



586110

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/27/2023	.	
	.	
	.	
	.	

The Committee on Transportation (DiCeglie) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

207.004 Registration of motor carriers; identifying
devices; fees; renewals; temporary fuel-use permits and
driveaway permits.—

(1) (a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause to



11 be operated in this state any commercial motor vehicle, other
12 than a Florida-based commercial motor vehicle that travels
13 Florida intrastate mileage only, that uses diesel fuel or motor
14 fuel until such carrier has registered with the department or
15 has registered under a cooperative reciprocal agreement as
16 described in s. 207.0281, after such time as this state enters
17 into such agreement, and has been issued an identifying device
18 or such carrier has been issued a permit as authorized under
19 subsections (4) and (5) for each vehicle operated. The fee for
20 each such identifying device issued is ~~There shall be a fee of~~
21 ~~\$4 per year or any fraction thereof for each such identifying~~
22 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
23 the department and must be conspicuously displayed on the
24 commercial motor vehicle as prescribed by the department while
25 it is being operated on the public highways of this state. The
26 transfer of an identifying device from one vehicle to another
27 vehicle or from one motor carrier to another motor carrier is
28 prohibited. The department or its authorized agent shall issue
29 licenses and fuel tax decals.

30 Section 2. Effective July 1, 2025, section 316.066, Florida
31 Statutes, is amended to read:

32 316.066 Written reports of crashes; electronic submission.-

33 (1) (a) All traffic law enforcement agencies must provide
34 uniform crash reports by electronic means to the department.
35 Such crash reports must be consistent with the state traffic
36 crash manual rules and the procedures established by the
37 department and must be appropriately numbered and inventoried. A
38 Florida Traffic Crash Report, Long Form must be completed and
39 electronically submitted to the department within 10 days after



586110

40 an investigation is completed by the law enforcement officer who
41 in the regular course of duty investigates a motor vehicle crash
42 that:

- 43 1. Resulted in death of, personal injury to, or any
44 indication of complaints of pain or discomfort by any of the
45 parties or passengers involved in the crash;
- 46 2. Involved a violation of s. 316.061(1) or s. 316.193;
- 47 3. Rendered a vehicle inoperable to a degree that required
48 a wrecker to remove it from the scene of the crash; or
- 49 4. Involved a commercial motor vehicle.

50 (b) The Florida Traffic Crash Report, Long Form must
51 include:

- 52 1. The date, time, and location of the crash.
- 53 2. A description of the vehicles involved.
- 54 3. The names and addresses of the parties involved,
55 including all drivers and passengers, and the identification of
56 the vehicle in which each was a driver or a passenger.
- 57 4. The names and addresses of witnesses.
- 58 5. The name, badge number, and law enforcement agency of
59 the officer investigating the crash.
- 60 6. The names of the insurance companies for the respective
61 parties involved in the crash.

62 (c) In any crash for which a Florida Traffic Crash Report,
63 Long Form is not required by this section and which occurs on
64 the public roadways of this state, the law enforcement officer
65 shall complete a short-form crash report or provide a driver
66 exchange-of-information form, to be completed by all drivers and
67 passengers involved in the crash, which requires the
68 identification of each vehicle that the drivers and passengers



586110

69 were in. The short-form report must include:

70 1. The date, time, and location of the crash.

71 2. A description of the vehicles involved.

72 3. The names and addresses of the parties involved,
73 including all drivers and passengers, and the identification of
74 the vehicle in which each was a driver or a passenger.

75 4. The names and addresses of witnesses.

76 5. The name, badge number, and law enforcement agency of
77 the officer investigating the crash.

78 6. The names of the insurance companies for the respective
79 parties involved in the crash.

80 (d) Each party to the crash must provide the law
81 enforcement officer with proof of insurance, which must be
82 documented in the crash report. If a law enforcement officer
83 submits a report on the crash, proof of insurance must be
84 provided to the officer by each party involved in the crash. Any
85 party who fails to provide the required information commits a
86 noncriminal traffic infraction, punishable as a nonmoving
87 violation as provided in chapter 318, unless the officer
88 determines that due to injuries or other special circumstances
89 such insurance information cannot be provided immediately. If
90 the person provides the law enforcement agency, within 24 hours
91 after the crash, proof of insurance that was valid at the time
92 of the crash, the law enforcement agency may void the citation.

93 (e) The driver of a vehicle that was in any manner involved
94 in a crash resulting in damage to a vehicle or other property
95 which does not require a law enforcement report shall, within 10
96 days after the crash, submit a written report of the crash to
97 the department. The report must ~~shall~~ be submitted on a form



586110

98 approved by the department.

99 (f) Long-form and short-form crash reports prepared by law
100 enforcement must be submitted to the department and may be
101 maintained by the law enforcement officer's agency.

102 (2) (a) Crash reports that reveal the identity, home or
103 employment telephone number or home or employment address of, or
104 other personal information concerning the parties involved in
105 the crash and that are held by any agency that regularly
106 receives or prepares information from or concerning the parties
107 to motor vehicle crashes are confidential and exempt from s.
108 119.07(1) and s. 24(a), Art. I of the State Constitution for a
109 period of 60 days after the date the report is filed.

110 (b) Crash reports held by an agency under paragraph (a) may
111 be made immediately available to the parties involved in the
112 crash, their legal representatives, their licensed insurance
113 agents, their insurers or insurers to which they have applied
114 for coverage, persons under contract with such insurers to
115 provide claims or underwriting information, prosecutorial
116 authorities, law enforcement agencies, the Department of
117 Transportation, county traffic operations, victim services
118 programs, radio and television stations licensed by the Federal
119 Communications Commission, newspapers qualified to publish legal
120 notices under ss. 50.011 and 50.031, and, in accordance with
121 paragraph (f), free newspapers of general circulation, published
122 once a week or more often, of which at least 7,500 copies are
123 distributed by mail or by carrier as verified by a postal
124 statement or by a notarized printer's statement of press run,
125 which are intended to be generally distributed and circulated,
126 and which contain news of general interest with at least 10



586110

127 pages per publication, available and of interest to the public
128 generally for the dissemination of news. For the purposes of
129 this section, the following products or publications are not
130 newspapers as referred to in this section: those intended
131 primarily for members of a particular profession or occupational
132 group; those with the primary purpose of distributing
133 advertising; and those with the primary purpose of publishing
134 names and other personal identifying information concerning
135 parties to motor vehicle crashes.

136 (c) Any local, state, or federal agency that is authorized
137 to have access to crash reports by any provision of law shall be
138 granted such access in the furtherance of the agency's statutory
139 duties.

140 (d) As a condition precedent to accessing a crash report
141 within 60 days after the date the report is filed, a person must
142 present a valid driver license or other photographic
143 identification, proof of status, or identification that
144 demonstrates his or her qualifications to access that
145 information and file a written sworn statement with the state or
146 local agency in possession of the information stating that
147 information from a crash report made confidential and exempt by
148 this section will not be used for any commercial solicitation of
149 accident victims, or knowingly disclosed to any third party for
150 the purpose of such solicitation, during the period of time that
151 the information remains confidential and exempt. Such written
152 sworn statement must be completed and sworn to by the requesting
153 party for each individual crash report that is being requested
154 within 60 days after the report is filed. In lieu of requiring
155 the written sworn statement, an agency may provide crash reports



586110

156 by electronic means to third-party vendors under contract with
157 one or more insurers, but only when such contract states that
158 information from a crash report made confidential and exempt by
159 this section will not be used for any commercial solicitation of
160 accident victims by the vendors, or knowingly disclosed by the
161 vendors to any third party for the purpose of such solicitation,
162 during the period of time that the information remains
163 confidential and exempt, and only when a copy of such contract
164 is furnished to the agency as proof of the vendor's claimed
165 status.

166 (e) This subsection does not prevent the dissemination or
167 publication of news to the general public by any legitimate
168 media entitled to access confidential and exempt information
169 pursuant to this section.

170 (3) (a) Any driver failing to file the written report
171 required under subsection (1) commits a noncriminal traffic
172 infraction, punishable as a nonmoving violation as provided in
173 chapter 318.

174 (b) Any employee of a state or local agency in possession
175 of information made confidential and exempt by this section who
176 knowingly discloses such confidential and exempt information to
177 a person not entitled to access such information under this
178 section commits a felony of the third degree, punishable as
179 provided in s. 775.082, s. 775.083, or s. 775.084.

180 (c) Any person, knowing that he or she is not entitled to
181 obtain information made confidential and exempt by this section,
182 who obtains or attempts to obtain such information commits a
183 felony of the third degree, punishable as provided in s.
184 775.082, s. 775.083, or s. 775.084.



586110

185 (d) Any person who knowingly uses confidential and exempt
186 information in violation of a filed written sworn statement or
187 contractual agreement required by this section commits a felony
188 of the third degree, punishable as provided in s. 775.082, s.
189 775.083, or s. 775.084.

190 (4) Except as specified in this subsection, each crash
191 report made by a person involved in a crash and any statement
192 made by such person to a law enforcement officer for the purpose
193 of completing a crash report required by this section must ~~shall~~
194 be without prejudice to the individual so reporting. Such report
195 or statement may not be used as evidence in any trial, civil or
196 criminal. However, subject to the applicable rules of evidence,
197 a law enforcement officer at a criminal trial may testify as to
198 any statement made to the officer by the person involved in the
199 crash if that person's privilege against self-incrimination is
200 not violated. The results of breath, urine, and blood tests
201 administered as provided in s. 316.1932 or s. 316.1933 are not
202 confidential and are admissible into evidence in accordance with
203 the provisions of s. 316.1934(2).

204 (5) A law enforcement officer, as defined in s. 943.10(1),
205 may enforce this section.

206 Section 3. The Legislature finds that a proper and
207 legitimate purpose is served when crash reports required under
208 s. 316.066, Florida Statutes, are filed electronically with the
209 Department of Highway Safety and Motor Vehicles by all entities
210 required to submit crash reports. Electronic filing will
211 expedite the availability of crash reports to the persons
212 authorized to receive them, simplify the process of making crash
213 reports available, and expedite the availability of information



586110

214 derived from crash reports to improve highway safety. The
215 requirement of this act that all law enforcement agencies that
216 prepare crash reports submit the completed crash reports
217 electronically to the Department of Highway Safety and Motor
218 Vehicles applies to all similarly situated persons, including
219 school district law enforcement agencies, state university law
220 enforcement agencies, and state law enforcement agencies.
221 Therefore, the Legislature determines and declares that the
222 amendments made by this act to s. 316.066, Florida Statutes,
223 fulfill an important state interest.

224 Section 4. Paragraph (b) of subsection (1) of section
225 316.2935, Florida Statutes, is amended to read:

226 316.2935 Air pollution control equipment; tampering
227 prohibited; penalty.-

228 (1)

229 (b) At the time of sale, lease, or transfer of title of a
230 motor vehicle, the seller, lessor, or transferor shall certify
231 in writing to the purchaser, lessee, or transferee that the air
232 pollution control equipment of the motor vehicle has not been
233 tampered with by the seller, lessor, or transferor or their
234 agents, employees, or other representatives. A licensed motor
235 vehicle dealer shall also visually observe those air pollution
236 control devices listed by department rule pursuant to subsection
237 (7), and certify that they are in place, and appear properly
238 connected and undamaged. Such certification may ~~shall~~ not be
239 deemed or construed as a warranty that the pollution control
240 devices of the subject vehicle are in functional condition, nor
241 does the execution or delivery of this certification create by
242 itself grounds for a cause of action between the parties to this



586110

243 transaction. This paragraph does not apply if the purchaser of
244 the motor vehicle is a lessee purchasing the leased motor
245 vehicle or if the licensed motor vehicle dealer is not in
246 possession of the motor vehicle at the time of sale.

247 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
248 paragraph (d) of subsection (2), and subsection (9) of section
249 316.302, Florida Statutes, are amended to read:

250 316.302 Commercial motor vehicles; safety regulations;
251 transporters and shippers of hazardous materials; enforcement.—

252 (1) (a) All owners and drivers of commercial motor vehicles
253 that are operated on the public highways of this state while
254 engaged in interstate commerce are subject to the rules and
255 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
256 386, and 390-397.

257 (b) Except as otherwise provided in this section, all
258 owners and drivers of commercial motor vehicles that are engaged
259 in intrastate commerce are subject to the rules and regulations
260 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
261 397, as such rules and regulations existed on December 31, 2022
262 2020.

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

270 (2)

271 (d) A person who operates a commercial motor vehicle solely



586110

272 in intrastate commerce not transporting any hazardous material
273 in amounts that require placarding pursuant to 49 C.F.R. part
274 172 within a 150 air-mile radius of the location where the
275 vehicle is based need not comply with 49 C.F.R. ss. 395.8 and
276 395.11 ~~s. 395.8~~ if the requirements of 49 C.F.R. s. 395.1(e) (1)
277 (iii) and (iv) ~~49 C.F.R. s. 395.1(e) (1) (ii), (iii) (A) and (C),~~
278 ~~and (v)~~ are met.

279 (9) For the purpose of enforcing this section, any law
280 enforcement officer of the Department of Highway Safety and
281 Motor Vehicles or duly appointed agent who holds a current
282 safety inspector certification from the Commercial Vehicle
283 Safety Alliance may require the driver of any commercial vehicle
284 operated on the highways of this state to stop and submit to an
285 inspection of the vehicle or the driver's records. If the
286 vehicle or driver is found to be operating in an unsafe
287 condition, or if any required part or equipment is not present
288 or is not in proper repair or adjustment, and the continued
289 operation would present an unduly hazardous operating condition,
290 the officer or agent may require the vehicle or the driver to be
291 removed from service pursuant to the North American Standard
292 Out-of-Service Criteria, until corrected. However, if continuous
293 operation would not present an unduly hazardous operating
294 condition, the officer or agent may give written notice
295 requiring correction of the condition within 15 days.

296 (a) Any member of the Florida Highway Patrol or any law
297 enforcement officer employed by a sheriff's office or municipal
298 police department authorized to enforce the traffic laws of this
299 state pursuant to s. 316.640 who has reason to believe that a
300 vehicle or driver is operating in an unsafe condition may, as



301 provided in subsection (11), enforce the provisions of this
302 section.

303 (b) Any person who fails to comply with a ~~an officer's~~
304 request to submit to an inspection under this subsection commits
305 a violation of s. 843.02 if the person resists the officer
306 without violence or a violation of s. 843.01 if the person
307 resists the officer with violence.

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

310 319.14 Sale of motor vehicles registered or used as
311 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
312 nonconforming vehicles, custom vehicles, or street rod vehicles;
313 conversion of low-speed vehicles.-

314 (1)

315 (b) A person may not knowingly offer for sale, sell, or
316 exchange a rebuilt vehicle until the department has stamped in a
317 conspicuous place on the certificate of title for the vehicle
318 words stating that the vehicle has been rebuilt or assembled
319 from parts, or is a kit car, glider kit, replica, flood vehicle,
320 custom vehicle, or street rod vehicle unless proper application
321 for a certificate of title for a vehicle that is rebuilt or
322 assembled from parts, or is a kit car, glider kit, replica,
323 flood vehicle, custom vehicle, or street rod vehicle has been
324 made to the department in accordance with this chapter and the
325 department has conducted the physical examination of the vehicle
326 to assure the identity of the vehicle and all major component
327 parts, as defined in s. 319.30(1), which have been repaired or
328 replaced. If a vehicle is identified as a flood vehicle, the
329 words stamped on the certificate of title must identify the type



586110

330 of water that caused damage to the vehicle as "salt water,"
331 "fresh water," or "other or unknown water type," as applicable.
332 Thereafter, the department shall affix a decal to the vehicle,
333 in the manner prescribed by the department, showing the vehicle
334 to be rebuilt.

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

336 9.1. "Police vehicle" means a motor vehicle owned or leased
337 by the state or a county or municipality and used in law
338 enforcement.

339 13.2.a. "Short-term-lease vehicle" means a motor vehicle
340 leased without a driver and under a written agreement to one or
341 more persons from time to time for a period of less than 12
342 months.

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

346 6.e. "Lease vehicle" includes both short-term-lease
347 vehicles and long-term-lease vehicles.

348 10.3. "Rebuilt vehicle" means a motor vehicle or mobile
349 home built from salvage or junk, as defined in s. 319.30(1).

350 1.4. "Assembled from parts" means a motor vehicle or mobile
351 home assembled from parts or combined from parts of motor
352 vehicles or mobile homes, new or used. The term "assembled from
353 parts" does not include ~~mean a motor vehicle defined as a~~
354 "rebuilt vehicle" as defined in subparagraph 10. in subparagraph
355 3.7, which has been declared a total loss pursuant to s. 319.30.

356 5. "Kit car" means a motor vehicle assembled with a kit
357 supplied by a manufacturer to rebuild a wrecked or outdated
358 motor vehicle with a new body kit.



586110

359 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
360 supplied by a manufacturer to rebuild a wrecked or outdated
361 truck or truck tractor.

362 ~~11.7.~~ "Replica" means a complete new motor vehicle
363 manufactured to look like an old vehicle.

364 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
365 that has been declared to be a total loss pursuant to s.
366 319.30(3) (a) resulting from damage caused by salt water, fresh
367 water, or other or unknown type of water.

368 ~~8.9.~~ "Nonconforming vehicle" means a motor vehicle that
369 ~~which~~ has been purchased by a manufacturer pursuant to a
370 settlement, determination, or decision under chapter 681.

371 ~~12.10.~~ "Settlement" means an agreement entered into between
372 a manufacturer and a consumer which ~~that~~ occurs after a dispute
373 is submitted to a program, or to an informal dispute settlement
374 procedure established by a manufacturer, or is approved for
375 arbitration before the Florida New Motor Vehicle Arbitration
376 Board as defined in s. 681.102.

377 ~~2.11.~~ "Custom vehicle" means a motor vehicle that:

378 a. Is 25 years of age or older and of a model year after
379 1948 or was manufactured to resemble a vehicle that is 25 years
380 of age or older and of a model year after 1948; and

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

383
384 The model year and year of manufacture that the body of a custom
385 vehicle resembles is the model year and year of manufacture
386 listed on the certificate of title, regardless of when the
387 vehicle was actually manufactured.



586110

388 ~~14.12.~~ "Street rod" means a motor vehicle that:

389 a. Is of a model year of 1948 or older or was manufactured
390 after 1948 to resemble a vehicle of a model year of 1948 or
391 older; and

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

394

395 The model year and year of manufacture that the body of a street
396 rod resembles is the model year and year of manufacture listed
397 on the certificate of title, regardless of when the vehicle was
398 actually manufactured.

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

401 319.23 Application for, and issuance of, certificate of
402 title.—

403 (3) If a certificate of title has not previously been
404 issued for a motor vehicle or mobile home in this state, the
405 application must, unless otherwise provided for in this chapter,
406 ~~shall~~ be accompanied by a proper bill of sale or sworn statement
407 of ownership, or a duly certified copy thereof, or by a
408 certificate of title, bill of sale, or other evidence of
409 ownership required by the law of the state or country ~~county~~
410 from which the motor vehicle or mobile home was brought into
411 this state. The application must ~~shall~~ also be accompanied by:

412 (a)1. A sworn affidavit from the seller and purchaser
413 verifying that the vehicle identification number shown on the
414 affidavit is identical to the vehicle identification number
415 shown on the motor vehicle; or

416 2. An appropriate departmental form evidencing that a



586110

417 physical examination has been made of the motor vehicle by the
418 owner and by a duly constituted law enforcement officer in any
419 state, a licensed motor vehicle dealer, a license inspector as
420 provided by s. 320.58, or a notary public commissioned by this
421 state and that the vehicle identification number shown on such
422 form is identical to the vehicle identification number shown on
423 the motor vehicle; and

424 (b) If the vehicle is a used car original, a sworn
425 affidavit from the owner verifying that the odometer reading
426 shown on the affidavit is identical to the odometer reading
427 shown on the motor vehicle in accordance with the requirements
428 of 49 C.F.R. s. 580.5 at the time that application for title is
429 made. For the purposes of this section, the term "used car
430 original" means a used vehicle coming into and being titled in
431 this state for the first time.

432 (c) If the vehicle is an ancient or antique vehicle, as
433 defined in s. 320.086, the application must ~~shall~~ be accompanied
434 by a certificate of title; a bill of sale and a registration; or
435 a bill of sale and an affidavit by the owner defending the title
436 from all claims. The bill of sale must contain a complete
437 vehicle description to include the vehicle identification or
438 engine number, year make, color, selling price, and signatures
439 of the seller and purchaser.

440
441 Verification of the vehicle identification number is not
442 required for any new motor vehicle; any mobile home; any trailer
443 or semitrailer with a net weight of less than 2,000 pounds; or
444 any travel trailer, camping trailer, truck camper, or fifth-
445 wheel recreation trailer.



446 Section 8. Present paragraphs (c) and (d) of subsection (1)
447 of section 319.28, Florida Statutes, are redesignated as
448 paragraphs (d) and (e), respectively, and a new paragraph (c) is
449 added to that subsection, to read:

450 319.28 Transfer of ownership by operation of law.—

451 (1)

452 (c) If the previous owner died testate and the application
453 for a certificate of title is made by, and accompanied by an
454 affidavit attested by, a Florida-licensed attorney in good
455 standing with The Florida Bar who represents the previous
456 owner's estate, such affidavit, for purposes of paragraph (a),
457 constitutes satisfactory proof of ownership and right of
458 possession to the motor vehicle or mobile home, so long as the
459 affidavit sets forth the rightful heir or heirs and the attorney
460 attests in the affidavit that such heir or heirs are lawfully
461 entitled to the rights of ownership and possession of the motor
462 vehicle or mobile home. The application for certificate of title
463 filed under this paragraph is not required to be accompanied by
464 a copy of the will or other testamentary instrument.

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

467 319.29 Lost or destroyed certificates.—

468 (3) If, following the issuance of an original, duplicate,
469 or corrected certificate of title by the department, the
470 certificate is lost in transit and is not delivered to the
471 addressee, the owner of the motor vehicle or mobile home, or the
472 holder of a lien thereon, may, within 180 days after ~~of~~ the date
473 of issuance of the title, apply to the department for reissuance
474 of the certificate of title. An ~~No~~ additional fee may not ~~shall~~



586110

475 be charged by the department or a tax collector, as agent for
476 the department, for reissuance under this subsection.

477 Section 10. Paragraphs (g) and (j) of subsection (1),
478 paragraph (b) of subsection (3), and subsection (9) of section
479 319.30, Florida Statutes, are amended, and paragraph (y) is
480 added to subsection (1) of that section, to read:

481 319.30 Definitions; dismantling, destruction, change of
482 identity of motor vehicle or mobile home; salvage.—

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

484 (g) "Independent entity" means a business or entity that
485 may temporarily store damaged or dismantled motor vehicles or
486 vessels pursuant to an agreement with an insurance company and
487 is engaged in the sale or resale of damaged or dismantled motor
488 vehicles or vessels. The term does not include a wrecker
489 operator, a towing company, or a repair facility.

490 (j) "Major component parts" means:

491 1. For motor vehicles other than motorcycles and electric,
492 hybrid, or plug-in hybrid motor vehicles, any fender, hood,
493 bumper, cowl assembly, rear quarter panel, trunk lid, door,
494 decklid, floor pan, engine, frame, transmission, catalytic
495 converter, or airbag.

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

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

503 4. For mobile homes, the frame.



586110

504 5. For electric, hybrid, or plug-in hybrid motor vehicles,
505 any fender, hood, bumper, cowl assembly, rear quarter panel,
506 trunk lid, door, decklid, floor pan, engine, electric traction
507 motor, frame, transmission or electronic transmission, charge
508 port, DC power converter, onboard charger, power electronics
509 controller, thermal system, traction battery pack, catalytic
510 converter, or airbag.

511 (y) "Vessel" has the same meaning as provided in s.
512 713.78(1)(b).

513 (3)

514 (b) The owner, including persons who are self-insured, of a
515 motor vehicle or mobile home that is considered to be salvage
516 shall, within 72 hours after the motor vehicle or mobile home
517 becomes salvage, forward the title to the motor vehicle or
518 mobile home to the department for processing. However, an
519 insurance company that pays money as compensation for the total
520 loss of a motor vehicle or mobile home shall obtain the
521 certificate of title for the motor vehicle or mobile home, make
522 the required notification to the National Motor Vehicle Title
523 Information System, and, within 72 hours after receiving such
524 certificate of title, forward such title by the United States
525 Postal Service, by another commercial delivery service, or by
526 electronic means, when such means are made available by the
527 department, to the department for processing. The owner or
528 insurance company, as applicable, may not dispose of a vehicle
529 or mobile home that is a total loss before it obtains a salvage
530 certificate of title or certificate of destruction from the
531 department. ~~Effective January 1, 2020:~~

532 1. Thirty days after payment of a claim for compensation



586110

533 pursuant to this paragraph, the insurance company may receive a
534 salvage certificate of title or certificate of destruction from
535 the department if the insurance company is unable to obtain a
536 properly assigned paper or electronic certificate of title from
537 the owner or lienholder of the motor vehicle or mobile home, ~~if~~
538 ~~the motor vehicle or mobile home does not carry an electronic~~
539 ~~lien on the title~~ and the insurance company:

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

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

547 c. Has attested on a form provided by the department and
548 signed by the insurance company or its authorized agent stating
549 the attempts that have been made to obtain the title from the
550 owner or the lienholder and further stating that all attempts
551 are to no avail. The form must include a request that the
552 salvage certificate of title or certificate of destruction be
553 issued in the insurance company's name due to payment of a total
554 loss claim to the owner or lienholder. The attempts to contact
555 the owner or the lienholder may be by written request delivered
556 in person or by first-class mail with a certificate of mailing
557 to the owner's or lienholder's last known address.

558 2. If the owner or the lienholder is notified of the
559 request for title in person, the insurance company must provide
560 an affidavit attesting to the in-person request for a
561 certificate of title.



586110

562 3. The request to the owner or the lienholder for the
563 certificate of title must include a complete description of the
564 motor vehicle or mobile home and the statement that a total loss
565 claim has been paid on the motor vehicle or mobile home.

566

567 The department is not liable to, and may not be held liable by,
568 an owner, a lienholder, or any other person as a result of the
569 issuance of a salvage certificate of title or a certificate of
570 destruction pursuant to this paragraph.

571 (9) (a) An insurance company may notify an independent
572 entity that obtains possession of a damaged or dismantled motor
573 vehicle or vessel to release the vehicle or vessel to the owner.
574 The insurance company shall provide the independent entity a
575 release statement on a form prescribed by the department
576 authorizing the independent entity to release the vehicle or
577 vessel to the owner or lienholder. The form must, at a minimum,
578 contain the following:

579 1. The policy and claim number.

580 2. The name and address of the insured.

581 3. The vehicle identification number or vessel hull
582 identification number.

583 4. The signature of an authorized representative of the
584 insurance company.

585 (b) The independent entity in possession of a motor vehicle
586 or vessel must send a notice to the owner that the vehicle or
587 vessel is available for pickup when it receives a release
588 statement from the insurance company. The notice must ~~shall~~ be
589 sent by certified mail or by another commercially available
590 delivery service that provides proof of delivery to the owner at



586110

591 the owner's address contained in the department's records. The
592 notice must state that the owner has 30 days after delivery of
593 the notice to the owner at the owner's address to pick up the
594 vehicle or vessel from the independent entity. If the motor
595 vehicle or vessel is not claimed within 30 days after the
596 delivery or attempted delivery of the notice, the independent
597 entity may apply for a certificate of destruction, a salvage
598 certificate of title, or a certificate of title. For a hull-
599 damaged vessel, the independent entity shall comply with s.
600 328.045, as applicable.

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

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

606 2. For a vehicle, identify the latest titling jurisdiction
607 of the vehicle through use of the National Motor Vehicle Title
608 Information System or an equivalent commercially available
609 system and attempt to obtain the owner's address from that
610 jurisdiction. If the jurisdiction returns an address that is
611 different from the owner's address provided by the insurance
612 company, the independent entity must send a notice that meets
613 the requirements of paragraph (b) to both addresses.

614 (d) The independent entity shall maintain for at least a
615 ~~minimum of~~ 3 years the records related to the 30-day notice sent
616 to the owner. For vehicles, the independent entity shall also
617 maintain for at least 3 years the results of searches of the
618 National Motor Vehicle Title Information System or an equivalent
619 commercially available system, and the notification to the



586110

620 National Motor Vehicle Title Information System made pursuant to
621 paragraph (e).

622 (e) The independent entity shall make the required
623 notification to the National Motor Vehicle Title Information
624 System before releasing any damaged or dismantled motor vehicle
625 to the owner or before applying for a certificate of destruction
626 or salvage certificate of title. The independent entity is not
627 required to notify the National Motor Vehicle Title Information
628 System before releasing any damaged or dismantled vessel to the
629 owner or before applying for a certificate of title.

630 (f) Upon applying for a certificate of destruction, ~~or~~
631 salvage certificate of title, or certificate of title, the
632 independent entity shall provide a copy of the release statement
633 from the insurance company to the independent entity, proof of
634 providing the 30-day notice to the owner, proof of notification
635 to the National Motor Vehicle Title Information System if
636 required, proof of all lien satisfactions or proof of a release
637 of all liens on the motor vehicle or vessel, and applicable
638 fees. If the independent entity is unable to obtain a lien
639 satisfaction or a release of all liens on the motor vehicle or
640 vessel, the independent entity must provide an affidavit stating
641 that notice was sent to all lienholders that the motor vehicle
642 or vessel is available for pickup, 30 days have passed since the
643 notice was delivered or attempted to be delivered pursuant to
644 this section, attempts have been made to obtain a release from
645 all lienholders, and all such attempts have been to no avail.
646 The notice to lienholders and attempts to obtain a release from
647 lienholders may be by written request delivered in person or by
648 certified mail or another commercially available delivery



586110

649 service that provides proof of delivery to the lienholder at the
650 lienholder's address as provided on the certificate of title and
651 to the address designated with the Department of State pursuant
652 to s. 655.0201(2) if such address is different.

653 (g) The independent entity may not charge an owner of the
654 vehicle or vessel storage fees or apply for a title under s.
655 713.585 or s. 713.78.

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

659 320.06 Registration certificates, license plates, and
660 validation stickers generally.—

661 (1)

662 (b)1. Registration license plates bearing a graphic symbol
663 and the alphanumeric system of identification shall be issued
664 for a 10-year period. At the end of the 10-year period, upon
665 renewal, the plate must ~~shall~~ be replaced. The department shall
666 extend the scheduled license plate replacement date from a 6-
667 year period to a 10-year period. The fee for such replacement is
668 \$28, \$2.80 of which must ~~shall~~ be paid each year before the
669 plate is replaced, to be credited toward the next \$28
670 replacement fee. The fees must ~~shall~~ be deposited into the
671 Highway Safety Operating Trust Fund. A credit or refund may not
672 be given for any prior years' payments of the prorated
673 replacement fee if the plate is replaced or surrendered before
674 the end of the 10-year period, except that a credit may be given
675 if a registrant is required by the department to replace a
676 license plate under s. 320.08056(8) (a). With each license plate,
677 a validation sticker must ~~shall~~ be issued showing the owner's



678 birth month, license plate number, and the year of expiration or
679 the appropriate renewal period if the owner is not a natural
680 person. The validation sticker must ~~shall~~ be placed on the upper
681 right corner of the license plate. The license plate and
682 validation sticker must ~~shall~~ be issued based on the applicant's
683 appropriate renewal period. The registration period is 12
684 months, the extended registration period is 24 months, and all
685 expirations occur based on the applicant's appropriate
686 registration period. Rental vehicles taxed pursuant to s.
687 320.08(6) (a) and rental trucks taxed pursuant to s.
688 320.08(3) (a), (b), and (c) and (4) (a)-(d) may elect a permanent
689 registration period, provided payment of the appropriate license
690 taxes and fees occurs annually.

691 2. A vehicle that has an apportioned registration must
692 ~~shall~~ be issued an annual license plate and a cab card that
693 denote the declared gross vehicle weight for each apportioned
694 jurisdiction in which the vehicle is authorized to operate. This
695 subparagraph expires June 30, 2024.

696 3. Beginning July 1, 2024, a vehicle registered in
697 accordance with the International Registration Plan must be
698 issued a license plate for a 3-year period. At the end of the 3-
699 year period, upon renewal, the license plate must be replaced.
700 Each license plate must include a validation sticker showing the
701 month of expiration. A cab card denoting the declared gross
702 vehicle weight for each apportioned jurisdiction must be issued
703 annually. The fee for an original or a renewal cab card is \$28,
704 which must be deposited into the Highway Safety Operating Trust
705 Fund. If the license plate is damaged or worn, it may be
706 replaced at no charge by applying to the department and



586110

707 surrendering the current license plate.

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

712 (3) (a) Registration license plates must be made of metal
713 specially treated with a retroreflection material, as specified
714 by the department. The registration license plate is designed to
715 increase nighttime visibility and legibility and must be at
716 least 6 inches wide and not less than 12 inches in length,
717 unless a plate with reduced dimensions is deemed necessary by
718 the department to accommodate motorcycles, mopeds, ~~or~~ similar
719 smaller vehicles, or trailers. Validation stickers must also be
720 treated with a retroreflection material, must be of such size as
721 specified by the department, and must adhere to the license
722 plate. The registration license plate must be imprinted with a
723 combination of bold letters and numerals or numerals, not to
724 exceed seven digits, to identify the registration license plate
725 number. The license plate must be imprinted with the word
726 "Florida" at the top and the name of the county in which it is
727 sold, the state motto, or the words "Sunshine State" at the
728 bottom. Apportioned license plates must have the word
729 "Apportioned" at the bottom, and license plates issued for
730 vehicles taxed under s. 320.08(3) (d), (4) (m) or (n), (5) (b) or
731 (c), or (14) must have the word "Restricted" at the bottom.
732 License plates issued for vehicles taxed under s. 320.08(12)
733 must be imprinted with the word "Florida" at the top and the
734 word "Dealer" at the bottom unless the license plate is a
735 specialty license plate as authorized in s. 320.08056.



586110

736 Manufacturer license plates issued for vehicles taxed under s.
737 320.08(12) must be imprinted with the word "Florida" at the top
738 and the word "Manufacturer" at the bottom. License plates issued
739 for vehicles taxed under s. 320.08(5)(d) or (e) must be
740 imprinted with the word "Wrecker" at the bottom. Any county may,
741 upon majority vote of the county commission, elect to have the
742 county name removed from the license plates sold in that county.
743 The state motto or the words "Sunshine State" must ~~shall~~ be
744 printed in lieu thereof. A license plate issued for a vehicle
745 taxed under s. 320.08(6) may not be assigned a registration
746 license number, or be issued with any other distinctive
747 character or designation, that distinguishes the motor vehicle
748 as a for-hire motor vehicle.

749 Section 12. Subsection (1) of section 320.084, Florida
750 Statutes, is amended, and subsection (6) is added to that
751 section, to read:

752 320.084 Free motor vehicle license plate to certain
753 disabled veterans.—

754 (1) One free "DV" motor vehicle license number plate must
755 ~~shall~~ be issued by the department for use on any motor vehicle
756 owned or leased by any disabled veteran who has been a resident
757 of this state continuously for the preceding 5 years or has
758 established a domicile in this state as provided by s.
759 222.17(1), (2), or (3), and who has been honorably discharged
760 from the United States Armed Forces, upon application,
761 accompanied by proof that:

762 (a) A vehicle was initially acquired through financial
763 assistance by the United States Department of Veterans Affairs
764 or its predecessor specifically for the purchase of an



586110

765 automobile;

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

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

774 (6) (a) A disabled veteran who qualifies for issuance of a
775 "DV" license under subsection (1) may be issued, in lieu of the
776 "DV" license plate, a military license plate for which he or she
777 is eligible or a specialty license plate. A disabled veteran
778 electing a military license plate or specialty license plate
779 under this paragraph must pay all applicable fees related to
780 such license plate, except for fees otherwise waived under
781 subsections (1) and (4).

782 (b) A military license plate or specialty license plate
783 elected under this subsection:

784 1. Does not provide the protections or rights afforded by
785 s. 316.1955, s. 316.1964, s. 320.0848, s. 526.141, or s.
786 553.5041.

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

789 Section 13. Present subsections (16) through (48) of
790 section 322.01, Florida Statutes, are redesignated as
791 subsections (17) through (49), respectively, a new subsection
792 (16) is added to that section, and subsection (5) and present
793 subsections (37) and (41) of that section are amended, to read:



586110

794 322.01 Definitions.—As used in this chapter:

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

797 (16) "Downgrade" has the same meaning as the definition of
798 the term "CDL downgrade" in 49 C.F.R. s. 383.5(4).

799 ~~(38)~~~~(37)~~ "Revocation" means the termination of a licensee's
800 privilege to drive, but does not include a downgrade.

801 ~~(42)~~~~(41)~~ "Suspension" means the temporary withdrawal of a
802 licensee's privilege to drive a motor vehicle, but does not
803 include a downgrade.

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

806 322.02 Legislative intent; administration.—

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

811 Section 15. Present subsections (4) through (12) of section
812 322.05, Florida Statutes, are redesignated as subsections (5)
813 through (13), respectively, and a new subsection (4) is added to
814 that section, to read:

815 322.05 Persons not to be licensed.—The department may not
816 issue a license:

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

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

822 322.07 Instruction permits and temporary licenses.—



586110

823 (3) Any person who, except for his or her lack of
824 instruction in operating a commercial motor vehicle, would
825 otherwise be qualified to obtain a commercial driver license
826 under this chapter, may apply for a temporary commercial
827 instruction permit. The department shall issue such a permit
828 entitling the applicant, while having the permit in his or her
829 immediate possession, to drive a commercial motor vehicle on the
830 highways, if:

831 (a) The applicant possesses a valid Florida driver license;
832 and

833 (b) The applicant, while operating a commercial motor
834 vehicle, is accompanied by a licensed driver who is 21 years of
835 age or older, who is licensed to operate the class of vehicle
836 being operated, and who is occupying the closest seat to the
837 right of the driver; and

838 (c) The department has not been notified that, under 49
839 C.F.R. s. 382.501(a), the applicant is prohibited from operating
840 a commercial motor vehicle.

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

843 322.141 Color or markings of certain licenses or
844 identification cards.—

845 (3) All licenses for the operation of motor vehicles or
846 identification cards originally issued or reissued by the
847 department to persons who are designated as sexual predators
848 under s. 775.21 or subject to registration as sexual offenders
849 under s. 943.0435 or s. 944.607, or who have a similar
850 designation or are subject to a similar registration under the
851 laws of another jurisdiction, must ~~shall~~ have on the front of



586110

852 the license or identification card, in a distinctive format and
853 printed in the color red, all of the following information:

854 (a) For a person designated as a sexual predator under s.
855 775.21 or who has a similar designation under the laws of
856 another jurisdiction, the marking "SEXUAL PREDATOR."

857 (b) For a person subject to registration as a sexual
858 offender under s. 943.0435 or s. 944.607, or subject to a
859 similar registration under the laws of another jurisdiction, the
860 marking "943.0435, F.S."

861 Section 18. Subsection (4) of section 322.142, Florida
862 Statutes, is amended to read:

863 322.142 Color photographic or digital imaged licenses.—

864 (4) The department may maintain a film negative or print
865 file. The department shall maintain a record of the digital
866 image and signature of the licensees, together with other data
867 required by the department for identification and retrieval.
868 Reproductions from the file or digital record are exempt from
869 the provisions of s. 119.07(1) and may be made and issued only
870 in any of the following manners:

871 (a) For departmental administrative purposes.†

872 (b) For the issuance of duplicate licenses.†

873 (c) In response to law enforcement agency requests.†

874 (d) To the Department of Business and Professional
875 Regulation and the Department of Health pursuant to an
876 interagency agreement for the purpose of accessing digital
877 images for reproduction of licenses issued by the Department of
878 Business and Professional Regulation or the Department of
879 Health.†

880 (e) To the Department of State pursuant to an interagency



586110

881 agreement to facilitate determinations of eligibility of voter
882 registration applicants and registered voters in accordance with
883 ss. 98.045 and 98.075.†

884 (f) To the Department of Revenue pursuant to an interagency
885 agreement for use in establishing paternity and establishing,
886 modifying, or enforcing support obligations in Title IV-D
887 cases.†

888 (g) To the Department of Children and Families pursuant to
889 an interagency agreement to conduct protective investigations
890 under part III of chapter 39 and chapter 415.†

891 (h) To the Department of Children and Families pursuant to
892 an interagency agreement specifying the number of employees in
893 each of that department's regions to be granted access to the
894 records for use as verification of identity to expedite the
895 determination of eligibility for public assistance and for use
896 in public assistance fraud investigations.†

897 (i) To the Agency for Health Care Administration pursuant
898 to an interagency agreement for the purpose of authorized
899 agencies verifying photographs in the Care Provider Background
900 Screening Clearinghouse authorized under s. 435.12.†

901 (j) To the Department of Financial Services pursuant to an
902 interagency agreement to facilitate the location of owners of
903 unclaimed property, the validation of unclaimed property claims,
904 the identification of fraudulent or false claims, and the
905 investigation of allegations of violations of the insurance code
906 by licensees and unlicensed persons.†

907 (k) To the Department of Economic Opportunity pursuant to
908 an interagency agreement to facilitate the validation of
909 reemployment assistance claims and the identification of



586110

910 fraudulent or false reemployment assistance claims.†

911 (l) To district medical examiners pursuant to an
912 interagency agreement for the purpose of identifying a deceased
913 individual, determining cause of death, and notifying next of
914 kin of any investigations, including autopsies and other
915 laboratory examinations, authorized in s. 406.11.†

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

918 1. A justice or judge of this state;

919 2. An employee of the state courts system who works in a
920 position that is designated in writing for access by the Chief
921 Justice of the Supreme Court or a chief judge of a district or
922 circuit court, or by his or her designee; or

923 3. A government employee who performs functions on behalf
924 of the state courts system in a position that is designated in
925 writing for access by the Chief Justice or a chief judge, or by
926 his or her designee.†~~or~~

927 (n) To the Agency for Health Care Administration pursuant
928 to an interagency agreement to prevent health care fraud. If the
929 Agency for Health Care Administration enters into an agreement
930 with a private entity to carry out duties relating to health
931 care fraud prevention, such contracts must ~~shall~~ include, but
932 need not be limited to:

933 1. Provisions requiring internal controls and audit
934 processes to identify access, use, and unauthorized access of
935 information.

936 2. A requirement to report unauthorized access or use to
937 the Agency for Health Care Administration within 1 business day
938 after the discovery of the unauthorized access or use.



586110

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

941 (o) To any criminal justice agency, as defined in s.
942 943.045, pursuant to an interagency agreement for use in
943 carrying out the criminal justice agency's functions.

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

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

949 322.21 License fees; procedure for handling and collecting
950 fees.—

951 (8) A person who applies for reinstatement following the
952 suspension or revocation of the person's driver license must pay
953 a service fee of \$45 following a suspension, and \$75 following a
954 revocation, which is in addition to the fee for a license. A
955 person who applies for reinstatement of a commercial driver
956 license following the disqualification or downgrade of the
957 person's privilege to operate a commercial motor vehicle shall
958 pay a service fee of \$75, which is in addition to the fee for a
959 license. The department shall collect all of these fees at the
960 time of reinstatement. The department shall issue proper
961 receipts for such fees and shall promptly transmit all funds
962 received by it as follows:

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

965 1. If the reinstatement is processed by the department, the
966 department must ~~shall~~ deposit \$15 in the General Revenue Fund
967 and \$30 in the Highway Safety Operating Trust Fund.



586110

968 2. If the reinstatement is processed by the tax collector,
969 \$15, less the general revenue service charge set forth in s.
970 215.20(1), must ~~shall~~ be retained by the tax collector, \$15 must
971 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,
972 and \$15 must ~~shall~~ be deposited into the General Revenue Fund.

973 (b) Of the \$75 fee received from a licensee for
974 reinstatement following a revocation, ~~or~~ disqualification, or
975 downgrade:

976 1. If the reinstatement is processed by the department, the
977 department must ~~shall~~ deposit \$35 in the General Revenue Fund
978 and \$40 in the Highway Safety Operating Trust Fund.

979 2. If the reinstatement is processed by the tax collector,
980 \$20, less the general revenue service charge set forth in s.
981 215.20(1), must ~~shall~~ be retained by the tax collector, \$20 must
982 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,
983 and \$35 must ~~shall~~ be deposited into the General Revenue Fund.

984
985 If the revocation or suspension of the driver license was for a
986 violation of s. 316.193, or for refusal to submit to a lawful
987 breath, blood, or urine test, an additional fee of \$130 must be
988 charged. However, only one \$130 fee may be collected from one
989 person convicted of violations arising out of the same incident.
990 The department shall collect the \$130 fee and deposit the fee
991 into the Highway Safety Operating Trust Fund at the time of
992 reinstatement of the person's driver license, but the fee may
993 not be collected if the suspension or revocation is overturned.
994 If the revocation or suspension of the driver license was for a
995 conviction for a violation of s. 817.234(8) or (9) or s.
996 817.505, an additional fee of \$180 is imposed for each offense.



586110

997 The department shall collect and deposit the additional fee into
998 the Highway Safety Operating Trust Fund at the time of
999 reinstatement of the person's driver license.

1000 (9) An applicant:

1001 (a) Requesting a review authorized in s. 322.222, s.
1002 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
1003 pay a filing fee of \$25 to be deposited into the Highway Safety
1004 Operating Trust Fund.

1005 Section 20. Section 322.591, Florida Statutes, is created
1006 to read:

1007 322.591 Commercial driver license and commercial
1008 instruction permit; Commercial Driver's License Drug and Alcohol
1009 Clearinghouse; prohibition on issuance of commercial driver
1010 licenses; downgrades.-

1011 (1) Beginning November 18, 2024, when a person applies for
1012 or seeks to renew, transfer, or make any other change to a
1013 commercial driver license or commercial instruction permit, the
1014 department must obtain the driver's record from the Commercial
1015 Driver's License Drug and Alcohol Clearinghouse established
1016 pursuant to 49 C.F.R. part 382. The department may not issue,
1017 renew, transfer, or revise the types of authorized vehicles that
1018 may be operated or the endorsements applicable to a commercial
1019 driver license or commercial instruction permit for any person
1020 for whom the department receives notification pursuant to 49
1021 C.F.R. s. 382.501(a) that the person is prohibited from
1022 operating a commercial vehicle.

1023 (2) Beginning November 18, 2024, the department shall
1024 downgrade the commercial driver license or commercial
1025 instruction permit of any driver if the department receives



586110

1026 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
1027 driver is prohibited from operating a commercial motor vehicle.
1028 Any such downgrade must be completed and recorded by the
1029 department in the Commercial Driver's License Information System
1030 within 60 days after the department's receipt of such
1031 notification.

1032 (3) (a) Beginning November 18, 2024, upon receipt of
1033 notification pursuant to 49 C.F.R. s. 382.501(a) that a driver
1034 is prohibited from operating a commercial motor vehicle, the
1035 department shall immediately notify the driver who is the
1036 subject of such notification that he or she is prohibited from
1037 operating a commercial motor vehicle and, upon his or her
1038 request, must afford him or her an opportunity for an informal
1039 hearing pursuant to this section. The department's notice must
1040 be provided to the driver in the same manner as, and providing
1041 such notice has the same effect as, notices provided pursuant to
1042 s. 322.251(1) and (2).

1043 (b) Such informal hearing must be requested not later than
1044 20 days after the driver receives the notice of the downgrade.
1045 If a request for a hearing, together with the filing fee
1046 required pursuant to s. 322.21, is not received within 20 days
1047 after receipt of such notice, the department must enter a final
1048 order directing the downgrade of the driver's commercial driver
1049 license or commercial instruction permit, unless the department
1050 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
1051 the driver is no longer prohibited from operating a commercial
1052 motor vehicle.

1053 (c) A hearing requested pursuant to paragraph (b) must be
1054 scheduled and held not later than 30 days after receipt by the



586110

1055 department of a request for the hearing, together with the
1056 filing fee required pursuant to s. 322.21. The submission of a
1057 request for hearing pursuant to this subsection tolls the
1058 deadline to file a petition for writ of certiorari pursuant to
1059 s. 322.31 until after the department enters a final order after
1060 a hearing pursuant to this subsection.

1061 (d) The informal hearing authorized pursuant to this
1062 subsection is exempt from chapter 120. Such hearing must be
1063 conducted before a hearing officer designated by the department.
1064 The hearing officer may conduct such hearing from any location
1065 in this state by means of communications technology.

1066 (e) The notification received by the department pursuant to
1067 49 C.F.R. s. 382.501(a) must be in the record for consideration
1068 by the hearing officer and in any proceeding pursuant to s.
1069 322.31 and is considered self-authenticating. The basis for the
1070 notification received by the department pursuant to 49 C.F.R. s.
1071 382.501(a) and the information in the Commercial Driver's
1072 License Drug and Alcohol Clearinghouse which resulted in such
1073 notification are not subject to challenge in the hearing or in
1074 any proceeding brought under s. 322.31.

1075 (f) If, before the entry of a final order arising from a
1076 notification received by the department pursuant to 49 C.F.R. s.
1077 382.501(a), the department receives notification pursuant to 49
1078 C.F.R. s. 382.503(a) that the driver is no longer prohibited
1079 from operating a commercial motor vehicle, the department must
1080 dismiss the action to downgrade the driver's commercial driver
1081 license or commercial instruction permit.

1082 (g) Upon the entry of a final order that results in the
1083 downgrade of a driver's commercial driver license or commercial



586110

1084 instruction permit, the department shall record immediately in
1085 the driver's record that the driver is disqualified from
1086 operating or driving a commercial motor vehicle. The downgrade
1087 of a commercial driver license or commercial instruction permit
1088 pursuant to a final order entered pursuant to this section, and,
1089 upon the entry of a final order, the recording in the driver's
1090 record that the driver subject to such a final order is
1091 disqualified from operating or driving a commercial motor
1092 vehicle, are not stayed during the pendency of any proceeding
1093 pursuant to s. 322.31.

1094 (h) If, after the entry of a final order that results in
1095 the downgrade of a driver's commercial driver license or
1096 commercial instruction permit and the department recording in
1097 the driver's record that the driver is disqualified from
1098 operating or driving a commercial motor vehicle, the department
1099 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
1100 the driver is no longer prohibited from operating a commercial
1101 motor vehicle, the department must reinstate the driver's
1102 commercial driver license or commercial instruction permit upon
1103 application by such driver.

1104 (i) The department is not liable for any commercial driver
1105 license or commercial instruction permit downgrade resulting
1106 from the discharge of its duties.

1107 (j) This section is the exclusive procedure for the
1108 downgrade of a commercial driver license or commercial
1109 instruction permit following notification received by the
1110 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver
1111 is prohibited from operating a commercial motor vehicle.

1112 (k) The downgrade of a commercial driver license or



586110

1113 commercial instruction permit of a person pursuant to this
1114 section does not preclude the suspension of the driving
1115 privilege for that person pursuant to s. 322.2615 or the
1116 disqualification of that person from operating a commercial
1117 motor vehicle pursuant to s. 322.64. The driving privilege of a
1118 person whose commercial driver license or commercial instruction
1119 permit has been downgraded pursuant to this section also may be
1120 suspended for a violation of s. 316.193.

1121 (4) Beginning November 18, 2024, a driver for whom the
1122 department receives notification that, pursuant to 49 C.F.R. s.
1123 382.501(a), such person is prohibited from operating a
1124 commercial motor vehicle may, if otherwise qualified, be issued
1125 a Class E driver license pursuant to s. 322.251(4), valid for
1126 the length of his or her unexpired license period, at no cost.

1127 Section 21. Subsection (2) of section 322.34, Florida
1128 Statutes, is amended to read:

1129 322.34 Driving while license suspended, revoked, canceled,
1130 or disqualified.-

1131 (2) Any person whose driver license or driving privilege
1132 has been canceled, suspended, or revoked as provided by law, or
1133 who does not have a driver license or driving privilege but is
1134 under suspension or revocation equivalent status as defined in
1135 s. 322.01 ~~s. 322.01(42)~~, except persons defined in s. 322.264,
1136 who, knowing of such cancellation, suspension, revocation, or
1137 suspension or revocation equivalent status, drives any motor
1138 vehicle upon the highways of this state while such license or
1139 privilege is canceled, suspended, or revoked, or while under
1140 suspension or revocation equivalent status, commits:

1141 (a) A misdemeanor of the second degree, punishable as



586110

1142 provided in s. 775.082 or s. 775.083.

1143 (b)1. A misdemeanor of the first degree, punishable as
1144 provided in s. 775.082 or s. 775.083, upon a second or
1145 subsequent conviction, except as provided in paragraph (c).

1146 2. A person convicted of a third or subsequent conviction,
1147 except as provided in paragraph (c), must serve a minimum of 10
1148 days in jail.

1149 (c) A felony of the third degree, punishable as provided in
1150 s. 775.082, s. 775.083, or s. 775.084, upon a third or
1151 subsequent conviction if the current violation of this section
1152 or the most recent prior violation of the section is related to
1153 driving while license canceled, suspended, revoked, or
1154 suspension or revocation equivalent status resulting from a
1155 violation of:

1156 1. Driving under the influence;

1157 2. Refusal to submit to a urine, breath-alcohol, or blood
1158 alcohol test;

1159 3. A traffic offense causing death or serious bodily
1160 injury; or

1161 4. Fleeing or eluding.

1162
1163 The element of knowledge is satisfied if the person has been
1164 previously cited as provided in subsection (1); or the person
1165 admits to knowledge of the cancellation, suspension, or
1166 revocation, or suspension or revocation equivalent status; or
1167 the person received notice as provided in subsection (4). There
1168 is ~~shall be~~ a rebuttable presumption that the knowledge
1169 requirement is satisfied if a judgment or order as provided in
1170 subsection (4) appears in the department's records for any case



586110

1171 except for one involving a suspension by the department for
1172 failure to pay a traffic fine or for a financial responsibility
1173 violation.

1174 Section 22. Subsection (4) of section 322.61, Florida
1175 Statutes, is amended to read:

1176 322.61 Disqualification from operating a commercial motor
1177 vehicle.-

1178 (4) Any person who is transporting hazardous materials as
1179 defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an
1180 offense specified in subsection (3), is ~~be~~ disqualified from
1181 operating a commercial motor vehicle for a period of 3 years.
1182 The penalty provided in this subsection is ~~shall be~~ in addition
1183 to any other applicable penalty.

1184 Section 23. Subsection (3) of section 324.0221, Florida
1185 Statutes, is amended to read:

1186 324.0221 Reports by insurers to the department; suspension
1187 of driver license and vehicle registrations; reinstatement.-

1188 (3) An operator or owner whose driver license or
1189 registration has been suspended under this section or s. 316.646
1190 may effect its reinstatement upon compliance with the
1191 requirements of this section and upon payment to the department
1192 of a nonrefundable reinstatement fee of \$150 for the first
1193 reinstatement. The reinstatement fee is \$250 for the second
1194 reinstatement and \$500 for each subsequent reinstatement during
1195 the 3 years following the first reinstatement. A person
1196 reinstating her or his insurance under this subsection must also
1197 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),
1198 324.023, and 627.7275(2) and present to the appropriate person
1199 proof that the coverage is in force on a form adopted by the



586110

1200 department, and such proof must ~~shall~~ be maintained for 2 years.
1201 If the person does not have a second reinstatement within 3
1202 years after her or his initial reinstatement, the reinstatement
1203 fee is \$150 for the first reinstatement after that 3-year
1204 period. If a person's license and registration are suspended
1205 under this section or s. 316.646, only one reinstatement fee
1206 must be paid to reinstate the license and the registration. All
1207 fees must ~~shall~~ be collected by the department at the time of
1208 reinstatement. The department shall issue proper receipts for
1209 such fees and shall promptly deposit those fees in the Highway
1210 Safety Operating Trust Fund. One-third of the fees collected
1211 under this subsection must ~~shall~~ be distributed from the Highway
1212 Safety Operating Trust Fund to the local governmental entity or
1213 state agency that employed the law enforcement officer seizing
1214 the license plate pursuant to s. 324.201. The funds may be used
1215 by the local governmental entity or state agency for any
1216 authorized purpose.

1217 Section 24. Section 324.131, Florida Statutes, is amended
1218 to read:

1219 324.131 Period of suspension.—Such license, registration
1220 and nonresident's operating privilege must ~~shall~~ remain ~~so~~
1221 suspended and may ~~shall~~ not be renewed, nor may ~~shall~~ any such
1222 license or registration be thereafter issued in the name of such
1223 person, including any such person not previously licensed,
1224 unless and until every such judgment is stayed, satisfied in
1225 full or to the extent of the limits stated in s. 324.021(7) and
1226 until the said person gives proof of financial responsibility as
1227 provided in s. 324.031, such proof to be maintained for 3 years.
1228 In addition, if the person's license or registration has been



586110

1229 suspended or revoked due to a violation of s. 316.193 or
1230 pursuant to s. 322.26(2), that person must ~~shall~~ maintain
1231 ~~noncancelable~~ liability coverage for each motor vehicle
1232 registered in his or her name, as described in s. 627.7275(2),
1233 and must present proof that coverage is in force on a form
1234 adopted by the Department of Highway Safety and Motor Vehicles,
1235 such proof to be maintained for 3 years.

1236 Section 25. Paragraph (g) of subsection (3) of section
1237 627.311, Florida Statutes, is amended to read:

1238 627.311 Joint underwriters and joint reinsurers; public
1239 records and public meetings exemptions.-

1240 (3) The office may, after consultation with insurers
1241 licensed to write automobile insurance in this state, approve a
1242 joint underwriting plan for purposes of equitable apportionment
1243 or sharing among insurers of automobile liability insurance and
1244 other motor vehicle insurance, as an alternate to the plan
1245 required in s. 627.351(1). All insurers authorized to write
1246 automobile insurance in this state shall subscribe to the plan
1247 and participate therein. The plan is ~~shall be~~ subject to
1248 continuous review by the office which may at any time disapprove
1249 the entire plan or any part thereof if it determines that
1250 conditions have changed since prior approval and that in view of
1251 the purposes of the plan changes are warranted. Any disapproval
1252 by the office is ~~shall be~~ subject to ~~the provisions of~~ chapter
1253 120. The Florida Automobile Joint Underwriting Association is
1254 created under the plan. The plan and the association:

1255 (g) Must make available ~~noncancelable~~ coverage as provided
1256 in s. 627.7275(2).

1257 Section 26. Subsection (1) of section 627.351, Florida



586110

1258 Statutes, is amended to read:

1259 627.351 Insurance risk apportionment plans.—

1260 (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements
1261 may be made among casualty and surety insurers with respect to
1262 the equitable apportionment among them of insurance that ~~which~~
1263 may be afforded applicants who are in good faith entitled to,
1264 but are unable to, procure such insurance through ordinary
1265 methods, and such insurers may agree among themselves on the use
1266 of reasonable rate modifications for such insurance. Such
1267 agreements and rate modifications are ~~shall be~~ subject to the
1268 approval of the office. The office shall, after consultation
1269 with the insurers licensed to write automobile liability
1270 insurance in this state, adopt a reasonable plan or plans for
1271 the equitable apportionment among such insurers of applicants
1272 for such insurance who are in good faith entitled to, but are
1273 unable to, procure such insurance through ordinary methods, and,
1274 when such plan has been adopted, all such insurers shall
1275 subscribe to and participate in the plan ~~thereto and shall~~
1276 ~~participate therein~~. Such plan or plans shall include rules for
1277 classification of risks and rates therefor. The plan or plans
1278 shall make available ~~noncancelable~~ coverage as provided in s.
1279 627.7275(2). Any insured placed with the plan must ~~shall~~ be
1280 notified of the fact that insurance coverage is being afforded
1281 through the plan and not through the private market, and such
1282 notification must ~~shall~~ be given in writing within 10 days of
1283 such placement. To assure that plan rates are made adequate to
1284 pay claims and expenses, insurers shall develop a means of
1285 obtaining loss and expense experience at least annually, and the
1286 plan shall file such experience, when available, with the office



1287 in sufficient detail to make a determination of rate adequacy.
1288 Prior to the filing of such experience with the office, the plan
1289 shall poll each member insurer as to the need for an actuary who
1290 is a member of the Casualty Actuarial Society and who is not
1291 affiliated with the plan's statistical agent to certify the
1292 plan's rate adequacy. If a majority of those insurers responding
1293 indicate a need for such certification, the plan must ~~shall~~
1294 include the certification as part of its experience filing. Such
1295 experience shall be filed with the office not more than 9 months
1296 following the end of the annual statistical period under review,
1297 together with a rate filing based on such ~~said~~ experience. The
1298 office shall initiate proceedings to disapprove the rate and so
1299 notify the plan or shall finalize its review within 60 days
1300 after ~~of~~ receipt of the filing. Notification to the plan by the
1301 office of its preliminary findings, which include a point of
1302 entry to the plan pursuant to chapter 120, tolls ~~shall toll~~ the
1303 60-day period during any such proceedings and subsequent
1304 judicial review. The rate is ~~shall be~~ deemed approved if the
1305 office does not issue notice to the plan of its preliminary
1306 findings within 60 days after ~~of~~ the filing. In addition to
1307 provisions for claims and expenses, the ratemaking formula must
1308 ~~shall~~ include a factor for projected claims trending and 5
1309 percent for contingencies. The formula may not ~~In no instance~~
1310 ~~shall the formula~~ include a renewal discount for plan insureds.
1311 However, the plan shall reunderwrite each insured on an annual
1312 basis, based upon all applicable rating factors approved by the
1313 office. Trend factors may ~~shall~~ not be found to be inappropriate
1314 if they are not in excess of trend factors normally used in the
1315 development of residual market rates by the appropriate licensed



586110

1316 rating organization. Each application for coverage in the plan
1317 must ~~shall~~ include, in boldfaced 12-point type immediately
1318 preceding the applicant's signature, the following statement:

1319
1320 "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA
1321 JOINT UNDERWRITING ASSOCIATION AND NOT THROUGH THE
1322 PRIVATE MARKET. PLEASE BE ADVISED THAT COVERAGE WITH A
1323 PRIVATE INSURER MAY BE AVAILABLE FROM ANOTHER AGENT AT
1324 A LOWER COST. AGENT AND COMPANY LISTINGS ARE AVAILABLE
1325 IN THE LOCAL YELLOW PAGES."

1326
1327 The plan shall annually report to the office the number and
1328 percentage of plan insureds who are not surcharged due to their
1329 driving record.

1330 Section 27. Paragraph (b) of subsection (2) of section
1331 627.7275, Florida Statutes, is amended to read:

1332 627.7275 Motor vehicle liability.-

1333 (2)

1334 (b) The policies described in paragraph (a) must ~~shall~~ be
1335 issued for at least 6 months and, ~~as to the minimum coverages~~
1336 ~~required under this section, may not be canceled by the insured~~
1337 ~~for any reason or by the insurer after 60 days, during which~~
1338 ~~period the insurer is completing the underwriting of the policy.~~
1339 After the insurer has issued ~~completed underwriting~~ the policy,
1340 the insurer shall notify the Department of Highway Safety and
1341 Motor Vehicles that the policy is in full force and effect ~~and~~
1342 ~~is not cancelable for the remainder of the policy period. A~~
1343 ~~premium shall be collected and the coverage is in effect for the~~
1344 ~~60-day period during which the insurer is completing the~~



586110

1345 ~~underwriting of the policy whether or not the person's driver~~
1346 ~~license, motor vehicle tag, and motor vehicle registration are~~
1347 ~~in effect. Once the noncancelable provisions of the policy~~
1348 ~~becomes~~ become effective, the coverages for bodily injury,
1349 property damage, and personal injury protection may not be
1350 reduced during the policy period below the minimum limits
1351 required under s. 324.021 or s. 324.023 ~~during the policy~~
1352 ~~period.~~

1353 Section 28. Except as otherwise expressly provided in this
1354 act, this act shall take effect July 1, 2023.

1355
1356 ===== T I T L E A M E N D M E N T =====

1357 And the title is amended as follows:

1358 Delete everything before the enacting clause
1359 and insert:

1360 A bill to be entitled

1361 An act relating to the Department of Highway Safety
1362 and Motor Vehicles; amending s. 207.004, F.S.;

1363 requiring the department or its authorized agent to
1364 issue certain licenses and fuel tax decals; amending
1365 s. 316.066, F.S.; requiring traffic law enforcement
1366 agencies to provide uniform crash reports to the
1367 department by electronic means; requiring that such
1368 crash reports be consistent with certain rules and
1369 procedures and to be numbered and inventoried;

1370 providing a declaration of important state interest;
1371 amending s. 316.2935, F.S.; providing an exception to
1372 requirements for certification of air pollution
1373 control equipment by a motor vehicle seller, lessor,



1374 or transferor; amending s. 316.302, F.S.; revising the
1375 list of federal rules and regulations to which owners
1376 and drivers of certain commercial motor vehicles are
1377 subject; amending s. 319.14, F.S.; requiring that a
1378 certificate of title for a flood vehicle specify the
1379 type of water that caused damage to the vehicle, as
1380 applicable; revising the definition of the term "flood
1381 vehicle"; making technical changes; amending s.
1382 319.23, F.S.; making technical changes; amending s.
1383 319.28, F.S.; providing that a certain affidavit
1384 constitutes proof of ownership and right of possession
1385 to a motor vehicle or mobile home the previous owner
1386 of which died testate; amending s. 319.29, F.S.;
1387 prohibiting the department or a tax collector from
1388 charging a fee for reissuance of certain certificates
1389 of title; amending s. 319.30, F.S.; revising the
1390 definition of the terms "independent entity" and
1391 "major component parts"; defining the term "vessel";
1392 revising provisions relating to obtaining a salvage
1393 certificate of title or certificate of destruction;
1394 exempting the department from liability to certain
1395 persons as a result of the issuance of such
1396 certificate; extending current requirements for an
1397 independent entity's release of a damaged or
1398 dismantled vehicle to vessels; authorizing the
1399 independent entity to apply for certain certificates
1400 for an unclaimed vessel; providing requirements for
1401 such application; specifying provisions to which the
1402 independent entity is subject; prohibiting the



586110

1403 independent entity from charging vessel storage fees;
1404 amending s. 320.06, F.S.; authorizing permanent
1405 registration of certain rental trucks; authorizing the
1406 department to deem a license plate with reduced
1407 dimensions to be necessary to accommodate trailers;
1408 making technical changes; amending s. 320.084, F.S.;
1409 providing that certain disabled veterans may, upon
1410 request, be issued a military license plate or
1411 specialty license plate in lieu of a "DV" license
1412 plate; specifying applicable fees; specifying
1413 nonapplicability of certain provisions; amending s.
1414 322.01, F.S.; revising definitions; defining the term
1415 "downgrade"; amending s. 322.02, F.S.; charging the
1416 department with enforcement and administration of
1417 certain federal provisions; amending s. 322.05, F.S.;
1418 prohibiting the department from issuing a commercial
1419 motor vehicle operator license to certain persons;
1420 amending s. 322.07, F.S.; revising requirements for
1421 issuance of a temporary commercial instruction permit;
1422 amending s. 322.141, F.S.; requiring that certain
1423 information on the driver license or identification
1424 card of a sexual offender or sexual predator be
1425 printed in red; amending s. 322.142, F.S.; authorizing
1426 the department to issue reproductions of certain files
1427 and records to certain criminal justice or driver
1428 licensing agencies for certain purposes; amending s.
1429 322.21, F.S.; authorizing reinstatement of a
1430 commercial driver license after a downgrade of the
1431 person's privilege to operate a commercial motor



1432 vehicle under certain circumstances; making technical
1433 changes; creating s. 322.591, F.S.; requiring the
1434 department to obtain a driver's record from the
1435 Commercial Driver's License Drug and Alcohol
1436 Clearinghouse under certain circumstances; prohibiting
1437 the department from issuing, renewing, transferring,
1438 or revising the types of authorized vehicles or the
1439 endorsements of certain commercial driver licenses or
1440 commercial instruction permits if the department
1441 receives a certain notification; requiring the
1442 department to downgrade a commercial driver license or
1443 commercial instruction permit within a specified
1444 timeframe if the department receives a certain
1445 notification; requiring the department to notify
1446 certain drivers of their prohibition from operating a
1447 commercial motor vehicle and, upon request, afford
1448 them an opportunity for an informal hearing; providing
1449 requirements for such notice and hearing; requiring
1450 the department to enter a final order to downgrade a
1451 commercial driver license or commercial instruction
1452 permit under certain circumstances; specifying that a
1453 request for a hearing tolls certain deadlines;
1454 specifying that certain notifications received by the
1455 department must be in the record for consideration and
1456 are self-authenticating; specifying that the basis for
1457 the notification and the information in the Commercial
1458 Driver's License Drug and Alcohol Clearinghouse are
1459 not subject to challenge; requiring the department to
1460 dismiss the downgrade of a commercial driver license



586110

1461 or instruction permit under certain circumstances;
1462 requiring the department to record in the driver's
1463 record that he or she is disqualified from operating a
1464 commercial motor vehicle under certain circumstances;
1465 specifying that certain actions are not stayed during
1466 the pendency of certain proceedings; requiring the
1467 department to reinstate a commercial driver license or
1468 commercial instruction permit under certain
1469 circumstances; exempting the department from liability
1470 for certain commercial driver license or commercial
1471 instruction permit downgrades; designating the
1472 exclusive procedure for the downgrade of certain
1473 commercial driver licenses or commercial instruction
1474 permits; providing construction and applicability;
1475 authorizing the department to issue at no cost a
1476 specified driver license to certain persons prohibited
1477 from operating a commercial motor vehicle; amending
1478 ss. 322.34 and 322.61, F.S.; conforming cross-
1479 references; making technical changes; amending ss.
1480 324.0221, 324.131, 627.311, and 627.351, F.S.;
1481 conforming provisions to changes made by the act;
1482 making technical changes; amending s. 627.7275, F.S.;
1483 deleting provisions relating to noncancelable motor
1484 vehicle insurance; making technical changes; providing
1485 effective dates.