

2181 Section 65. This act shall take effect July 1, 2019.

2182

2183 ===== T I T L E A M E N D M E N T =====

2184 And the title is amended as follows:

2185 Delete everything before the enacting clause  
2186 and insert:

2187 A bill to be entitled  
2188 An act relating to the Department of Highway Safety  
2189 and Motor Vehicles; amending s. 316.003, F.S.;  
2190 defining terms; conforming a cross-reference; amending  
2191 s. 316.027, F.S.; deleting the defined term "serious  
2192 bodily injury"; requiring community service in a  
2193 trauma center or hospital that receives victims of  
2194 vehicle crashes; amending s. 316.0271, F.S.; requiring  
2195 that, under a yellow dot program, certain critical  
2196 medical information be made readily available to  
2197 responders in the event of a motor vehicle crash;  
2198 authorizing an emergency medical responder at a motor  
2199 vehicle crash to search the glove compartment of the  
2200 vehicle for a yellow dot folder; amending s. 316.061,  
2201 F.S.; prohibiting certain persons from being liable or  
2202 at fault regarding the cause of a crash solely by  
2203 reason of moving a vehicle; repealing s. 316.0896,  
2204 F.S., relating to the assistive truck platooning  
2205 technology pilot project; creating s. 316.0897, F.S.;  
2206 exempting the operator of a nonlead vehicle in a



896914

2207 platoon from provisions relating to following too  
2208 closely; authorizing a platoon to be operated on a  
2209 roadway in this state after an operator provides  
2210 notification to the Department of Transportation and  
2211 the Department of Highway Safety and Motor Vehicles;  
2212 amending s. 316.1895, F.S.; authorizing a district  
2213 school board by simple majority vote to increase the  
2214 time a school zone speed limit is in force under  
2215 certain circumstances; amending s. 316.192, F.S.;  
2216 deleting the defined term "serious bodily injury";  
2217 amending s. 316.193, F.S.; adding an operator to  
2218 persons who may incur serious bodily injury for  
2219 purposes of a certain penalty; amending s. 316.1933,  
2220 F.S.; adding a driver to persons who may incur serious  
2221 bodily injury for purposes of a certain alcohol or  
2222 drug test; deleting the defined term "serious bodily  
2223 injury"; amending s. 316.194, F.S.; authorizing  
2224 traffic crash investigation officers, rather than  
2225 traffic accident investigation officers, to move  
2226 vehicles; amending s. 316.302, F.S.; revising the  
2227 applicability of specified rules and regulations to  
2228 certain owners and drivers of commercial motor  
2229 vehicles; providing that a person who operates a  
2230 commercial motor vehicle solely in intrastate commerce  
2231 which does not transport hazardous materials in  
2232 amounts that require placarding need not comply with  
2233 specified requirements of electronic logging devices  
2234 and hours of service supporting documents until a  
2235 specified date; removing a limit on civil penalties



896914

2236 for falsification of certain time records; deleting a  
2237 requirement that a motor carrier maintain  
2238 documentation of driving times under certain  
2239 circumstances; revising the conditions under which  
2240 persons who operate commercial motor vehicles are  
2241 exempt from specified rules and regulations; amending  
2242 s. 316.303, F.S.; exempting an operator of a certain  
2243 platoon vehicle from the prohibition on the active  
2244 display of television or video; amending s. 316.622,  
2245 F.S.; requiring that the department provide to the  
2246 Department of Business and Professional Regulation a  
2247 copy of each crash report involving a farm labor  
2248 vehicle; amending s. 316.640, F.S.; authorizing the  
2249 Division of the Florida Highway Patrol to employ  
2250 traffic crash investigation officers, rather than  
2251 traffic accident investigation officers; conforming  
2252 provisions to changes made by that act; amending s.  
2253 316.655, F.S.; authorizing a driver convicted of  
2254 certain violations resulting in a crash, rather than  
2255 an accident, to have his or her driving privileges  
2256 revoked or suspended by the court; amending s. 316.70,  
2257 F.S.; requiring that owners and drivers of certain  
2258 nonpublic sector buses be subject to specified rules  
2259 and regulations; providing duties for the Department  
2260 of Highway Safety and Motor Vehicles, rather than the  
2261 Department of Transportation, for such nonpublic  
2262 sector buses; authorizing department personnel to  
2263 conduct compliance investigations and assess certain  
2264 penalties; authorizing motor carriers to be enjoined



896914

2265 under certain circumstances; authorizing certain  
2266 officers and agents to require drivers of certain  
2267 commercial vehicles to submit to certain inspections  
2268 and to either remove the vehicle or driver from  
2269 service or provide notice requiring correction under  
2270 certain circumstances; amending s. 318.19, F.S.;  
2271 revising infractions that require a mandatory hearing;  
2272 amending s. 319.001, F.S.; defining terms; amending s.  
2273 319.141, F.S.; creating a private rebuilt motor  
2274 vehicle inspection program, to replace a pilot rebuilt  
2275 motor vehicle inspection program; providing powers and  
2276 duties of the department; specifying the purpose of  
2277 the program; providing requirements for the program;  
2278 providing powers and requirements for private rebuilt  
2279 inspection providers; creating s. 319.1411, F.S.;  
2280 authorizing the department to monitor and inspect the  
2281 operations of private rebuilt inspection providers to  
2282 make specified determinations; creating s. 319.142,  
2283 F.S.; providing grounds and requirements for  
2284 termination of a contract with a private rebuilt  
2285 inspection provider; creating s. 319.1414, F.S.;  
2286 authorizing the department to investigate and examine  
2287 private rebuilt inspection providers under certain  
2288 circumstances; providing additional powers related to  
2289 such investigations and examinations; requiring a  
2290 court to take specified actions under certain  
2291 circumstances; providing for witness fees; authorizing  
2292 the department to adopt certain rules; amending s.  
2293 319.25, F.S.; authorizing the department to conduct





2294 investigations and examinations of certain persons  
2295 relating to title certificates; authorizing additional  
2296 powers related to such investigations and  
2297 examinations; requiring a court to take specified  
2298 actions under certain circumstances; providing for  
2299 witness fees; authorizing the department to adopt  
2300 certain rules; amending s. 319.40, F.S.; authorizing  
2301 the department or a tax collector to collect  
2302 electronic mail addresses or cellular telephone  
2303 numbers and to use them for certain purposes;  
2304 providing that electronic mail addresses and cellular  
2305 telephone numbers may be provided at the option of the  
2306 applicant; requiring the department or a tax collector  
2307 to disclose to the applicant the purposes for which  
2308 the electronic mail addresses and cellular telephone  
2309 numbers may be used; amending s. 320.01, F.S.;  
2310 redefining the term "apportionable vehicle"; amending  
2311 s. 320.03, F.S.; authorizing the department, under  
2312 certain circumstances, to provide tax collectors and  
2313 certain agents and vendors with certain real-time  
2314 access to data related to vehicle and mobile home  
2315 registration certificates, registration license  
2316 plates, and validation stickers; providing  
2317 requirements for a certain memorandum of  
2318 understanding; amending s. 320.06, F.S.; providing for  
2319 future repeal of requirements for vehicles that have  
2320 apportioned registrations; providing requirements for  
2321 certain vehicles that have apportioned registrations  
2322 upon implementation of a certain operating system;



896914

2323 requiring that the fee be deposited into the Highway  
2324 Safety Operating Trust Fund; authorizing certain  
2325 license plates to be replaced at no charge; providing  
2326 tax collectors and their agents the option to purchase  
2327 validation stickers and paper stock that is used to  
2328 produce vehicle registrations from vendors under  
2329 certain circumstances; exempting such purchases from  
2330 certain competitive bid requirements; requiring the  
2331 department to reimburse the tax collectors and their  
2332 agents for such purchases, subject to certain  
2333 restrictions; requiring the tax collectors and their  
2334 agents to invoice the department in arrears for the  
2335 validation stickers and vehicle registrations as they  
2336 are issued; amending s. 320.0607, F.S.; providing  
2337 applicability; amending s. 320.131, F.S.; authorizing  
2338 the department to partner with a county tax collector  
2339 to conduct a Fleet Vehicle Temporary Tag Pilot Program  
2340 for certain purposes; providing program requirements;  
2341 providing for future repeal; amending s. 320.27, F.S.;  
2342 defining the term "control person"; authorizing the  
2343 department to deny a new or renewal application for,  
2344 or suspend or revoke, certain dealer licenses under  
2345 certain circumstances; authorizing the court to bar a  
2346 person from acting as a motor vehicle dealer under  
2347 certain circumstances, subject to certain  
2348 requirements; amending s. 320.8232, F.S.; requiring  
2349 the Mobile and Manufactured Home Repair and Remodeling  
2350 Code to be a uniform code; providing specified  
2351 standards for provisions of the code; requiring all



896914

2352 repair and remodeling of mobile and manufactured homes  
2353 to be done in accordance with department rules;  
2354 amending s. 320.861, F.S.; authorizing the department  
2355 to conduct investigations and examinations of persons  
2356 suspected of violating or of having violated certain  
2357 laws, rules, or orders relating to motor vehicle  
2358 licenses; providing additional powers related to such  
2359 investigations and examinations; requiring a court to  
2360 take specified actions under certain circumstances;  
2361 providing for witness fees; authorizing the department  
2362 to adopt certain rules; amending s. 320.95, F.S.;  
2363 authorizing the department or a tax collector to  
2364 collect electronic mail addresses or cellular  
2365 telephone numbers and to use electronic mail or text  
2366 messages for certain purposes; providing that  
2367 electronic mail addresses and cellular telephone  
2368 numbers may be provided at the option of the  
2369 applicant; requiring the department or a tax collector  
2370 to disclose to the applicant the purposes for which  
2371 the electronic mail addresses and cellular telephone  
2372 numbers may be used; amending s. 321.05, F.S.;  
2373 authorizing certain patrol officers to investigate  
2374 traffic crashes; amending s. 321.065, F.S.;  
2375 authorizing the department to employ certain traffic  
2376 crash investigation officers; amending s. 321.23,  
2377 F.S.; revising certain public records photographs to  
2378 include crashes; amending s. 322.051, F.S.; extending  
2379 the period after which a renewal application for an  
2380 identification card is considered the same as an



896914

2381 original application; amending s. 322.0602, F.S.;

2382 authorizing courts to include a requirement for

2383 supervised visitation under the Youthful Drunk Driver

2384 Visitation Program at trauma centers that regularly

2385 receive victims of vehicle crashes; conforming

2386 provisions to changes made by the act; amending s.

2387 322.08, F.S.; authorizing the department or a tax

2388 collector to collect electronic mail addresses or

2389 cellular telephone numbers and use electronic mail or

2390 text messages for certain purposes; providing that

2391 electronic mail addresses and cellular telephone

2392 numbers may be provided at the option of the

2393 applicant; requiring the department or a tax collector

2394 to disclose to the applicant the purposes for which

2395 the electronic mail addresses and cellular telephone

2396 numbers may be used; amending s. 322.091, F.S.;

2397 requiring that the department make available, upon

2398 request, a report that includes specific information

2399 for students whose driving privileges have been

2400 suspended; amending s. 322.17, F.S.; authorizing

2401 stolen identification cards to be replaced at no

2402 charge under certain circumstances; amending s.

2403 322.21, F.S.; providing for expedited shipping for the

2404 renewal or replacement driver licenses or

2405 identification cards under certain circumstances,

2406 subject to certain requirements; allowing the

2407 department to charge for the cost of the expedited

2408 shipping; requiring that the funds be deposited into

2409 the Highway Safety Operating Trust Fund; amending s.



2410 322.212, F.S.; prohibiting a person from knowingly  
2411 providing altered or counterfeit documents or  
2412 knowingly participating in dishonest or deceptive  
2413 actions in any application for a driver license or  
2414 identification card; providing for the suspension of  
2415 specified licenses or permits for specified periods  
2416 under certain circumstances; providing construction;  
2417 amending s. 322.36, F.S.; providing for suspension of  
2418 license for loaning a vehicle to a person whose  
2419 license is suspended if such vehicle is involved in  
2420 certain crashes; amending s. 322.61, F.S.; adding  
2421 violations for disqualification from operating a  
2422 commercial motor vehicle; creating s. 322.71, F.S.;  
2423 authorizing the department to conduct investigations  
2424 and examinations of persons suspected of violating or  
2425 of having violated certain laws, rules, or orders  
2426 relating to motor vehicle licenses; providing  
2427 additional powers related to such investigations and  
2428 examinations; requiring a court to take specified  
2429 actions under certain circumstances; providing for  
2430 witness fees; authorizing the department to adopt  
2431 certain rules; amending s. 323.001, F.S.; providing  
2432 that the requirements for a certain written hold on a  
2433 motor vehicle apply when an officer has probable cause  
2434 to believe the vehicle was involved in a certain  
2435 traffic crash; amending s. 323.002, F.S.; revising the  
2436 term "wrecker operator system" to include wrecker  
2437 operators removing vehicles from crash scenes under  
2438 certain circumstances; requiring that an unauthorized



896914

2439 wrecker operator provide a copy of a certain  
2440 disclosure to the owner or operator of a vehicle in  
2441 the presence of a law enforcement officer if such  
2442 officer is at the scene of a motor vehicle crash;  
2443 revising applicability to include vehicles involved in  
2444 a crash, rather than an accident; amending s. 324.011,  
2445 F.S.; requiring that certain operators of motor  
2446 vehicles involved in a crash or convicted of certain  
2447 traffic offenses show proof of financial ability to  
2448 respond for damages in future crashes; amending s.  
2449 324.022, F.S.; requiring that a certain owner or  
2450 operator of a motor vehicle establish and maintain the  
2451 ability to respond in damages for liability on account  
2452 of certain crashes; conforming a provision to changes  
2453 made by the act; amending s. 324.023, F.S.; requiring  
2454 that a certain owner or operator of a motor vehicle  
2455 establish and maintain the ability to respond in  
2456 damages for liability on account of certain crashes;  
2457 amending s. 324.051, F.S.; authorizing a law  
2458 enforcement officer at a criminal trial to testify as  
2459 to any statement made to the officer by the person  
2460 involved in a crash under certain circumstances;  
2461 providing for certain suspensions of license,  
2462 registration, and operating privileges after notice of  
2463 a certain crash; amending s. 324.242, F.S.; requiring  
2464 that the department release a policy number for a  
2465 policy covering a vehicle involved in a motor vehicle  
2466 crash under certain circumstances; conforming  
2467 provisions to changes made by the act; amending s.



896914

2468 328.30, F.S.; authorizing the department to accept  
2469 certain applications by electronic or telephonic  
2470 means; authorizing the department or a tax collector  
2471 to collect electronic mail addresses or cellular  
2472 telephone numbers and to use electronic mail or text  
2473 messages for certain purposes; providing that  
2474 electronic mail addresses and cellular telephone  
2475 numbers may be provided at the option of the  
2476 applicant; requiring the department or a tax collector  
2477 to disclose to the applicant the purposes for which  
2478 the electronic mail addresses and cellular telephone  
2479 numbers may be used; amending s. 328.40, F.S.;  
2480 providing that certain records made or kept by the  
2481 department are subject to certain inspection and  
2482 copying requirements; amending s. 328.73, F.S.;  
2483 requiring the department, under certain circumstances,  
2484 to provide tax collectors and certain agents and  
2485 vendors with certain real-time access to data related  
2486 to registration certificates and vessel numbers and  
2487 decals; providing requirements for a certain  
2488 memorandum of understanding; amending s. 328.80, F.S.;  
2489 authorizing the department to accept certain  
2490 applications by electronic or telephonic means;  
2491 authorizing the department or a tax collector to  
2492 collect electronic mail addresses or cellular  
2493 telephone numbers and to use electronic mail or text  
2494 messages for certain purposes; providing that  
2495 electronic mail addresses and cellular telephone  
2496 numbers may be provided at the option of an applicant;



896914

2497 requiring the department or tax collector to disclose  
2498 to an applicant the purposes for which the electronic  
2499 mail addresses and cellular telephone numbers may be  
2500 used; amending s. 627.7415, F.S.; revising the  
2501 applicability of certain federal regulations that  
2502 commercial motor vehicles are subject to for certain  
2503 insurance purposes; amending ss. 316.251, 501.976,  
2504 655.960, 856.015, F.S.; conforming cross-references;  
2505 providing an effective date.