

By Senator DiCeglie

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1 A bill to be entitled
2 An act relating to motor vehicles; amending s.
3 207.004, F.S.; requiring that certain licenses and
4 fuel tax decals be issued by the Department of Highway
5 Safety and Motor Vehicles or its authorized agent;
6 making technical changes; providing legislative
7 findings and intent; amending s. 316.066, F.S.;
8 requiring all traffic law enforcement agencies to
9 provide uniform crash reports by electronic means to
10 the department; requiring that crash reports be
11 consistent with certain rules and procedures and be
12 appropriately numbered and inventoried; amending s.
13 316.2935, F.S.; providing an exception regarding
14 certifications of the air pollution control devices on
15 motor vehicles; amending s. 316.302, F.S.; revising
16 the list of applicable federal rules and regulations
17 governing owners and drivers of commercial motor
18 vehicles; conforming cross-references; making
19 technical changes; amending s. 319.14, F.S.; requiring
20 that flood vehicles have the water type specified on
21 the certificate of title under certain conditions;
22 revising the definition of the term "flood vehicle";
23 reordering definitions; amending s. 319.23, F.S.;
24 making a technical change; amending s. 319.30, F.S.;
25 revising the definition of the term "major component
26 parts"; clarifying and revising provisions relating to
27 obtaining a salvage certificate or certificate of
28 destruction; declaring that the department is not
29 liable to certain persons as a result of an issuance

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30 of a salvage title or certificate of destruction;
31 amending s. 320.06, F.S.; authorizing certain rental
32 trucks to elect a permanent registration period;
33 amending s. 322.01, F.S.; revising definitions;
34 defining the term "downgrade"; amending s. 322.02,
35 F.S.; revising legislative intent regarding the
36 department's charge; amending s. 322.05, F.S.;

37 prohibiting the department from issuing a commercial
38 vehicle operator license to certain persons; amending
39 s. 322.07, F.S.; revising requirements for issuance of
40 temporary commercial instruction permits; amending s.
41 322.142, F.S.; authorizing the department to issue its
42 record of digital images and signatures to certain
43 criminal justice agencies and driver licensing
44 agencies of any other state under certain
45 circumstances; amending s. 322.21, F.S.; authorizing
46 reinstatement of a commercial driver license after a
47 downgrade of the person's privilege to operate a
48 commercial motor vehicle, under certain circumstances;
49 conforming provisions to changes made by the act;
50 creating s. 322.591, F.S.; requiring the department to
51 obtain a driver's record from the Commercial Driver's
52 License Drug and Alcohol Clearinghouse under certain
53 circumstances; prohibiting the department from
54 issuing, renewing, transferring, or revising the type
55 of authorized vehicles or the endorsements of certain
56 commercial driver licenses or commercial instruction
57 permits if the department receives a certain
58 notification; requiring the department to downgrade a

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59 commercial driver license or commercial instruction
60 permit if the department receives a certain
61 notification; providing a timeframe for such downgrade
62 to be completed and recorded; requiring the department
63 to notify certain drivers of their prohibition from
64 operating a commercial motor vehicle and, upon
65 request, afford them an opportunity for an informal
66 hearing; specifying requirements for the notice and
67 the hearing; specifying that a request for a hearing
68 tolls certain deadlines; specifying that certain
69 notifications received by the department are in the
70 record and self-authenticating; specifying that the
71 basis for the notification and the information in the
72 Commercial Driver's License Drug and Alcohol
73 Clearinghouse is not subject to challenge in certain
74 hearings or proceedings; requiring the department to
75 dismiss the downgrade of a commercial driver license
76 or instruction permit under certain circumstances;
77 requiring the department to record in the driver's
78 record that he or she is disqualified from operating a
79 commercial motor vehicle under certain circumstances;
80 specifying certain actions that are not stayed during
81 the pendency of certain proceedings; requiring the
82 department to reinstate a commercial driver license or
83 commercial instruction permit under certain
84 circumstances; providing that the department is not
85 liable for certain commercial driver license or
86 commercial instruction permit downgrades; designating
87 the exclusive procedures for downgrade of commercial

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88 driver licenses or commercial instruction permits;
89 providing construction and applicability; authorizing
90 the department to issue at no cost a specified driver
91 license to certain persons prohibited from operating a
92 commercial motor vehicle; amending ss. 322.34 and
93 322.61, F.S.; conforming cross-references; providing
94 effective dates.

95

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

97

98 Section 1. Paragraph (a) of subsection (1) of section
99 207.004, Florida Statutes, is amended to read:

100 207.004 Registration of motor carriers; identifying
101 devices; fees; renewals; temporary fuel-use permits and
102 driveaway permits.-

103 (1) (a) A ~~No~~ motor carrier may not shall operate or cause to
104 be operated in this state any commercial motor vehicle, other
105 than a Florida-based commercial motor vehicle that travels
106 Florida intrastate mileage only, that uses diesel fuel or motor
107 fuel until such carrier has registered with the department or
108 has registered under a cooperative reciprocal agreement as
109 described in s. 207.0281, after such time as this state enters
110 into such agreement, and has been issued an identifying device
111 or such carrier has been issued a permit as authorized under
112 subsections (4) and (5) for each vehicle operated. The fee for
113 each such identifying device issued is ~~There shall be a fee of~~
114 ~~\$4 per year or any fraction thereof for each such identifying~~
115 ~~device issued.~~ The identifying device must shall be provided by
116 the department and must be conspicuously displayed on the

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117 commercial motor vehicle as prescribed by the department while
118 it is being operated on the public highways of this state. The
119 transfer of an identifying device from one vehicle to another
120 vehicle or from one motor carrier to another motor carrier is
121 prohibited. The department or its authorized agent shall issue
122 licenses and fuel tax decals.

123 Section 2. The Legislature finds that a proper and
124 legitimate purpose is served when crash reports required under
125 s. 316.066, Florida Statutes, are filed electronically with the
126 Department of Highway Safety and Motor Vehicles by all entities
127 required to submit crash reports. Electronic filing will
128 expedite the availability of crash reports to the persons
129 authorized to receive them, simplify the process of making crash
130 reports available, and expedite the availability of information
131 derived from crash reports to improve highway safety. The
132 requirement of this act that all law enforcement agencies that
133 prepare crash reports submit the completed crash reports
134 electronically to the Department of Highway Safety and Motor
135 Vehicles applies to all similarly situated persons, including
136 school district law enforcement agencies, state university law
137 enforcement agencies, and state law enforcement agencies.
138 Therefore, the Legislature determines and declares that the
139 amendments made by this act to s. 316.066, Florida Statutes,
140 fulfill an important state interest.

141 Section 3. Effective July 1, 2025, paragraph (a) of
142 subsection (1) of section 316.066, Florida Statutes, is amended
143 to read:

144 316.066 Written reports of crashes.—

145 (1) (a) All traffic law enforcement agencies must provide

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146 uniform crash reports by electronic means to the department.
147 Such crash reports must be consistent with the state traffic
148 crash manual rules and the procedures established by the
149 department and must be appropriately numbered and inventoried. A
150 Florida Traffic Crash Report, Long Form must be completed and
151 electronically submitted to the department within 10 days after
152 an investigation is completed by the law enforcement officer who
153 in the regular course of duty investigates a motor vehicle crash
154 that:

- 155 1. Resulted in death of, personal injury to, or any
156 indication of complaints of pain or discomfort by any of the
157 parties or passengers involved in the crash;
- 158 2. Involved a violation of s. 316.061(1) or s. 316.193;
- 159 3. Rendered a vehicle inoperable to a degree that required
160 a wrecker to remove it from the scene of the crash; or
- 161 4. Involved a commercial motor vehicle.

162 Section 4. Paragraph (b) of subsection (1) of section
163 316.2935, Florida Statutes, is amended to read:

164 316.2935 Air pollution control equipment; tampering
165 prohibited; penalty.—

166 (1)

167 (b) At the time of sale, lease, or transfer of title of a
168 motor vehicle, the seller, lessor, or transferor shall certify
169 in writing to the purchaser, lessee, or transferee that the air
170 pollution control equipment of the motor vehicle has not been
171 tampered with by the seller, lessor, or transferor or their
172 agents, employees, or other representatives. A licensed motor
173 vehicle dealer shall also visually observe those air pollution
174 control devices listed by department rule pursuant to subsection

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175 (7), and certify that they are in place, and appear properly
176 connected and undamaged. Such certification shall not be deemed
177 or construed as a warranty that the pollution control devices of
178 the subject vehicle are in functional condition, nor does the
179 execution or delivery of this certification create by itself
180 grounds for a cause of action between the parties to this
181 transaction. This paragraph does not apply when the purchaser of
182 the motor vehicle is a lessee purchasing the leased motor
183 vehicle and the licensed motor vehicle dealer is not in
184 possession of the motor vehicle at the time of sale.

185 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
186 paragraph (d) of subsection (2), and subsection (9) of section
187 316.302, Florida Statutes, are amended to read:

188 316.302 Commercial motor vehicles; safety regulations;
189 transporters and shippers of hazardous materials; enforcement.-

190 (1) (a) All owners and drivers of commercial motor vehicles
191 that are operated on the public highways of this state while
192 engaged in interstate commerce are subject to the rules and
193 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
194 386, and 390-397.

195 (b) Except as otherwise provided in this section, all
196 owners and drivers of commercial motor vehicles that are engaged
197 in intrastate commerce are subject to the rules and regulations
198 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
199 397, as such rules and regulations existed on December 31, 2022
200 2020.

201 ~~(c) A person who operates a commercial motor vehicle solely~~
202 ~~in intrastate commerce which does not transport hazardous~~
203 ~~materials in amounts that require placarding pursuant to 49~~

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204 ~~C.F.R. part 172 need not comply with the requirements of~~
205 ~~electronic logging devices and hours of service supporting~~
206 ~~documents as provided in 49 C.F.R. parts 385, 386, 390, and 395~~
207 ~~until December 31, 2019.~~

208 (2)

209 (d) A person who operates a commercial motor vehicle solely
210 in intrastate commerce not transporting any hazardous material
211 in amounts that require placarding pursuant to 49 C.F.R. part
212 172 within a 150 air-mile radius of the location where the
213 vehicle is based need not comply with 49 C.F.R. ss. 395.8 and
214 395.11 ~~s. 395.8~~ if the requirements of 49 C.F.R. s. 395.1(e)(1)
215 (iii) and (iv) ~~49 C.F.R. s. 395.1(e)(1) (ii), (iii)(A) and (C),~~
216 ~~and (v)~~ are met.

217 (9) For the purpose of enforcing this section, any law
218 enforcement officer of the Department of Highway Safety and
219 Motor Vehicles or duly appointed agent who holds a current
220 safety inspector certification from the Commercial Vehicle
221 Safety Alliance may require the driver of any commercial vehicle
222 operated on the highways of this state to stop and submit to an
223 inspection of the vehicle or the driver's records. If the
224 vehicle or driver is found to be operating in an unsafe
225 condition, or if any required part or equipment is not present
226 or is not in proper repair or adjustment, and the continued
227 operation would present an unduly hazardous operating condition,
228 the officer or agent may require the vehicle or the driver to be
229 removed from service pursuant to the North American Standard
230 Out-of-Service Criteria, until corrected. However, if continuous
231 operation would not present an unduly hazardous operating
232 condition, the officer or agent may give written notice

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233 requiring correction of the condition within 15 days.

234 (a) Any member of the Florida Highway Patrol or any law
235 enforcement officer employed by a sheriff's office or municipal
236 police department authorized to enforce the traffic laws of this
237 state pursuant to s. 316.640 who has reason to believe that a
238 vehicle or driver is operating in an unsafe condition may, as
239 provided in subsection (11), enforce the provisions of this
240 section.

241 (b) Any person who fails to comply with a ~~an officer's~~
242 request to submit to an inspection under this subsection commits
243 a violation of s. 843.02 if the person resists the officer
244 without violence or a violation of s. 843.01 if the person
245 resists the officer with violence.

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

248 319.14 Sale of motor vehicles registered or used as
249 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
250 nonconforming vehicles, custom vehicles, or street rod vehicles;
251 conversion of low-speed vehicles.-

252 (1)

253 (b) A person may not knowingly offer for sale, sell, or
254 exchange a rebuilt vehicle until the department has stamped in a
255 conspicuous place on the certificate of title for the vehicle
256 words stating that the vehicle has been rebuilt or assembled
257 from parts, or is a kit car, glider kit, replica, flood vehicle,
258 custom vehicle, or street rod vehicle unless proper application
259 for a certificate of title for a vehicle that is rebuilt or
260 assembled from parts, or is a kit car, glider kit, replica,
261 flood vehicle, custom vehicle, or street rod vehicle has been

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262 made to the department in accordance with this chapter and the
263 department has conducted the physical examination of the vehicle
264 to assure the identity of the vehicle and all major component
265 parts, as defined in s. 319.30(1), which have been repaired or
266 replaced. If a vehicle is identified as a flood vehicle, the
267 words stamped on the certificate of title must identify the
268 water type as "salt water," "fresh water," or "other or unknown
269 water type," as applicable. Thereafter, the department shall
270 affix a decal to the vehicle, in the manner prescribed by the
271 department, showing the vehicle to be rebuilt.

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

273 9.1. "Police vehicle" means a motor vehicle owned or leased
274 by the state or a county or municipality and used in law
275 enforcement.

276 13.2.a. "Short-term-lease vehicle" means a motor vehicle
277 leased without a driver and under a written agreement to one or
278 more persons from time to time for a period of less than 12
279 months.

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

283 6.e. "Lease vehicle" includes both short-term-lease
284 vehicles and long-term-lease vehicles.

285 10.3. "Rebuilt vehicle" means a motor vehicle or mobile
286 home built from salvage or junk, as defined in s. 319.30(1).

287 1.4. "Assembled from parts" means a motor vehicle or mobile
288 home assembled from parts or combined from parts of motor
289 vehicles or mobile homes, new or used. The term "assembled from
290 parts" does not include ~~mean a motor vehicle defined as a~~

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291 "rebuilt vehicle" as defined in subparagraph 10. ~~in subparagraph~~
292 ~~3.7,~~ which has been declared a total loss pursuant to s. 319.30.

293 5. "Kit car" means a motor vehicle assembled with a kit
294 supplied by a manufacturer to rebuild a wrecked or outdated
295 motor vehicle with a new body kit.

296 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
297 supplied by a manufacturer to rebuild a wrecked or outdated
298 truck or truck tractor.

299 ~~11.7.~~ "Replica" means a complete new motor vehicle
300 manufactured to look like an old vehicle.

301 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
302 that has been declared to be a total loss pursuant to s.
303 319.30(3)(a) resulting from damage caused by salt water, fresh
304 water, or other or unknown type of water.

305 ~~8.9.~~ "Nonconforming vehicle" means a motor vehicle that
306 ~~which~~ has been purchased by a manufacturer pursuant to a
307 settlement, determination, or decision under chapter 681.

308 ~~12.10.~~ "Settlement" means an agreement entered into between
309 a manufacturer and a consumer that occurs after a dispute is
310 submitted to a program, or to an informal dispute settlement
311 procedure established by a manufacturer, or is approved for
312 arbitration before the Florida New Motor Vehicle Arbitration
313 Board as defined in s. 681.102.

314 ~~2.11.~~ "Custom vehicle" means a motor vehicle that:

315 a. Is 25 years of age or older and of a model year after
316 1948 or was manufactured to resemble a vehicle that is 25 years
317 of age or older and of a model year after 1948; and

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

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320

321 The model year and year of manufacture that the body of a custom
322 vehicle resembles is the model year and year of manufacture
323 listed on the certificate of title, regardless of when the
324 vehicle was actually manufactured.

325 ~~14.12.~~ "Street rod" means a motor vehicle that:

326 a. Is of a model year of 1948 or older or was manufactured
327 after 1948 to resemble a vehicle of a model year of 1948 or
328 older; and

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

331

332 The model year and year of manufacture that the body of a street
333 rod resembles is the model year and year of manufacture listed
334 on the certificate of title, regardless of when the vehicle was
335 actually manufactured.

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

338 319.23 Application for, and issuance of, certificate of
339 title.—

340 (3) If a certificate of title has not previously been
341 issued for a motor vehicle or mobile home in this state, the
342 application, unless otherwise provided for in this chapter,
343 shall be accompanied by a proper bill of sale or sworn statement
344 of ownership, or a duly certified copy thereof, or by a
345 certificate of title, bill of sale, or other evidence of
346 ownership required by the law of the state or country ~~county~~
347 from which the motor vehicle or mobile home was brought into
348 this state. The application shall also be accompanied by:

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349 (a)1. A sworn affidavit from the seller and purchaser
350 verifying that the vehicle identification number shown on the
351 affidavit is identical to the vehicle identification number
352 shown on the motor vehicle; or

353 2. An appropriate departmental form evidencing that a
354 physical examination has been made of the motor vehicle by the
355 owner and by a duly constituted law enforcement officer in any
356 state, a licensed motor vehicle dealer, a license inspector as
357 provided by s. 320.58, or a notary public commissioned by this
358 state and that the vehicle identification number shown on such
359 form is identical to the vehicle identification number shown on
360 the motor vehicle; and

361 (b) If the vehicle is a used car original, a sworn
362 affidavit from the owner verifying that the odometer reading
363 shown on the affidavit is identical to the odometer reading
364 shown on the motor vehicle in accordance with the requirements
365 of 49 C.F.R. s. 580.5 at the time that application for title is
366 made. For the purposes of this section, the term "used car
367 original" means a used vehicle coming into and being titled in
368 this state for the first time.

369 (c) If the vehicle is an ancient or antique vehicle, as
370 defined in s. 320.086, the application shall be accompanied by a
371 certificate of title; a bill of sale and a registration; or a
372 bill of sale and an affidavit by the owner defending the title
373 from all claims. The bill of sale must contain a complete
374 vehicle description to include the vehicle identification or
375 engine number, year make, color, selling price, and signatures
376 of the seller and purchaser.

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378 Verification of the vehicle identification number is not
379 required for any new motor vehicle; any mobile home; any trailer
380 or semitrailer with a net weight of less than 2,000 pounds; or
381 any travel trailer, camping trailer, truck camper, or fifth-
382 wheel recreation trailer.

383 Section 8. Paragraph (j) of subsection (1) and paragraph
384 (b) of subsection (3) of section 319.30, Florida Statutes, are
385 amended to read:

386 319.30 Definitions; dismantling, destruction, change of
387 identity of motor vehicle or mobile home; salvage.—

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

389 (j) "Major component parts" means:

390 1. For motor vehicles other than electric or plug-in hybrid
391 motor vehicles and motorcycles, any fender, hood, bumper, cowl
392 assembly, rear quarter panel, trunk lid, door, decklid, floor
393 pan, engine, frame, transmission, catalytic converter, or
394 airbag.

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

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

402 4. For mobile homes, the frame.

403 5. For electric or plug-in hybrid motor vehicles, any
404 fender, hood, bumper, cowl assembly, rear quarter panel, trunk
405 lid, door, decklid, floor pan, engine, electric traction motor,
406 frame, transmission or electronic transmission, charge port, DC

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407 power converter, onboard charger, power electronics controller,
408 thermal system, traction battery pack, catalytic converter, or
409 airbag.

410 (3)

411 (b) The owner, including persons who are self-insured, of a
412 motor vehicle or mobile home that is considered to be salvage
413 shall, within 72 hours after the motor vehicle or mobile home
414 becomes salvage, forward the title to the motor vehicle or
415 mobile home to the department for processing. However, an
416 insurance company that pays money as compensation for the total
417 loss of a motor vehicle or mobile home shall obtain the
418 certificate of title for the motor vehicle or mobile home, make
419 the required notification to the National Motor Vehicle Title
420 Information System, and, within 72 hours after receiving such
421 certificate of title, forward such title by the United States
422 Postal Service, by another commercial delivery service, or by
423 electronic means, when such means are made available by the
424 department, to the department for processing. The owner or
425 insurance company, as applicable, may not dispose of a vehicle
426 or mobile home that is a total loss before it obtains a salvage
427 certificate of title or certificate of destruction from the
428 department. ~~Effective January 1, 2020:~~

429 1. Thirty days after payment of a claim for compensation
430 pursuant to this paragraph, the insurance company may receive a
431 salvage certificate of title or certificate of destruction from
432 the department if the insurance company is unable to obtain a
433 properly assigned paper or electronic certificate of title from
434 the owner or lienholder of the motor vehicle or mobile home, ~~if~~
435 ~~the motor vehicle or mobile home does not carry an electronic~~

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436 ~~lien on the title~~ and the insurance company:

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

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

444 c. Has attested on a form provided by the department and
445 signed by the insurance company or its authorized agent stating
446 the attempts that have been made to obtain the title from the
447 owner or the lienholder and further stating that all attempts
448 are to no avail. The form must include a request that the
449 salvage certificate of title or certificate of destruction be
450 issued in the insurance company's name due to payment of a total
451 loss claim to the owner or lienholder. The attempts to contact
452 the owner or the lienholder may be by written request delivered
453 in person or by first-class mail with a certificate of mailing
454 to the owner's or lienholder's last known address.

455 2. If the owner or the lienholder is notified of the
456 request for title in person, the insurance company must provide
457 an affidavit attesting to the in-person request for a
458 certificate of title.

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

463
464 The department is not liable to, and may not be held liable by,

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465 an owner, a lienholder, or any other person as a result of the
466 issuance of a salvage title or a certificate of destruction
467 pursuant to this paragraph.

468 Section 9. Paragraph (b) of subsection (1) of section
469 320.06, Florida Statutes, is amended to read:

470 320.06 Registration certificates, license plates, and
471 validation stickers generally.—

472 (1)

473 (b)1. Registration license plates bearing a graphic symbol
474 and the alphanumeric system of identification shall be issued
475 for a 10-year period. At the end of the 10-year period, upon
476 renewal, the plate shall be replaced. The department shall
477 extend the scheduled license plate replacement date from a 6-
478 year period to a 10-year period. The fee for such replacement is
479 \$28, \$2.80 of which shall be paid each year before the plate is
480 replaced, to be credited toward the next \$28 replacement fee.
481 The fees shall be deposited into the Highway Safety Operating
482 Trust Fund. A credit or refund may not be given for any prior
483 years' payments of the prorated replacement fee if the plate is
484 replaced or surrendered before the end of the 10-year period,
485 except that a credit may be given if a registrant is required by
486 the department to replace a license plate under s.

487 320.08056(8) (a). With each license plate, a validation sticker
488 shall be issued showing the owner's birth month, license plate
489 number, and the year of expiration or the appropriate renewal
490 period if the owner is not a natural person. The validation
491 sticker shall be placed on the upper right corner of the license
492 plate. The license plate and validation sticker shall be issued
493 based on the applicant's appropriate renewal period. The

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494 registration period is 12 months, the extended registration
495 period is 24 months, and all expirations occur based on the
496 applicant's appropriate registration period. Rental vehicles
497 taxed pursuant to s. 320.08(6)(a) and rental trucks taxed
498 pursuant to ss. 320.08(3)(a), (b), and (c) and (4)(a)-(d) may
499 elect a permanent registration period, provided payment of the
500 appropriate license taxes and fees occurs annually.

501 2. A vehicle that has an apportioned registration shall be
502 issued an annual license plate and a cab card that denote the
503 declared gross vehicle weight for each apportioned jurisdiction
504 in which the vehicle is authorized to operate. This subparagraph
505 expires June 30, 2024.

506 3. Beginning July 1, 2024, a vehicle registered in
507 accordance with the International Registration Plan must be
508 issued a license plate for a 3-year period. At the end of the 3-
509 year period, upon renewal, the license plate must be replaced.
510 Each license plate must include a validation sticker showing the
511 month of expiration. A cab card denoting the declared gross
512 vehicle weight for each apportioned jurisdiction must be issued
513 annually. The fee for an original or a renewal cab card is \$28,
514 which must be deposited into the Highway Safety Operating Trust
515 Fund. If the license plate is damaged or worn, it may be
516 replaced at no charge by applying to the department and
517 surrendering the current license plate.

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

522 Section 10. Present subsections (16) through (48) of

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523 section 322.01, Florida Statutes, are redesignated as
524 subsections (17) through (49), respectively, a new subsection
525 (16) is added to that section, and subsection (5) and present
526 subsections (37) and (41) of that section are amended, to read:

527 322.01 Definitions.—As used in this chapter:

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

530 (16) "Downgrade" has the same meaning as the term "CDL
531 downgrade," as defined in 49 C.F.R. s. 383.5(4).

532 (38)~~(37)~~ "Revocation" means the termination of a licensee's
533 privilege to drive, but does not include a downgrade.

534 (42)~~(41)~~ "Suspension" means the temporary withdrawal of a
535 licensee's privilege to drive a motor vehicle, but does not
536 include a downgrade.

537 Section 11. Subsection (2) of section 322.02, Florida
538 Statutes, is amended to read:

539 322.02 Legislative intent; administration.—

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

544 Section 12. Present subsections (4) through (12) of section
545 322.05, Florida Statutes, are redesignated as subsections (5)
546 through (13), respectively, and a new subsection (4) is added to
547 that section, to read:

548 322.05 Persons not to be licensed.—The department may not
549 issue a license:

550 (4) To any person, as a commercial vehicle operator, who is
551 ineligible to operate a commercial vehicle pursuant to 49 C.F.R.

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552 part 383.

553 Section 13. Subsection (3) of section 322.07, Florida
554 Statutes, is amended to read:

555 322.07 Instruction permits and temporary licenses.—

556 (3) Any person who, except for his or her lack of
557 instruction in operating a commercial motor vehicle, would
558 otherwise be qualified to obtain a commercial driver license
559 under this chapter, may apply for a temporary commercial
560 instruction permit. The department shall issue such a permit
561 entitling the applicant, while having the permit in his or her
562 immediate possession, to drive a commercial motor vehicle on the
563 highways, if:

564 (a) The applicant possesses a valid Florida driver license;
565 ~~and~~

566 (b) The applicant, while operating a commercial motor
567 vehicle, is accompanied by a licensed driver who is 21 years of
568 age or older, who is licensed to operate the class of vehicle
569 being operated, and who is occupying the closest seat to the
570 right of the driver; ~~and—~~

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

574 Section 14. Subsection (4) of section 322.142, Florida
575 Statutes, is amended to read:

576 322.142 Color photographic or digital imaged licenses.—

577 (4) The department may maintain a film negative or print
578 file. The department shall maintain a record of the digital
579 image and signature of the licensees, together with other data
580 required by the department for identification and retrieval.

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581 Reproductions from the file or digital record are exempt from
582 the provisions of s. 119.07(1) and may be made and issued only
583 in any of the following manners:

584 (a) For departmental administrative purposes.†

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

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

587 (d) To the Department of Business and Professional
588 Regulation and the Department of Health pursuant to an
589 interagency agreement for the purpose of accessing digital
590 images for reproduction of licenses issued by the Department of
591 Business and Professional Regulation or the Department of
592 Health.†

593 (e) To the Department of State pursuant to an interagency
594 agreement to facilitate determinations of eligibility of voter
595 registration applicants and registered voters in accordance with
596 ss. 98.045 and 98.075.†

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

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

604 (h) To the Department of Children and Families pursuant to
605 an interagency agreement specifying the number of employees in
606 each of that department's regions to be granted access to the
607 records for use as verification of identity to expedite the
608 determination of eligibility for public assistance and for use
609 in public assistance fraud investigations.†

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610 (i) To the Agency for Health Care Administration pursuant
611 to an interagency agreement for the purpose of authorized
612 agencies verifying photographs in the Care Provider Background
613 Screening Clearinghouse authorized under s. 435.12.†

614 (j) To the Department of Financial Services pursuant to an
615 interagency agreement to facilitate the location of owners of
616 unclaimed property, the validation of unclaimed property claims,
617 the identification of fraudulent or false claims, and the
618 investigation of allegations of violations of the insurance code
619 by licensees and unlicensed persons.†

620 (k) To the Department of Economic Opportunity pursuant to
621 an interagency agreement to facilitate the validation of
622 reemployment assistance claims and the identification of
623 fraudulent or false reemployment assistance claims.†

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

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

- 631 1. A justice or judge of this state;
- 632 2. An employee of the state courts system who works in a
633 position that is designated in writing for access by the Chief
634 Justice of the Supreme Court or a chief judge of a district or
635 circuit court, or by his or her designee; or
- 636 3. A government employee who performs functions on behalf
637 of the state courts system in a position that is designated in
638 writing for access by the Chief Justice or a chief judge, or by

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639 his or her designee.~~;~~ ~~or~~

640 (n) To the Agency for Health Care Administration pursuant
641 to an interagency agreement to prevent health care fraud. If the
642 Agency for Health Care Administration enters into an agreement
643 with a private entity to carry out duties relating to health
644 care fraud prevention, such contracts shall include, but need
645 not be limited to:

646 1. Provisions requiring internal controls and audit
647 processes to identify access, use, and unauthorized access of
648 information.

649 2. A requirement to report unauthorized access or use to
650 the Agency for Health Care Administration within 1 business day
651 after the discovery of the unauthorized access or use.

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

654 (o) To any criminal justice agency, as defined in s.
655 943.045(11), pursuant to an interagency agreement for use in
656 carrying out the criminal justice agency's functions.

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

660 Section 15. Subsection (8) and paragraph (a) of subsection
661 (9) of section 322.21, Florida Statutes, are amended to read:

662 322.21 License fees; procedure for handling and collecting
663 fees.—

664 (8) A person who applies for reinstatement following the
665 suspension or revocation of the person's driver license must pay
666 a service fee of \$45 following a suspension, and \$75 following a
667 revocation, which is in addition to the fee for a license. A

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668 person who applies for reinstatement of a commercial driver
669 license following the disqualification or downgrade of the
670 person's privilege to operate a commercial motor vehicle shall
671 pay a service fee of \$75, which is in addition to the fee for a
672 license. The department shall collect all of these fees at the
673 time of reinstatement. The department shall issue proper
674 receipts for such fees and shall promptly transmit all funds
675 received by it as follows:

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

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

681 2. If the reinstatement is processed by the tax collector,
682 \$15, less the general revenue service charge set forth in s.
683 215.20(1), shall be retained by the tax collector, \$15 shall be
684 deposited into the Highway Safety Operating Trust Fund, and \$15
685 shall be deposited into the General Revenue Fund.

686 (b) Of the \$75 fee received from a licensee for
687 reinstatement following a revocation, ~~or~~ disqualification, or
688 downgrade:

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

692 2. If the reinstatement is processed by the tax collector,
693 \$20, less the general revenue service charge set forth in s.
694 215.20(1), shall be retained by the tax collector, \$20 shall be
695 deposited into the Highway Safety Operating Trust Fund, and \$35
696 shall be deposited into the General Revenue Fund.

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697
698 If the revocation or suspension of the driver license was for a
699 violation of s. 316.193, or for refusal to submit to a lawful
700 breath, blood, or urine test, an additional fee of \$130 must be
701 charged. However, only one \$130 fee may be collected from one
702 person convicted of violations arising out of the same incident.
703 The department shall collect the \$130 fee and deposit the fee
704 into the Highway Safety Operating Trust Fund at the time of
705 reinstatement of the person's driver license, but the fee may
706 not be collected if the suspension or revocation is overturned.
707 If the revocation or suspension of the driver license was for a
708 conviction for a violation of s. 817.234(8) or (9) or s.
709 817.505, an additional fee of \$180 is imposed for each offense.
710 The department shall collect and deposit the additional fee into
711 the Highway Safety Operating Trust Fund at the time of
712 reinstatement of the person's driver license.

713 (9) An applicant:

714 (a) Requesting a review authorized in s. 322.222, s.
715 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
716 pay a filing fee of \$25 to be deposited into the Highway Safety
717 Operating Trust Fund.

718 Section 16. Section 322.591, Florida Statutes, is created
719 to read:

720 322.591 Commercial driver license and commercial
721 instruction permit; Commercial Driver's License Drug and Alcohol
722 Clearinghouse; prohibition on issuance of commercial driver
723 licenses; downgrades.-

724 (1) Beginning November 18, 2024, when a person applies for
725 or seeks to renew, transfer, or make any other change to a

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726 commercial driver license or commercial instruction permit, the
727 department must obtain the driver's record from the Commercial
728 Driver's License Drug and Alcohol Clearinghouse established
729 pursuant to 49 C.F.R. part 382. The department may not issue,
730 renew, transfer, or revise the types of authorized vehicles that
731 may be operated or the endorsements applicable to a commercial
732 driver license or commercial instruction permit for any person
733 for whom the department receives notification pursuant to 49
734 C.F.R. s. 382.501(a) that the person is prohibited from
735 operating a commercial vehicle.

736 (2) Beginning November 18, 2024, the department shall
737 downgrade the commercial driver license or commercial
738 instruction permit of any driver if the department receives
739 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
740 driver is prohibited from operating a commercial motor vehicle.
741 Any such downgrade must be completed and recorded by the
742 department in the Commercial Driver's License Information System
743 within 60 days after the department's receipt of such
744 notification.

745 (3) (a) Beginning November 18, 2024, upon receipt of
746 notification pursuant to 49 C.F.R. s. 382.501(a) that a driver
747 is prohibited from operating a motor vehicle, the department
748 shall immediately notify the driver who is the subject of such
749 notification that he or she is prohibited from operating a
750 commercial motor vehicle and, upon his or her request, must
751 afford him or her an opportunity for an informal hearing
752 pursuant to this section. The department's notice must be
753 provided to the driver in the same manner as, and providing such
754 notice has the same effect as, notices provided pursuant to s.

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755 322.251(1) and (2).

756 (b) Such informal hearing must be requested not later than
757 20 days after the driver receives the notice of the downgrade.
758 If a request for a hearing, together with the filing fee
759 required pursuant to s. 322.21, is not received within 20 days
760 after receipt of such notice, the department must enter a final
761 order directing the downgrade of the driver's commercial driver
762 license or commercial instruction permit, unless the department
763 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
764 the driver is no longer prohibited from operating a commercial
765 vehicle.

766 (c) A hearing requested pursuant to paragraph (b) must be
767 scheduled and held not later than 30 days after receipt by the
768 department of a request for the hearing, together with the
769 filing fee required pursuant to s. 322.21. The submission of a
770 request for hearing pursuant to this subsection tolls the
771 deadline to file a petition for writ of certiorari pursuant to
772 s. 322.31 until after the department enters a final order after
773 a hearing pursuant to this subsection.

774 (d) The informal hearing authorized pursuant to this
775 subsection is exempt from the provisions of chapter 120. Such
776 hearing must be conducted before a hearing officer designated by
777 the department. The hearing officer may conduct such hearing
778 from any location in this state by means of communications
779 technology.

780 (e) The notification received by the department pursuant to
781 49 C.F.R. s. 382.501(a) must be in the record for consideration
782 by the hearing officer and in any proceeding pursuant to s.
783 322.31 and is considered self-authenticating. The basis for the

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784 notification received by the department pursuant to 49 C.F.R. s.
785 382.501(a) and the information in the Commercial Driver's
786 License Drug and Alcohol Clearinghouse which resulted in such
787 notification is not subject to challenge in the hearing or in
788 any proceeding brought under s. 322.31.

789 (f) If, before the entry of a final order arising from a
790 notification received by the department pursuant to 49 C.F.R. s.
791 382.501(a), the department receives notification pursuant to 49
792 C.F.R. s. 382.503(a) that the driver is no longer prohibited
793 from operating a commercial vehicle, the department must dismiss
794 the action to downgrade the driver's commercial driver license
795 or commercial instruction permit.

796 (g) Upon the entry of a final order that results in the
797 downgrade of a driver's commercial driver license or commercial
798 instruction permit, the department shall record immediately in
799 the driver's record that the driver is disqualified from
800 operating or driving a commercial motor vehicle. The downgrade
801 of a commercial driver license or commercial instruction permit
802 pursuant to a final order entered pursuant to this section, and,
803 upon the entry of a final order, the recording in the driver's
804 record that the driver subject to such a final order is
805 disqualified from operating or driving a commercial motor
806 vehicle, are not stayed during the pendency of any proceeding
807 pursuant to s. 322.31.

808 (h) If, after the entry of a final order that results in
809 the downgrade of a driver's commercial driver license or
810 commercial instruction permit and the department recording in
811 the driver's record that the driver is disqualified from
812 operating or driving a commercial motor vehicle, the department

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813 receives notification pursuant to 49 C.F.R. s. 382.503(a) that
814 the driver is no longer prohibited from operating a commercial
815 vehicle, the department must reinstate the driver's commercial
816 driver license or commercial instruction permit upon application
817 by such driver.

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

821 (j) This section is the exclusive procedure for the
822 downgrade of a commercial driver license or commercial
823 instruction permit following notification the department
824 receives pursuant to 49 C.F.R. s. 382.501(a) that a driver is
825 prohibited from operating a commercial motor vehicle.

826 (k) The downgrade of a commercial driver license or
827 commercial instruction permit of a person pursuant to this
828 section does not preclude the suspension of the driving
829 privilege for that person pursuant to s. 322.2615 or the
830 disqualification of that person from operating a commercial
831 vehicle pursuant to s. 322.64. The driving privilege of a person
832 whose commercial driver license or commercial instruction permit
833 has been downgraded pursuant to this section also may be
834 suspended for a violation of s. 316.193.

835 (4) Beginning November 18, 2024, a driver for whom the
836 department receives notification that, pursuant to 49 C.F.R. s.
837 382.501(a), such person is prohibited from operating a
838 commercial motor vehicle may, if otherwise qualified, be issued
839 a Class E driver license pursuant to s. 322.251(4), valid for
840 the length of his or her unexpired license period, at no cost.

841 Section 17. Subsection (2) of section 322.34, Florida

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842 Statutes, is amended to read:

843 322.34 Driving while license suspended, revoked, canceled,
844 or disqualified.—

845 (2) Any person whose driver license or driving privilege
846 has been canceled, suspended, or revoked as provided by law, or
847 who does not have a driver license or driving privilege but is
848 under suspension or revocation equivalent status as defined in
849 s. 322.01 ~~s. 322.01(42)~~, except persons defined in s. 322.264,
850 who, knowing of such cancellation, suspension, revocation, or
851 suspension or revocation equivalent status, drives any motor
852 vehicle upon the highways of this state while such license or
853 privilege is canceled, suspended, or revoked, or while under
854 suspension or revocation equivalent status, commits:

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

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

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

863 (c) A felony of the third degree, punishable as provided in
864 s. 775.082, s. 775.083, or s. 775.084, upon a third or
865 subsequent conviction if the current violation of this section
866 or the most recent prior violation of the section is related to
867 driving while license canceled, suspended, revoked, or
868 suspension or revocation equivalent status resulting from a
869 violation of:

870 1. Driving under the influence;

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871 2. Refusal to submit to a urine, breath-alcohol, or blood
872 alcohol test;

873 3. A traffic offense causing death or serious bodily
874 injury; or

875 4. Fleeing or eluding.

876

877 The element of knowledge is satisfied if the person has been
878 previously cited as provided in subsection (1); or the person
879 admits to knowledge of the cancellation, suspension, or
880 revocation, or suspension or revocation equivalent status; or
881 the person received notice as provided in subsection (4). There
882 shall be a rebuttable presumption that the knowledge requirement
883 is satisfied if a judgment or order as provided in subsection
884 (4) appears in the department's records for any case except for
885 one involving a suspension by the department for failure to pay
886 a traffic fine or for a financial responsibility violation.

887 Section 18. Subsection (4) of section 322.61, Florida
888 Statutes, is amended to read:

889 322.61 Disqualification from operating a commercial motor
890 vehicle.-

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

897 Section 19. Except as otherwise expressly provided in this
898 act, this act shall take effect July 1, 2023.