

26 | 319.29, F.S.; prohibiting the department or a tax
27 | collector from charging a fee for reissuance of
28 | certain certificates of title; amending s. 319.30,
29 | F.S.; revising and providing definitions; revising
30 | provisions relating to obtaining a salvage certificate
31 | of title or certificate of destruction; exempting the
32 | department from liability to certain persons as a
33 | result of the issuance of such certificate; providing
34 | requirements for an independent entity's release of a
35 | damaged or dismantled vessel to the owner; authorizing
36 | the independent entity to apply for certain
37 | certificates for an unclaimed vessel; providing
38 | requirements for such application; specifying
39 | provisions to which the independent entity is subject;
40 | prohibiting the independent entity from charging
41 | vessel storage fees; amending s. 320.06, F.S.;
42 | authorizing permanent registration of certain rental
43 | trucks; authorizing the department to deem a license
44 | plate with reduced dimensions to be necessary to
45 | accommodate trailers; amending s. 320.084, F.S.;
46 | authorizing certain disabled veterans to be issued a
47 | military license plate or specialty license plate in
48 | lieu of a "DV" license plate; specifying applicable
49 | fees; specifying nonapplicability of certain
50 | provisions; amending s. 322.01, F.S.; revising and

51 providing definitions; amending s. 322.02, F.S.;

52 charging the department with enforcement and

53 administration of certain federal provisions; amending

54 s. 322.05, F.S.; prohibiting the department from

55 issuing a commercial motor vehicle operator license to

56 certain persons; amending s. 322.07, F.S.; revising

57 requirements for issuance of a temporary commercial

58 instruction permit; amending s. 322.141, F.S.;

59 requiring certain information on the driver license or

60 identification card of a sexual offender or sexual

61 predator to be printed in red; amending s. 322.142,

62 F.S.; authorizing the department to issue

63 reproductions of certain files and records to certain

64 criminal justice or driver licensing agencies for

65 certain purposes; amending s. 322.21, F.S.;

66 authorizing reinstatement of a commercial driver

67 license after a downgrade of the person's privilege to

68 operate a commercial motor vehicle under certain

69 circumstances; creating s. 322.591, F.S.; requiring

70 the department to obtain a driver's record from the

71 Commercial Driver's License Drug and Alcohol

72 Clearinghouse under certain circumstances; prohibiting

73 the department from issuing, renewing, transferring,

74 or revising the types of authorized vehicles or the

75 endorsements of certain commercial driver licenses or

76 commercial instruction permits if the department
77 receives a certain notification; requiring the
78 department to downgrade a commercial driver license or
79 commercial instruction permit within a specified
80 timeframe if the department receives a certain
81 notification; requiring the department to notify
82 certain drivers of their prohibition from operating a
83 commercial motor vehicle and, upon request, afford
84 them an opportunity for an informal hearing; providing
85 requirements for such notice and hearing; requiring
86 the department to enter a final order to downgrade a
87 commercial driver license or commercial instruction
88 permit under certain circumstances; specifying that a
89 request for a hearing tolls certain deadlines;
90 specifying that certain notifications received by the
91 department must be in the record for consideration and
92 are self-authenticating; specifying that the basis for
93 the notification and the information in the Commercial
94 Driver's License Drug and Alcohol Clearinghouse are
95 not subject to challenge; requiring the department to
96 dismiss the downgrade of a commercial driver license
97 or instruction permit under certain circumstances;
98 requiring the department to record in the driver's
99 record that he or she is disqualified from operating a
100 commercial motor vehicle under certain circumstances;

101 specifying that certain actions are not stayed during
 102 the pendency of certain proceedings; requiring the
 103 department to reinstate a commercial driver license or
 104 commercial instruction permit under certain
 105 circumstances; exempting the department from liability
 106 for certain commercial driver license or commercial
 107 instruction permit downgrades; designating the
 108 exclusive procedure for the downgrade of commercial
 109 driver licenses or commercial instruction permits;
 110 providing construction and applicability; authorizing
 111 the department to issue at no cost a specified driver
 112 license to certain persons prohibited from operating a
 113 commercial motor vehicle; amending ss. 322.34 and
 114 322.61, F.S.; conforming cross-references; amending
 115 ss. 324.0221, 324.131, and 627.311, F.S.; conforming
 116 provisions to changes made by the act; amending s.
 117 627.7275, F.S.; removing provisions relating to
 118 noncancelable motor vehicle insurance; providing
 119 effective dates.

120

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

122

123 Section 1. Paragraph (a) of subsection (1) of section
 124 207.004, Florida Statutes, is amended to read:

125 207.004 Registration of motor carriers; identifying

126 devices; fees; renewals; temporary fuel-use permits and
 127 driveaway permits.—

128 (1)(a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause
 129 to be operated in this state any commercial motor vehicle, other
 130 than a Florida-based commercial motor vehicle that travels
 131 Florida intrastate mileage only, that uses diesel fuel or motor
 132 fuel until such carrier has registered with the department or
 133 has registered under a cooperative reciprocal agreement as
 134 described in s. 207.0281, after such time as this state enters
 135 into such agreement, and has been issued an identifying device
 136 or such carrier has been issued a permit as authorized under
 137 subsections (4) and (5) for each vehicle operated. The fee for
 138 each such identifying device issued is ~~There shall be a fee of~~
 139 ~~\$4 per year or any fraction thereof for each such identifying~~
 140 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
 141 the department and must be conspicuously displayed on the
 142 commercial motor vehicle as prescribed by the department while
 143 it is being operated on the public highways of this state. The
 144 transfer of an identifying device from one vehicle to another
 145 vehicle or from one motor carrier to another motor carrier is
 146 prohibited. The department or its authorized agent shall issue
 147 licenses and fuel tax decals.

148 Section 2. The Legislature finds that a proper and
 149 legitimate purpose is served when crash reports required under
 150 s. 316.066, Florida Statutes, are filed electronically with the

151 Department of Highway Safety and Motor Vehicles by all entities
152 required to submit crash reports. Electronic filing will
153 expedite the availability of crash reports to the persons
154 authorized to receive them, simplify the process of making crash
155 reports available, and expedite the availability of information
156 derived from crash reports to improve highway safety. The
157 requirement of this act that all law enforcement agencies that
158 prepare crash reports submit the completed crash reports
159 electronically to the Department of Highway Safety and Motor
160 Vehicles applies to all similarly situated persons, including
161 school district law enforcement agencies, state university law
162 enforcement agencies, and state law enforcement agencies.
163 Therefore, the Legislature determines and declares that the
164 amendments made by this act to s. 316.066, Florida Statutes,
165 fulfill an important state interest.

166 Section 3. Effective July 1, 2025, paragraph (a) of
167 subsection (1) of section 316.066, Florida Statutes, is amended
168 to read:

169 316.066 Written reports of crashes; electronic
170 submission.—

171 (1) (a) All traffic law enforcement agencies must provide
172 uniform crash reports by electronic means to the department.
173 Such crash reports must be consistent with the state traffic
174 crash manual rules and the procedures established by the
175 department and must be appropriately numbered and inventoried. A

176 Florida Traffic Crash Report, Long Form must be completed and
 177 electronically submitted to the department within 10 days after
 178 an investigation is completed by the law enforcement officer who
 179 in the regular course of duty investigates a motor vehicle crash
 180 that:

- 181 1. Resulted in death of, personal injury to, or any
- 182 indication of complaints of pain or discomfort by any of the
- 183 parties or passengers involved in the crash;
- 184 2. Involved a violation of s. 316.061(1) or s. 316.193;
- 185 3. Rendered a vehicle inoperable to a degree that required
- 186 a wrecker to remove it from the scene of the crash; or
- 187 4. Involved a commercial motor vehicle.

188 Section 4. Paragraph (b) of subsection (1) of section
 189 316.2935, Florida Statutes, is amended to read:

190 316.2935 Air pollution control equipment; tampering
 191 prohibited; penalty.—

192 (1)

193 (b) At the time of sale, lease, or transfer of title of a
 194 motor vehicle, the seller, lessor, or transferor shall certify
 195 in writing to the purchaser, lessee, or transferee that the air
 196 pollution control equipment of the motor vehicle has not been
 197 tampered with by the seller, lessor, or transferor or their
 198 agents, employees, or other representatives. A licensed motor
 199 vehicle dealer shall also visually observe those air pollution
 200 control devices listed by department rule pursuant to subsection

201 (7), and certify that they are in place, and appear properly
 202 connected and undamaged. Such certification shall not be deemed
 203 or construed as a warranty that the pollution control devices of
 204 the subject vehicle are in functional condition, nor does the
 205 execution or delivery of this certification create by itself
 206 grounds for a cause of action between the parties to this
 207 transaction. This paragraph does not apply when the purchaser of
 208 the motor vehicle is a lessee purchasing the leased motor
 209 vehicle and the licensed motor vehicle dealer is not in
 210 possession of the motor vehicle at the time of sale.

211 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
 212 paragraph (d) of subsection (2), and subsection (9) of section
 213 316.302, Florida Statutes, are amended to read:

214 316.302 Commercial motor vehicles; safety regulations;
 215 transporters and shippers of hazardous materials; enforcement.-

216 (1)(a) All owners and drivers of commercial motor vehicles
 217 that are operated on the public highways of this state while
 218 engaged in interstate commerce are subject to the rules and
 219 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
 220 386, and 390-397.

221 (b) Except as otherwise provided in this section, all
 222 owners and drivers of commercial motor vehicles that are engaged
 223 in intrastate commerce are subject to the rules and regulations
 224 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
 225 397, as such rules and regulations existed on December 31, 2022

226 | 2020.

227 | ~~(c) A person who operates a commercial motor vehicle~~
 228 | ~~solely in intrastate commerce which does not transport hazardous~~
 229 | ~~materials in amounts that require placarding pursuant to 49~~
 230 | ~~C.F.R. part 172 need not comply with the requirements of~~
 231 | ~~electronic logging devices and hours of service supporting~~
 232 | ~~documents as provided in 49 C.F.R. parts 385, 386, 390, and 395~~
 233 | ~~until December 31, 2019.~~

234 | (2)

235 | (d) A person who operates a commercial motor vehicle
 236 | solely in intrastate commerce not transporting any hazardous
 237 | material in amounts that require placarding pursuant to 49
 238 | C.F.R. part 172 within a 150 air-mile radius of the location
 239 | where the vehicle is based need not comply with 49 C.F.R. ss.
 240 | 395.8 and 395.11 ~~s. 395.8~~ if the requirements of 49 C.F.R. s.
 241 | 395.1(e)(1)(iii) and (iv) ~~s. 395.1(e)(1)(ii), (iii)(A) and (C),~~
 242 | ~~and (v)~~ are met.

243 | (9) For the purpose of enforcing this section, any law
 244 | enforcement officer of the Department of Highway Safety and
 245 | Motor Vehicles or duly appointed agent who holds a current
 246 | safety inspector certification from the Commercial Vehicle
 247 | Safety Alliance may require the driver of any commercial vehicle
 248 | operated on the highways of this state to stop and submit to an
 249 | inspection of the vehicle or the driver's records. If the
 250 | vehicle or driver is found to be operating in an unsafe

251 condition, or if any required part or equipment is not present
252 or is not in proper repair or adjustment, and the continued
253 operation would present an unduly hazardous operating condition,
254 the officer or agent may require the vehicle or the driver to be
255 removed from service pursuant to the North American Standard
256 Out-of-Service Criteria, until corrected. However, if continuous
257 operation would not present an unduly hazardous operating
258 condition, the officer or agent may give written notice
259 requiring correction of the condition within 15 days.

260 (a) Any member of the Florida Highway Patrol or any law
261 enforcement officer employed by a sheriff's office or municipal
262 police department authorized to enforce the traffic laws of this
263 state pursuant to s. 316.640 who has reason to believe that a
264 vehicle or driver is operating in an unsafe condition may, as
265 provided in subsection (11), enforce the provisions of this
266 section.

267 (b) Any person who fails to comply with a ~~an officer's~~
268 request to submit to an inspection under this subsection commits
269 a violation of s. 843.02 if the person resists the officer
270 without violence or a violation of s. 843.01 if the person
271 resists the officer with violence.

272 Section 6. Paragraphs (b) and (c) of subsection (1) of
273 section 319.14, Florida Statutes, are amended to read:

274 319.14 Sale of motor vehicles registered or used as
275 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,

276 nonconforming vehicles, custom vehicles, or street rod vehicles;
277 conversion of low-speed vehicles.—

278 (1)

279 (b) A person may not knowingly offer for sale, sell, or
280 exchange a rebuilt vehicle until the department has stamped in a
281 conspicuous place on the certificate of title for the vehicle
282 words stating that the vehicle has been rebuilt or assembled
283 from parts, or is a kit car, glider kit, replica, flood vehicle,
284 custom vehicle, or street rod vehicle unless proper application
285 for a certificate of title for a vehicle that is rebuilt or
286 assembled from parts, or is a kit car, glider kit, replica,
287 flood vehicle, custom vehicle, or street rod vehicle has been
288 made to the department in accordance with this chapter and the
289 department has conducted the physical examination of the vehicle
290 to assure the identity of the vehicle and all major component
291 parts, as defined in s. 319.30(1), which have been repaired or
292 replaced. If a vehicle is identified as a flood vehicle, the
293 words stamped on the certificate of title must identify the type
294 of water that caused damage to the vehicle as "salt water,"
295 "fresh water," or "other or unknown water type," as applicable.
296 Thereafter, the department shall affix a decal to the vehicle,
297 in the manner prescribed by the department, showing the vehicle
298 to be rebuilt.

299 (c) As used in this section, the term:

300 9.1. "Police vehicle" means a motor vehicle owned or

301 leased by the state or a county or municipality and used in law
302 enforcement.

303 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle
304 leased without a driver and under a written agreement to one or
305 more persons from time to time for ~~a period of~~ less than 12
306 months.

307 ~~7.b.~~ "Long-term-lease vehicle" means a motor vehicle
308 leased without a driver and under a written agreement to one
309 person for ~~a period of~~ 12 months or longer.

310 ~~6.e.~~ "Lease vehicle" includes both short-term-lease
311 vehicles and long-term-lease vehicles.

312 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
313 home built from salvage or junk, as defined in s. 319.30(1).

314 ~~1.4.~~ "Assembled from parts" means a motor vehicle or
315 mobile home assembled from parts or combined from parts of motor
316 vehicles or mobile homes, new or used. The term "assembled from
317 parts" does not include ~~mean a motor vehicle defined as a~~
318 "rebuilt vehicle as defined" in subparagraph ~~10. 3.,~~ which has
319 been declared a total loss pursuant to s. 319.30.

320 5. "Kit car" means a motor vehicle assembled with a kit
321 supplied by a manufacturer to rebuild a wrecked or outdated
322 motor vehicle with a new body kit.

323 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
324 supplied by a manufacturer to rebuild a wrecked or outdated
325 truck or truck tractor.

326 11.7. "Replica" means a complete new motor vehicle
 327 manufactured to look like an old vehicle.

328 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
 329 that has been declared to be a total loss pursuant to s.
 330 319.30(3) (a) resulting from damage caused by salt water, fresh
 331 water, or other or unknown type of water.

332 8.9. "Nonconforming vehicle" means a motor vehicle that
 333 ~~which~~ has been purchased by a manufacturer pursuant to a
 334 settlement, determination, or decision under chapter 681.

335 ~~12.10.~~ "Settlement" means an agreement entered into
 336 between a manufacturer and a consumer which ~~that~~ occurs after a
 337 dispute is submitted to a program, or to an informal dispute
 338 settlement procedure established by a manufacturer, or is
 339 approved for arbitration before the Florida New Motor Vehicle
 340 Arbitration Board as defined in s. 681.102.

341 2.11. "Custom vehicle" means a motor vehicle that:

342 a. Is 25 years of age or older and of a model year after
 343 1948 or was manufactured to resemble a vehicle that is 25 years
 344 of age or older and of a model year after 1948; and

345 b. Has been altered from the manufacturer's original
 346 design or has a body constructed from nonoriginal materials.

347
 348 The model year and year of manufacture that the body of a custom
 349 vehicle resembles is the model year and year of manufacture
 350 listed on the certificate of title, regardless of when the

351 vehicle was actually manufactured.

352 ~~14.12.~~ "Street rod" means a motor vehicle that:

353 a. Is of a model year of 1948 or older or was manufactured
 354 after 1948 to resemble a vehicle of a model year of 1948 or
 355 older; and

356 b. Has been altered from the manufacturer's original
 357 design or has a body constructed from nonoriginal materials.

358

359 The model year and year of manufacture that the body of a street
 360 rod resembles is the model year and year of manufacture listed
 361 on the certificate of title, regardless of when the vehicle was
 362 actually manufactured.

363 Section 7. Subsection (3) of section 319.23, Florida
 364 Statutes, is amended to read:

365 319.23 Application for, and issuance of, certificate of
 366 title.—

367 (3) If a certificate of title has not previously been
 368 issued for a motor vehicle or mobile home in this state, the
 369 application, unless otherwise provided for in this chapter,
 370 shall be accompanied by a proper bill of sale or sworn statement
 371 of ownership, or a duly certified copy thereof, or by a
 372 certificate of title, bill of sale, or other evidence of
 373 ownership required by the law of the state or country ~~county~~
 374 from which the motor vehicle or mobile home was brought into
 375 this state. The application shall also be accompanied by:

376 (a)1. A sworn affidavit from the seller and purchaser
 377 verifying that the vehicle identification number shown on the
 378 affidavit is identical to the vehicle identification number
 379 shown on the motor vehicle; or

380 2. An appropriate departmental form evidencing that a
 381 physical examination has been made of the motor vehicle by the
 382 owner and by a duly constituted law enforcement officer in any
 383 state, a licensed motor vehicle dealer, a license inspector as
 384 provided by s. 320.58, or a notary public commissioned by this
 385 state and that the vehicle identification number shown on such
 386 form is identical to the vehicle identification number shown on
 387 the motor vehicle; and

388 (b) If the vehicle is a used car original, a sworn
 389 affidavit from the owner verifying that the odometer reading
 390 shown on the affidavit is identical to the odometer reading
 391 shown on the motor vehicle in accordance with the requirements
 392 of 49 C.F.R. s. 580.5 at the time that application for title is
 393 made. For the purposes of this section, the term "used car
 394 original" means a used vehicle coming into and being titled in
 395 this state for the first time.

396 (c) If the vehicle is an ancient or antique vehicle, as
 397 defined in s. 320.086, the application shall be accompanied by a
 398 certificate of title; a bill of sale and a registration; or a
 399 bill of sale and an affidavit by the owner defending the title
 400 from all claims. The bill of sale must contain a complete

401 vehicle description to include the vehicle identification or
 402 engine number, year make, color, selling price, and signatures
 403 of the seller and purchaser.

404
 405 Verification of the vehicle identification number is not
 406 required for any new motor vehicle; any mobile home; any trailer
 407 or semitrailer with a net weight of less than 2,000 pounds; or
 408 any travel trailer, camping trailer, truck camper, or fifth-
 409 wheel recreation trailer.

410 Section 8. Paragraphs (c) and (d) of subsection (1) of
 411 section 319.28, Florida Statutes, are redesignated as paragraphs
 412 (d) and (e), respectively, and a new paragraph (c) is added to
 413 that subsection to read:

414 319.28 Transfer of ownership by operation of law.—

415 (1)

416 (c) If the previous owner died testate and the application
 417 for a certificate of title is made by, and accompanied by an
 418 affidavit attested by, a Florida-licensed attorney in good
 419 standing with The Florida Bar who is representing the previous
 420 owner's estate, such affidavit shall, for purposes of paragraph
 421 (a), constitute satisfactory proof of ownership and right of
 422 possession to the motor vehicle or mobile home, so long as the
 423 affidavit sets forth the rightful heir or heirs and the attorney
 424 attests in the affidavit that such heir or heirs are lawfully
 425 entitled to the rights of ownership and possession of the motor

426 vehicle or mobile home. It shall not be necessary for the
427 application for certificate of title filed under this paragraph
428 to be accompanied by a copy of the will or other testamentary
429 instrument.

430 Section 9. Subsection (3) of section 319.29, Florida
431 Statutes, is amended to read:

432 319.29 Lost or destroyed certificates.—

433 (3) If, following the issuance of an original, duplicate,
434 or corrected certificate of title by the department, the
435 certificate is lost in transit and is not delivered to the
436 addressee, the owner of the motor vehicle or mobile home, or the
437 holder of a lien thereon, may, within 180 days after ~~of~~ the date
438 of issuance of the title, apply to the department for reissuance
439 of the certificate of title. An ~~No~~ additional fee shall not be
440 charged by the department or a tax collector, as agent for the
441 department, for reissuance under this subsection.

442 Section 10. Paragraphs (g) and (j) of subsection (1),
443 paragraph (b) of subsection (3), and subsection (9) of section
444 319.30, Florida Statutes, are amended, and paragraph (y) is
445 added to subsection (1) of that section, to read:

446 319.30 Definitions; dismantling, destruction, change of
447 identity of motor vehicle or mobile home; salvage.—

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

449 (g) "Independent entity" means a business or entity that
450 may temporarily store damaged or dismantled motor vehicles or

451 vessels pursuant to an agreement with an insurance company and
 452 is engaged in the sale or resale of damaged or dismantled motor
 453 vehicles or vessels. The term does not include a wrecker
 454 operator, a towing company, or a repair facility.

455 (j) "Major component parts" means:

456 1. For motor vehicles other than motorcycles and electric
 457 or plug-in hybrid motor vehicles, any fender, hood, bumper, cowl
 458 assembly, rear quarter panel, trunk lid, door, decklid, floor
 459 pan, engine, frame, transmission, catalytic converter, or
 460 airbag.

461 2. For trucks other than electric or plug-in hybrid motor
 462 vehicles, in addition to those parts listed in subparagraph 1.,
 463 any truck bed, including dump, wrecker, crane, mixer, cargo box,
 464 or any bed which mounts to a truck frame.

465 3. For motorcycles, the body assembly, frame, fenders, gas
 466 tanks, engine, cylinder block, heads, engine case, crank case,
 467 transmission, drive train, front fork assembly, and wheels.

468 4. For mobile homes, the frame.

469 5. For electric or plug-in hybrid motor vehicles, any
 470 fender, hood, bumper, cowl assembly, rear quarter panel, trunk
 471 lid, door, decklid, floor pan, engine, electric traction motor,
 472 frame, transmission or electronic transmission, charge port, DC
 473 power converter, onboard charger, power electronics controller,
 474 thermal system, traction battery pack, catalytic converter, or
 475 airbag.

476 (y) "Vessel" has the same meaning as provided in s.
 477 713.78(1)(b).

478 (3)

479 (b) The owner, including persons who are self-insured, of
 480 a motor vehicle or mobile home that is considered to be salvage
 481 shall, within 72 hours after the motor vehicle or mobile home
 482 becomes salvage, forward the title to the motor vehicle or
 483 mobile home to the department for processing. However, an
 484 insurance company that pays money as compensation for the total
 485 loss of a motor vehicle or mobile home shall obtain the
 486 certificate of title for the motor vehicle or mobile home, make
 487 the required notification to the National Motor Vehicle Title
 488 Information System, and, within 72 hours after receiving such
 489 certificate of title, forward such title by the United States
 490 Postal Service, by another commercial delivery service, or by
 491 electronic means, when such means are made available by the
 492 department, to the department for processing. The owner or
 493 insurance company, as applicable, may not dispose of a vehicle
 494 or mobile home that is a total loss before it obtains a salvage
 495 certificate of title or certificate of destruction from the
 496 department. ~~Effective January 1, 2020:~~

497 1. Thirty days after payment of a claim for compensation
 498 pursuant to this paragraph, the insurance company may receive a
 499 salvage certificate of title or certificate of destruction from
 500 the department if the insurance company is unable to obtain a

501 properly assigned paper or electronic certificate of title from
502 the owner or lienholder of the motor vehicle or mobile home, ~~if~~
503 ~~the motor vehicle or mobile home does not carry an electronic~~
504 ~~lien on the title~~ and the insurance company:

505 a. Has obtained the release of all liens on the motor
506 vehicle or mobile home or has fully paid the amounts due to the
507 owner and the lienholder;

508 b. Has attested on a form provided by the department that
509 payment of the total loss claim has been distributed or, if a
510 release of all liens has not been obtained, that amounts due to
511 the owner and the lienholder have been paid in full; and

512 c. Has attested on a form provided by the department and
513 signed by the insurance company or its authorized agent stating
514 the attempts that have been made to obtain the title from the
515 owner or lienholder and further stating that all attempts are to
516 no avail. The form must include a request that the salvage
517 certificate of title or certificate of destruction be issued in
518 the insurance company's name due to payment of a total loss
519 claim to the owner or lienholder. The attempts to contact the
520 owner or lienholder may be by written request delivered in
521 person or by first-class mail with a certificate of mailing to
522 the owner's or lienholder's last known address.

523 2. If the owner or lienholder is notified of the request
524 for title in person, the insurance company must provide an
525 affidavit attesting to the in-person request for a certificate

526 | of title.

527 | 3. The request to the owner or lienholder for the
 528 | certificate of title must include a complete description of the
 529 | motor vehicle or mobile home and the statement that a total loss
 530 | claim has been paid on the motor vehicle or mobile home.

531 |
 532 | The department is not liable to, and may not be held liable by,
 533 | an owner, a lienholder, or any other person as a result of the
 534 | issuance of a salvage certificate of title or a certificate of
 535 | destruction pursuant to this paragraph.

536 | (9)(a) An insurance company may notify an independent
 537 | entity that obtains possession of a damaged or dismantled motor
 538 | vehicle or vessel to release the vehicle or vessel to the owner.
 539 | The insurance company shall provide the independent entity a
 540 | release statement on a form prescribed by the department
 541 | authorizing the independent entity to release the vehicle or
 542 | vessel to the owner or lienholder. The form must, at a minimum,
 543 | contain the following:

- 544 | 1. The policy and claim number.
- 545 | 2. The name and address of the insured.
- 546 | 3. The vehicle identification number or vessel hull
 547 | identification number.
- 548 | 4. The signature of an authorized representative of the
 549 | insurance company.

550 | (b) The independent entity in possession of a motor

551 vehicle or vessel must send a notice to the owner that the
552 vehicle or vessel is available for pickup when it receives a
553 release statement from the insurance company. The notice shall
554 be sent by certified mail or by another commercially available
555 delivery service that provides proof of delivery to the owner at
556 the owner's address contained in the department's records. The
557 notice must state that the owner has 30 days after delivery of
558 the notice to the owner at the owner's address to pick up the
559 vehicle or vessel from the independent entity. If the motor
560 vehicle or vessel is not claimed within 30 days after the
561 delivery or attempted delivery of the notice, the independent
562 entity may apply for a certificate of destruction, a salvage
563 certificate of title, or a certificate of title. For a hull-
564 damaged vessel, the independent entity shall comply with s.
565 328.045 as applicable.

566 (c) If the department's records do not contain the owner's
567 address, the independent entity must do all of the following:

568 1. Send a notice that meets the requirements of paragraph
569 (b) to the owner's address that is provided by the insurance
570 company in the release statement.

571 2. For a vehicle, identify the latest titling jurisdiction
572 of the vehicle through use of the National Motor Vehicle Title
573 Information System or an equivalent commercially available
574 system and attempt to obtain the owner's address from that
575 jurisdiction. If the jurisdiction returns an address that is

576 different from the owner's address provided by the insurance
 577 company, the independent entity must send a notice that meets
 578 the requirements of paragraph (b) to both addresses.

579 (d) The independent entity shall maintain for at least a
 580 ~~minimum of~~ 3 years the records related to the 30-day notice sent
 581 to the owner. For vehicles, the independent entity shall also
 582 maintain for at least 3 years the results of searches of the
 583 National Motor Vehicle Title Information System or an equivalent
 584 commercially available system, and the notification to the
 585 National Motor Vehicle Title Information System made pursuant to
 586 paragraph (e).

587 (e) The independent entity shall make the required
 588 notification to the National Motor Vehicle Title Information
 589 System before releasing any damaged or dismantled motor vehicle
 590 to the owner or before applying for a certificate of destruction
 591 or salvage certificate of title. The independent entity is not
 592 required to notify the National Motor Vehicle Title Information
 593 System before releasing any damaged or dismantled vessel to the
 594 owner or before applying for a certificate of title.

595 (f) Upon applying for a certificate of destruction, ~~or~~
 596 salvage certificate of title, or certificate of title, the
 597 independent entity shall provide a copy of the release statement
 598 from the insurance company to the independent entity, proof of
 599 providing the 30-day notice to the owner, proof of notification
 600 to the National Motor Vehicle Title Information System if

601 required, proof of all lien satisfactions or proof of a release
602 of all liens on the motor vehicle or vessel, and applicable
603 fees. If the independent entity is unable to obtain a lien
604 satisfaction or a release of all liens on the motor vehicle or
605 vessel, the independent entity must provide an affidavit stating
606 that notice was sent to all lienholders that the motor vehicle
607 or vessel is available for pickup, 30 days have passed since the
608 notice was delivered or attempted to be delivered pursuant to
609 this section, attempts have been made to obtain a release from
610 all lienholders, and all such attempts have been to no avail.
611 The notice to lienholders and attempts to obtain a release from
612 lienholders may be by written request delivered in person or by
613 certified mail or another commercially available delivery
614 service that provides proof of delivery to the lienholder at the
615 lienholder's address as provided on the certificate of title and
616 to the address designated with the Department of State pursuant
617 to s. 655.0201(2) if such address is different.

618 (g) The independent entity may not charge an owner of the
619 vehicle or vessel storage fees or apply for a title under s.
620 713.585 or s. 713.78.

621 Section 11. Paragraph (b) of subsection (1) and paragraph
622 (a) of subsection (3) of section 320.06, Florida Statutes, are
623 amended to read:

624 320.06 Registration certificates, license plates, and
625 validation stickers generally.—

626 (1)
627 (b)1. Registration license plates bearing a graphic symbol
628 and the alphanumeric system of identification shall be issued
629 for a 10-year period. At the end of the 10-year period, upon
630 renewal, the plate shall be replaced. The department shall
631 extend the scheduled license plate replacement date from a 6-
632 year period to a 10-year period. The fee for such replacement is
633 \$28, \$2.80 of which shall be paid each year before the plate is
634 replaced, to be credited toward the next \$28 replacement fee.
635 The fees shall be deposited into the Highway Safety Operating
636 Trust Fund. A credit or refund may not be given for any prior
637 years' payments of the prorated replacement fee if the plate is
638 replaced or surrendered before the end of the 10-year period,
639 except that a credit may be given if a registrant is required by
640 the department to replace a license plate under s.
641 320.08056(8) (a). With each license plate, a validation sticker
642 shall be issued showing the owner's birth month, license plate
643 number, and the year of expiration or the appropriate renewal
644 period if the owner is not a natural person. The validation
645 sticker shall be placed on the upper right corner of the license
646 plate. The license plate and validation sticker shall be issued
647 based on the applicant's appropriate renewal period. The
648 registration period is 12 months, the extended registration
649 period is 24 months, and all expirations occur based on the
650 applicant's appropriate registration period. Rental vehicles

651 | taxed pursuant to s. 320.08(6)(a) and rental trucks taxed
652 | pursuant to s. 320.08(3)(a), (b), and (c) and (4)(a)-(d) may
653 | elect a permanent registration period, provided payment of the
654 | appropriate license taxes and fees occurs annually.

655 | 2. A vehicle that has an apportioned registration shall be
656 | issued an annual license plate and a cab card that denote the
657 | declared gross vehicle weight for each apportioned jurisdiction
658 | in which the vehicle is authorized to operate. This subparagraph
659 | expires June 30, 2024.

660 | 3. Beginning July 1, 2024, a vehicle registered in
661 | accordance with the International Registration Plan must be
662 | issued a license plate for a 3-year period. At the end of the 3-
663 | year period, upon renewal, the license plate must be replaced.
664 | Each license plate must include a validation sticker showing the
665 | month of expiration. A cab card denoting the declared gross
666 | vehicle weight for each apportioned jurisdiction must be issued
667 | annually. The fee for an original or a renewal cab card is \$28,
668 | which must be deposited into the Highway Safety Operating Trust
669 | Fund. If the license plate is damaged or worn, it may be
670 | replaced at no charge by applying to the department and
671 | surrendering the current license plate.

672 | 4. In order to retain the efficient administration of the
673 | taxes and fees imposed by this chapter, the 80-cent fee increase
674 | in the replacement fee imposed by chapter 2009-71, Laws of
675 | Florida, is negated as provided in s. 320.0804.

676 (3) (a) Registration license plates must be made of metal
677 specially treated with a retroreflection material, as specified
678 by the department. The registration license plate is designed to
679 increase nighttime visibility and legibility and must be at
680 least 6 inches wide and not less than 12 inches in length,
681 unless a plate with reduced dimensions is deemed necessary by
682 the department to accommodate motorcycles, mopeds, ~~or~~ similar
683 smaller vehicles, or trailers. Validation stickers must also be
684 treated with a retroreflection material, must be of such size as
685 specified by the department, and must adhere to the license
686 plate. The registration license plate must be imprinted with a
687 combination of bold letters and numerals or numerals, not to
688 exceed seven digits, to identify the registration license plate
689 number. The license plate must be imprinted with the word
690 "Florida" at the top and the name of the county in which it is
691 sold, the state motto, or the words "Sunshine State" at the
692 bottom. Apportioned license plates must have the word
693 "Apportioned" at the bottom, and license plates issued for
694 vehicles taxed under s. 320.08 (3) (d), (4) (m) or (n), (5) (b) or
695 (c), or (14) must have the word "Restricted" at the bottom.
696 License plates issued for vehicles taxed under s. 320.08 (12)
697 must be imprinted with the word "Florida" at the top and the
698 word "Dealer" at the bottom unless the license plate is a
699 specialty license plate as authorized in s. 320.08056.
700 Manufacturer license plates issued for vehicles taxed under s.

701 320.08(12) must be imprinted with the word "Florida" at the top
 702 and the word "Manufacturer" at the bottom. License plates issued
 703 for vehicles taxed under s. 320.08(5)(d) or (e) must be
 704 imprinted with the word "Wrecker" at the bottom. Any county may,
 705 upon majority vote of the county commission, elect to have the
 706 county name removed from the license plates sold in that county.
 707 The state motto or the words "Sunshine State" shall be printed
 708 in lieu thereof. A license plate issued for a vehicle taxed
 709 under s. 320.08(6) may not be assigned a registration license
 710 number, or be issued with any other distinctive character or
 711 designation, that distinguishes the motor vehicle as a for-hire
 712 motor vehicle.

713 Section 12. Subsection (1) of section 320.084, Florida
 714 Statutes, is amended, and subsection (6) is added to that
 715 section, to read:

716 320.084 Free motor vehicle license plate to certain
 717 disabled veterans.—

718 (1) One free "DV" motor vehicle license number plate shall
 719 be issued by the department for use on any motor vehicle owned
 720 or leased by any disabled veteran who has been a resident of
 721 this state continuously for the preceding 5 years or has
 722 established a domicile in this state as provided by s.
 723 222.17(1), (2), or (3), and who has been honorably discharged
 724 from the United States Armed Forces, upon application,
 725 accompanied by proof that:

726 (a) A vehicle was initially acquired through financial
 727 assistance by the United States Department of Veterans Affairs
 728 or its predecessor specifically for the purchase of an
 729 automobile;

730 (b) The applicant has been determined by the United States
 731 Department of Veterans Affairs or its predecessor to have a
 732 service-connected 100-percent disability rating for
 733 compensation; or

734 (c) The applicant has been determined to have a service-
 735 connected disability rating of 100 percent and is in receipt of
 736 disability retirement pay from any branch of the United States
 737 Armed Services.

738 (6) (a) A disabled veteran who meets the requirements of
 739 subsection (1) may be issued, in lieu of the "DV" license plate,
 740 a military license plate for which he or she is eligible or a
 741 specialty license plate. A disabled veteran electing a military
 742 license plate or specialty license plate under this subsection
 743 must pay all applicable fees related to such license plate,
 744 except for fees otherwise waived under subsections (1) and (4).

745 (b) A military license plate or specialty license plate
 746 elected under this subsection:

747 1. Does not provide the protections or rights afforded by
 748 ss. 316.1955, 316.1964, 320.0848, 526.141, and 553.5041.

749 2. Is not eligible for the international symbol of
 750 accessibility as described in s. 320.0842.

751 Section 13. Subsections (16) through (48) of section
 752 322.01, Florida Statutes, are renumbered as subsections (17)
 753 through (49), respectively, subsection (5) and present
 754 subsections (37) and (41) of that section are amended, and a new
 755 subsection (16) is added to that section, to read:

756 322.01 Definitions.—As used in this chapter:

757 (5) "Cancellation" means the act of declaring a driver
 758 license void and terminated but does not include a downgrade.

759 (16) "Downgrade" has the same meaning as provided in
 760 paragraph (4) of the definition of the term "CDL downgrade" in
 761 49 C.F.R. s. 383.5.

762 (38)-(37) "Revocation" means the termination of a
 763 licensee's privilege to drive but does not include a downgrade.

764 (42)-(41) "Suspension" means the temporary withdrawal of a
 765 licensee's privilege to drive a motor vehicle but does not
 766 include a downgrade.

767 Section 14. Subsection (2) of section 322.02, Florida
 768 Statutes, is amended to read:

769 322.02 Legislative intent; administration.—

770 (2) The Department of Highway Safety and Motor Vehicles is
 771 charged with the administration and function of enforcement of
 772 the provisions of this chapter and the enforcement and
 773 administration of 49 C.F.R. parts 382-386 and 390-397.

774 Section 15. Subsections (4) through (12) of section
 775 322.05, Florida Statutes, are renumbered as subsections (5)

776 through (13), respectively, and a new subsection (4) is added to
 777 that section to read:

778 322.05 Persons not to be licensed.—The department may not
 779 issue a license:

780 (4) To any person, as a commercial motor vehicle operator,
 781 who is ineligible to operate a commercial motor vehicle pursuant
 782 to 49 C.F.R. part 383.

783 Section 16. Subsection (3) of section 322.07, Florida
 784 Statutes, is amended to read:

785 322.07 Instruction permits and temporary licenses.—

786 (3) Any person who, except for his or her lack of
 787 instruction in operating a commercial motor vehicle, would
 788 otherwise be qualified to obtain a commercial driver license
 789 under this chapter, may apply for a temporary commercial
 790 instruction permit. The department shall issue such a permit
 791 entitling the applicant, while having the permit in his or her
 792 immediate possession, to drive a commercial motor vehicle on the
 793 highways, if:

794 (a) The applicant possesses a valid Florida driver
 795 license; ~~and~~

796 (b) The applicant, while operating a commercial motor
 797 vehicle, is accompanied by a licensed driver who is 21 years of
 798 age or older, who is licensed to operate the class of vehicle
 799 being operated, and who is occupying the closest seat to the
 800 right of the driver; and

801 (c) The department has not been notified that, pursuant to
 802 49 C.F.R. s. 382.501(a), the applicant is prohibited from
 803 operating a commercial motor vehicle.

804 Section 17. Effective January 1, 2024, subsection (3) of
 805 section 322.141, Florida Statutes, is amended to read:

806 322.141 Color or markings of certain licenses or
 807 identification cards.—

808 (3) All licenses for the operation of motor vehicles or
 809 identification cards originally issued or reissued by the
 810 department to persons who are designated as sexual predators
 811 under s. 775.21 or subject to registration as sexual offenders
 812 under s. 943.0435 or s. 944.607, or who have a similar
 813 designation or are subject to a similar registration under the
 814 laws of another jurisdiction, shall have printed in the color
 815 red all information otherwise required to be printed on the
 816 front of the license or identification card, as well as the
 817 following:

818 (a) For a person designated as a sexual predator under s.
 819 775.21 or who has a similar designation under the laws of
 820 another jurisdiction, the marking "SEXUAL PREDATOR."

821 (b) For a person subject to registration as a sexual
 822 offender under s. 943.0435 or s. 944.607, or subject to a
 823 similar registration under the laws of another jurisdiction, the
 824 marking "943.0435, F.S."

825 Section 18. Paragraphs (m) and (n) of subsection (4) of

826 section 322.142, Florida Statutes, are amended, and paragraphs
 827 (o) and (p) are added to that subsection, to read:

828 322.142 Color photographic or digital imaged licenses.—

829 (4) The department may maintain a film negative or print
 830 file. The department shall maintain a record of the digital
 831 image and signature of the licensees, together with other data
 832 required by the department for identification and retrieval.
 833 Reproductions from the file or digital record are exempt from
 834 the provisions of s. 119.07(1) and may be made and issued only:

835 (m) To the following persons for the purpose of
 836 identifying a person as part of the official work of a court:

- 837 1. A justice or judge of this state;
- 838 2. An employee of the state courts system who works in a
 839 position that is designated in writing for access by the Chief
 840 Justice of the Supreme Court or a chief judge of a district or
 841 circuit court, or by his or her designee; or
- 842 3. A government employee who performs functions on behalf
 843 of the state courts system in a position that is designated in
 844 writing for access by the Chief Justice or a chief judge, or by
 845 his or her designee; ~~or~~

846 (n) To the Agency for Health Care Administration pursuant
 847 to an interagency agreement to prevent health care fraud. If the
 848 Agency for Health Care Administration enters into an agreement
 849 with a private entity to carry out duties relating to health
 850 care fraud prevention, such contracts shall include, but need

851 not be limited to:

852 1. Provisions requiring internal controls and audit
853 processes to identify access, use, and unauthorized access of
854 information.

855 2. A requirement to report unauthorized access or use to
856 the Agency for Health Care Administration within 1 business day
857 after the discovery of the unauthorized access or use.

858 3. Provisions for liquidated damages for unauthorized
859 access or use of no less than \$5,000 per occurrence;

860 (o) To any criminal justice agency, as defined in s.
861 943.045, pursuant to an interagency agreement for use in
862 carrying out the criminal justice agency's functions; or

863 (p) To the driver licensing agency of any other state for
864 purposes of validating the identity of an applicant for a driver
865 license or identification card.

866 Section 19. Subsection (8) and paragraph (a) of subsection
867 (9) of section 322.21, Florida Statutes, are amended to read:

868 322.21 License fees; procedure for handling and collecting
869 fees.—

870 (8) A person who applies for reinstatement following the
871 suspension or revocation of the person's driver license must pay
872 a service fee of \$45 following a suspension, and \$75 following a
873 revocation, which is in addition to the fee for a license. A
874 person who applies for reinstatement of a commercial driver
875 license following the disqualification or downgrade of the

876 person's privilege to operate a commercial motor vehicle shall
 877 pay a service fee of \$75, which is in addition to the fee for a
 878 license. The department shall collect all of these fees at the
 879 time of reinstatement. The department shall issue proper
 880 receipts for such fees and shall promptly transmit all funds
 881 received by it as follows:

882 (a) Of the \$45 fee received from a licensee for
 883 reinstatement following a suspension:

884 1. If the reinstatement is processed by the department,
 885 the department shall deposit \$15 in the General Revenue Fund and
 886 \$30 in the Highway Safety Operating Trust Fund.

887 2. If the reinstatement is processed by the tax collector,
 888 \$15, less the general revenue service charge set forth in s.
 889 215.20(1), shall be retained by the tax collector, \$15 shall be
 890 deposited into the Highway Safety Operating Trust Fund, and \$15
 891 shall be deposited into the General Revenue Fund.

892 (b) Of the \$75 fee received from a licensee for
 893 reinstatement following a revocation, ~~or~~ disqualification, or
 894 downgrade:

895 1. If the reinstatement is processed by the department,
 896 the department shall deposit \$35 in the General Revenue Fund and
 897 \$40 in the Highway Safety Operating Trust Fund.

898 2. If the reinstatement is processed by the tax collector,
 899 \$20, less the general revenue service charge set forth in s.
 900 215.20(1), shall be retained by the tax collector, \$20 shall be

901 deposited into the Highway Safety Operating Trust Fund, and \$35
 902 shall be deposited into the General Revenue Fund.

903
 904 If the revocation or suspension of the driver license was for a
 905 violation of s. 316.193, or for refusal to submit to a lawful
 906 breath, blood, or urine test, an additional fee of \$130 must be
 907 charged. However, only one \$130 fee may be collected from one
 908 person convicted of violations arising out of the same incident.
 909 The department shall collect the \$130 fee and deposit the fee
 910 into the Highway Safety Operating Trust Fund at the time of
 911 reinstatement of the person's driver license, but the fee may
 912 not be collected if the suspension or revocation is overturned.
 913 If the revocation or suspension of the driver license was for a
 914 conviction for a violation of s. 817.234(8) or (9) or s.
 915 817.505, an additional fee of \$180 is imposed for each offense.
 916 The department shall collect and deposit the additional fee into
 917 the Highway Safety Operating Trust Fund at the time of
 918 reinstatement of the person's driver license.

919 (9) An applicant:
 920 (a) Requesting a review authorized in s. 322.222, s.
 921 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
 922 pay a filing fee of \$25 to be deposited into the Highway Safety
 923 Operating Trust Fund.

924 Section 20. Section 322.591, Florida Statutes, is created
 925 to read:

926 322.591 Commercial driver license and commercial
927 instruction permit; Commercial Driver's License Drug and Alcohol
928 Clearinghouse; prohibition on issuance of commercial driver
929 licenses; downgrades.-

930 (1) Beginning November 18, 2024, when a person applies for
931 or seeks to renew, transfer, or make any other change to a
932 commercial driver license or commercial instruction permit, the
933 department must obtain the driver's record from the Commercial
934 Driver's License Drug and Alcohol Clearinghouse established
935 pursuant to 49 C.F.R. part 382. The department may not issue,
936 renew, transfer, or revise the types of authorized vehicles that
937 may be operated or the endorsements applicable to a commercial
938 driver license or commercial instruction permit for any person
939 for whom the department receives notification that, pursuant to
940 49 C.F.R. s. 382.501(a), the person is prohibited from operating
941 a commercial vehicle.

942 (2) Beginning November 18, 2024, the department shall
943 downgrade the commercial driver license or commercial
944 instruction permit of any driver if the department receives
945 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
946 driver is prohibited from operating a commercial motor vehicle.
947 Any such downgrade must be completed and recorded by the
948 department in the Commercial Driver's License Information System
949 within 60 days after the department's receipt of such
950 notification.

951 (3)(a) Beginning November 18, 2024, upon receipt of
952 notification that, pursuant to 49 C.F.R. s. 382.501(a), a driver
953 is prohibited from operating a commercial motor vehicle, the
954 department shall immediately notify the driver who is the
955 subject of such notification that he or she is prohibited from
956 operating a commercial motor vehicle and, upon his or her
957 request, must afford him or her an opportunity for an informal
958 hearing pursuant to this section. The department's notice must
959 be provided to the driver in the same manner as, and providing
960 such notice has the same effect as, notices provided pursuant to
961 s. 322.251(1) and (2).

962 (b) Such informal hearing must be requested not later than
963 20 days after the driver receives the notice of the downgrade.
964 If a request for a hearing, together with the filing fee
965 required pursuant to s. 322.21, is not received within 20 days
966 after receipt of such notice, the department must enter a final
967 order directing the downgrade of the driver's commercial driver
968 license or commercial instruction permit unless the department
969 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
970 the driver is no longer prohibited from operating a commercial
971 motor vehicle.

972 (c) A hearing requested pursuant to paragraph (b) must be
973 scheduled and held not later than 30 days after receipt by the
974 department of a request for the hearing, together with the
975 filing fee required pursuant to s. 322.21. The submission of a

976 request for hearing pursuant to this subsection tolls the
 977 deadline to file a petition for writ of certiorari pursuant to
 978 s. 322.31 until after the department enters a final order after
 979 a hearing pursuant to this subsection.

980 (d) The informal hearing authorized pursuant to this
 981 subsection is exempt from chapter 120. Such hearing must be
 982 conducted before a hearing officer designated by the department.
 983 The hearing officer may conduct such hearing from any location
 984 in this state by means of communications technology.

985 (e) The notification received by the department pursuant
 986 to 49 C.F.R. s. 382.501(a) must be in the record for
 987 consideration by the hearing officer and in any proceeding
 988 pursuant to s. 322.31 and is considered self-authenticating. The
 989 basis for the notification received by the department pursuant
 990 to 49 C.F.R. s. 382.501(a) and the information in the Commercial
 991 Driver's License Drug and Alcohol Clearinghouse which resulted
 992 in such notification are not subject to challenge in the hearing
 993 or in any proceeding brought under s. 322.31.

994 (f) If, before the entry of a final order arising from a
 995 notification received by the department pursuant to 49 C.F.R. s.
 996 382.501(a), the department receives notification that, pursuant
 997 to 49 C.F.R. s. 382.503(a), the driver is no longer prohibited
 998 from operating a commercial motor vehicle, the department must
 999 dismiss the action to downgrade the driver's commercial driver
 1000 license or commercial instruction permit.

1001 (g) Upon the entry of a final order that results in the
 1002 downgrade of a driver's commercial driver license or commercial
 1003 instruction permit, the department shall record immediately in
 1004 the driver's record that the driver is disqualified from
 1005 operating or driving a commercial motor vehicle. The downgrade
 1006 of a commercial driver license or commercial instruction permit
 1007 pursuant to a final order entered pursuant to this section, and,
 1008 upon the entry of a final order, the recording in the driver's
 1009 record that the driver subject to such a final order is
 1010 disqualified from operating or driving a commercial motor
 1011 vehicle, are not stayed during the pendency of any proceeding
 1012 pursuant to s. 322.31.

1013 (h) If, after the entry of a final order that results in
 1014 the downgrade of a driver's commercial driver license or
 1015 commercial instruction permit and the department's recording in
 1016 the driver's record that the driver is disqualified from
 1017 operating or driving a commercial motor vehicle, the department
 1018 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
 1019 the driver is no longer prohibited from operating a commercial
 1020 motor vehicle, the department must reinstate the driver's
 1021 commercial driver license or commercial instruction permit upon
 1022 application by such driver.

1023 (i) The department is not liable for any commercial driver
 1024 license or commercial instruction permit downgrade resulting
 1025 from the discharge of its duties.

1026 (j) This section is the exclusive procedure for the
 1027 downgrade of a commercial driver license or commercial
 1028 instruction permit following notification received by the
 1029 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver
 1030 is prohibited from operating a commercial motor vehicle.

1031 (k) The downgrade of a commercial driver license or
 1032 commercial instruction permit of a person pursuant to this
 1033 section does not preclude the suspension of the driving
 1034 privilege for that person pursuant to s. 322.2615 or the
 1035 disqualification of that person from operating a commercial
 1036 motor vehicle pursuant to s. 322.64. The driving privilege of a
 1037 person whose commercial driver license or commercial instruction
 1038 permit has been downgraded pursuant to this section also may be
 1039 suspended for a violation of s. 316.193.

1040 (4) Beginning November 18, 2024, a driver for whom the
 1041 department receives notification that, pursuant to 49 C.F.R. s.
 1042 382.501(a), such person is prohibited from operating a
 1043 commercial motor vehicle may, if otherwise qualified, be issued
 1044 a Class E driver license pursuant to s. 322.251(4), valid for
 1045 the length of his or her unexpired license period, at no cost.

1046 Section 21. Subsection (2) of section 322.34, Florida
 1047 Statutes, is amended to read:

1048 322.34 Driving while license suspended, revoked, canceled,
 1049 or disqualified.—

1050 (2) Any person whose driver license or driving privilege

1051 has been canceled, suspended, or revoked as provided by law, or
 1052 who does not have a driver license or driving privilege but is
 1053 under suspension or revocation equivalent status as defined in
 1054 s. 322.01(43) ~~s. 322.01(42)~~, except persons defined in s.
 1055 322.264, who, knowing of such cancellation, suspension,
 1056 revocation, or suspension or revocation equivalent status,
 1057 drives any motor vehicle upon the highways of this state while
 1058 such license or privilege is canceled, suspended, or revoked, or
 1059 while under suspension or revocation equivalent status, commits:

1060 (a) A misdemeanor of the second degree, punishable as
 1061 provided in s. 775.082 or s. 775.083.

1062 (b)1. A misdemeanor of the first degree, punishable as
 1063 provided in s. 775.082 or s. 775.083, upon a second or
 1064 subsequent conviction, except as provided in paragraph (c).

1065 2. A person convicted of a third or subsequent conviction,
 1066 except as provided in paragraph (c), must serve a minimum of 10
 1067 days in jail.

1068 (c) A felony of the third degree, punishable as provided
 1069 in s. 775.082, s. 775.083, or s. 775.084, upon a third or
 1070 subsequent conviction if the current violation of this section
 1071 or the most recent prior violation of the section is related to
 1072 driving while license canceled, suspended, revoked, or
 1073 suspension or revocation equivalent status resulting from a
 1074 violation of:

1075 1. Driving under the influence;

- 1076 2. Refusal to submit to a urine, breath-alcohol, or blood
 1077 alcohol test;
 1078 3. A traffic offense causing death or serious bodily
 1079 injury; or
 1080 4. Fleeing or eluding.

1081
 1082 The element of knowledge is satisfied if the person has been
 1083 previously cited as provided in subsection (1); or the person
 1084 admits to knowledge of the cancellation, suspension, or
 1085 revocation, or suspension or revocation equivalent status; or
 1086 the person received notice as provided in subsection (4). There
 1087 shall be a rebuttable presumption that the knowledge requirement
 1088 is satisfied if a judgment or order as provided in subsection
 1089 (4) appears in the department's records for any case except for
 1090 one involving a suspension by the department for failure to pay
 1091 a traffic fine or for a financial responsibility violation.

1092 Section 22. Subsection (4) of section 322.61, Florida
 1093 Statutes, is amended to read:

1094 322.61 Disqualification from operating a commercial motor
 1095 vehicle.—

1096 (4) Any person who is transporting hazardous materials as
 1097 defined in s. 322.01(25) ~~s. 322.01(24)~~ shall, upon conviction of
 1098 an offense specified in subsection (3), be disqualified from
 1099 operating a commercial motor vehicle for a period of 3 years.
 1100 The penalty provided in this subsection shall be in addition to

1101 any other applicable penalty.

1102 Section 23. Subsection (3) of section 324.0221, Florida
 1103 Statutes, is amended to read:

1104 324.0221 Reports by insurers to the department; suspension
 1105 of driver license and vehicle registrations; reinstatement.—

1106 (3) An operator or owner whose driver license or
 1107 registration has been suspended under this section or s. 316.646
 1108 may effect its reinstatement upon compliance with the
 1109 requirements of this section and upon payment to the department
 1110 of a nonrefundable reinstatement fee of \$150 for the first
 1111 reinstatement. The reinstatement fee is \$250 for the second
 1112 reinstatement and \$500 for each subsequent reinstatement during
 1113 the 3 years following the first reinstatement. A person
 1114 reinstating her or his insurance under this subsection must also
 1115 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),
 1116 324.023, and 627.7275(2) and present to the appropriate person
 1117 proof that the coverage is in force on a form adopted by the
 1118 department, and such proof shall be maintained for 2 years. If
 1119 the person does not have a second reinstatement within 3 years
 1120 after her or his initial reinstatement, the reinstatement fee is
 1121 \$150 for the first reinstatement after that 3-year period. If a
 1122 person's license and registration are suspended under this
 1123 section or s. 316.646, only one reinstatement fee must be paid
 1124 to reinstate the license and the registration. All fees shall be
 1125 collected by the department at the time of reinstatement. The

1126 department shall issue proper receipts for such fees and shall
 1127 promptly deposit those fees in the Highway Safety Operating
 1128 Trust Fund. One-third of the fees collected under this
 1129 subsection shall be distributed from the Highway Safety
 1130 Operating Trust Fund to the local governmental entity or state
 1131 agency that employed the law enforcement officer seizing the
 1132 license plate pursuant to s. 324.201. The funds may be used by
 1133 the local governmental entity or state agency for any authorized
 1134 purpose.

1135 Section 24. Section 324.131, Florida Statutes, is amended
 1136 to read:

1137 324.131 Period of suspension.—Such license, registration
 1138 and nonresident's operating privilege shall remain so suspended
 1139 and shall not be renewed, nor shall any such license or
 1140 registration be thereafter issued in the name of such person,
 1141 including any such person not previously licensed, unless and
 1142 until every such judgment is stayed, satisfied in full or to the
 1143 extent of the limits stated in s. 324.021(7) and until the said
 1144 person gives proof of financial responsibility as provided in s.
 1145 324.031, such proof to be maintained for 3 years. In addition,
 1146 if the person's license or registration has been suspended or
 1147 revoked due to a violation of s. 316.193 or pursuant to s.
 1148 322.26(2), that person shall maintain ~~noncancelable~~ liability
 1149 coverage for each motor vehicle registered in his or her name,
 1150 as described in s. 627.7275(2), and must present proof that

1151 coverage is in force on a form adopted by the Department of
 1152 Highway Safety and Motor Vehicles, such proof to be maintained
 1153 for 3 years.

1154 Section 25. Paragraph (g) of subsection (3) of section
 1155 627.311, Florida Statutes, is amended to read:

1156 627.311 Joint underwriters and joint reinsurers; public
 1157 records and public meetings exemptions.—

1158 (3) The office may, after consultation with insurers
 1159 licensed to write automobile insurance in this state, approve a
 1160 joint underwriting plan for purposes of equitable apportionment
 1161 or sharing among insurers of automobile liability insurance and
 1162 other motor vehicle insurance, as an alternate to the plan
 1163 required in s. 627.351(1). All insurers authorized to write
 1164 automobile insurance in this state shall subscribe to the plan
 1165 and participate therein. The plan shall be subject to continuous
 1166 review by the office which may at any time disapprove the entire
 1167 plan or any part thereof if it determines that conditions have
 1168 changed since prior approval and that in view of the purposes of
 1169 the plan changes are warranted. Any disapproval by the office
 1170 shall be subject to the provisions of chapter 120. The Florida
 1171 Automobile Joint Underwriting Association is created under the
 1172 plan. The plan and the association:

1173 (g) Must make available ~~noncancelable~~ coverage as provided
 1174 in s. 627.7275(2).

1175 Section 26. Paragraph (b) of subsection (2) of section

1176 | 627.7275, Florida Statutes, is amended to read:

1177 | 627.7275 Motor vehicle liability.—

1178 | (2)

1179 | (b) The policies described in paragraph (a) shall be
 1180 | issued for at least 6 months ~~and, as to the minimum coverages~~
 1181 | ~~required under this section, may not be canceled by the insured~~
 1182 | ~~for any reason or by the insurer after 60 days, during which~~
 1183 | ~~period the insurer is completing the underwriting of the policy.~~
 1184 | After the insurer has issued ~~completed underwriting~~ the policy,
 1185 | the insurer shall notify the Department of Highway Safety and
 1186 | Motor Vehicles that the policy is in full force and effect ~~and~~
 1187 | ~~is not cancelable for the remainder of the policy period. A~~
 1188 | ~~premium shall be collected and the coverage is in effect for the~~
 1189 | ~~60-day period during which the insurer is completing the~~
 1190 | ~~underwriting of the policy whether or not the person's driver~~
 1191 | ~~license, motor vehicle tag, and motor vehicle registration are~~
 1192 | ~~in effect. Once the noncancelable provisions of the policy~~
 1193 | ~~becomes~~ become effective, the coverages for bodily injury,
 1194 | property damage, and personal injury protection may not be
 1195 | reduced below the minimum limits required under s. 324.021 or s.
 1196 | 324.023 during the policy period.

1197 | Section 27. Except as otherwise expressly provided in this
 1198 | act, this act shall take effect July 1, 2023.