

By Senator Diaz

36-00785-21

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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

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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:

43  
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 technology

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59 services in order to provide transactions by electronic and  
60 telephonic means provided for under this chapter.

61 (5) An electronic signature that is consistent with chapter  
62 668 satisfies any signature required for an application under  
63 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, an Authenticator Assurance Level, and a Federation  
67 Assurance Level, as described in the National Institute of  
68 Standards and Technology Special Publication 800-63-3, as of  
69 December 1, 2017, which are equivalent to or greater than Level  
70 2.

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

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

75 (5) In addition to the fees required under s. 320.08, a fee  
76 of 50 cents shall be charged on every license registration sold  
77 to cover the costs of the Florida Real Time Vehicle Information  
78 System. The fees collected shall be deposited into the Highway  
79 Safety Operating Trust Fund to be used exclusively to fund the  
80 system. The fee may only be used to fund the system equipment,  
81 software, personnel associated with the maintenance and  
82 programming of the system, and networks used in the offices of  
83 the county tax collectors as agents of the department and the  
84 ancillary technology necessary to integrate the system with  
85 other tax collection systems. Other tax collection systems  
86 include technology systems provided by a tax collector's  
87 approved vendors for registration renewal transactions,

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88 including, but not limited to, renewal of motor vehicle and  
89 mobile home registration certificates, registration license  
90 plates, and validation stickers. Such registration renewal  
91 transactions shall be performed on behalf of an applicant either  
92 in person at a county tax collector's office or online via a  
93 county tax collector's website. Upon a tax collector's request,  
94 the department shall provide the tax collector and his or her  
95 approved vendors with data access and interface functionality,  
96 including, but not limited to, data access and interface  
97 functionality that other third parties receive from the  
98 department. Such data and functionality shall be used for the  
99 purpose of processing renewal transactions and shall include,  
100 but not be limited to, bulk data for vehicle registrations which  
101 includes each applicant's current residential address and  
102 electronic mail address collected under s. 320.95 and the  
103 ability to record registration renewals in the state system in  
104 real time. Such data and functionality may be used only for  
105 purposes of fulfilling the tax collector's statutory duties and  
106 may not be resold or used for any other purpose. For purposes of  
107 this subsection, the term "approved vendor" means a third-party  
108 entity that has a contract with tax collectors, and a memorandum  
109 of understanding with the department, to assist tax collectors  
110 in carrying out their duties under this chapter and in  
111 accordance with federal and state law. The department shall  
112 administer this subsection ~~program~~ upon consultation with the  
113 Florida Tax Collectors, Inc., to ensure that each county tax  
114 collector's office is technologically equipped and functional  
115 for the operation of the Florida Real Time Vehicle Information  
116 System and that tax collectors' approved vendors protect

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117 customer privacy and data collection. Any designated revenue  
118 collected to support functions of the county tax collectors and  
119 not used in a given year must remain exclusively in the trust  
120 fund as a carryover to the following year.

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

123 328.30 Transactions by electronic or telephonic means.—

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

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

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

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

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

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

141 328.73 Registration; duties of tax collectors.—

142 (1) The tax collectors in the counties of the state, as  
143 authorized agents of the department, shall issue registration  
144 certificates and vessel numbers and decals to applicants,  
145 subject to the requirements of law and in accordance with rules

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146 of the department. Tax collection systems may include technology  
147 systems provided by vendors contracted with tax collectors for  
148 in-person and online vessel registration certificates and vessel  
149 numbers and decals. Upon a tax collector's request, the  
150 department shall provide the tax collector and his or her  
151 approved vendors with data access and interface functionality,  
152 including, but not limited to, data access and interface  
153 functionality that other third parties receive from the  
154 department. Such data and functionality shall be used for the  
155 purpose of processing renewal transactions and shall include,  
156 but not be limited to, bulk data for vessel registrations which  
157 includes each applicant's current residential address and  
158 electronic mail address collected under s. 320.95 and the  
159 ability to record registration renewals in the state system in  
160 real time. Such data and functionality may be used only for  
161 purposes of fulfilling the tax collector's statutory duties and  
162 may not be resold or used for any other purpose.

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