

By the Committee on Infrastructure and Security

596-03791-19

20197092__

1 A bill to be entitled
2 An act relating to fees; amending s. 319.1414, F.S.;
3 requiring that costs incurred by the Department of
4 Highway Safety and Motor Vehicles to obtain a certain
5 order be charged to a subpoenaed person; amending s.
6 320.06, F.S.; requiring a specified fee for certain
7 validation stickers; amending s. 320.861, F.S.;
8 requiring that costs incurred by the department to
9 obtain a certain order be charged to a subpoenaed
10 person; amending s. 322.21, F.S.; requiring a certain
11 fee for the expedited shipping of a renewal or
12 replacement driver license or identification card;
13 amending s. 322.71, F.S.; requiring that costs
14 incurred by the department to obtain a certain order
15 be charged to a subpoenaed person; providing a
16 contingent effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Subsection (3) of section 319.1414, Florida
21 Statutes, as created by SB 7090, 2019 Regular Session, is
22 amended to read:

23 319.1414 Investigations; examinations; subpoenas; hearings;
24 witnesses.—

25 (3) If a person refuses to testify, produce books, papers,
26 documents, or records, or otherwise obey a subpoena or subpoena
27 duces tecum issued under subsection (2), the department may
28 petition a court of competent jurisdiction in the county where
29 the person's residence or principal place of business is

596-03791-19

20197092__

30 located, upon which the court must issue an order requiring such
31 person to obey the subpoena or show cause for failing to obey
32 the subpoena. Unless the person shows sufficient cause for
33 failing to obey the subpoena, the court shall direct the person
34 to obey the subpoena. Costs incurred by the department to obtain
35 an order granting, in whole or in part, its petition must be
36 charged to the subpoenaed person. Failure to comply with such
37 order is contempt of court.

38 Section 2. Paragraph (b) of subsection (1) of section
39 320.06, Florida Statutes, as amended by SB 7090, 2019 Regular
40 Session, is amended to read:

41 320.06 Registration certificates, license plates, and
42 validation stickers generally.—

43 (1)

44 (b)1. Registration license plates bearing a graphic symbol
45 and the alphanumeric system of identification shall be issued
46 for a 10-year period. At the end of the 10-year period, upon
47 renewal, the plate shall be replaced. The department shall
48 extend the scheduled license plate replacement date from a 6-
49 year period to a 10-year period. The fee for such replacement is
50 \$28, \$2.80 of which shall be paid each year before the plate is
51 replaced, to be credited toward the next \$28 replacement fee.
52 The fees shall be deposited into the Highway Safety Operating
53 Trust Fund. A credit or refund may not be given for any prior
54 years' payments of the prorated replacement fee if the plate is
55 replaced or surrendered before the end of the 10-year period,
56 except that a credit may be given if a registrant is required by
57 the department to replace a license plate under s.
58 320.08056(8) (a). With each license plate, a validation sticker

596-03791-19

20197092__

59 shall be issued showing the owner's birth month, license plate
60 number, and the year of expiration or the appropriate renewal
61 period if the owner is not a natural person. The validation
62 sticker shall be placed on the upper right corner of the license
63 plate. The license plate and validation sticker shall be issued
64 based on the applicant's appropriate renewal period. The
65 registration period is 12 months, the extended registration
66 period is 24 months, and all expirations occur based on the
67 applicant's appropriate registration period.

68 2. A vehicle that has an apportioned registration shall be
69 issued an annual license plate and a cab card that denote the
70 declared gross vehicle weight for each apportioned jurisdiction
71 in which the vehicle is authorized to operate. This subparagraph
72 expires October 1, 2019.

73 3. Upon implementation of a new operating system for
74 apportioned vehicle registration, a vehicle registered in
75 accordance with the International Registration Plan which has an
76 apportioned registration must be issued a license plate for a 5-
77 year period, an annual cab card denoting the declared gross
78 vehicle weight, and an annual validation sticker showing the
79 month and year of expiration. The validation sticker must be
80 placed in the center of the license plate. The license plate and
81 validation sticker must be issued based on the applicant's
82 appropriate renewal period. The registration period is 12
83 months. The fee for the initial validation sticker and any
84 renewed validation sticker is \$28. This fee must be deposited
85 into the Highway Safety Operating Trust Fund. If the license
86 plate is damaged or worn, it may be replaced at no charge by
87 applying to the department and surrendering the current license

596-03791-19

20197092__

88 plate.

89 4. In order to retain the efficient administration of the
90 taxes and fees imposed by this chapter, the 80-cent fee increase
91 in the replacement fee imposed by chapter 2009-71, Laws of
92 Florida, is negated as provided in s. 320.0804.

93 Section 3. Subsection (3) of section 320.861, Florida
94 Statutes, as created by SB 7090, 2019 Regular Session, is
95 amended to read:

96 320.861 Investigations; subpoenas and other process; oaths;
97 rules.—

98 (3) If a person refuses to testify, produce books, papers,
99 documents, or records, or otherwise obey the subpoena or
100 subpoena duces tecum issued under subsection (2), the department
101 may petition a court of competent jurisdiction in the county
102 where the person's residence or principal place of business is
103 located, upon which the court must issue an order requiring such
104 person to obey the subpoena or show cause for failing to obey
105 the subpoena. Unless the person shows sufficient cause for
106 failing to obey the subpoena, the court must direct the person
107 to obey the subpoena. Costs incurred by the department to obtain
108 an order granting, in whole or in part, its petition shall be
109 charged to the subpoenaed person. Failure to comply with such
110 order is contempt of court.

111 Section 4. Subsection (10) of section 322.21, Florida
112 Statutes, as created by SB 7090, 2019 Regular Session, is
113 amended to read:

114 322.21 License fees; procedure for handling and collecting
115 fees.—

116 (10) An applicant who submits an application for a renewal

596-03791-19

20197092__

117 or replacement driver license or identification card to the
118 department using a convenience service must be provided with an
119 option for expedited shipping in which the department, at the
120 applicant's request, must issue the license or identification
121 card within 5 working days after receipt of the application and
122 ship the license or card using an expedited mail service. A fee
123 must be charged for the expedited shipping option, not to exceed
124 the cost of the expedited mail service, which is in addition to
125 fees imposed by s. 322.051 or this section, or for the
126 convenience service. Fees collected for the expedited shipping
127 option shall be deposited into the Highway Safety Operating
128 Trust Fund.

129 Section 5. Subsection (3) of section 322.71, Florida
130 Statutes, as created by SB 7090, 2019 Regular Session, is
131 amended to read:

132 322.71 Investigations; subpoenas and other process; oaths;
133 rules.-

134 (3) If a person refuses to testify, produce books, papers,
135 documents, or records, or otherwise obey the subpoena or
136 subpoena duces tecum issued under subsection (2), the department
137 may petition a court of competent jurisdiction in the county
138 where the person's residence or principal place of business is
139 located, upon which the court must issue an order requiring such
140 person to obey the subpoena or show cause for failing to obey
141 the subpoena. Unless the person shows sufficient cause for
142 failing to obey the subpoena, the court must direct the person
143 to obey the subpoena. Costs incurred by the department to obtain
144 an order granting, in whole or in part, its petition shall be
145 charged to the subpoenaed person. Failure to comply with such

596-03791-19

20197092__

146 order is contempt of court.

147 Section 6. This act shall take effect on the same date that
148 SB 7090 or similar legislation takes effect, if such legislation
149 is adopted in the same legislative session or an extension
150 thereof and becomes a law.