

1 A bill to be entitled

2 An act relating to electronic transactions for title
3 certificates and registrations; amending s. 319.40,
4 F.S.; authorizing tax collectors to accept
5 applications for motor vehicle certificates of title
6 by electronic or telephonic means and to collect
7 electronic mail addresses for use as a method of
8 notification; authorizing tax collectors to contract
9 with vendors to provide electronic and telephonic
10 transactions; providing that an electronic signature
11 that meets certain requirements satisfies any
12 signature required for an application for a
13 certificate of title; providing an exception; amending
14 s. 320.03, F.S.; specifying tax collection systems for
15 which certain fees may be used for integration with
16 the Florida Real Time Vehicle Information System;
17 requiring the Department of Highway Safety and Motor
18 Vehicles to provide tax collectors and their approved
19 vendors with certain data access and interface
20 functionality; specifying authorized uses for such
21 data and functionality; defining the term "approved
22 vendor"; requiring the department to ensure that
23 approved vendors protect customer privacy and data
24 collection; amending s. 328.30, F.S.; authorizing tax
25 collectors to accept applications for vessel

26 certificates of title by electronic or telephonic
 27 means and to collect electronic mail addresses for use
 28 as a method of providing renewal notices; authorizing
 29 tax collectors to contract with vendors to provide
 30 electronic and telephonic transactions; providing that
 31 an electronic signature that meets certain
 32 requirements satisfies any signature required for an
 33 application for a certificate of title; amending s.
 34 328.73, F.S.; authorizing certain tax collection
 35 systems for in-person and online transactions;
 36 requiring the department to provide tax collectors and
 37 their approved vendors with certain data access and
 38 interface functionality; specifying authorized uses
 39 for such data and functionality; providing an
 40 effective date.

41

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

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44 Section 1. Section 319.40, Florida Statutes, is amended to
 45 read:

46 319.40 Transactions by electronic or telephonic means.—

47 (1) The department and tax collectors may accept any
 48 application provided for under this chapter by electronic or
 49 telephonic means.

50 (2) The department may issue an electronic certificate of

51 title in lieu of printing a paper title.

52 (3) The department and tax collectors may collect
53 electronic mail addresses and use electronic mail in lieu of the
54 United States Postal Service as a method of notification.
55 However, any notice regarding the potential forfeiture or
56 foreclosure of an interest in property must be sent via the
57 United States Postal Service.

58 (4) Tax collectors may contract with vendors for
59 technology services in order to provide transactions by
60 electronic and telephonic means provided for under this chapter.

61 (5) An electronic signature that is consistent with
62 chapter 668 satisfies any signature required for an application
63 under this chapter, except when the electronic signature must be
64 executed using an electronic signature as defined in s.
65 668.003(4), which uses a system providing an Identity Assurance
66 Level, Authenticator Assurance Level, and Federation Assurance
67 Level, as described in the National Institute of Standards and
68 Technology Special Publication 800-63-3, as of December 1, 2017,
69 which are equivalent to or greater than Level 2.

70 Section 2. Subsection (5) of section 320.03, Florida
71 Statutes, is amended to read:

72 320.03 Registration; duties of tax collectors;
73 International Registration Plan.—

74 (5) In addition to the fees required under s. 320.08, a
75 fee of 50 cents shall be charged on every license registration

76 | sold to cover the costs of the Florida Real Time Vehicle
77 | Information System. The fees collected shall be deposited into
78 | the Highway Safety Operating Trust Fund to be used exclusively
79 | to fund the system. The fee may only be used to fund the system
80 | equipment, software, personnel associated with the maintenance
81 | and programming of the system, and networks used in the offices
82 | of the county tax collectors as agents of the department and the
83 | ancillary technology necessary to integrate the system with
84 | other tax collection systems. Other tax collection systems
85 | include technology systems provided by a tax collector's
86 | approved vendors for registration renewal transactions,
87 | including, but not limited to, renewal of motor vehicle and
88 | mobile home registration certificates, registration license
89 | plates, and validation stickers. Such registration renewal
90 | transactions shall be performed on behalf of an applicant either
91 | in person at a county tax collector's office or online via a
92 | county tax collector's website. Upon a tax collector's request,
93 | the department shall provide the tax collector and his or her
94 | approved vendors with data access and interface functionality,
95 | including, but not limited to, data access and interface
96 | functionality that other third parties receive from the
97 | department. Such data and functionality shall be used for the
98 | purpose of processing renewal transactions and shall include,
99 | but not be limited to, bulk data for vehicle registrations which
100 | includes each applicant's current residential address and

101 electronic mail address collected under s. 320.95 and the
102 ability to record registration renewals in the state system in
103 real time. Such data and functionality may be used only for
104 purposes of fulfilling the tax collector's statutory duties and
105 may not be resold or used for any other purpose. For purposes of
106 this subsection, the term "approved vendor" means a third-party
107 entity that has a contract with tax collectors, and a memorandum
108 of understanding with the department, to assist tax collectors
109 in carrying out their duties under this chapter and in
110 accordance with federal and state law. The department shall
111 administer this subsection ~~program~~ upon consultation with the
112 Florida Tax Collectors, Inc., to ensure that each county tax
113 collector's office is technologically equipped and functional
114 for the operation of the Florida Real Time Vehicle Information
115 System and that tax collectors' approved vendors protect
116 customer privacy and data collection. Any designated revenue
117 collected to support functions of the county tax collectors and
118 not used in a given year must remain exclusively in the trust
119 fund as a carryover to the following year.

120 Section 3. Section 328.30, Florida Statutes, is amended to
121 read:

122 328.30 Transactions by electronic or telephonic means.—

123 (1) The department and tax collectors may accept any
124 application provided for under this chapter by electronic or
125 telephonic means.

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

128 (3) The department and tax collectors may collect
 129 electronic mail addresses and use electronic mail in lieu of the
 130 United States Postal Service for the purpose of providing
 131 renewal notices.

132 (4) Tax collectors may contract with vendors for
 133 technology services in order to provide transactions by
 134 electronic and telephonic means provided for under this chapter.

135 (5) An electronic signature that is consistent with
 136 chapter 668 satisfies any signature required for an application
 137 under this chapter.

138 Section 4. Subsection (1) of section 328.73, Florida
 139 Statutes, is amended to read:

140 328.73 Registration; duties of tax collectors.—

141 (1) The tax collectors in the counties of the state, as
 142 authorized agents of the department, shall issue registration
 143 certificates and vessel numbers and decals to applicants,
 144 subject to the requirements of law and in accordance with rules
 145 of the department. Tax collection systems may include technology
 146 systems provided by vendors contracted with tax collectors for
 147 in-person and online vessel registration certificates and vessel
 148 numbers and decals. Upon a tax collector's request, the
 149 department shall provide the tax collector and his or her
 150 approved vendors with data access and interface functionality,

151 including, but not limited to, data access and interface
152 functionality that other third parties receive from the
153 department. Such data and functionality shall be used for the
154 purpose of processing renewal transactions and shall include,
155 but not be limited to, bulk data for vessel registrations which
156 includes each applicant's current residential address and
157 electronic mail address collected under s. 320.95 and the
158 ability to record registration renewals in the state system in
159 real time. Such data and functionality may be used only for
160 purposes of fulfilling the tax collector's statutory duties and
161 may not be resold or used for any other purpose.

162 Section 5. This act shall take effect July 1, 2021.