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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2023	.	
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The Committee on Fiscal Policy (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



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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, as amended by section 1 of chapter 2022-198, Laws of  
32 Florida, is amended to read:

33 316.066 Written reports of crashes; electronic submission.-

34 (1) (a) All entities required to submit crash reports must  
35 provide uniform crash reports by electronic means to the  
36 department using a nonproprietary, interchangeable electronic  
37 form and reporting method. For purposes of this paragraph, the  
38 term "nonproprietary" means commonly used and commercially  
39 available report formats and reporting methods. Such crash



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40 reports must be consistent with state traffic crash manual rules  
41 and with procedures established by the department and must be  
42 appropriately numbered and inventoried. A Florida Traffic Crash  
43 Report, Long Form must be completed and electronically submitted  
44 to the department within 10 days after an investigation is  
45 completed by the law enforcement officer who in the regular  
46 course of duty investigates a motor vehicle crash that:

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

54 (b) The Florida Traffic Crash Report, Long Form must  
55 include:

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

66 (c) In any crash for which a Florida Traffic Crash Report,  
67 Long Form is not required by this section and which occurs on  
68 the public roadways of this state, the law enforcement officer



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69 shall complete a short-form crash report or provide a driver  
70 exchange-of-information form, to be completed by all drivers and  
71 passengers involved in the crash, which requires the  
72 identification of each vehicle that the drivers and passengers  
73 were in. The short-form report must include:

- 74 1. The date, time, and location of the crash.
- 75 2. A description of the vehicles involved.
- 76 3. The names and addresses of the parties involved,  
77 including all drivers and passengers, and the identification of  
78 the vehicle in which each was a driver or a passenger.
- 79 4. The names and addresses of witnesses.
- 80 5. The name, badge number, and law enforcement agency of  
81 the officer investigating the crash.
- 82 6. The names of the insurance companies for the respective  
83 parties involved in the crash.

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

97 (e) The driver of a vehicle that was in any manner involved



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98 in a crash resulting in damage to a vehicle or other property  
99 which does not require a law enforcement report shall, within 10  
100 days after the crash, submit a written report of the crash to  
101 the department. The report must ~~shall~~ be submitted on a form  
102 approved by the department.

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

106 (2) (a) Crash reports that reveal the identity, home or  
107 employment telephone number or home or employment address of, or  
108 other personal information concerning the parties involved in  
109 the crash and that are held by an agency, as defined in s.  
110 119.011, are confidential and exempt from s. 119.07(1) and s.  
111 24(a), Art. I of the State Constitution for a period of 60 days  
112 after the date the report is filed.

113 (b) Crash reports held by an agency under paragraph (a) may  
114 be made immediately available to the parties involved in the  
115 crash, their legal representatives, their licensed insurance  
116 agents, their insurers or insurers to which they have applied  
117 for coverage, persons under contract with such insurers to  
118 provide claims or underwriting information, law enforcement  
119 agencies and their contracted service providers, victim services  
120 programs, and any federal, state, or local governmental agency  
121 or any private person or entity acting on behalf of a federal,  
122 state, or local governmental agency in carrying out its  
123 functions, but not for redistribution to any person or entity  
124 not listed in this subsection. Crash reports held by an agency  
125 under paragraph (a) which do not contain the home or employment  
126 street addresses, driver license or identification card numbers,



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127 dates of birth, and home and employment telephone numbers of the  
128 parties involved in the crash shall be made immediately  
129 available to radio and television stations licensed by the  
130 Federal Communications Commission and newspapers qualified to  
131 publish legal notices under ss. 50.011 and 50.031. A crash  
132 report may also be made available to any third party acting on  
133 behalf of a person or entity authorized under this section to  
134 access the crash report, except that the third party may  
135 disclose the crash report only to the person or entity  
136 authorized to access the crash report under this section on  
137 whose behalf the third party has sought the report. This section  
138 shall not prevent an agency, pursuant to a memorandum of  
139 understanding, from providing data derived from crash reports to  
140 a third party solely for the purpose of identifying vehicles  
141 involved in crashes if such data does not reveal the identity,  
142 home or employment telephone number or home or employment  
143 address, or other personal information of the parties involved  
144 in the crash.

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

149 (d) As a condition precedent to accessing a crash report, a  
150 person must present a valid driver license or other photographic  
151 identification, proof of status, or identification that  
152 demonstrates his or her qualifications to access that  
153 information and file a written sworn statement with the state or  
154 local agency in possession of the information stating that  
155 information from a crash report made confidential and exempt by



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156 this section will not be used for any commercial solicitation of  
157 accident victims or knowingly disclosed to any third party for  
158 the purpose of such solicitation. Such written sworn statement  
159 must be completed and sworn to by the requesting party for each  
160 individual crash report that is being requested. In lieu of  
161 requiring the written sworn statement, an agency may provide  
162 crash reports by electronic means pursuant to a memorandum of  
163 understanding to third-party vendors under contract with one or  
164 more insurers, but only when such contract states that  
165 information from a crash report made confidential and exempt by  
166 this section will not be used for any commercial solicitation of  
167 accident victims by the vendors, or knowingly disclosed by the  
168 vendors to any third party for the purpose of such solicitation,  
169 and only when a copy of such contract is furnished to the agency  
170 as proof of the vendor's claimed status.

171 (e) This subsection does not prevent the dissemination or  
172 publication of news to the general public by any legitimate  
173 media entitled to access confidential and exempt information  
174 pursuant to this section.

175 (f) Crash reports held by an agency under paragraph (a) may  
176 be made available 60 days after the date the report is filed to  
177 any person or entity eligible to access crash reports under  
178 paragraph (b) or in accordance with any of the permissible uses  
179 listed in 18 U.S.C. s. 2721(b) and pursuant to the resale and  
180 redisclosure requirements in 18 U.S.C. s. 2721(c).

181 (g) If crash reports are created by or submitted to an  
182 agency electronically as data elements within a computerized  
183 database or if personal information from a crash report is  
184 entered into a computerized database, such crash data held by an



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185 agency is confidential and exempt from s. 119.07(1) and s.  
186 24(a), Art. I of the State Constitution. Sixty days after the  
187 date the crash report is filed, an agency may provide crash data  
188 derived from the crash report which includes personal  
189 information to entities eligible to access the crash report  
190 under paragraph (b), or in accordance with any of the  
191 permissible uses listed in 18 U.S.C. s. 2721(b) and pursuant to  
192 the resale and redisclosure requirements in 18 U.S.C. s.  
193 2721(c). Such data shall be provided pursuant to a memorandum of  
194 understanding.

195 (h) This subsection is subject to the Open Government  
196 Sunset Review Act in accordance with s. 119.15 and shall stand  
197 repealed on October 2, 2027, unless reviewed and saved from  
198 repeal through reenactment by the Legislature.

199 (3) (a) Any driver failing to file the written report  
200 required under subsection (1) commits a noncriminal traffic  
201 infraction, punishable as a nonmoving violation as provided in  
202 chapter 318.

203 (b) Any employee of a state or local agency in possession  
204 of information made confidential and exempt by this section who  
205 knowingly discloses such confidential and exempt information to  
206 a person not entitled to access such information under this  
207 section commits a felony of the third degree, punishable as  
208 provided in s. 775.082, s. 775.083, or s. 775.084.

209 (c) Any person, knowing that he or she is not entitled to  
210 obtain information made confidential and exempt by this section,  
211 who obtains or attempts to obtain such information commits a  
212 felony of the third degree, punishable as provided in s.  
213 775.082, s. 775.083, or s. 775.084.





214 (d) Any person who knowingly uses confidential and exempt  
215 information in violation of a filed written sworn statement,  
216 memorandum of understanding, or contractual agreement required  
217 by this section commits a felony of the third degree, punishable  
218 as provided in s. 775.082, s. 775.083, or s. 775.084.

219 (e) In addition to penalties outlined in paragraphs (c) and  
220 (d), a person who obtains a crash report or crash data and who  
221 knowingly discloses or knowingly uses personal information  
222 revealed in the report for a purpose not permitted under 18  
223 U.S.C. s. 2721(b) is liable to the individual to whom the  
224 information pertains, who may bring a civil action in any court  
225 of competent jurisdiction. The court may award:

226 1. Actual damages, but not less than liquidated damages in  
227 the amount of \$2,500.

228 2. Punitive damages upon proof of willful or reckless  
229 disregard of the law.

230 3. Reasonable attorney fees and other litigation costs  
231 reasonably incurred.

232 4. Such other preliminary and equitable relief as the court  
233 determines to be appropriate.

234  
235 This paragraph does not apply to radio and television stations  
236 licensed by the Federal Communications Commission and newspapers  
237 qualified to publish legal notices under ss. 50.011 and 50.031.

238 (4) Except as specified in this subsection, each crash  
239 report made by a person involved in a crash and any statement  
240 made by such person to a law enforcement officer for the purpose  
241 of completing a crash report required by this section must ~~shall~~  
242 be without prejudice to the individual so reporting. Such report



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243 or statement may not be used as evidence in any trial, civil or  
244 criminal. However, subject to the applicable rules of evidence,  
245 a law enforcement officer at a criminal trial may testify as to  
246 any statement made to the officer by the person involved in the  
247 crash if that person's privilege against self-incrimination is  
248 not violated. The results of breath, urine, and blood tests  
249 administered as provided in s. 316.1932 or s. 316.1933 are not  
250 confidential and are admissible into evidence in accordance with  
251 the provisions of s. 316.1934(2).

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

254 Section 3. The Legislature finds that a proper and  
255 legitimate purpose is served when crash reports required under  
256 s. 316.066, Florida Statutes, are filed electronically with the  
257 Department of Highway Safety and Motor Vehicles by all entities  
258 required to submit crash reports. Electronic filing will  
259 expedite the availability of crash reports to the persons  
260 authorized to receive them, simplify the process of making crash  
261 reports available, and expedite the availability of information  
262 derived from crash reports to improve highway safety. The  
263 requirement of this act that complete crash reports be submitted  
264 electronically to the Department of Highway Safety and Motor  
265 Vehicles applies to all law enforcement agencies that prepare  
266 crash reports submit the completed crash reports electronically  
267 to the Department of Highway Safety and Motor Vehicles applies  
268 to all similarly situated persons, including school district law  
269 enforcement agencies, state university law enforcement agencies,  
270 and state law enforcement agencies. Therefore, the Legislature  
271 determines and declares that the amendments made by this act to



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272 s. 316.066, Florida Statutes, fulfill an important state  
273 interest.

274 Section 4. Paragraph (b) of subsection (1) of section  
275 316.2935, Florida Statutes, is amended to read:

276 316.2935 Air pollution control equipment; tampering  
277 prohibited; penalty.—

278 (1)

279 (b) At the time of sale, lease, or transfer of title of a  
280 motor vehicle, the seller, lessor, or transferor shall certify  
281 in writing to the purchaser, lessee, or transferee that the air  
282 pollution control equipment of the motor vehicle has not been  
283 tampered with by the seller, lessor, or transferor or their  
284 agents, employees, or other representatives. A licensed motor  
285 vehicle dealer shall also visually observe those air pollution  
286 control devices listed by department rule pursuant to subsection  
287 (7), and certify that they are in place, and appear properly  
288 connected and undamaged. Such certification may ~~shall~~ not be  
289 deemed or construed as a warranty that the pollution control  
290 devices of the subject vehicle are in functional condition, nor  
291 does the execution or delivery of this certification create by  
292 itself grounds for a cause of action between the parties to this  
293 transaction. This paragraph does not apply if the purchaser of  
294 the motor vehicle is a lessee purchasing the leased motor  
295 vehicle or if the licensed motor vehicle dealer is not in  
296 possession of the motor vehicle at the time of sale.

297 Section 5. Paragraphs (a), (b), and (e) of subsection (1),  
298 paragraph (d) of subsection (2), and subsection (9) of section  
299 316.302, Florida Statutes, are amended to read:

300 316.302 Commercial motor vehicles; safety regulations;



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301 transporters and shippers of hazardous materials; enforcement.-

302 (1) (a) All owners and drivers of commercial motor vehicles  
303 that are operated on the public highways of this state while  
304 engaged in interstate commerce are subject to the rules and  
305 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,  
306 386, and 390-397.

307 (b) Except as otherwise provided in this section, all  
308 owners and drivers of commercial motor vehicles that are engaged  
309 in intrastate commerce are subject to the rules and regulations  
310 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-  
311 397, as such rules and regulations existed on December 31, 2022  
312 ~~2020~~.

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

320 (2)

321 (d) A person who operates a commercial motor vehicle solely  
322 in intrastate commerce not transporting any hazardous material  
323 in amounts that require placarding pursuant to 49 C.F.R. part  
324 172 within a 150 air-mile radius of the location where the  
325 vehicle is based need not comply with 49 C.F.R. ss. 395.8 and  
326 395.11 ~~49 C.F.R. s. 395.8~~ if the requirements of 49 C.F.R. s.  
327 395.1(e)(1)(iii) and (iv) ~~49 C.F.R. s. 395.1(e)(1)(ii),~~  
328 ~~(iii)(A) and (C), and (v)~~ are met.

329 (9) For the purpose of enforcing this section, any law



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330 enforcement officer of the Department of Highway Safety and  
331 Motor Vehicles or duly appointed agent who holds a current  
332 safety inspector certification from the Commercial Vehicle  
333 Safety Alliance may require the driver of any commercial vehicle  
334 operated on the highways of this state to stop and submit to an  
335 inspection of the vehicle or the driver's records. If the  
336 vehicle or driver is found to be operating in an unsafe  
337 condition, or if any required part or equipment is not present  
338 or is not in proper repair or adjustment, and the continued  
339 operation would present an unduly hazardous operating condition,  
340 the officer or agent may require the vehicle or the driver to be  
341 removed from service pursuant to the North American Standard  
342 Out-of-Service Criteria, until corrected. However, if continuous  
343 operation would not present an unduly hazardous operating  
344 condition, the officer or agent may give written notice  
345 requiring correction of the condition within 15 days.

346 (a) Any member of the Florida Highway Patrol or any law  
347 enforcement officer employed by a sheriff's office or municipal  
348 police department authorized to enforce the traffic laws of this  
349 state pursuant to s. 316.640 who has reason to believe that a  
350 vehicle or driver is operating in an unsafe condition may, as  
351 provided in subsection (11), enforce the provisions of this  
352 section.

353 (b) Any person who fails to comply with a ~~an officer's~~  
354 request to submit to an inspection under this subsection commits  
355 a violation of s. 843.02 if the person resists the officer  
356 without violence or a violation of s. 843.01 if the person  
357 resists the officer with violence.

358 Section 6. Paragraphs (b) and (c) of subsection (1) of



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359 section 319.14, Florida Statutes, are amended to read:

360 319.14 Sale of motor vehicles registered or used as  
361 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,  
362 nonconforming vehicles, custom vehicles, or street rod vehicles;  
363 conversion of low-speed vehicles.-

364 (1)

365 (b) A person may not knowingly offer for sale, sell, or  
366 exchange a rebuilt vehicle until the department has stamped in a  
367 conspicuous place on the certificate of title for the vehicle  
368 words stating that the vehicle has been rebuilt or assembled  
369 from parts, or is a kit car, glider kit, replica, flood vehicle,  
370 custom vehicle, or street rod vehicle unless proper application  
371 for a certificate of title for a vehicle that is rebuilt or  
372 assembled from parts, or is a kit car, glider kit, replica,  
373 flood vehicle, custom vehicle, or street rod vehicle has been  
374 made to the department in accordance with this chapter and the  
375 department has conducted the physical examination of the vehicle  
376 to assure the identity of the vehicle and all major component  
377 parts, as defined in s. 319.30(1), which have been repaired or  
378 replaced. If a vehicle is identified as a flood vehicle, the  
379 words stamped on the certificate of title must identify the type  
380 of water that caused damage to the vehicle as "salt water,"  
381 "fresh water," or "other or unknown water type," as applicable.  
382 Thereafter, the department shall affix a decal to the vehicle,  
383 in the manner prescribed by the department, showing the vehicle  
384 to be rebuilt.

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

386 9.1. "Police vehicle" means a motor vehicle owned or leased  
387 by the state or a county or municipality and used in law



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388 enforcement.

389 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle  
390 leased without a driver and under a written agreement to one or  
391 more persons from time to time for a period of less than 12  
392 months.

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

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

398 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile  
399 home built from salvage or junk, as defined in s. 319.30(1).

400 ~~1.4.~~ "Assembled from parts" means a motor vehicle or mobile  
401 home assembled from parts or combined from parts of motor  
402 vehicles or mobile homes, new or used. The term "assembled from  
403 parts" does not include ~~mean a motor vehicle defined as a~~  
404 ~~"rebuilt vehicle" as defined in subparagraph 10. in subparagraph~~  
405 ~~3.,~~ which has been declared a total loss pursuant to s. 319.30.

406 5. "Kit car" means a motor vehicle assembled with a kit  
407 supplied by a manufacturer to rebuild a wrecked or outdated  
408 motor vehicle with a new body kit.

409 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit  
410 supplied by a manufacturer to rebuild a wrecked or outdated  
411 truck or truck tractor.

412 ~~11.7.~~ "Replica" means a complete new motor vehicle  
413 manufactured to look like an old vehicle.

414 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home  
415 that has been declared to be a total loss pursuant to s.  
416 319.30(3) (a) resulting from damage caused by salt water, fresh



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417 water, or other or unknown type of water.

418 8.9. "Nonconforming vehicle" means a motor vehicle that  
419 ~~which~~ has been purchased by a manufacturer pursuant to a  
420 settlement, determination, or decision under chapter 681.

421 12.10. "Settlement" means an agreement entered into between  
422 a manufacturer and a consumer which ~~that~~ occurs after a dispute  
423 is submitted to a program, or to an informal dispute settlement  
424 procedure established by a manufacturer, or is approved for  
425 arbitration before the Florida New Motor Vehicle Arbitration  
426 Board as defined in s. 681.102.

427 2.11. "Custom vehicle" means a motor vehicle that:

428 a. Is 25 years of age or older and of a model year after  
429 1948 or was manufactured to resemble a vehicle that is 25 years  
430 of age or older and of a model year after 1948; and

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

433

434 The model year and year of manufacture that the body of a custom  
435 vehicle resembles is the model year and year of manufacture  
436 listed on the certificate of title, regardless of when the  
437 vehicle was actually manufactured.

438 14.12. "Street rod" means a motor vehicle that:

439 a. Is of a model year of 1948 or older or was manufactured  
440 after 1948 to resemble a vehicle of a model year of 1948 or  
441 older; and

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

444

445 The model year and year of manufacture that the body of a street





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446 rod resembles is the model year and year of manufacture listed  
447 on the certificate of title, regardless of when the vehicle was  
448 actually manufactured.

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

451 319.23 Application for, and issuance of, certificate of  
452 title.-

453 (3) If a certificate of title has not previously been  
454 issued for a motor vehicle or mobile home in this state, the  
455 application must, unless otherwise provided for in this chapter,  
456 ~~shall~~ be accompanied by a proper bill of sale or sworn statement  
457 of ownership, or a duly certified copy thereof, or by a  
458 certificate of title, bill of sale, or other evidence of  
459 ownership required by the law of the state or country ~~county~~  
460 from which the motor vehicle or mobile home was brought into  
461 this state. The application must ~~shall~~ also be accompanied by:

462 (a)1. A sworn affidavit from the seller and purchaser  
463 verifying that the vehicle identification number shown on the  
464 affidavit is identical to the vehicle identification number  
465 shown on the motor vehicle; or

466 2. An appropriate departmental form evidencing that a  
467 physical examination has been made of the motor vehicle by the  
468 owner and by a duly constituted law enforcement officer in any  
469 state, a licensed motor vehicle dealer, a license inspector as  
470 provided by s. 320.58, or a notary public commissioned by this  
471 state and that the vehicle identification number shown on such  
472 form is identical to the vehicle identification number shown on  
473 the motor vehicle; and

474 (b) If the vehicle is a used car original, a sworn



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475 affidavit from the owner verifying that the odometer reading  
476 shown on the affidavit is identical to the odometer reading  
477 shown on the motor vehicle in accordance with the requirements  
478 of 49 C.F.R. s. 580.5 at the time that application for title is  
479 made. For the purposes of this section, the term "used car  
480 original" means a used vehicle coming into and being titled in  
481 this state for the first time.

482 (c) If the vehicle is an ancient or antique vehicle, as  
483 defined in s. 320.086, the application must ~~shall~~ be accompanied  
484 by a certificate of title; a bill of sale and a registration; or  
485 a bill of sale and an affidavit by the owner defending the title  
486 from all claims. The bill of sale must contain a complete  
487 vehicle description to include the vehicle identification or  
488 engine number, year make, color, selling price, and signatures  
489 of the seller and purchaser.

490  
491 Verification of the vehicle identification number is not  
492 required for any new motor vehicle; any mobile home; any trailer  
493 or semitrailer with a net weight of less than 2,000 pounds; or  
494 any travel trailer, camping trailer, truck camper, or fifth-  
495 wheel recreation trailer.

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

500 319.28 Transfer of ownership by operation of law.—

501 (1)

502 (c) If the previous owner died testate and the application  
503 for a certificate of title is made by, and accompanied by an



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504 affidavit attested by, a Florida-licensed attorney in good  
505 standing with The Florida Bar who represents the previous  
506 owner's estate, such affidavit, for purposes of paragraph (a),  
507 constitutes satisfactory proof of ownership and right of  
508 possession to the motor vehicle or mobile home, so long as the  
509 affidavit sets forth the rightful heir or heirs and the attorney  
510 attests in the affidavit that such heir or heirs are lawfully  
511 entitled to the rights of ownership and possession of the motor  
512 vehicle or mobile home. The application for certificate of title  
513 filed under this paragraph is not required to be accompanied by  
514 a copy of the will or other testamentary instrument.

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

517 319.29 Lost or destroyed certificates.—

518 (3) If, following the issuance of an original, duplicate,  
519 or corrected certificate of title by the department, the  
520 certificate is lost in transit and is not delivered to the  
521 addressee, the owner of the motor vehicle or mobile home, or the  
522 holder of a lien thereon, may, within 180 days after ~~of~~ the date  
523 of issuance of the title, apply to the department for reissuance  
524 of the certificate of title. An ~~No~~ additional fee may not ~~shall~~  
525 be charged by the department or a tax collector, as agent for  
526 the department, for reissuance under this subsection.

527 Section 10. Paragraphs (g) and (j) of subsection (1) and  
528 subsection (9) of section 319.30, Florida Statutes, are amended,  
529 and paragraph (y) is added to subsection (1) of that section, to  
530 read:

531 319.30 Definitions; dismantling, destruction, change of  
532 identity of motor vehicle or mobile home; salvage.—



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

534 (g) "Independent entity" means a business or entity that  
535 may temporarily store damaged or dismantled motor vehicles or  
536 vessels pursuant to an agreement with an insurance company and  
537 is engaged in the sale or resale of damaged or dismantled motor  
538 vehicles or vessels. The term does not include a wrecker  
539 operator, a towing company, or a repair facility.

540 (j) "Major component parts" means:

541 1. For motor vehicles other than motorcycles and electric,  
542 hybrid, or plug-in hybrid motor vehicles, any fender, hood,  
543 bumper, cowl assembly, rear quarter panel, trunk lid, door,  
544 decklid, floor pan, engine, frame, transmission, catalytic  
545 converter, or airbag.

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

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

553 4. For mobile homes, the frame.

554 5. For electric, hybrid, or plug-in hybrid motor vehicles,  
555 any fender, hood, bumper, cowl assembly, rear quarter panel,  
556 trunk lid, door, decklid, floor pan, engine, electric traction  
557 motor, frame, transmission or electronic transmission, charge  
558 port, DC power converter, onboard charger, power electronics  
559 controller, thermal system, traction battery pack, catalytic  
560 converter, or airbag.

561 (y) "Vessel" has the same meaning as provided in s.



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562 713.78(1)(b).

563 (9)(a) An insurance company may notify an independent  
564 entity that obtains possession of a damaged or dismantled motor  
565 vehicle or vessel to release the vehicle or vessel to the owner.  
566 The insurance company shall provide the independent entity a  
567 release statement on a form prescribed by the department  
568 authorizing the independent entity to release the vehicle or  
569 vessel to the owner or lienholder. The form must, at a minimum,  
570 contain the following:

571 1. The policy and claim number.

572 2. The name and address of the insured.

573 3. The vehicle identification number or vessel hull  
574 identification number.

575 4. The signature of an authorized representative of the  
576 insurance company.

577 (b) The independent entity in possession of a motor vehicle  
578 or vessel must send a notice to the owner that the vehicle or  
579 vessel is available for pickup when it receives a release  
580 statement from the insurance company. The notice must ~~shall~~ be  
581 sent by certified mail or by another commercially available  
582 delivery service that provides proof of delivery to the owner at  
583 the owner's address contained in the department's records. The  
584 notice must state that the owner has 30 days after delivery of  
585 the notice to the owner at the owner's address to pick up the  
586 vehicle or vessel from the independent entity. If the motor  
587 vehicle or vessel is not claimed within 30 days after the  
588 delivery or attempted delivery of the notice, the independent  
589 entity may apply for a certificate of destruction, a salvage  
590 certificate of title, or a certificate of title. For a hull-



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591 damaged vessel, the independent entity shall comply with s.  
592 328.045, as applicable.

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

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

598 2. For a vehicle, identify the latest titling jurisdiction  
599 of the vehicle through use of the National Motor Vehicle Title  
600 Information System or an equivalent commercially available  
601 system and attempt to obtain the owner's address from that  
602 jurisdiction. If the jurisdiction returns an address that is  
603 different from the owner's address provided by the insurance  
604 company, the independent entity must send a notice that meets  
605 the requirements of paragraph (b) to both addresses.

606 (d) The independent entity shall maintain for at least a  
607 ~~minimum of~~ 3 years the records related to the 30-day notice sent  
608 to the owner. For vehicles, the independent entity shall also  
609 maintain for at least 3 years the results of searches of the  
610 National Motor Vehicle Title Information System or an equivalent  
611 commercially available system, and the notification to the  
612 National Motor Vehicle Title Information System made pursuant to  
613 paragraph (e).

614 (e) The independent entity shall make the required  
615 notification to the National Motor Vehicle Title Information  
616 System before releasing any damaged or dismantled motor vehicle  
617 to the owner or before applying for a certificate of destruction  
618 or salvage certificate of title. The independent entity is not  
619 required to notify the National Motor Vehicle Title Information



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620 System before releasing any damaged or dismantled vessel to the  
621 owner or before applying for a certificate of title.

622 (f) Upon applying for a certificate of destruction, ~~or~~  
623 salvage certificate of title, or certificate of title, the  
624 independent entity shall provide a copy of the release statement  
625 from the insurance company to the independent entity, proof of  
626 providing the 30-day notice to the owner, proof of notification  
627 to the National Motor Vehicle Title Information System if  
628 required, proof of all lien satisfactions or proof of a release  
629 of all liens on the motor vehicle or vessel, and applicable  
630 fees. If the independent entity is unable to obtain a lien  
631 satisfaction or a release of all liens on the motor vehicle or  
632 vessel, the independent entity must provide an affidavit stating  
633 that notice was sent to all lienholders that the motor vehicle  
634 or vessel is available for pickup, 30 days have passed since the  
635 notice was delivered or attempted to be delivered pursuant to  
636 this section, attempts have been made to obtain a release from  
637 all lienholders, and all such attempts have been to no avail.  
638 The notice to lienholders and attempts to obtain a release from  
639 lienholders may be by written request delivered in person or by  
640 certified mail or another commercially available delivery  
641 service that provides proof of delivery to the lienholder at the  
642 lienholder's address as provided on the certificate of title and  
643 to the address designated with the Department of State pursuant  
644 to s. 655.0201(2) if such address is different.

645 (g) The independent entity may not charge an owner of the  
646 vehicle or vessel storage fees or apply for a title under s.  
647 713.585 or s. 713.78.

648 Section 11. Paragraph (b) of subsection (1) and paragraph



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649 (a) of subsection (3) of section 320.06, Florida Statutes, are  
650 amended to read:

651 320.06 Registration certificates, license plates, and  
652 validation stickers generally.—

653 (1)

654 (b)1. Registration license plates bearing a graphic symbol  
655 and the alphanumeric system of identification shall be issued  
656 for a 10-year period. At the end of the 10-year period, upon  
657 renewal, the plate must ~~shall~~ be replaced. The department shall  
658 extend the scheduled license plate replacement date from a 6-  
659 year period to a 10-year period. The fee for such replacement is  
660 \$28, \$2.80 of which must ~~shall~~ be paid each year before the  
661 plate is replaced, to be credited toward the next \$28  
662 replacement fee. The fees must ~~shall~~ be deposited into the  
663 Highway Safety Operating Trust Fund. A credit or refund may not  
664 be given for any prior years' payments of the prorated  
665 replacement fee if the plate is replaced or surrendered before  
666 the end of the 10-year period, except that a credit may be given  
667 if a registrant is required by the department to replace a  
668 license plate under s. 320.08056(8)(a). With each license plate,  
669 a validation sticker must ~~shall~~ be issued showing the owner's  
670 birth month, license plate number, and the year of expiration or  
671 the appropriate renewal period if the owner is not a natural  
672 person. The validation sticker must ~~shall~~ be placed on the upper  
673 right corner of the license plate. The license plate and  
674 validation sticker must ~~shall~~ be issued based on the applicant's  
675 appropriate renewal period. The registration period is 12  
676 months, the extended registration period is 24 months, and all  
677 expirations occur based on the applicant's appropriate





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678 registration period. Rental vehicles taxed pursuant to s.  
679 320.08(6) (a) and rental trucks taxed pursuant to s.  
680 320.08(3) (a), (b), and (c) and (4) (a)-(d) may elect a permanent  
681 registration period, provided payment of the appropriate license  
682 taxes and fees occurs annually.

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

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

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

704 (3) (a) Registration license plates must be made of metal  
705 specially treated with a retroreflection material, as specified  
706 by the department. The registration license plate is designed to



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



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736 printed in lieu thereof. A license plate issued for a vehicle  
737 taxed under s. 320.08(6) may not be assigned a registration  
738 license number, or be issued with any other distinctive  
739 character or designation, that distinguishes the motor vehicle  
740 as a for-hire motor vehicle.

741 Section 12. Section 320.0605, Florida Statutes, is amended  
742 to read:

743 320.0605 Certificate of registration and other documents;  
744 possession required; exception.—

745 (1) (a) The registration certificate in a uniform paper or  
746 electronic format, as prescribed by the department, or an  
747 official copy thereof;~~;~~ a true copy or an electronic copy of  
748 rental or lease documentation issued for a motor vehicle or  
749 issued for a replacement vehicle in the same registration  
750 period;~~;~~ a temporary receipt printed upon self-initiated  
751 electronic renewal of a registration via the Internet;~~;~~ or a cab  
752 card issued for a vehicle registered under the International  
753 Registration Plan must shall, at all times while the vehicle is  
754 being used or operated on the roads of this state, be in the  
755 possession of the operator ~~thereof~~ or be carried in the vehicle  
756 for which such documentation was issued at all times while the  
757 vehicle is being used or operated on the roads of this state and  
758 must shall be exhibited upon demand of any authorized law  
759 enforcement officer or any agent of the department, except for a  
760 vehicle registered under s. 320.0657. This paragraph section  
761 does not apply during the first 30 days after purchase of a  
762 replacement vehicle. A violation of this paragraph section is a  
763 noncriminal traffic infraction, punishable as a nonmoving  
764 violation as provided in chapter 318.



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765 (b)1. The act of presenting to a law enforcement officer or  
766 agent of the department an electronic device displaying an  
767 electronic registration certificate or a copy of rental or lease  
768 documentation does not constitute consent for the officer or  
769 agent to access any information on the device other than the  
770 displayed registration certificate or rental or lease  
771 documentation.

772 2. The person who presents the device to the officer or  
773 agent assumes the liability for any resulting damage to the  
774 device.

775 (2) Rental or lease documentation that is sufficient to  
776 satisfy the requirement in subsection (1) includes the  
777 following:

- 778 (a) Date and time of rental;
- 779 (b) Rental agreement number;
- 780 (c) Rental vehicle identification number;
- 781 (d) Rental vehicle license plate number and state of  
782 registration;
- 783 (e) Vehicle's make, model, and color;
- 784 (f) Vehicle's mileage; and
- 785 (g) Authorized renter's name.

786 Section 13. Paragraphs (a) and (f) of subsection (8) of  
787 section 320.08056, Florida Statutes, as amended by section 7 of  
788 chapter 2020-181, Laws of Florida, are amended to read:

789 320.08056 Specialty license plates.—

790 (8) (a) The department must discontinue the issuance of an  
791 approved specialty license plate if the number of valid  
792 specialty plate registrations falls below 3,000, ~~or in the case~~  
793 ~~of an out-of-state college or university license plate, 4,000,~~



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794 for at least 12 consecutive months. The department shall mail a  
795 warning letter to the sponsoring organization following the  
796 first month in which the total number of valid specialty plate  
797 registrations is below 3,000, ~~or in the case of an out-of-state~~  
798 ~~college or university license plate, 4,000~~. This paragraph does  
799 not apply to in-state collegiate license plates established  
800 under s. 320.08058(3), license plates of institutions in and  
801 entities of the State University System, specialty license  
802 plates that have statutory eligibility limitations for purchase,  
803 specialty license plates for which annual use fees are  
804 distributed by a foundation for student and teacher leadership  
805 programs and teacher recruitment and retention, or Florida  
806 Professional Sports Team license plates established under s.  
807 320.08058(9).

808 (f) Notwithstanding paragraph (a), on January 1 of each  
809 year, the department shall discontinue the specialty license  
810 plate with the fewest number of plates in circulation, including  
811 license plates exempt from a statutory sales requirement. The  
812 department shall mail a warning letter to the sponsoring  
813 organizations of the 10 percent of specialty license plates with  
814 the lowest number of valid, active registrations as of December  
815 1 of each year. This paragraph does not apply to collegiate  
816 license plates.

817 Section 14. Subsections (3), (58), and (95), paragraph (c)  
818 of subsection (101), and subsection (107) of section 320.08058,  
819 Florida Statutes, are amended, and subsection (127) is added to  
820 that section, to read:

821 320.08058 Specialty license plates.—

822 (3) COLLEGIATE LICENSE PLATES.—



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823 (a) The department shall develop a collegiate license plate  
824 as provided in this section for state and independent  
825 universities domiciled in this state. However, any collegiate  
826 license plate created or established after October 1, 2002, must  
827 comply with the requirements of s. 320.08053, except the presale  
828 requirements in s. 320.08053(2)(b), and be specifically  
829 authorized by an act of the Legislature. Collegiate license  
830 plates must bear the colors and design approved by the  
831 department as appropriate for each state and independent  
832 university. The word "Florida" must be stamped across the bottom  
833 of the plate in small letters.

834 (b) A collegiate plate annual use fee is to be distributed  
835 to the state or independent university foundation designated by  
836 the purchaser for deposit in an unrestricted account. The Board  
837 of Governors of the State University System shall require each  
838 state university to submit a plan for approval of the  
839 expenditure of all funds so designated. These funds may be used  
840 only for academic enhancement, including scholarships and  
841 private fundraising activities.

842 (c) The department may reauthorize a collegiate license  
843 plate that has previously been discontinued pursuant to s.  
844 320.08056(8)(f) if the university resubmits the collegiate  
845 license plate for authorization.

846 (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

847 (a) The department shall develop a Protect Florida Springs  
848 license plate as provided in this section. The word "Florida"  
849 must appear at the top of the plate, and the words "Protect  
850 Florida Springs" must appear at the bottom of the plate.

851 (b) The annual use fees shall be distributed to the Fish &



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852 Wildlife Foundation of Florida, Inc., a citizen support  
853 organization created pursuant to s. 379.223, which shall  
854 administer the fees as follows:

855 ~~1. Wildlife Foundation of Florida, Inc., shall retain the~~  
856 ~~first \$60,000 of the annual use fees as direct reimbursement for~~  
857 ~~administrative costs, startup costs, and costs incurred in the~~  
858 ~~development and approval process.~~

859 ~~2. Thereafter,~~ A maximum of 10 percent of the fees may be  
860 used for administrative costs directly associated with education  
861 programs, conservation, springs research, and grant  
862 administration of the foundation. A maximum of 15 percent of the  
863 fees may be used for continuing promotion and marketing of the  
864 license plate.

865 ~~2.3.~~ At least 75 ~~55~~ percent of the fees shall be available  
866 for the conservation of Florida's freshwater springs, including  
867 scientific research, springs habitat restoration, springs  
868 protection, and public education on springs ~~competitive grants~~  
869 ~~for targeted community-based springs research not currently~~  
870 ~~available for state funding. The remaining 20 percent shall be~~  
871 ~~directed toward community outreach programs aimed at~~  
872 implementing such research findings. The majority of funds shall  
873 be awarded via competitive grants ~~shall be~~ administered and  
874 approved by the board of directors of the Fish & Wildlife  
875 Foundation of Florida, Inc., with input from a. ~~The~~ granting  
876 advisory committee ~~shall be~~ composed of nine members, including  
877 one representative from the Fish and Wildlife Conservation  
878 Commission, one representative from the Department of  
879 Environmental Protection, one representative from the Department  
880 of Health, one representative from the Department of Economic



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881 Opportunity, three citizen representatives, and two  
882 representatives from nonprofit stakeholder groups.

883 ~~4. The remaining funds shall be distributed with the~~  
884 ~~approval of and accountability to the board of directors of the~~  
885 ~~Wildlife Foundation of Florida, and shall be used to support~~  
886 ~~activities contributing to education, outreach, and springs~~  
887 ~~conservation.~~

888 (95) AMERICAN EAGLE LICENSE PLATES.—

889 (a) The department shall develop an American Eagle license  
890 plate as provided in this section and s. 320.08053. The plate  
891 must bear the colors and design approved by the department. The  
892 word "Florida" must appear at the top of the plate, and the  
893 words "Protect the Eagle" ~~"In God We Trust"~~ must appear at the  
894 bottom of the plate.

895 (b) The annual use fees from the sale of the plate shall be  
896 distributed to the American Eagle Foundation for deposit in the  
897 foundation's national endowment fund. Up to 10 percent of the  
898 funds received may be used for administrative costs and  
899 marketing of the plate. The American Eagle Foundation shall use  
900 the remainder of the proceeds to fund public education programs,  
901 rescue and care programs, and other conservation efforts in  
902 Florida that benefit bald eagles.

903 (101) DIVINE NINE LICENSE PLATES.—

904 (c)1. As used in this paragraph, the term "immediate  
905 relative" means a spouse, domestic partner, or child.

906 2. To be eligible for issuance of a Divine Nine license  
907 plate representing an organization listed in sub-subparagraphs  
908 (b)3.a.-i., a person must be a resident of this state who is the  
909 registered owner or lessee of a motor vehicle and who either is





910 a member or an immediate relative of a member of the applicable  
911 organization. The person must ~~also~~ present the following:

912 a. Proof of membership in the organization, which may be  
913 established by:

914 (I)~~a.~~ A card distributed by the organization indicating the  
915 person's membership in the organization; or

916 (II)~~b.~~ A written letter on the organization's letterhead  
917 which is signed by the organization's national president or his  
918 or her designated official and which states that the person was  
919 inducted into the organization.

920 b. If the person is a lessee of a motor vehicle, a lease  
921 agreement and the vehicle identification number for the motor  
922 vehicle that is being leased.

923 c. If the person is an immediate relative of a member of  
924 the organization, a marriage license, domestic partnership  
925 agreement, birth certificate, or record of adoption, and proof  
926 of membership as described in sub-subparagraph a. of the  
927 person's immediate relative.

928 3.2. Proof of membership in an organization listed in sub-  
929 subparagraphs (b)3.a.-i. is required only for initial issuance  
930 of a Divine Nine license plate. A person need not present such  
931 proof for renewal of the license plate.

932  
933 License plates created pursuant to this subsection shall have  
934 their plate sales combined for the purpose of meeting the  
935 minimum license plate sales threshold in s. 320.08056(8) (a) and  
936 for determining the license plate limit in s. 320.08053(3) (b).  
937 License plates created pursuant to this subsection must be  
938 ordered directly from the department.



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939           (107) UNIVERSAL ORLANDO RESORT ~~GIVE KIDS THE WORLD~~ LICENSE  
940 PLATES.—

941           (a) The department shall develop a Universal Orlando Resort  
942 ~~Give Kids The World~~ license plate as provided in this section  
943 and s. 320.08053. The plate must bear the colors and design  
944 approved by the department. The word "Florida" must appear at  
945 the top of the plate, and the words "Universal Orlando Resort"  
946 ~~"Give Kids The World"~~ must appear at the bottom of the plate.

947           (b) The annual use fees from the sale of the plate must  
948 ~~shall~~ be distributed to Give Kids The World, Inc., a nonprofit  
949 organization under s. 501(c)(3) of the Internal Revenue Code. Up  
950 to 10 percent of the proceeds may be used for the promotion and  
951 marketing of the plate. The remainder of the proceeds must ~~shall~~  
952 be used by Give Kids The World, Inc., to support the  
953 organization's mission ~~their~~ mission of providing week-long,  
954 cost-free vacations to children with critical illnesses and  
955 their families.

956           (127) FLORIDA ASSOCIATION OF REALTORS LICENSE PLATES.—

957           (a) The department shall develop a Florida Association of  
958 Realtors license plate as provided in this section and s.  
959 320.08053. The plate must bear the colors and design approved by  
960 the department. The word "Florida" must appear at the top of the  
961 plate, and the words "Support Homeownership" must appear at the  
962 bottom of the plate.

963           (b) The annual use fees from the sale of the plate shall be  
964 distributed to Homeownership For All, Inc., which may use up to  
965 10 percent of the proceeds to promote and market the plate. The  
966 remainder of the proceeds shall be used by Homeownership For  
967 All, Inc., to fund programs that provide, promote, or otherwise



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968 support affordable housing in this state.

969 Section 15. Subsection (1) of section 320.084, Florida  
970 Statutes, is amended, and subsection (6) is added to that  
971 section, to read:

972 320.084 Free motor vehicle license plate to certain  
973 disabled veterans.—

974 (1) One free “DV” motor vehicle license number plate must  
975 ~~shall~~ be issued by the department for use on any motor vehicle  
976 owned or leased by any disabled veteran who has been a resident  
977 of this state continuously for the preceding 5 years or has  
978 established a domicile in this state as provided by s.  
979 222.17(1), (2), or (3), and who has been honorably discharged  
980 from the United States Armed Forces, upon application,  
981 accompanied by proof that:

982 (a) A vehicle was initially acquired through financial  
983 assistance by the United States Department of Veterans Affairs  
984 or its predecessor specifically for the purchase of an  
985 automobile;

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

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

994 (6) (a) A disabled veteran who qualifies for issuance of a  
995 “DV” license plate under subsection (1) may be issued, in lieu  
996 of the “DV” license plate, a military license plate for which he



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997 or she is eligible, or a specialty license plate. A disabled  
998 veteran electing a military license plate or specialty license  
999 plate under this subsection must pay all applicable fees related  
1000 to such license plate, except for fees otherwise waived under  
1001 subsections (1) and (4).

1002 (b) A military license plate or specialty license plate  
1003 electd under this subsection:

1004 1. Does not provide the protections or rights afforded by  
1005 s. 316.1955, s. 316.1964, s. 320.0848, s. 526.141, or s.  
1006 553.5041.

1007 2. Is not eligible for the international symbol of  
1008 accessibility as described in s. 320.0842.

1009 Section 16. Present subsections (16) through (48) of  
1010 section 322.01, Florida Statutes, are redesignated as  
1011 subsections (17) through (49), respectively, a new subsection  
1012 (16) is added to that section, and subsection (5) and present  
1013 subsections (37) and (41) of that section are amended, to read:

1014 322.01 Definitions.—As used in this chapter:

1015 (5) "Cancellation" means the act of declaring a driver  
1016 license void and terminated, but does not include a downgrade.

1017 (16) "Downgrade" has the same meaning as the definition of  
1018 the term "CDL downgrade" in 49 C.F.R. s. 383.5(4).

1019 (38)-(37) "Revocation" means the termination of a licensee's  
1020 privilege to drive, but does not include a downgrade.

1021 (42)-(41) "Suspension" means the temporary withdrawal of a  
1022 licensee's privilege to drive a motor vehicle, but does not  
1023 include a downgrade.

1024 Section 17. Subsection (2) of section 322.02, Florida  
1025 Statutes, is amended to read:



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1026 322.02 Legislative intent; administration.-

1027 (2) The Department of Highway Safety and Motor Vehicles is  
1028 charged with the administration and function of enforcement of  
1029 the provisions of this chapter and the enforcement and  
1030 administration of 49 C.F.R. parts 382-386 and 390-397.

1031 Section 18. Present subsections (4) through (12) of section  
1032 322.05, Florida Statutes, are redesignated as subsections (5)  
1033 through (13), respectively, and a new subsection (4) is added to  
1034 that section, to read:

1035 322.05 Persons not to be licensed.—The department may not  
1036 issue a license:

1037 (4) To any person as a commercial motor vehicle operator  
1038 who is ineligible to operate a commercial motor vehicle pursuant  
1039 to 49 C.F.R. part 383.

1040 Section 19. Subsection (3) of section 322.07, Florida  
1041 Statutes, is amended to read:

1042 322.07 Instruction permits and temporary licenses.—

1043 (3) Any person who, except for his or her lack of  
1044 instruction in operating a commercial motor vehicle, would  
1045 otherwise be qualified to obtain a commercial driver license  
1046 under this chapter, may apply for a temporary commercial  
1047 instruction permit. The department shall issue such a permit  
1048 entitling the applicant, while having the permit in his or her  
1049 immediate possession, to drive a commercial motor vehicle on the  
1050 highways, if:

1051 (a) The applicant possesses a valid Florida driver license;  
1052 ~~and~~

1053 (b) The applicant, while operating a commercial motor  
1054 vehicle, is accompanied by a licensed driver who is 21 years of



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1055 age or older, who is licensed to operate the class of vehicle  
1056 being operated, and who is occupying the closest seat to the  
1057 right of the driver; and

1058 (c) The department has not been notified that, under 49  
1059 C.F.R. s. 382.501(a), the applicant is prohibited from operating  
1060 a commercial motor vehicle.

1061 Section 20. Effective January 1, 2024, subsection (3) of  
1062 section 322.141, Florida Statutes, is amended to read:

1063 322.141 Color or markings of certain licenses or  
1064 identification cards.—

1065 (3) All licenses for the operation of motor vehicles or  
1066 identification cards originally issued or reissued by the  
1067 department to persons who are designated as sexual predators  
1068 under s. 775.21 or subject to registration as sexual offenders  
1069 under s. 943.0435 or s. 944.607, or who have a similar  
1070 designation or are subject to a similar registration under the  
1071 laws of another jurisdiction, must ~~shall~~ have on the front of  
1072 the license or identification card, in a distinctive format and  
1073 printed in the color red, all of the following information:

1074 (a) For a person designated as a sexual predator under s.  
1075 775.21 or who has a similar designation under the laws of  
1076 another jurisdiction, the marking "SEXUAL PREDATOR."

1077 (b) For a person subject to registration as a sexual  
1078 offender under s. 943.0435 or s. 944.607, or subject to a  
1079 similar registration under the laws of another jurisdiction, the  
1080 marking "943.0435, F.S."

1081 Section 21. Subsection (4) of section 322.142, Florida  
1082 Statutes, is amended to read:

1083 322.142 Color photographic or digital imaged licenses.—



1084 (4) The department may maintain a film negative or print  
1085 file. The department shall maintain a record of the digital  
1086 image and signature of the licensees, together with other data  
1087 required by the department for identification and retrieval.  
1088 Reproductions from the file or digital record are exempt from  
1089 ~~the provisions of~~ s. 119.07(1) and may be made and issued only  
1090 in the following circumstances:

1091 (a) For departmental administrative purposes.†

1092 (b) For the issuance of duplicate licenses.†

1093 (c) In response to law enforcement agency requests.†

1094 (d) To the Department of Business and Professional  
1095 Regulation and the Department of Health pursuant to an  
1096 interagency agreement for the purpose of accessing digital  
1097 images for reproduction of licenses issued by the Department of  
1098 Business and Professional Regulation or the Department of  
1099 Health.†

1100 (e) To the Department of State pursuant to an interagency  
1101 agreement to facilitate determinations of eligibility of voter  
1102 registration applicants and registered voters in accordance with  
1103 ss. 98.045 and 98.075.†

1104 (f) To the Department of Revenue pursuant to an interagency  
1105 agreement for use in establishing paternity and establishing,  
1106 modifying, or enforcing support obligations in Title IV-D  
1107 cases.†

1108 (g) To the Department of Children and Families pursuant to  
1109 an interagency agreement to conduct protective investigations  
1110 under part III of chapter 39 and chapter 415.†

1111 (h) To the Department of Children and Families pursuant to  
1112 an interagency agreement specifying the number of employees in



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1113 each of that department's regions to be granted access to the  
1114 records for use as verification of identity to expedite the  
1115 determination of eligibility for public assistance and for use  
1116 in public assistance fraud investigations.†

1117 (i) To the Agency for Health Care Administration pursuant  
1118 to an interagency agreement for the purpose of authorized  
1119 agencies verifying photographs in the Care Provider Background  
1120 Screening Clearinghouse authorized under s. 435.12.†

1121 (j) To the Department of Financial Services pursuant to an  
1122 interagency agreement to facilitate the location of owners of  
1123 unclaimed property, the validation of unclaimed property claims,  
1124 the identification of fraudulent or false claims, and the  
1125 investigation of allegations of violations of the insurance code  
1126 by licensees and unlicensed persons.†

1127 (k) To the Department of Economic Opportunity pursuant to  
1128 an interagency agreement to facilitate the validation of  
1129 reemployment assistance claims and the identification of  
1130 fraudulent or false reemployment assistance claims.†

1131 (l) To district medical examiners pursuant to an  
1132 interagency agreement for the purpose of identifying a deceased  
1133 individual, determining cause of death, and notifying next of  
1134 kin of any investigations, including autopsies and other  
1135 laboratory examinations, authorized in s. 406.11.†

1136 (m) To the following persons for the purpose of identifying  
1137 a person as part of the official work of a court:

- 1138 1. A justice or judge of this state;  
1139 2. An employee of the state courts system who works in a  
1140 position that is designated in writing for access by the Chief  
1141 Justice of the Supreme Court or a chief judge of a district or





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1142 circuit court, or by his or her designee; or

1143 3. A government employee who performs functions on behalf  
1144 of the state courts system in a position that is designated in  
1145 writing for access by the Chief Justice or a chief judge, or by  
1146 his or her designee. ~~;~~

1147 (n) To the Agency for Health Care Administration pursuant  
1148 to an interagency agreement to prevent health care fraud. If the  
1149 Agency for Health Care Administration enters into an agreement  
1150 with a private entity to carry out duties relating to health  
1151 care fraud prevention, such contracts must ~~shall~~ include, but  
1152 need not be limited to:

1153 1. Provisions requiring internal controls and audit  
1154 processes to identify access, use, and unauthorized access of  
1155 information.

1156 2. A requirement to report unauthorized access or use to  
1157 the Agency for Health Care Administration within 1 business day  
1158 after the discovery of the unauthorized access or use.

1159 3. Provisions for liquidated damages for unauthorized  
1160 access or use of no less than \$5,000 per occurrence.

1161 (o) To any criminal justice agency, as defined in s.  
1162 943.045, pursuant to an interagency agreement for use in  
1163 carrying out the criminal justice agency's functions.

1164 (p) To the driver licensing agency of any other state for  
1165 purposes of validating the identity of an applicant for a driver  
1166 license or identification card.

1167 Section 22. Subsection (8) and paragraph (a) of subsection  
1168 (9) of section 322.21, Florida Statutes, are amended to read:

1169 322.21 License fees; procedure for handling and collecting  
1170 fees.-



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1171 (8) A person who applies for reinstatement following the  
1172 suspension or revocation of the person's driver license must pay  
1173 a service fee of \$45 following a suspension, and \$75 following a  
1174 revocation, which is in addition to the fee for a license. A  
1175 person who applies for reinstatement of a commercial driver  
1176 license following the disqualification or downgrade of the  
1177 person's privilege to operate a commercial motor vehicle must  
1178 ~~shall~~ pay a service fee of \$75, which is in addition to the fee  
1179 for a license. The department shall collect all of these fees at  
1180 the time of reinstatement. The department shall issue proper  
1181 receipts for such fees and shall promptly transmit all funds  
1182 received by it as follows:

1183 (a) Of the \$45 fee received from a licensee for  
1184 reinstatement following a suspension:

1185 1. If the reinstatement is processed by the department, the  
1186 department must ~~shall~~ deposit \$15 in the General Revenue Fund  
1187 and \$30 in the Highway Safety Operating Trust Fund.

1188 2. If the reinstatement is processed by the tax collector,  
1189 \$15, less the general revenue service charge set forth in s.  
1190 215.20(1), must ~~shall~~ be retained by the tax collector, \$15 must  
1191 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,  
1192 and \$15 must ~~shall~~ be deposited into the General Revenue Fund.

1193 (b) Of the \$75 fee received from a licensee for  
1194 reinstatement following a revocation, ~~or~~ disqualification, or  
1195 downgrade:

1196 1. If the reinstatement is processed by the department, the  
1197 department must ~~shall~~ deposit \$35 in the General Revenue Fund  
1198 and \$40 in the Highway Safety Operating Trust Fund.

1199 2. If the reinstatement is processed by the tax collector,



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1200 \$20, less the general revenue service charge set forth in s.  
1201 215.20(1), must ~~shall~~ be retained by the tax collector, \$20 must  
1202 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,  
1203 and \$35 must ~~shall~~ be deposited into the General Revenue Fund.

1204  
1205 If the revocation or suspension of the driver license was for a  
1206 violation of s. 316.193, or for refusal to submit to a lawful  
1207 breath, blood, or urine test, an additional fee of \$130 must be  
1208 charged. However, only one \$130 fee may be collected from one  
1209 person convicted of violations arising out of the same incident.  
1210 The department shall collect the \$130 fee and deposit the fee  
1211 into the Highway Safety Operating Trust Fund at the time of  
1212 reinstatement of the person's driver license, but the fee may  
1213 not be collected if the suspension or revocation is overturned.  
1214 If the revocation or suspension of the driver license was for a  
1215 conviction for a violation of s. 817.234(8) or (9) or s.  
1216 817.505, an additional fee of \$180 is imposed for each offense.  
1217 The department shall collect and deposit the additional fee into  
1218 the Highway Safety Operating Trust Fund at the time of  
1219 reinstatement of the person's driver license.

1220 (9) An applicant:

1221 (a) Requesting a review authorized in s. 322.222, s.  
1222 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must  
1223 pay a filing fee of \$25 to be deposited into the Highway Safety  
1224 Operating Trust Fund.

1225 Section 23. Section 322.591, Florida Statutes, is created  
1226 to read:

1227 322.591 Commercial driver license and commercial  
1228 instruction permit; Commercial Driver's License Drug and Alcohol



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1229 Clearinghouse; prohibition on issuance of commercial driver  
1230 licenses; downgrades.-

1231 (1) Beginning November 18, 2024, when a person applies for  
1232 or seeks to renew, transfer, or make any other change to a  
1233 commercial driver license or commercial instruction permit, the  
1234 department must obtain the driver's record from the Commercial  
1235 Driver's License Drug and Alcohol Clearinghouse established  
1236 pursuant to 49 C.F.R. part 382. The department may not issue,  
1237 renew, transfer, or revise the types of authorized vehicles that  
1238 may be operated or the endorsements applicable to a commercial  
1239 driver license or commercial instruction permit for any person  
1240 for whom the department receives notification pursuant to 49  
1241 C.F.R. s. 382.501(a) that the person is prohibited from  
1242 operating a commercial vehicle.

1243 (2) Beginning November 18, 2024, the department shall  
1244 downgrade the commercial driver license or commercial  
1245 instruction permit of any driver if the department receives  
1246 notification that, pursuant to 49 C.F.R. s. 382.501(a), the  
1247 driver is prohibited from operating a commercial motor vehicle.  
1248 Any such downgrade must be completed and recorded by the  
1249 department in the Commercial Driver's License Information System  
1250 within 60 days after the department's receipt of such  
1251 notification.

1252 (3) (a) Beginning November 18, 2024, upon receipt of  
1253 notification pursuant to 49 C.F.R. s. 382.501(a) that a driver  
1254 is prohibited from operating a commercial motor vehicle, the  
1255 department shall immediately notify the driver who is the  
1256 subject of such notification that he or she is prohibited from  
1257 operating a commercial motor vehicle and, upon his or her



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1258 request, must afford him or her an opportunity for an informal  
1259 hearing pursuant to this section. The department's notice must  
1260 be provided to the driver in the same manner as, and providing  
1261 such notice has the same effect as, notices provided pursuant to  
1262 s. 322.251(1) and (2).

1263 (b) Such informal hearing must be requested not later than  
1264 20 days after the driver receives the notice of the downgrade.  
1265 If a request for a hearing, together with the filing fee  
1266 required pursuant to s. 322.21, is not received within 20 days  
1267 after receipt of such notice, the department must enter a final  
1268 order directing the downgrade of the driver's commercial driver  
1269 license or commercial instruction permit, unless the department  
1270 receives notification pursuant to 49 C.F.R. s. 382.503(a) that  
1271 the driver is no longer prohibited from operating a commercial  
1272 motor vehicle.

1273 (c) A hearing requested pursuant to paragraph (b) must be  
1274 scheduled and held not later than 30 days after receipt by the  
1275 department of a request for the hearing, together with the  
1276 filing fee required pursuant to s. 322.21. The submission of a  
1277 request for hearing pursuant to paragraph (b) tolls the deadline  
1278 to file a petition for writ of certiorari pursuant to s. 322.31  
1279 until after the department enters a final order after a hearing  
1280 pursuant to paragraph (b).

1281 (d) The informal hearing authorized pursuant to this  
1282 subsection is exempt from chapter 120. Such hearing must be  
1283 conducted before a hearing officer designated by the department.  
1284 The hearing officer may conduct such hearing from any location  
1285 in this state by means of communications technology.

1286 (e) The notification received by the department pursuant to



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1287 49 C.F.R. s. 382.501(a) must be in the record for consideration  
1288 by the hearing officer and in any proceeding pursuant to s.  
1289 322.31 and is considered self-authenticating. The basis for the  
1290 notification received by the department pursuant to 49 C.F.R. s.  
1291 382.501(a) and the information in the Commercial Driver's  
1292 License Drug and Alcohol Clearinghouse which resulted in such  
1293 notification are not subject to challenge in the hearing or in  
1294 any proceeding brought under s. 322.31.

1295 (f) If, before the entry of a final order arising from a  
1296 notification received by the department pursuant to 49 C.F.R. s.  
1297 382.501(a), the department receives notification pursuant to 49  
1298 C.F.R. s. 382.503(a) that the driver is no longer prohibited  
1299 from operating a commercial motor vehicle, the department must  
1300 dismiss the action to downgrade the driver's commercial driver  
1301 license or commercial instruction permit.

1302 (g) Upon the entry of a final order that results in the  
1303 downgrade of a driver's commercial driver license or commercial  
1304 instruction permit, the department shall record immediately in  
1305 the driver's record that the driver is disqualified from  
1306 operating or driving a commercial motor vehicle. The downgrade  
1307 of a commercial driver license or commercial instruction permit  
1308 pursuant to a final order entered pursuant to this section, and,  
1309 upon the entry of a final order, the recording in the driver's  
1310 record that the driver subject to such a final order is  
1311 disqualified from operating or driving a commercial motor  
1312 vehicle, are not stayed during the pendency of any proceeding  
1313 pursuant to s. 322.31.

1314 (h) If, after the entry of a final order that results in  
1315 the downgrade of a driver's commercial driver license or



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1316 commercial instruction permit and the department recording in  
1317 the driver's record that the driver is disqualified from  
1318 operating or driving a commercial motor vehicle, the department  
1319 receives notification pursuant to 49 C.F.R. s. 382.503(a) that  
1320 the driver is no longer prohibited from operating a commercial  
1321 motor vehicle, the department must reinstate the driver's  
1322 commercial driver license or commercial instruction permit upon  
1323 application by such driver.

1324 (i) The department is not liable for any commercial driver  
1325 license or commercial instruction permit downgrade resulting  
1326 from the discharge of its duties.

1327 (j) This section is the exclusive procedure for the  
1328 downgrade of a commercial driver license or commercial  
1329 instruction permit following notification received by the  
1330 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver  
1331 is prohibited from operating a commercial motor vehicle.

1332 (k) The downgrade of a commercial driver license or  
1333 commercial instruction permit of a person pursuant to this  
1334 section does not preclude the suspension of the driving  
1335 privilege for that person pursuant to s. 322.2615 or the  
1336 disqualification of that person from operating a commercial  
1337 motor vehicle pursuant to s. 322.64. The driving privilege of a  
1338 person whose commercial driver license or commercial instruction  
1339 permit has been downgraded pursuant to this section also may be  
1340 suspended for a violation of s. 316.193.

1341 (4) Beginning November 18, 2024, a driver for whom the  
1342 department receives notification that, pursuant to 49 C.F.R. s.  
1343 382.501(a), such person is prohibited from operating a  
1344 commercial motor vehicle may, if otherwise qualified, be issued



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1345 a Class E driver license pursuant to s. 322.251(4), valid for  
1346 the length of his or her unexpired license period, at no cost.

1347 Section 24. Subsection (2) of section 322.34, Florida  
1348 Statutes, is amended to read:

1349 322.34 Driving while license suspended, revoked, canceled,  
1350 or disqualified.—

1351 (2) Any person whose driver license or driving privilege  
1352 has been canceled, suspended, or revoked as provided by law, or  
1353 who does not have a driver license or driving privilege but is  
1354 under suspension or revocation equivalent status as defined in  
1355 s. 322.01 ~~s. 322.01(42)~~, except persons defined in s. 322.264,  
1356 who, knowing of such cancellation, suspension, revocation, or  
1357 suspension or revocation equivalent status, drives any motor  
1358 vehicle upon the highways of this state while such license or  
1359 privilege is canceled, suspended, or revoked, or while under  
1360 suspension or revocation equivalent status, commits:

1361 (a) A misdemeanor of the second degree, punishable as  
1362 provided in s. 775.082 or s. 775.083.

1363 (b)1. A misdemeanor of the first degree, punishable as  
1364 provided in s. 775.082 or s. 775.083, upon a second or  
1365 subsequent conviction, except as provided in paragraph (c).

1366 2. A person convicted of a third or subsequent conviction,  
1367 except as provided in paragraph (c), must serve a minimum of 10  
1368 days in jail.

1369 (c) A felony of the third degree, punishable as provided in  
1370 s. 775.082, s. 775.083, or s. 775.084, upon a third or  
1371 subsequent conviction if the current violation of this section  
1372 or the most recent prior violation of the section is related to  
1373 driving while license canceled, suspended, revoked, or





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1374 suspension or revocation equivalent status resulting from a  
1375 violation of:

- 1376 1. Driving under the influence;  
1377 2. Refusal to submit to a urine, breath-alcohol, or blood  
1378 alcohol test;  
1379 3. A traffic offense causing death or serious bodily  
1380 injury; or  
1381 4. Fleeing or eluding.

1382

1383 The element of knowledge is satisfied if the person has been  
1384 previously cited as provided in subsection (1); or the person  
1385 admits to knowledge of the cancellation, suspension, or  
1386 revocation, or suspension or revocation equivalent status; or  
1387 the person received notice as provided in subsection (4). There  
1388 is ~~shall be~~ a rebuttable presumption that the knowledge  
1389 requirement is satisfied if a judgment or order as provided in  
1390 subsection (4) appears in the department's records for any case  
1391 except for one involving a suspension by the department for  
1392 failure to pay a traffic fine or for a financial responsibility  
1393 violation.

1394 Section 25. Subsection (4) of section 322.61, Florida  
1395 Statutes, is amended to read:

1396 322.61 Disqualification from operating a commercial motor  
1397 vehicle.—

1398 (4) Any person who is transporting hazardous materials as  
1399 defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an  
1400 offense specified in subsection (3), is ~~be~~ disqualified from  
1401 operating a commercial motor vehicle for a period of 3 years.  
1402 The penalty provided in this subsection is ~~shall be~~ in addition



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1403 to any other applicable penalty.

1404 Section 26. Subsection (3) of section 324.0221, Florida  
1405 Statutes, is amended to read:

1406 324.0221 Reports by insurers to the department; suspension  
1407 of driver license and vehicle registrations; reinstatement.—

1408 (3) An operator or owner whose driver license or  
1409 registration has been suspended under this section or s. 316.646  
1410 may effect its reinstatement upon compliance with the  
1411 requirements of this section and upon payment to the department  
1412 of a nonrefundable reinstatement fee of \$150 for the first  
1413 reinstatement. The reinstatement fee is \$250 for the second  
1414 reinstatement and \$500 for each subsequent reinstatement during  
1415 the 3 years following the first reinstatement. A person  
1416 reinstating her or his insurance under this subsection must also  
1417 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),  
1418 324.023, and 627.7275(2) and present to the appropriate person  
1419 proof that the coverage is in force on a form adopted by the  
1420 department, and such proof must ~~shall~~ be maintained for 2 years.  
1421 If the person does not have a second reinstatement within 3  
1422 years after her or his initial reinstatement, the reinstatement  
1423 fee is \$150 for the first reinstatement after that 3-year  
1424 period. If a person's license and registration are suspended  
1425 under this section or s. 316.646, only one reinstatement fee  
1426 must be paid to reinstate the license and the registration. All  
1427 fees must ~~shall~~ be collected by the department at the time of  
1428 reinstatement. The department shall issue proper receipts for  
1429 such fees and shall promptly deposit those fees in the Highway  
1430 Safety Operating Trust Fund. One-third of the fees collected  
1431 under this subsection must ~~shall~~ be distributed from the Highway



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1432 Safety Operating Trust Fund to the local governmental entity or  
1433 state agency that employed the law enforcement officer seizing  
1434 the license plate pursuant to s. 324.201. The funds may be used  
1435 by the local governmental entity or state agency for any  
1436 authorized purpose.

1437 Section 27. Section 324.131, Florida Statutes, is amended  
1438 to read:

1439 324.131 Period of suspension.—Such license, registration  
1440 and nonresident's operating privilege must ~~shall~~ remain ~~so~~  
1441 suspended and may ~~shall~~ not be renewed, nor may ~~shall~~ any such  
1442 license or registration be thereafter issued in the name of such  
1443 person, including any such person not previously licensed,  
1444 unless and until every such judgment is stayed, satisfied in  
1445 full or to the extent of the limits stated in s. 324.021(7) and  
1446 until the said person gives proof of financial responsibility as  
1447 provided in s. 324.031, such proof to be maintained for 3 years.  
1448 In addition, if the person's license or registration has been  
1449 suspended or revoked due to a violation of s. 316.193 or  
1450 pursuant to s. 322.26(2), that person must ~~shall~~ maintain  
1451 ~~noncancelable~~ liability coverage for each motor vehicle  
1452 registered in his or her name, as described in s. 627.7275(2),  
1453 and must present proof that coverage is in force on a form  
1454 adopted by the Department of Highway Safety and Motor Vehicles,  
1455 such proof to be maintained for 3 years.

1456 Section 28. Paragraph (g) of subsection (3) of section  
1457 627.311, Florida Statutes, is amended to read:

1458 627.311 Joint underwriters and joint reinsurers; public  
1459 records and public meetings exemptions.—

1460 (3) The office may, after consultation with insurers



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1461 licensed to write automobile insurance in this state, approve a  
1462 joint underwriting plan for purposes of equitable apportionment  
1463 or sharing among insurers of automobile liability insurance and  
1464 other motor vehicle insurance, as an alternate to the plan  
1465 required in s. 627.351(1). All insurers authorized to write  
1466 automobile insurance in this state shall subscribe to the plan  
1467 and participate therein. The plan is ~~shall be~~ subject to  
1468 continuous review by the office which may at any time disapprove  
1469 the entire plan or any part thereof if it determines that  
1470 conditions have changed since prior approval and that in view of  
1471 the purposes of the plan changes are warranted. Any disapproval  
1472 by the office is ~~shall be~~ subject to ~~the provisions of~~ chapter  
1473 120. The Florida Automobile Joint Underwriting Association is  
1474 created under the plan. The plan and the association:

1475 (g) Must make available ~~noncancelable~~ coverage as provided  
1476 in s. 627.7275(2).

1477 Section 29. Subsection (1) of section 627.351, Florida  
1478 Statutes, is amended to read:

1479 627.351 Insurance risk apportionment plans.—

1480 (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements  
1481 may be made among casualty and surety insurers with respect to  
1482 the equitable apportionment among them of insurance that ~~which~~  
1483 may be afforded applicants who are in good faith entitled to,  
1484 but are unable to, procure such insurance through ordinary  
1485 methods, and such insurers may agree among themselves on the use  
1486 of reasonable rate modifications for such insurance. Such  
1487 agreements and rate modifications are ~~shall be~~ subject to the  
1488 approval of the office. The office shall, after consultation  
1489 with the insurers licensed to write automobile liability



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1490 insurance in this state, adopt a reasonable plan or plans for  
1491 the equitable apportionment among such insurers of applicants  
1492 for such insurance who are in good faith entitled to, but are  
1493 unable to, procure such insurance through ordinary methods, and,  
1494 when such plan has been adopted, all such insurers shall  
1495 subscribe to and participate in the plan ~~thereto and shall~~  
1496 ~~participate therein~~. Such plan or plans shall include rules for  
1497 classification of risks and rates therefor. The plan or plans  
1498 shall make available ~~noncancelable~~ coverage as provided in s.  
1499 627.7275(2). Any insured placed with the plan must ~~shall~~ be  
1500 notified of the fact that insurance coverage is being afforded  
1501 through the plan and not through the private market, and such  
1502 notification must ~~shall~~ be given in writing within 10 days of  
1503 such placement. To assure that plan rates are made adequate to  
1504 pay claims and expenses, insurers shall develop a means of  
1505 obtaining loss and expense experience at least annually, and the  
1506 plan shall file such experience, when available, with the office  
1507 in sufficient detail to make a determination of rate adequacy.  
1508 Prior to the filing of such experience with the office, the plan  
1509 shall poll each member insurer as to the need for an actuary who  
1510 is a member of the Casualty Actuarial Society and who is not  
1511 affiliated with the plan's statistical agent to certify the  
1512 plan's rate adequacy. If a majority of those insurers responding  
1513 indicate a need for such certification, the plan must ~~shall~~  
1514 include the certification as part of its experience filing. Such  
1515 experience shall be filed with the office not more than 9 months  
1516 following the end of the annual statistical period under review,  
1517 together with a rate filing based on such ~~said~~ experience. The  
1518 office shall initiate proceedings to disapprove the rate and so



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1519 notify the plan or shall finalize its review within 60 days  
1520 after ~~of~~ receipt of the filing. Notification to the plan by the  
1521 office of its preliminary findings, which include a point of  
1522 entry to the plan pursuant to chapter 120, tolls ~~shall toll~~ the  
1523 60-day period during any such proceedings and subsequent  
1524 judicial review. The rate is ~~shall be~~ deemed approved if the  
1525 office does not issue notice to the plan of its preliminary  
1526 findings within 60 days after ~~of~~ the filing. In addition to  
1527 provisions for claims and expenses, the ratemaking formula must  
1528 ~~shall~~ include a factor for projected claims trending and 5  
1529 percent for contingencies. ~~In no instance shall~~ The formula may  
1530 not include a renewal discount for plan insureds. However, the  
1531 plan shall reunderwrite each insured on an annual basis, based  
1532 upon all applicable rating factors approved by the office. Trend  
1533 factors may ~~shall~~ not be found to be inappropriate if they are  
1534 not in excess of trend factors normally used in the development  
1535 of residual market rates by the appropriate licensed rating  
1536 organization. Each application for coverage in the plan must  
1537 ~~shall~~ include, in boldfaced 12-point type immediately preceding  
1538 the applicant's signature, the following statement:

1539  
1540        "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA  
1541        JOINT UNDERWRITING ASSOCIATION AND NOT THROUGH THE  
1542        PRIVATE MARKET. PLEASE BE ADVISED THAT COVERAGE WITH A  
1543        PRIVATE INSURER MAY BE AVAILABLE FROM ANOTHER AGENT AT  
1544        A LOWER COST. AGENT AND COMPANY LISTINGS ARE AVAILABLE  
1545        IN THE LOCAL YELLOW PAGES."

1546  
1547 The plan shall annually report to the office the number and



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1548 percentage of plan insureds who are not surcharged due to their  
1549 driving record.

1550 Section 30. Paragraph (b) of subsection (2) of section  
1551 627.7275, Florida Statutes, is amended to read:

1552 627.7275 Motor vehicle liability.-

1553 (2)

1554 (b) The policies described in paragraph (a) must ~~shall~~ be  
1555 issued for at least 6 months and, ~~as to the minimum coverages~~  
1556 ~~required under this section, may not be canceled by the insured~~  
1557 ~~for any reason or by the insurer after 60 days, during which~~  
1558 ~~period the insurer is completing the underwriting of the policy.~~  
1559 After the insurer has issued ~~completed underwriting~~ the policy,  
1560 the insurer shall notify the Department of Highway Safety and  
1561 Motor Vehicles that the policy is in full force and effect and  
1562 ~~is not cancelable for the remainder of the policy period. A~~  
1563 ~~premium shall be collected and the coverage is in effect for the~~  
1564 ~~60-day period during which the insurer is completing the~~  
1565 ~~underwriting of the policy whether or not the person's driver~~  
1566 ~~license, motor vehicle tag, and motor vehicle registration are~~  
1567 ~~in effect. Once the noncancelable provisions of the policy~~  
1568 becomes ~~become~~ effective, the coverages for bodily injury,  
1569 property damage, and personal injury protection may not be  
1570 reduced during the policy period below the minimum limits  
1571 required under s. 324.021 or s. 324.023 ~~during the policy~~  
1572 ~~period.~~

1573 Section 31. Except as otherwise expressly provided in this  
1574 act, this act shall take effect July 1, 2023.

1575  
1576 ===== T I T L E A M E N D M E N T =====



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1577 And the title is amended as follows:

1578 Delete everything before the enacting clause  
1579 and insert:

1580 A bill to be entitled

1581 An act relating to the Department of Highway Safety  
1582 and Motor Vehicles; amending s. 207.004, F.S.;

1583 requiring the department or its authorized agent to  
1584 issue certain licenses and fuel tax decals; amending  
1585 s. 316.066, F.S.; requiring all entities required to  
1586 submit crash reports to provide uniform crash reports  
1587 to the department using a certain electronic form and  
1588 reporting method; defining the term "nonproprietary";  
1589 requiring that such crash reports be consistent with  
1590 certain rules and procedures and be numbered and  
1591 inventoried; revising the parties to which crash  
1592 reports must be made immediately available; providing  
1593 a declaration of important state interest; amending s.  
1594 316.2935, F.S.; providing an exception to requirements  
1595 for certification of air pollution control equipment  
1596 by a motor vehicle seller, lessor, or transferor;  
1597 amending s. 316.302, F.S.; revising the list of  
1598 federal rules and regulations to which owners and  
1599 drivers of certain commercial motor vehicles are  
1600 subject; amending s. 319.14, F.S.; requiring that a  
1601 certificate of title for a flood vehicle specify the  
1602 type of water that caused damage to the vehicle, as  
1603 applicable; revising the definition of the term "flood  
1604 vehicle"; making technical changes; amending s.  
1605 319.23, F.S.; making technical changes; amending s.





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1606 319.28, F.S.; providing that a certain affidavit  
1607 constitutes proof of ownership and right of possession  
1608 to a motor vehicle or mobile home the previous owner  
1609 of which died testate; amending s. 319.29, F.S.;  
1610 prohibiting the department or a tax collector from  
1611 charging a fee for reissuance of certain certificates  
1612 of title; amending s. 319.30, F.S.; revising the  
1613 definition of the terms "independent entity" and  
1614 "major component parts"; defining the term "vessel";  
1615 extending current requirements for an independent  
1616 entity's release of a damaged or dismantled vehicle to  
1617 include vessels; authorizing the independent entity to  
1618 apply for certain certificates for an unclaimed  
1619 vessel; providing requirements for such application;  
1620 specifying provisions to which the independent entity  
1621 is subject; prohibiting the independent entity from  
1622 charging vessel storage fees; amending s. 320.06,  
1623 F.S.; authorizing permanent registration of certain  
1624 rental trucks; authorizing the department to deem a  
1625 license plate with reduced dimensions to be necessary  
1626 to accommodate trailers; making technical changes;  
1627 amending s. 320.0605, F.S.; authorizing a uniform  
1628 paper or electronic format of the registration  
1629 certificate for a motor vehicle; specifying that  
1630 presenting an electronic registration certificate to a  
1631 law enforcement officer or agent does not constitute  
1632 consent for the officer or agent to access certain  
1633 information; making technical changes; amending s.  
1634 320.08056, F.S.; deleting plate registration



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1635 requirements for out-of-state college or university  
1636 license plates; providing applicability; amending s.  
1637 320.08058, F.S.; revising requirements regarding  
1638 collegiate license plates; authorizing the department  
1639 to reauthorize discontinued collegiate license plates  
1640 under certain circumstances; revising the distribution  
1641 of annual use fees for the "Protect Florida Springs"  
1642 license plate; revising the design requirements of the  
1643 "American Eagle" license plate; defining the term  
1644 "immediate relative"; revising eligibility  
1645 requirements for the "Divine Nine" license plate;  
1646 renaming the "Give the Kids the World" specialty  
1647 license plate as the "Universal Orlando Resort"  
1648 specialty license plate; directing the department to  
1649 develop a "Florida Association of Realtors" license  
1650 plate; providing for distribution and use of fees  
1651 collected from the sale of the plate; amending s.  
1652 320.084, F.S.; providing that certain disabled  
1653 veterans may, upon request, be issued a military  
1654 license plate or specialty license plate in lieu of a  
1655 "DV" license plate; specifying applicable fees;  
1656 specifying nonapplicability of certain provisions;  
1657 amending s. 322.01, F.S.; revising definitions;  
1658 defining the term "downgrade"; amending s. 322.02,  
1659 F.S.; charging the department with enforcement and  
1660 administration of certain federal provisions; amending  
1661 s. 322.05, F.S.; prohibiting the department from  
1662 issuing a commercial motor vehicle operator license to  
1663 certain persons; amending s. 322.07, F.S.; revising



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1664 requirements for issuance of a temporary commercial  
1665 instruction permit; amending s. 322.141, F.S.;

1666 requiring that certain information on the driver  
1667 license or identification card of a sexual offender or  
1668 sexual predator be printed in red; amending s.  
1669 322.142, F.S.; authorizing the department to issue  
1670 reproductions of certain files and records to certain  
1671 criminal justice or driver licensing agencies for  
1672 certain purposes; amending s. 322.21, F.S.;

1673 authorizing reinstatement of a commercial driver  
1674 license after a downgrade of the person's privilege to  
1675 operate a commercial motor vehicle under certain  
1676 circumstances; making technical changes; creating s.  
1677 322.591, F.S.; requiring the department to obtain a  
1678 driver's record from the Commercial Driver's License  
1679 Drug and Alcohol Clearinghouse under certain  
1680 circumstances; prohibiting the department from  
1681 issuing, renewing, transferring, or revising the types  
1682 of authorized vehicles or the endorsements of certain  
1683 commercial driver licenses or commercial instruction  
1684 permits if the department receives a certain  
1685 notification; requiring the department to downgrade a  
1686 commercial driver license or commercial instruction  
1687 permit within a specified timeframe if the department  
1688 receives a certain notification; requiring the  
1689 department to notify certain drivers of their  
1690 prohibition from operating a commercial motor vehicle  
1691 and, upon request, afford them an opportunity for an  
1692 informal hearing; providing requirements for such



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1693 notice and hearing; requiring the department to enter  
1694 a final order to downgrade a commercial driver license  
1695 or commercial instruction permit under certain  
1696 circumstances; specifying that a request for a hearing  
1697 tolls certain deadlines; specifying that certain  
1698 notifications received by the department must be in  
1699 the record for consideration and are self-  
1700 authenticating; specifying that the basis for the  
1701 notification and the information in the Commercial  
1702 Driver's License Drug and Alcohol Clearinghouse is not  
1703 subject to challenge; requiring the department to  
1704 dismiss the downgrade of a commercial driver license  
1705 or commercial instruction permit under certain  
1706 circumstances; requiring the department to record in  
1707 the driver's record that he or she is disqualified  
1708 from operating a commercial motor vehicle under  
1709 certain circumstances; specifying that certain actions  
1710 are not stayed during the pendency of certain  
1711 proceedings; requiring the department to reinstate a  
1712 commercial driver license or commercial instruction  
1713 permit under certain circumstances; exempting the  
1714 department from liability for certain commercial  
1715 driver license or commercial instruction permit  
1716 downgrades; designating the exclusive procedure for  
1717 the downgrade of certain commercial driver licenses or  
1718 commercial instruction permits; providing construction  
1719 and applicability; authorizing the department to issue  
1720 at no cost a specified driver license to certain  
1721 persons prohibited from operating a commercial motor



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1722 vehicle; amending ss. 322.34 and 322.61, F.S.;

1723 conforming cross-references; making technical changes;

1724 amending ss. 324.0221, 324.131, 627.311, and 627.351,

1725 F.S.; conforming provisions to changes made by the

1726 act; making technical changes; amending s. 627.7275,

1727 F.S.; deleting provisions relating to noncancelable

1728 motor vehicle insurance; making technical changes;

1729 providing effective dates.